



Cabinet

6 February 2024

Report of Councillor Phil Dilks, Cabinet Member for Housing and Planning

Tenancy and Estate Management Policy

Report Author

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Purpose of Report

The purpose of the Tenancy Management Policy is to outline the circumstances in which changes to a tenancy may happen and any possession action which could be taken, why this could happen and the tenancy support which will be offered.

The purpose of the Estate Management Policy is to set out our approach to the delivery and management of estate services to internal and external communal areas.

Recommendations

That Cabinet:

1. Notes the contents of the report, policies and appendices.
2. Approves the Tenancy and Estate Management Policy for adoption.

Decision Information	
Is this a Key Decision?	No
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Housing that meets the needs of all residents Healthy and strong communities Clean and sustainable environment High performing Council
Which wards are impacted?	All Wards

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 Any financial implications associated with the implementation of this policy will need to be met from existing budgets.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

Legal and Governance

- 1.2 There are no legal implications arising from the development of this policy.

Completed by: Mandy Braithwaite, Legal Executive

2. Background to the Report

2.1 The Tenancy Management Policy

- 2.1.1 This policy sets out the circumstances in which changes to a tenancy may happen (for example, assignments, mutual exchanges or successions) and the circumstances in which any tenancy agreement, provided by the Council, will end due to possession action (including evictions).
- 2.1.2 This policy sets out the support offered to tenants and the processes that will be undertaken before an eviction is carried out, to ensure that all possible alternative remedies are explored.
- 2.1.3 The overall aim of this Policy is to ensure that legal action (including evictions) is carried out only after:
 - other options have been exhausted and tenancy management remedies proved ineffective
 - that proper authorisation is obtained
 - that an up-to-date risk assessment is carried out prior to the eviction
 - that any eviction is carried out lawfully
- 2.1.4 Both the Council and tenants have responsibilities with Tenancy Management. At the start of a tenancy, the Council will make every effort to ensure that tenants understand and are fully informed of all the responsibilities and activities associated with maintaining a tenancy. The Council has a duty to all its tenants and the wider community on its estates, to ensure they are able to live in an environment that is well maintained, safe and secure.
- 2.1.5 Tenants have a responsibility to ensure they actively manage their tenancy to prevent the need for possession proceedings being raised. Failure to do this may lead, after other tenancy management options have been exhausted, to possession action being taken by the Council.

2.2 The Estate Management Policy

- 2.2.1 The purpose of this policy is to set out our approach to the delivery and management of estate services to internal and external communal areas.
- 2.2.2 We are committed to ensuring the estates meet Council's standards, alongside being mindful of the management services required and focusing on keeping service charge costs reasonable. Estate management is the responsibility of tenants and the Council.

- 2.2.3 Our intention is to minimise negative impact on the environment in delivering our estate management service and this forms a key part of our procurement policy and process.
- 2.2.4 Estate management reflects the wider role that the Council has in areas where there are clusters of Council owned properties. In these areas, the Council is more than just a landlord but is also responsible for neighbourhood sustainability and some aspects of the environmental quality in the local area.
- 2.2.5 The service objectives of the policy are to maintain a high standard that delivers value for money in the upkeep of clean, green and safe estates:
 - To have estates that the Council and our residents are proud of
 - To ensure we have clear standards, that residents know what to expect from the estate management service, including obligations for both the Council and residents
 - To ensure our services deliver value for money and we are clear on what we are charging for
 - To maintain a regular, visible presence on estates
 - To ensure we comply with all Health & Safety requirements
 - To encourage residents to take responsibility for their environment/estate

3. Key Considerations

- 3.1 Key considerations are the content of the policies, the consultation undertaken and the Equality Impact Assessments.

4. Other Options Considered

- 4.1 The alternative option would be to not have these policies. However, to meet the Regulator of Social Housing standards; how we manage tenancies and our estates are set out.

5. Reasons for the Recommendations

- 5.1 It is recommended that Cabinet approve to adoption of the Policies. These will provide clarity on how the operational services are provided.

6. Consultation

- 6.1 Consultation took place both with team members and tenants. A staff workshop to discuss these policies was held earlier in the year.

- 6.2 Tenants workshops were held both in the north and south of our district and both in March 2023.
- 6.3 A website consultation inviting tenants to comment on the policies took place between 21st August and the 18th September.
- 6.4 Feedback from this consultation was taken into account in the drafting of the final policy.

7. Appendices

- 7.1 Appendix 1A – Tenancy Management Policy (draft)
Appendix 1B – Estate Management Policy (draft)
Appendix 2A and 2B – Equality Impact Assessments for both policies.