

Cabinet

8th January 2013

Cabinet Member for Health, Housing and Adult Social Services

Tenancy Strategy

Summary

1. This reports sets out the legal requirements for the Council to have an adopted Tenancy Strategy for social rented properties for the City. Cabinet are asked to adopt the tenancy strategy that is attached at Annex 1.

Background

2. Within the Localism Act 2011 there is a requirement for Local Authorities to publish a tenancy strategy by the end of January 2013. The strategy should aim to set out the principals to the management of social and affordable rented homes. It should give guidance to social housing providers in York, how the local authority thinks they might best use this important resource to meet housing needs in the City.
3. The strategy is intended to last for a 5 year period between 2013 and 2018; however the intention is to annually review the document to ensure flexibility and relevance.

Consultation

4. Between June and August 2012 there was a wide range of people and organisations consulted on what they thought this tenancy strategy should contain. These included:
 - Members of the general public
 - Private Registered Providers (Housing associations)
 - Local councillors
 - Charities and non-statutory agencies involved in the provision of housing or housing related support
 - Resident and tenants' groups

- Households currently awaiting accommodation from the housing register
 - Private sector landlords
4. The consultation was carried out in two phases, with the initial phase looking at the key principals that should be included, gaining stakeholders views and testing views of key legislative changes. The second phase set out the draft responses and proposals for York's Tenancy Strategy.

Options

5. Option one – To adopt the strategy as set out in Annex 1.
6. Option two – To ask officers to revise the document

Analysis

7. **Option one** - This tenancy strategy covers five specific topic areas:
 - Tenancies
 - The affordable housing register and the allocation of homes
 - Homelessness and use of the private rented sector
 - Enabling greater mobility within the social rented sector
 - Affordable rents
8. The key issues arising from these five areas are:

Tenancies

9. Possibly the most contentious area is the issue of granting fixed term tenancies. The council has adopted a cautious approach to fixed term tenancies. It sees that they should only be used in limited circumstances and clearly states where it would be inappropriate. The strategy clearly states that any fixed term tenancy should be for a minimum of five years (in exceptional circumstances for two years). The authority would also expect that where fixed term tenancies are used there is a presumption that they will be reissued unless the household falls outside clearly defined and published criteria.

The affordable housing register and the allocation of homes

10. The council welcomes the greater scope set out within the Localism Act for the council to have a greater role in determining how its homes should be allocated. Allocation of homes in the city should not only meet housing need but encourage mobility whether it is for work or responding to the changing needs of a household. Key to the future direction of any policy should be ensuring local connection to the area, ensuring priority is given to those in need, support to care leavers and foster carers as well as ensuring best use of the available housing stock.

Homelessness and the use of the private sector

11. City of York Council broadly welcomes the freedom to place homeless households in private rented accommodation. It is thought to be a useful additional tool to prevent and tackle homelessness. There will be safeguards to ensure that accommodation is of a suitable standard and government is to issue guidance on this shortly.

Enabling greater mobility within the social rented sector

12. The council supports greater mobility within the sector and measures designed to facilitate this as set out in the Localism Act.

Affordable rents

13. The authority's stance on affordable rent has been previously agreed which is to acknowledge that this is the new national model but that given the high rental values in the private sector affordable rents at 80% of the market rent will be unaffordable for a significant number of people in housing need. Work has been undertaken with the HCA & RSL's to develop a more realistic approach where RSL's will let properties under the new affordable model at a range of levels slightly higher than social rent but not at unaffordable levels.
14. **Option Two** – The proposed tenancy strategy is based around stakeholder views and has been developed following consultation with all stakeholders. Major changes to the proposed strategy would need to be further consulted upon. It is proposed that the strategy is annually reviewed.

Council Plan

15. The tenancy strategy specifically relates to building stronger communities priority. By deciding to take a cautious approach to fixed term tenancies and adopting a default position of supporting secure tenancies we feel that this will provide a stronger commitment from tenants to invest in their community. By taking the stance on affordable housing the authority has taken into account what it feels is realistically affordable and protected the position of those that are on low incomes and vulnerable

Implications

16. The implications arising from this report are:
 - **Financial** - None
 - **Human Resources (HR)** - None
 - **Equalities** - An equalities impact assessment has been undertaken to ensure none of the recognised equality strands are unduly affected by the tenancy strategy.
 - **Legal** - Under the Localism Act 2011 there is a legal requirement to have a tenancy strategy in place by January 2013.
 - **Crime and Disorder** - None
 - **Information Technology (IT)** - None
 - **Property** None

Risk Management

17. There are no known risks

Recommendations

18. Cabinet is asked to:
 - Agree Option 1 to adopt the Tenancy Strategy as set out in Annex 1 of the report.

Reason: The strategy takes into account the views of key stakeholders, including local social landlords and seeks to utilise the new freedoms and flexibilities offered by the Localism Act to address housing needs. It is a requirement for the local authority to have a tenancy strategy.

Contact Details

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	Report Approved	√	Date 14 th Dec 2012
Wards Affected: All			√
<i>For further information please contact the author of the report</i>			

Annexes

Annex1 – Tenancy Strategy.