

WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 9TH APRIL 2013

Title:

TENANCY POLICY

[Portfolio Holder: Cllr Keith Webster]

[Wards Affected: All]

Summary and purpose:

The purpose of this report is to present the draft Tenancy Policy that sets out the Council's approach to granting tenancies to enable the best use to be made of the existing homes, while maintaining cohesive communities.

How this report relates to the Council's Corporate Priorities:

Affordable Housing – the policy sets out the Council's approach to granting tenancies that make the best use of its homes.

Financial Implications:

The publication and implementation of the policy will be met within existing resources at minor costs.

Legal Implications:

The Council is required to publish a tenancy policy. The review process within the Policy is likely to require an amendment to the Council's Scheme of Delegation.

Background

1. The Regulatory Framework for Social Housing in England from April 2012, published by the Homes and Communities Agency (HCA) in March 2012, requires social landlords to publish a Tenancy Policy.
2. The Tenancy Policy sets out:
 - The type of tenancies that Waverley Borough Council can grant;
 - The type of tenancies that will be granted to different household types;
 - The granting of introductory tenancies for all new tenants for the first 12 months, followed by a flexible tenancy for a fixed term or a secure tenancy;
 - The circumstances in which flexible tenancies may or may not be reissued at the end of the tenancy term;
 - The exceptional circumstances in which the Council will grant flexible tenancies for a term of less than five years;

- The way in which a prospective tenant may appeal against or complain about the length and type of tenancy offered;
 - The way in which a tenant can appeal against a decision not to grant another flexible tenancy on expiry of a fixed term;
 - The advice and assistance given to tenants whose tenancies are not being renewed; and
 - How the needs of vulnerable customers are taken into account
3. A copy of the Council's standard flexible tenancy agreement will be attached to the Tenancy Policy.

Consultation

4. The Tenancy Policy was be considered by the Housing Improvement Sub-Committee on 4 March 2013 and Corporate Overview and Scrutiny Committee, before being presented to Executive for approval.
5. The Tenancy Policy has had due regard to the Council's adopted Tenancy Strategy, which was developed in consultation with elected Members, statutory stakeholders, local housing associations, Town and Parish Councils, Tenants Panel and existing tenants and applicants.

Changes in the new tenancy agreement

6. To implement the new Tenancy Policy, a new tenancy agreement will be prepared. This will differ from the current agreement in the following ways:
- Combines an Introductory Tenancy Agreement with a Flexible Tenancy
 - Explains the type of tenancy and legal basis for issuing each type
 - Explains the rights and responsibilities for each type of tenancy
 - Clarifies succession rights as varied by recent legislation
 - Includes space for photograph(s) of the tenant(s) to help combat tenancy fraud
7. The revised Tenancy Agreement will be presented to the Housing Improvement Sub-Committee in June 2013.

Implementation Plan

8. Prior to the implementation of the Tenancy Policy, the following actions will need to be taken:

Action	Target date
Identify system changes required to Orchard to enable new tenancy information to be record	April 2013
Detailed procedure note and process mapping in place to ensure that the new tenancies are correctly issued and key dates are recorded against each property address	May 2013

New tenancy agreements are prepared and prescribed notices ready to use	May 2013
Clear information is available for tenants to ensure that they understand the new arrangements	May 2013
Orchard system changes implemented	June 2013
Tenancy Policy introduced	1 July 2013

Recommendation

The Executive is asked to recommend to Council the approval of the Tenancy Policy for implementation on 1 July 2013.

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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