

# Breckland Tenancy Strategy 2012

## Introduction

The Localism Act 2011 has been introduced to tackle a number of issues identified by the Government, some of which are related to social housing;

- Social housing is a scarce resource and it is not used as effectively as it could to meet housing needs
- Social housing is not flexible in meeting needs and demands unlike the private rented sector
- The levels of worklessness within the social rented sector lead to people getting 'stuck' in the sector
- Access to social housing from low income families is difficult and they find themselves with limited options such as temporary accommodation or costly private rented accommodation
- Social housing has a poor reputation

Like many of the Government's aspirations, it wishes a more local approach to be taken to tackle the issues faced by an area so the social housing reform is aiming to:-

- Enable local decisions about who lives where and for how long to be taken on the basis of local need and circumstances
- Result in a housing system that is better focused; protecting and supporting those who need it most
- Shift the public's perception of social housing to it being a springboard into work and self sufficiency

This new approach will allow Breckland Council to ensure that affordable housing within the district is used in the most effective way to meet the housing needs of our residents. This will be achieved through a number of outcomes which will include:-

- The publication of a Tenancy Strategy
- Changes to the housing register and the allocations policy
- Using the private rented sector to discharge our homelessness duty
- Encouragement of fixed term tenancies tailored to individuals circumstances

The tenancy strategy has been produced to set out Breckland Councils expectations for tenancies taken up by applicants from the Councils Housing register into Registered Provider accommodation. The document should be considered as a framework alongside the Allocations policy which sets out who will be offered accommodation.

Registered providers (more commonly known as Housing Associations) have over 7000 units of social housing in Breckland which are currently let on an assured tenancy with a social rent.

Registered Providers must give regard to a local Authorities tenancy strategy when setting out their tenancy standards for their stock. Each Registered Provider must publish a tenancy standard which should cover their approach to:-

- Allocations
- Rents
- Tenure

### **Flexible Tenancies**

Currently the registered providers in Breckland offer accommodation to successful applicants on an assured tenancy usually after holding an introductory tenancy satisfactorily for a period of time. There are some tenants who may have a secure tenancy if they have been in their property prior to July 1989.

Both types of tenancy offer the tenant the right to remain in their home for life providing they meet their obligations within their tenancy agreement, regardless of their change of circumstances. This position will remain for existing tenants but new tenants will now be offered different forms of tenancy based on their circumstances. This new tenancy is a Flexible Tenancy and has been introduced to enable a better use of the housing stock as peoples circumstances change.

### Tenancy length

The Council will support Registered Providers in offering a 12 month introductory tenancy which following the suitable sustainment of that tenancy to then receive a 5 year flexible tenancy. At the end of the tenancy term a review will be undertaken by the Registered Provider who will consider the suitability of the accommodation to the current needs of the occupant, their circumstances and the management of the tenancy during the time they have held the tenancy. The Registered Provider will decide whether to renew the tenancy or in some instances may terminate the tenancy.

There may be circumstances where a longer term tenancy is offered and this will be reflected in the needs of the tenant being the offered the accommodation and the Council will expect that the Registered Provider will have made sure the tenure offered is compatible with the type of housing being offered and sustainability of the local community.

The Council accepts that there are instances when longer term tenancies should be offered. This will apply to accommodation which has is classed as Sheltered accommodation or Housing with Care or other forms of supported

accommodation where a tenant has a lifelong need and would be disadvantaged by not being offered a longer term tenancy.

It is expected that a review is carried out by a Registered Provider at the end of a tenancy term; the Council will work closely with the Registered Provider to ensure appropriate assistance is given to all parties during the process. The Council will expect that as part of the review the Registered Providers will ensure that the following areas are considered:-

- The current circumstances of the household, the need for the type of property and the size of the property
- The conduct of tenant and other members of the household during the tenancy
- The current financial circumstances of the household

The Registered Providers working within the district should have appropriate policies setting out should they determine that a renewal of a tenancy is not appropriate, the process for moving the current occupier on. In instances where a termination occurs the Council will expect the Registered Provider to work closely with the Housing Options team to ensure appropriate advice and guidance is given to ensure there is not an increase in homelessness with the District.

Existing tenants on the day the Localism Act 2011 is enacted, who choose to move should be offered a tenancy with the same security they currently enjoy, especially where this is enabling a better use of the existing stock.

### **Affordable Rents**

Affordable rents have been introduced as a new form of social housing and forms part of the definition of affordable housing within housing and planning policy frameworks.

Affordable rents are rents which are set at up to 80% of the market rent chargeable for the property.

The housing market across Breckland varies greatly which also shows marked differences on affordability across the District. Thus the Council whilst setting out a strategic approach to the acceptability of affordable rents will expect a local approach to be made on new developments when applied in practice to ensure that affordable housing remains affordable.

To continue to meet the objective of housing being affordable the Council will support affordable rents at up to 80% of the market rent where it falls within the Local Housing Allowance for the area.

The Council supports Registered Providers who have been accepted into the Homes and Communities Agencies framework to charge an affordable rent on some of the properties which become available for re-letting so long as prospective tenants are not discouraged from securing affordable housing due to being disadvantaged financially due to higher rents in particular areas. This is especially pertinent to larger properties with the proposed benefit cap as part of the welfare reforms. Registered Providers will be expected to set rents at a level that enables the home to be affordable to the household size.

## **Accommodation**

Affordable housing is available in a variety of types across the District such as flats, houses, bungalows and bedsits, 1 to 4+ bedrooms. There is a high demand for housing which does not come available very often; around 10% of the total stock becomes vacant in a year. Thus the importance the Council places on making best use of the stock which becomes available or working with existing tenants to make sure that this happens.

Supporting a supply of new developments which reflects the needs of the local community is a priority for the Council along with ensuring that the existing stock is maintained for as long as possible as affordable housing to meet the needs of residents across the District. At times some stock may be disposed of by Registered Providers to meet their business plan requirements, the Council requests that this is only reverted to when all alternatives have been explored and there has been a full consultation with the Council and the local community on the impact of the loss of stock in the given area.

The Council will support Registered Providers to address over or under-occupation in appropriate cases where this will enable a better use of the housing stock taking into account the circumstances of the customers involved.

The limited availability of accommodation means that the Council can not always meet customers' aspirations for an affordable home with a Registered Provider but will work closely with Landlords from all sectors to have a persons housing needs met in the most appropriate way. This will mean using the private sector to its fullest extent and ensuring that it is an option for choice.

The Council will also be using the new flexibilities to discharge its homelessness duties to accommodation in the private rented sector. Private accommodation will be deemed as suitable where a 12 month tenancy can be secured and the property is suitable for the customer. Working in-conjunction the Private Sector Housing team the Council actively encourages private sector Landlords to become accredited and works to actively increase the supply of private sector accommodation across the district as an acceptable form of housing for residents with a housing need.

## **Local Lettings Policies**

The Council has worked with a number of partners and communities to introduce local lettings policies appropriate to the area to tackle a local issue that's has arisen.

The promotion of such policies is still important to the Council to support a local approach to meeting local housing need; the impact from the policy will be reviewed on a regular basis to ensure compliance along with assessing relevance pertinent to the time. Local lettings policy will sit within the framework of the overarching allocations policy and take account of the tenancy strategy and the Registered Providers own lettings policies when being drafted.

The Tenancy Strategy offers a flexible framework for the Council and Registered Providers to work within when accommodation is being offered as affordable housing, recognising that one solution will not meet everyone's needs.

Allocations will be monitored on a regular basis in-conjunction with the Strategic Housing Market overview to consider the impact of the changes along with responding to changes within the Housing Market to ensure that we continue to meet the housing needs of residents across the district.

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