

Stafford Borough Council Tenancy Strategy

1. Introduction

- 1.1 The 2011 Localism Act introduced a duty on local housing authorities to prepare and publish a Tenancy Strategy. The purpose of this strategy is to set out what Registered Providers who own stock in the Borough need to have regard to in formulating their policies on tenancies and in any subsequent reviews and revisions. This Tenancy Strategy informs and is informed by the Borough's Homelessness Strategy and Allocations Policy.
- 1.2 There are eleven Registered Providers letting general needs properties in the Borough, each organisation playing a valuable role in providing 7,660¹ affordable homes for local residents, 13% of the total dwelling stock of 58,880². The largest provider, with approximately 80% of the stock is Stafford and Rural Homes, a full list of Registered Providers operating in the Borough is at Annex A.
- 1.3 In 2011, the Localism Act introduced a fundamental reform of the social housing tenure, the principal reforms were:
- That landlords can offer 'flexible' or fixed term tenancies of a minimum of five years, or in exceptional circumstances two years;
 - Increased flexibility for Councils to set their own allocations policies to meet local needs and circumstances;
 - The ability for Councils to place homeless households in suitable private rented sector housing;
 - New social housing development to be on the 'affordable rent' model, with rents of up to 80% of market rent on new units and the ability to convert vacant social rent units to affordable rent;
 - Landlords being required to adopt and publish a tenancy policy; and
 - Councils being required to consult on, adopt and publish a tenancy strategy.
- 1.4 This Tenancy Strategy is the second such strategy for Stafford Borough and replaces the 2013 Stafford Borough Tenancy Strategy. It has been reviewed and updated following the Council's decision in 2016 to transform the way in which the Housing Options Service operates.

2. Aim of the Strategy

- 2.1 The aim of this strategy is to ensure as far as possible a consistent approach to the use of Fixed Term Tenancies in the Borough, to ensure communities are sustainable and that affordable housing is genuinely affordable for local people.

¹ Total social housing in 2016, DCLG data tables

² <https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants>

3. Fixed Term Tenancies

3.1 Fixed term tenancies can ensure social housing stock is available for those who need it most. This has to be balanced with the importance of creating sustainable communities where residents have long term commitment to the area in which they live. Longer term tenancies provide more vulnerable residents with the stability and security they require to live successfully within their own community and for families to know with certainty that their children's education won't be interrupted by moving house.

3.2 Stafford Borough Council supports the use of secure, lifetime tenancies. Where Registered Providers decide to use fixed term tenancies, the following factors are to be taken into account:

- Any fixed term tenancy is to be for a minimum of five years, with consideration given to longer periods of time;
- Longer fixed term tenancies should be considered the norm for families with children and for vulnerable tenants who would benefit from the increased stability offered;
- Tenants going into sheltered or Extra Care Housing should receive lifetime tenancies;
- Shorter term tenancies (2 years) should only be used in exceptional circumstances and where the accommodation is only intended to be short term;
- All prospective tenants should be given clear information on the type of tenancy being issued, the reasons for offering that tenancy and how the tenancy will be reviewed when signing for a tenancy;
- Decisions to end a fixed term tenancy by accelerated possession proceedings should be proportionate and tenants should be provided with clear, accessible guidance on the internal appeal process with the Registered Provider.

4. Reviewing a Fixed Term Tenancy

4.1 Registered Providers should have within their Tenancy Policy details of how frequently a fixed term tenancy should be reviewed and what factors should be considered as part of that review.

4.2 It is expected that fixed term tenancies are reviewed at least six months prior to the end of the tenancy.

4.3 The Council would expect a fixed term tenancy to be renewed other than when a tenant's circumstances had changed significantly, for example where the property is unsuitable for the tenant to occupy it; this could be due to overcrowding or under occupation.

4.4 When a fixed term tenancy is reviewed, its renewal should not be linked to household income, which can create a disincentive to work and progression.

- 4.5 The review of a tenancy should not be used as an alternative to legal remedies and proceedings which are available to carry out effective management of a tenancy.
- 4.6 Where the tenancy is to be terminated without a breach of tenancy, reasonable efforts should be made to offer suitable other accommodation and consideration given to extending the tenancy until alternative suitable accommodation can be found.
- 4.7 A Registered Provider should give at least six months notice to a tenant if the tenancy will not be renewed, the reasons for ending the tenancy should be clearly set out and information should be given on how to make an appeal. The Registered Provider should inform the Housing Options Team at Stafford Borough Council when a decision has been taken to end a tenancy.

5. Affordable Rent

- 5.1 New affordable housing development is developed through two mechanisms; planning obligations in section 106 agreements; and financial contributions from the Homes and Communities Agency (HCA). In Stafford Borough section 106 agreements deliver social rented properties (70-80%) and intermediate affordable housing which on most occasions is shared ownership (20-30%). All affordable housing that has had a contribution from the HCA has to be for affordable rent, or more recently, low cost home ownership.
- 5.2 Social rented housing has a rent level determined through the national rent regime.
- 5.3 Affordable rented housing is not subject to the national rent regime and rents are set at a level no more than 80% of local market rent.
- 5.4 Intermediate affordable housing is housing whose rents or prices are above those of social rent, but less than that of market prices or rents, types of product include shared ownership, shared equity and other low cost home ownership products.
- 5.5 Whilst it is recognised that affordable rent housing is essential for the delivery of new homes funded by the HCA, the cost of these may reach a level which is unaffordable to residents of the Borough, this is especially the case where changes to the welfare system have seen benefits no longer covering the full cost of a households rent (through mechanisms such as the benefit cap and the spare room subsidy). The Borough would prefer rents to be at a social rent level wherever possible, but recognises that in order to secure new supply, affordable rent will be delivered. Through planning obligations, over which the Borough does retain control, social rent will be the requested.
- 5.6 Registered Providers have the ability to convert existing social rent properties into affordable rent with the additional investment raised being used for reinvestment in new affordable housing.
- 5.7 If Registered Providers wanted to carry this out within Stafford Borough, the Council should be involved in discussions at an early stage. Details will be required about the

number of properties proposed for conversion, property types, locations and proposed rent levels.

- 5.8 The priority for Stafford Borough is to ensure the supply of affordable housing is genuinely affordable to local residents.

6. Monitoring and Review

- 6.1 As part of the process of transforming the Housing Options Service, Stafford Borough Council is putting in place updated nomination agreements and monitoring systems; these will be agreed in partnership with the Registered Providers and the information will be used to monitor this Strategy.

- 6.2 This Tenancy Strategy will initially be reviewed six months after it is adopted. It will then be reviewed every two years, or earlier if there are significant changes to related policy or legislation, or if local circumstances change in such a way to deem this policy out of date. Data from the Registered Providers alongside data on affordability and other local indicators will be used in this review process.

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Annex A: Registered Providers with General Needs Housing in Stafford Borough

Organisation	Telephone	Web site
Accord Housing Group	0300 111 7000	www.accordgroup.org.uk
Affinity Sutton	0300 100 0303	www.affinitysutton.com
Aspire Housing	01782 635200	www.aspirehousing.co.uk
Bromford	0330 1234 034	www.bromford.co.uk
Midland Heart	0345 602 0540	www.midlandheart.org.uk
Sanctuary	0800 131 3348	www.sanctuary-housing.co.uk
Stafford and Rural Homes	0800 111 4554	www.sarh.co.uk
Staffordshire Housing	01782744533	www.staffshousing.org.uk
South Staffordshire Housing Association	01785 312000	www.ssha.co.uk
Walsall Housing Group	0300 555 6666	www.whg.uk.com
Wrekin Housing Trust	01952 217100	www.wrekinhousingtrust.org.uk