

To: CEB

Date: 12 September 2012

Report of: Head of Housing

Title of Report: APPROVAL OF A CONSULTATION DRAFT TENANCY STRATEGY AND POLICY

Summary and Recommendations

Purpose of report: To seek approval of a draft Tenancy Strategy and Policy for consultation with partners, stakeholders, tenants and the public

Key decision? No

Executive lead member: Cllr Scott Seamans

Policy Framework: Housing Strategy

Recommendations: The City Executive Board is asked to approve the draft Tenancy Strategy for Oxford City and Tenancy Policy for Council homes for formal consultation

Appendices to report:

- A. Draft Tenancy Strategy for Consultation
- B. Initial risk register
- C. Initial EIA

1. Background

- I. Oxford City Council has a duty to adopt a Tenancy Strategy by January 2013 as the strategic housing authority for the area. Registered Providers should have regard to Oxford City Council's Tenancy Strategy when they determine their own policies within the City. The Council must also adopt a Tenancy Policy for its own housing.
- II. The final Strategy and Policy has to be published, publically available and reviewed when required. It will be open to challenge. The Tenancy Strategy should be developed in consultation with others and specifically Registered Providers.

2. Detail

- I. Social landlords such as Oxford City Council have traditionally offered Secure Tenancies – tenancies for life as long as the tenant pays the rent and meets tenancy obligations.
- II. The Localism Act allows that all social landlords will be able to offer fixed term ‘Flexible’ Tenancies if they choose to do so. The rationale is that households may need social housing at a point in time but this may change e.g. if household income rises to a point where people can acquire housing at market levels or members of the household leave home and a property becomes under-occupied. In these cases, it could be argued that a secure lifetime tenancy represents poor use of a valuable public resource which could be offered to a household in severe housing need
- III. Tenants who have Flexible Tenancies will enjoy broadly the same tenancy condition as secure tenants except for the fixed term nature of flexible tenancies
- IV. The rights of existing social tenants are protected unless they choose to move to a property let under a flexible tenancy
- V. Flexible Tenancies will normally be for a minimum of 5 years but could be 2-5 years in exceptional circumstances. There is no upper limit on the length of the tenancy
- VI. If Flexible Tenancies are used there must be clear, transparent policies and procedures for review at the end of the term including support to assist the tenant(s) secure housing
- VII. In addition, Registered Providers have been given the freedom to let property at ‘Affordable Rents’ of up to a maximum of 80% of market rents. This will apply to any new homes receiving funding from the Homes and Communities Agency Affordable Housing Programme. There is an expectation that a percentage of existing properties will be re-let at Affordable Rents as they become vacant.

3. Consulting on a draft Tenancy Strategy and Policy for Oxford

- I. The City Executive Board (CEB) are asked to approve the consultation draft Tenancy Strategy and Policy outlined at appendix A to this report.
- II. If approved, the document will then be subject to consultation with partners, stakeholders and the public, including Registered Providers, during September and October 2012. The consultation will ask specific questions of Registered Providers in relation to their own policies or proposals as well as questioning their level of support for Oxford City Council’s proposed

policy. There will also be consultation on Tenancy Policy with Council tenants through representative groups and individually. It is intended that the final Tenancy Strategy and Policy will be adopted in December 2012 following consideration of consultation responses by CEB and Council

- III. **Level of risk** - an initial risk register is appended to this report (Appendix B)
- IV. **Climate change / environmental impact** – none
- V. **Equalities impact** – an initial equality impact assessment is appended to this report (Appendix C)
- VI. **Financial implications** – none directly as a consequence of this report, save for the cost of consultation which can be contained within existing budgets
- VII. **Legal Implications.** – there is a duty on all housing authorities to adopt a Tenancy Strategy by virtue of the Localism Act 2012

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List of background papers:
Version number:

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