

## **For publication**

### **Tenancy Strategy Update and draft Tenancy Policy (H000)**

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Meeting:	1.Council 2.Cabinet
Date:	1. 14 <sup>th</sup> October 2020 2. 11 <sup>th</sup> August 2020
Cabinet portfolio:	Housing
Report by:	Assistant Director - Housing

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#### **1.0 Purpose of report**

- 1.1 For Cabinet to adopt the updated Tenancy Strategy.
- 1.2 For Cabinet to approve the draft Tenancy Policy for consultation.

#### **2.0 Recommendations**

- 2.1 That Cabinet approves the adoption of the revised Tenancy Strategy.
- 2.2 That Cabinet approves the draft Tenancy Policy for consultation.
- 2.3 That a report is brought to Cabinet with a final draft of the Tenancy Policy for adoption following the completion of the consultation.

#### **3.0 Report details**

## Tenancy Strategy

- 3.1 Following the Localism Act 2011 each local authority was required to produce a tenancy strategy setting out the guidelines that affordable housing providers in Chesterfield should consider when developing their individual tenancy policies.
- 3.2 The previous local Chesterfield Borough Council Tenancy Strategy was adopted in January 2013.
- 3.3 The strategy had not been reviewed or update since adoption in 2013. The reason for a delay in reviewing and amending the Tenancy Strategy was the introduction of the Housing and Planning Act 2016. This Act proposed that local authorities could no longer offer lifetime tenancies (with some exceptions) and must offer fixed term tenancies with a two to ten-year term. The reviewing and re-writing of the tenancy strategy was to take place once the guidance around fixed term tenancies was published. The 2016 Act did not affect assured tenancies offered by registered providers.
- 3.4 The Government did not produce any revised guidance and by August 2018 it announced that the fixed term tenancies clauses would not be enacted “at this time”. No further indications have been provided by Government as to whether they will reconsider introducing mandatory fixed term tenancies.
- 3.5 As there is no longer a requirement to implement fixed term tenancies the tenancy strategy was reviewed. The principles and approach of the original strategy have been retained. Changes to the document include updating the strategic context and refining the tenancy review process. A copy of the revised strategy for adoption is attached as **Appendix 1**.

## Draft Tenancy Policy

3.6 The Localism Act 2011 required every social landlord to publish a tenancy policy. The aim of a Tenancy Policy is to ensure that the tenants of a social landlord are clear about the policies relating to tenancy management in the context of affordable rents, fixed term tenancies and succession rights introduced under the Localism Act 2011 and Housing and Planning Act 2016. This tenancy policy also sets out the Housing Service's approach to tenancy management, tenancy sustainment and the types of tenancy offered, including:

- The types of tenancies the council will offer
- The circumstances in which tenancies will be granted
- The length of tenancies
- The approach to tenancy management
- The approach to tenancy sustainment
- The approach to tackling tenancy fraud

3.8 The draft Chesterfield Borough Council Housing Service Tenancy Policy is attached as **Appendix 2**.

3.9 The consultation on the new Tenancy Policy will commence once the Tenancy Strategy has been adopted. When consulting with tenants the tenant participation team will undertake consultation using appropriate methodologies that adhere to Covid-19 social distancing measures and Government guidance at the time. Local elected members and the Derbyshire Law Centre will be among the consultees.

3.9 Once the consultation has taken place the amended Tenancy Policy will be brought back to Cabinet for approval.

## 4.0 **Human resources/people management implications**

4.1 There are no Human Resource Implications.

## 5.0 **Financial implications**

5.1 There are no financial implications.

## 6.0 **Legal and data protection implications**

6.1 There are no legal or data protection implications to adopting the Tenancy Strategy or consulting on the draft Tenancy Policy.

## 7.0 **Equalities Impact Assessment (EIA)**

7.1 The Equality Impact Assessment is attached at Appendix B. No negative impacts for groups with protected characteristic have been identified.

## 8.0 **Recommendations**

8.1 That Cabinet approves the adoption of the revised Tenancy Strategy.

8.2 That cabinet approves the draft Tenancy Policy for consultation.

8.3 That a report is brought to Cabinet with a final draft of the Tenancy Policy for adoption following the completion of the consultation.

## 9.0 **Reasons for recommendations**

9.1 To bring the local Tenancy Strategy up to date to include recent legislation.

9.2 To enable a consultation on a new tenancy policy.

### **Decision information**

<b>Key decision number</b>	<b>967</b>
<b>Wards affected</b>	All
<b>Links to Council Plan priorities</b>	To reduce inequality and support the more vulnerable members of our communities

### **Document information**

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<b>Appendices to the report</b>	
Appendix 1	Tenancy Strategy
Appendix 2	Draft Housing Services Tenancy Policy
Appendix 3	Equality Impact Assessment