



**Communities, Housing & Planning Policy Development Panel
06 March 2024**

Tenancy Strategy

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Portfolio: Housing and Communities

Ward(s) Affected: All

Purpose of the Report:

To present the draft tenancy strategy for approval by Cabinet.

Recommendations:

1. To recommend that Cabinet approve the appended Tenancy Strategy

1. Summary

- 1.1 This report introduces the appended Tenancy Strategy and seeks approval by Cabinet for implementation.
- 1.2 The Localism Act 2011 places an obligation on each local authority to have a tenancy strategy which is drafted in consultation with the housing providers. It sets out our expectations of registered providers and private landlords in the districts and provides guidance on our preferred approach to tenure and affordability
- 1.3 Broadland District Council has a vision to 'make Broadland a place where everyone thrives', the principles of which are to put people and families at the heart of everything we do; tackle inequality so people have a fair chance; support our communities to support themselves and each other; invest in our economy to

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provide opportunities for employment, innovation and growth; work together and fight for a better future for Broadland.

1.4 The policy is applicable to tenants of Broadland District Council

2. Background

2.1 The purpose of the tenancy strategy is three-fold

- To provide guidance and levels of expectations to social and private landlords in our district, the rent that is charged, the type of tenancy afforded to our residents and the strategies within the council that may impact their service delivery. This provides officers and members a voice in a sector that we otherwise have minimal control
- In turn this provides the council companies parameters on how they should oversee their tenants, what tenancies should be afforded and in what circumstances
- The strategy has been drafted to meet registered provider requirements. The proposal to implement this strategy is to ensure that we are meeting these requirements in addition to providing clarity to residents about which tenancy they will be afforded, the reason why such a tenancy is being afforded as opposed to others and to protect the council from challenge were it to occur

2.2 Whilst the strategy has no direct enforcement power, it allows officers and members a realistic minimal expectation to make sure concerns and issues are raised in suitable instances

3. Proposed action

3.1 The Council will achieve the following, through it's Tenancy Strategy:

- To maintain stable and sustainable communities especially in more rural parts of the district where local community infrastructure such as schools and shops are supported by balanced populations including newly forming households and young families
- To make better use of the existing social housing stock through enabling a reduction in under occupation
- To ensure that specialist accommodation can be made available to households most in need.

4. Other options

4.1 Cabinet may choose not to adopt but the consequences of this would be that the Council would not meet the legal requirements and therefore be at risk of challenge.

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5. Issues and risks

- 5.1 The Council will not be compliant within it's statutory duty if it doesn't adopt a fit for purpose Tenancy Strategy.
- 5.2 Resource Implications – there are no resource implications associated with this report
- 5.3 Legal Implications – if this policy is not adopted we would not comply with the statutory requirements
- 5.4 Equality Implications – There are no equality implications associated with this report
- 5.5 Environmental Impact – there are no environmental impact implications associated with this report
- 5.6 Crime and Disorder – there are no crime and disorder implications associated with this report
- 5.7 Risks – the appended policy has taken into account all risks

6. Conclusion

- 6.1 As a Local Authority providing housing we need to operate with an adequate Tenancy Strategy in place, therefore it would be prudent to adopt the appended.

7. Recommendations

To recommend that Cabinet agree to adopt the appended Tenancy Strategy



Broadland District Council
Tenancy Strategy 2023 – 2025

Introduction

The Localism Act 2011 places an obligation on each local authority to have a tenancy strategy which is drafted in consultation with the housing providers. It sets out our expectations of registered providers and private landlords in the districts and provides guidance on our preferred approach to tenure and affordability with specific consideration on:

- the types of tenancies they will grant
- the circumstances under which different types of tenancies will be granted
- when they grant fixed-term tenancies, the length of the fixed term and whether they grant a further tenancy when the fixed term expires

Broadland District Council has a vision to 'make Broadland a place where everyone thrives', the principles of which are:

- put people and families at the heart of everything we do
- tackle inequality so people have a fair chance
- support our communities to support themselves and each other
- invest in our economy to provide opportunities for employment, innovation and growth
- work together and fight for a better future for Broadland

We value the rights of households, some of whom are in direct need, to be housed in the most suitable accommodation, and to receive the right kind of support in a tenancy which is aimed at providing them with a home which will promote their health and wellbeing. We value the need to listen to our tenants when identifying the support required and the delivery of housing services and we also value the need to identify and delivery long-term housing solutions.

We have updated homelessness and rough sleepers strategies and the main conclusions are:

- the need to develop youth homelessness joint working protocols with colleagues in social care for 16-to-17 year olds and care leavers

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- early intervention and greater homelessness prevention focus for victims of domestic abuse - meaning home security and outreach support
- to develop a new homelessness pathway where referrals are coordinated with a better understanding of needs and demand
- to work with registered providers and private landlords to increase housing options for those who are homeless, or at risk of homelessness.

The Council would like to achieve the following objectives through its Tenancy Strategy:

- To maintain stable and sustainable communities especially in more rural parts of the district where local community infrastructure such as schools and shops are supported by balanced populations including newly forming households and young families
- To make better use of the existing social housing stock through enabling a reduction in under occupation
- To ensure that specialist accommodation can be made available to households most in need.

Broadland District Council does not own any social housing since its housing stock was transferred to Clarion Housing in 2004. There are a number of social housing providers in addition to Clarion Housing who also manage social housing in the Broadland district who will be required to have regard to this Tenancy Strategy.

The Government's consultation document 'Local decisions: a fairer future for social housing' issued in November 2010 included proposals for a package of reforms to give local authorities and social landlords flexibility to make the best use of their social housing stock in a way which best meets the needs of their local area. Included in the consultation were proposals to:

- Give greater flexibility to social landlords, enabling them to offer lifetime security where it is needed but to set shorter tenancy terms where it makes more sense
- Introduce an Affordable Rent tenancy at a higher rent than social rents up to a maximum of **80% of local market rents**
- Make it easier for existing social housing tenants to move within the social sector by removing constraints on tenants without a housing need transferring

Fixed term tenancies

The Council supports Social Housing Providers in giving fixed term tenancies in certain circumstances and expects:

- that fixed term tenancies for general needs housing stock for all household types would be no less than 5 years (or a 2 year fixed term tenancy in those limited circumstances where this is more appropriate)
- lifetime tenancies to be used for tenants of sheltered housing or Housing with Care unless a shorter tenancy is required where the long term demand for a scheme is low.

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Where Fixed Term Tenancies are used, they will be reviewed 6 months prior to the expiry of the term. At review, the Council expects that fixed term tenancies will be renewed unless the circumstances of the social tenant have:

- improved allowing them to be able to purchase an appropriate property on the open market or afford to rent an appropriate property in the private rented sector
- changed and they no longer require the property size or type that they occupy.

The Council believes that such an approach will make the most effective use of the social housing stock and provides flexibility to move social tenants who no longer require the size and type of property they occupy. This flexibility must however, be balanced against the needs of applicants on the housing register to ensure a tenant is not moved from a lower demand property to a higher demand property required by an applicant with more housing need.

- In using these flexibilities it is especially important to the Council that they are used: to ensure that larger properties (with 4 or more bedrooms) and specialist properties in particular wheelchair accessible properties are made available for re-letting when they are no longer required by the tenant.

To support social housing providers undertaking fixed term tenancy reviews the Council will provide:

- guidance on levels of demand for different sizes and types of social housing.
- advice on whether a tenant has the means to purchase a property on the open market or rent an appropriate private rented property.

Affordable Rent

The Council supports the:

- use of Affordable Rent tenancies in newly built social housing where this reduces the need for public subsidy
- conversion of Social Rent tenancies to Affordable Rent tenancies where possible to generate funds to support the provision of new social housing
- use of Affordable Rent on market developments to improve the viability of developing social housing in accordance with the Council's targets.

This recognises the reduction in funding available to subsidise social housing from both the Government and from the Council.

Transfers

The Council administers the Broadland District Council Home Options Choice Based Lettings scheme and Housing Register on behalf of the social housing providers operating in the Broadland area. Tenants both in housing need and not in housing need wishing to transfer are able to join the housing register which provides for more transparency and ensures that tenants can access all social housing stock irrespective of who their landlord is. The Council wants to:

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- retain tenant transfers within the Home Options scheme or equivalent

Assured tenancies

The Council supports the:

- use of Assured tenancies wherever possible due to the increased security that they afford our residents
- that all aspects of tenancy management adhere to current and future best practice
- that landlords take a supportive approach to managing their tenancies to make sure evictions occur only where all other avenues have been explored
- that landlords utilise the help hub and housing team to intervene, utilising the tenancy at risk forms, where further intervention is required to prevent homelessness
- that landlords take a proactive partnership approach with all elements of the public sector and voluntary sector to avoid homelessness
- That landlords meet relevant housing standards and seek support from the housing standards team if there is any doubt so officers can assist.

This recognises the reduction in funding available to subsidise social housing from both the Government and from the Council.

Assured shorthold tenancies

Assured shorthold tenancies are primarily utilised within the private rental sector. Eviction from the private rental sector has been within the top 4 reasons for homelessness and within recent years has been the primary cause. The council cannot provide direct instruction to private landlords as there is no overriding service level agreement however we encourage landlords within the district to

- provide a minimum of a 12 month tenancy to provide further certainty for residents. Whilst this does provide additional protection for the resident it also make sure they treat it as a long term home thus making sure they adhere to their tenancy agreement at a far greater success rate
- that all aspects of tenancy management adhere to current and future best practice
- that landlords take a supportive approach to managing their tenancies to make sure where the property remains suitable evictions occur only where all other avenues have been explored or a more suitable alternative has been discussed and agreed.
- that landlords utilise the help hub and housing team to intervene, utilising the PRS tenancy at risk forms, where further intervention is required to prevent homelessness.
- that, in collaboration with the housing team, landlords take a proactive partnership approach with all elements of the public sector and voluntary sector to avoid homelessness.
- That landlords charge a reasonable rental charge

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- That any increases in rental charge be communicated early to allow residents to seek relevant financial support to increase income or decrease outgoings so at point of increase it is affordable to the resident
- That landlords meet relevant housing standards and seek support from the housing standards team if there is any doubt so officers can assist.
- That landlords address all mandatory eviction concerns such as arrears and anti-social behaviour, either where their tenant is a victim or a perpetrator at its earliest point involving relevant public sector and voluntary agencies to assist wherever required

Monitoring

The Council will monitor the outcomes of the Tenancy Strategy alongside homelessness and housing data and will monitor:

- The tenancy policies of social housing providers operating in Broadland to ensure that the Council has been consulted and that they have had due regard to the Council's Tenancy Strategy
- The use of fixed term tenancies
- The use of Affordable Rent
- The use of transfer only adverts in the Broadland Home Options scheme.

Review

The Tenancy Strategy will be reviewed on a two year basis or earlier if required.

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