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**Meeting of the Executive Members for  
Housing and Adult Social Services and  
Advisory Panel**

March 26<sup>th</sup> 2007

Report of the Director of Housing and Adult Social Services

**Change to Temporary Tenancy and Licence Conditions**

**Summary**

1. This report looks at the need to change the following 'tenancy' conditions:
  - travellers licence conditions;
  - non-secure temporary accommodation agreement (shared hostel and non shared hostel);
  - non-secure temporary accommodation agreement (dispersed);
  - Introduction of a under 18's licence for permanent 'tenancies' to incorporate guarantor and support provider

**Background**

2. The current temporary accommodation agreements and travellers licences need updating to streamline and to incorporate conditions previously omitted.
3. There is a need to introduce a requirement for a guarantor for under 18's in both temporary accommodation and permanent housing as by law a person under 18 cannot be issued with a tenancy or hold an interest in land but can be placed on a licence to occupy or can be granted a tenancy status with a guarantor.

**Detailed changes**

4. There are a number of changes to travellers licence agreements:
  - Details of CYC responsibilities including assessment of support needs, provision of support, information about former arrears;
  - Removal or requirement to pay a deposit;
  - Inclusion of clause regarding payment of former arrears, electricity, permission for visitors to stay, to request written permission before any exchange of pitches, the number of dogs is dependent on RSPCA requirements, fraudulent misuse, interference or modification of electricity supply, requirement to install white

goods by a registered engineer, expansion of definitions of anti-social behaviour and nuisance, property condition when terminating, provision of support;

- Requirement for under 18 to have a guarantor;

5. There are a number of changes to temporary accommodation agreements (shared and non shared hostels):

- Addition of clause 'If there is a change in your family circumstances please advise staff immediately';
- Details of CYC responsibilities including assessment of support needs, provision of support, information about former arrears;
- Information about housing benefit entitlement;
- Additional clauses including to pay former arrears, participate in support, not to cause anti-social behaviour and nuisance around consideration to all residents, visitors and neighbours (including those in the local area), not to be verbally or physically abusive, not to tamper with CCTV equipment, not to use the premises for illegal activities, not to operate a business from temporary accommodation, that alcohol and smoking is not permitted in shared areas;
- To return keys at end of tenancy with details about rental charges;
- To attend introductory tenancy sessions if invited;
- To leave the property in a clean and tidy condition;
- That customers under 18 will require a guarantor ;
- That the notice period of shared accommodation will be 'reasonable';

6. There are a number of changes to temporary accommodation agreements (dispersed)

- Addition of clause 'If there is a change in your family circumstances please advise staff immediately'
- Details of CYC responsibilities including assessment of support needs, provision of support, information about former arrears
- Information about housing benefit entitlement
- Additional clauses including to pay former arrears, participate in support, not to cause anti-social behaviour and nuisance around consideration to all residents, visitors and neighbours (including those in the local area), not to be verbally or physically abusive, not to use the premises for illegal activities, not to operate a business from temporary accommodation,
- To return keys at end of tenancy with details about rental charges
- To attend introductory tenancy sessions if invited

- To leave the property in a clean and tidy condition
- That customers under 18 will require a guarantor

## Consultation

7. Detailed consultation has taken place with CYC legal department to draw up these new agreements.
8. A copy of the new agreements have been circulated to the Tenants Fed and discussed at the meeting on 15/2/07. The Fed did not have any concerns regarding the legal changes.
9. A copy of the new travellers licence agreement has been circulated to Travellers Trust who have no concerns about the proposals and consideration has been given to previous suggestions made by travellers in the consultation (August 2005)
10. A copy of new young persons 'tenancy' agreement has been sent to young persons projects including the Scarcroft Road Project and Foundation Housing for comment.

## Options

11. Option A. To adopt the new agreements in line with legal requirements
12. Option B. To continue operating using the old agreements, some of which are not legal

## Analysis

13. These changes will streamline the legal agreements between CYC departments and occupants and introduce a more consistent approach.

## Corporate Priorities

14. City of York Council has agreed 7 Improvement Statements. Homeless Services contribute to these objectives in a number of ways including:
  - **Improve the actual and perceived condition and appearance of the city's streets, housing estates and publicly accessible spaces** ~ this is met in a number of ways including preparing young people for independent living, understanding the responsibilities of being a tenant the enforcement of any tenancy / licence conditions in relation to maintenance of properties. The new accommodation agreements have more clearly defined anti social behaviour so that occupants are aware of their responsibilities.
  - **Reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York** ~ as part of the agreements we have arranged for the support providers to sign the agreements to ensure that they work with vulnerable groups ongoing support work.

- **Increase people's skills and knowledge to improve future employment prospects** ~ through support work and encouraging young people to access education, training opportunities.
- **Improve the health and lifestyles of the people who live in York, in particular among groups whose levels of health are the poorest** ~ Provision of suitable accommodation is one of the keys to ensuring people are able to access services such as health visitors, PMS, drug and alcohol services, young persons mental health and counselling services.
- **Improve the life chances of the most disadvantaged and disaffected young people in the city** ~ through liaison with support, education, social services.

## **Implications**

### **Financial**

15. No financial implications

### **Human Resources (HR)**

16. Requirement to advise all households living in temporary accommodation of the change in conditions with 28 days notice. Introduction of new under 18's licence after 2/4/07

### **Equalities**

17. No implications

### **Legal**

18. New agreements have been developed in conjunction with legal department.

### **Crime and Disorder**

19. Elements of the new agreements should encourage responsibility amongst customers in accommodation and give CYC specific clauses against which legal action can be taken if necessary

### **Information Technology (IT)**

20. No implications

### **Risk Management**

21. No implications

## Recommendations

22. That the Executive Member:

- Approve option A to adopt the new terms and conditions and that they take effect from 2<sup>nd</sup> April 2007.

Reason: to streamline conditions of tenancies and licences wherever possible, to include new conditions which are necessary to the safe and effective management of CYC accommodation

## Contact Details

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**Chief Officer Responsible for the report:**

Steve Waddington  
Head of Housing Services

**Report  
Approved**

**Date**

12<sup>th</sup> March 2007

**Specialist Implications Officers:**

**Legal Implications:**

Rachel Barker  
Principal Housing Lawyer  
01904 551043

**Wards Affected:** *List wards or tick box to indicate all*

**All**

**For further information please contact the author of the report**

**Background Papers:**

Copies of both current and proposed 'tenancy' agreements can be obtained from Becky Ward on request

**Annexes:** None