

# REPORT TO CABINET

**REPORT OF:** Head of Housing & Neighbourhoods

**REPORT NO:** H&N0113

**DATE:** 8<sup>th</sup> April 2013

<b>TITLE:</b>	Tenancy Policy	
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	Key Decision	
<b>PORTFOLIO HOLDER: NAME AND DESIGNATION:</b>	Councillor Teri Bryant Good Housing for All	
<b>CONTACT OFFICER:</b>	Ian Richardson, Head of Housing & Neighbourhoods Tel: 01476 406063. E-mail – <a href="mailto:ian.richardson@southkesteven.gov.uk">ian.richardson@southkesteven.gov.uk</a>	
<b>INITIAL IMPACT ANALYSIS:</b>  Equality and Diversity	Carried out and Referred to in paragraph (7) below	Full impact assessment Required: No
<b>FREEDOM OF INFORMATION ACT:</b>	This report is publicly available via the Your Council and Democracy link on the Council's website: <a href="http://www.southkesteven.gov.uk">www.southkesteven.gov.uk</a>	
<b>BACKGROUND PAPERS</b>	None	

## **1. RECOMMENDATIONS**

- 1.1 Cabinet is recommended to agree the Tenancy Policy, as appended to this report.

## **2. PURPOSE OF THE REPORT**

- 2.1 To inform the Cabinet of work undertaken to develop the draft SKDC Tenancy Policy and to seek approval of the policy.

## **3. DETAILS OF REPORT**

### **3.1 Background Information / Synopsis**

The Government has introduced wide ranging reforms to social housing legislation, regulation and policy. The reforms require significant change in the way social housing is developed, let and managed.

The Government's revised tenancy standard sets out that all providers of social housing must publish a clear and accessible Tenancy Policy which outlines the landlord's approach to tenancy management

Feedback received during discussions with Communities PDG, the Community Focus Forum and a stakeholder consultation event has been considered during the drafting of the attached Tenancy Policy. The policy, as drafted, reflects Cabinet's position in earlier agreeing the Tenancy Strategy and the consultation feedback which informed that decision: the Tenancy Policy of SKDC does not incorporate the use of 'flexible tenure', retaining instead the use of secure 'lifetime' tenancies.

The central consideration during consultation was whether or not SKDC should adopt flexible tenancies, as permitted under the Localism Act. Such tenancies would be granted for a given term of not less than two years and, at the expiry of the term could either be extended or brought to an end. There was a prevailing view among consultees that the potential advantages of being able to recover possession at the end of the term would be outweighed by the potential negative impact of destabilising neighbourhoods and the possibility of flexible tenure acting as a disincentive to investment by tenants in their homes and communities.

This draft policy, which has already been the subject of consultation with Communities Policy Development Group, has been circulated in its final draft form to the PDG membership. Cabinet will be advised in advance of making a decision on the policy of any comments received from the PDG membership as a consequence of circulating the final draft.

## **4. OTHER OPTIONS CONSIDERED**

- 4.1 No other options have been considered, there being a requirement for the Council to have a policy for the granting and management of tenancies of council housing.

## **5. RESOURCE IMPLICATIONS**

- 5.1 There are no resource implications arising directly from this policy: the policy will be implemented within existing resource provision.

## **6. RISK AND MITIGATION**

Risk has been considered as part of this report and any specific high risks are included in the table below:

<b>Category Risk</b>	<b>Action / Controls</b>
None	

## **7. ISSUES ARISING FROM IMPACT ANALYSIS**

- 7.1 There are no issues arising.

## **8. CRIME AND DISORDER IMPLICATIONS**

- 8.1 There are no implications associated with this policy.

## **9. COMMENTS OF FINANCIAL SERVICES**

- 9.1 As outlined within the report there are no specific financial implications arising from the adoption of this policy, as any associated expenditure will be minimal and contained within existing resources.

## **10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES**

10.1 Under the Localism Act, responsibility for social housing regulation passes to the Homes and Communities Agency (HCA) Regulation Committee from 1 April 2012. Prior to 1<sup>st</sup> April 2012, the regulator was the Tenant Services Authority. The HCA has introduced regulatory standards which came into effect on the 1<sup>st</sup> April 2012. The standards require clear policies to be in place.

## **11. COMMENTS OF OTHER RELEVANT SERVICES**

- 11.1 None.

## **12. APPENDICES:**

- 12.1 Appendix 1: Draft Tenancy Policy  
Appendix 2: Equality Analysis (Stage 1) Tenancy Policy