

Full Council 31st March 2022

Report Title	Housing Tenancy Policy
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List of Appendices

Appendix A – Tenancy Policy

1. Purpose of Report

- 1.1. To seek approval from Full Council for the Tenancy Policy (Appendix A) to be adopted by North Northamptonshire Council. This draft policy was considered by the Executive at its meeting on 18th November 2021; the Executive are recommending approval.

2. Executive Summary

- 2.1 The Tenancy Policy is proposed for adoption by Full Council to replace the separate documents which currently exist in the Corby and Kettering housing localities.
- 2.2 It is a legal requirement for an authority with council housing stock, supported by a Housing Revenue Account, to have a Tenancy Policy that sets out the types of tenancies it offers.
- 2.2 The adoption of this key document will assist in enabling consistency between the two teams within North Northamptonshire Council.
- 2.3 The Tenancy Policy requires approval from Full Council as set out in North Northamptonshire's constitution.

3. Recommendations

3.1 It is recommended that Full Council:

- a) Approve the Tenancy Policy for adoption;
- b) Delegates authority to the Executive Member for Housing and Communities, in liaison with the Executive Director, Adults, Communities and Wellbeing or their delegate, to take any further decisions and/or actions required to implement this policy.

3.2 By approving this recommendation, Council officers will be able to: -

- Comply with legislation that requires all social housing providers to have a Tenancy Policy.
- Provide one tenancy offer to all successful applicants within the North Northamptonshire Council area.
- Continue harmonising our suite of Council Housing policies for Tenancy Management, Housing Management and Property Management.

4. Report Background

4.1 North Northamptonshire Council has council housing stock in the Kettering and Corby areas. As of 1st April 2021:

- Kettering 3625 homes, of which 401 are sheltered
- Corby 4615 homes, of which 536 are sheltered

4.2 Prior to vesting day, the sovereign councils had different documents, policies and procedures for the management of their properties. The Council now proposes that a harmonised suite of housing policies is adopted. Adopting an overarching Tenancy Policy will lay the foundation for this transformational work.

4.3 A North Northamptonshire Tenancy Policy is required by the Localism Act 2011 and sets out the tenancy offer to successful applicants and council tenants. The main tenancy offer is to grant introductory one-year tenancies to new applicants. Where tenancy conditions are met over that period, a secure tenancy will be offered. Intensive management to assist successful introductory tenancies is provided.

4.4 Two main exceptions to this are proposed. The first is where a tenant breaches the terms of the introductory tenancy. Where additional support may help to sustain the tenancy, the Council may choose to offer the tenant a 2-year fixed term tenancy, rather than ending the tenancy.

4.5 The second exception is proposed to protect adapted properties which provide specialist accommodation, or where a significant amount of money has been spent to adapt a property. In order to safeguard this stock and ensure that it is utilised to meet ongoing need with finite resources, a 5-year fixed term tenancy is proposed. In the last year of the 5-year fixed term tenancy, a review will be undertaken with the tenant. If there have been no changes to their circumstances, a further fixed term tenancy will be granted. If circumstances or

needs have changed, options to assist the tenant to a more suitable property will be considered.

- 4.6 Fixed term tenancies for purpose built or extensively adapted properties will be through a 5-year term as standard. A decision will be made at the time of offer dependant on the household circumstances, and the Council may offer a longer term if appropriate. The Council is not limited on the number of times that a fixed term tenancy can be renewed and can offer a lifetime secure tenancy following the ending of a fixed term tenancy when it would be appropriate to do so.
- 4.7 The use of fixed term tenancies will be familiar to applicants and tenants in the Kettering locality area. However, it will not be familiar to applicants and tenants in the Corby locality area. More details are provided in the issues and choices section below.
- 4.8 The Council has defined the types of occupation agreement it will use for occupiers of temporary accommodation.

5. Issues and Choices

- 5.1 A North Northamptonshire Tenancy Policy is required by the Localism Act 2011. In developing the Tenancy Policy for the new Council there are some choices around the type of tenancies that are offered.

Tenancy Offer

- 5.2 Utilising Fixed Term Tenancies in the two situations detailed will represent a change of approach for applicants in Corby but is consistent with the current approach in the Kettering area.
- 5.3 Once a tenant no longer needs an adapted property, the Council can legally commence possession proceedings using the provisions of the Housing Act 1984. The use of fixed term tenancies will enable the Council to work with the tenant to explore other alternatives.
- 5.4 The Council has a very limited supply of adapted properties, and finite resources to adapt enough properties to meet demand. The policy proposal in respect of adapted properties will ensure that homes that have been significantly adapted, or are wheelchair accessible, are made available for re-letting when they are no longer required by the tenant.
- 5.5 The introduction of fixed term tenancies, in the exceptional circumstances mentioned, will support the Council's approach to providing sustainable tenancies.

6. Implications (including financial implications)

6.1 Resources and Financial

6.1.1 Housing activities are resourced by the Housing Revenue Account for North Northamptonshire, currently operated as two Neighbourhood Accounts.

6.1.2 There are no economies of scale to be achieved at this point until the two Landlord Services for Kettering and Corby Housing Revenue Neighbourhood Accounts are fully aggregated.

6.2 Legal

6.2.1 The proposal will help to offset some legal risk.

6.3 Risk

6.3.1 There are risks in managing North Northamptonshire Council Housing with 2 different policies. Having one Tenancy Policy seeks to mitigate these.

6.4 Consultation

6.4.1 The Council has consulted with current tenant groups in the Corby and Kettering areas. A Kettering Tenants Forum was organised for 17th February 2021 and extended invitations to all members of Corby Tenants Voice.

6.4.2 At the forum were 10 Kettering tenants, two Corby tenants and five Kettering Councillors. The Tenancy Policy was presented in draft format and approved by the group in principle.

6.4.3 The feedback from these groups was positive in supporting the Council's proposed Tenancy Policy.

6.4.4 Consultation with all Registered Providers in the North Northamptonshire area has been completed. Nine replies were received from providers, either to say that they had sent information on within their organisation, or to thank us for the update. However, no requests to amend the Tenancy Policy were provided.

6.4.5 The lack of input from providers was not entirely surprising as the Policy only applies to council stock and does not impact upon other housing organisations.

6.5 Consideration by Scrutiny

6.5.1 This has not been reviewed by Scrutiny; therefore, no comments or recommendations have been received.

6.6 Climate Impact

6.6.1 There are no impacts upon climate.

6.7 Community Impact

- 6.7.1 Providing consistent service to communities will be a positive for the residents of North Northamptonshire Council.
- 6.7.2 Creating a consistent tenancy offer will help to maintain sustainable neighbourhoods.

7. Background Papers

- 7.1 The previous policies of the former district and boroughs.