Policy and Development Review Committee	
Meeting Date	13 February 2018
Report Title	Tenancy Strategy Refresh
Cabinet Member	Cllr Ken Pugh, Cabinet Member for Housing and Wellbeing
SMT Lead	Emma Wiggins
Head of Service	Amber Christou
Lead Officer	Rebecca Walker, Strategic Housing & Health Manager
Recommendations	1. That Policy and Development Review Committee consider the reviewed Draft Tenancy Strategy.

1. Purpose of Report and Executive Summary

1.1 This report provides PDRC with the background to the Refreshed Tenancy Strategy and as part the eight week consultation process considers the refreshed Strategy.

1.2 The Localism Act 2011 places a statutory requirement on all local authorities in England to adopt and publish a tenancy strategy by 15 January 2013, to keep it under review and modify it from time to time.

1.3 Tenancy Strategies provide local housing authorities and Registered Providers (RP's) flexibility in the types of tenancy they grant, including the use of flexible tenancies that are issued for a fixed period of time.

1.4 Flexible tenancies allow RP's the choice of providing a tenancy for a fixed number of years, normally five, rather than a secure tenancy for life. They also enable RP's to set rents at 80% of the open market rent level, increasing their income for investment in future affordable housing schemes.

1.5 Swale's Tenancy Strategy requires RP's operating in Swale to:

- Have regard to Swale's Tenancy Strategy when formulating their own tenancy policies;
- Ensure they meet affordable housing need and make the best use of available homes;
- Provide flexible tenancies with a normal minimum duration of 5 years;
- Grant lifetime tenancies to households whose circumstances are unlikely to change over time;

- Review each fixed term tenancy 6 months before it is due to end to decide whether it should be renewed, and if not work closely with the Local Authority to look at alternative housing options; and

- Ensure flexibility is in place to charge rents of up to 80% of local market rents for new homes and a proportion of re-lets.

1.6 The Tenancy Strategy outlines the approach needed to ensure that Swale Borough Council continues to influence RP partners operating in the Borough, to meet local need and make the best use of social homes within the Borough.

2. Background

2.1 The purpose of the Tenancy Strategy is to provide clear guidance to RPs in developing their tenancy policies to ensure effective management of affordable housing to meet local need.

2.2 The Localism Act 2011 allows RPs to grant flexible tenancies for a fixed period of time to new tenants. The length of tenancy ranges from two years, but with five years or more being the recommended and normal term. Flexible tenancies are reviewed at the end of the fixed period, and can be terminated if the tenant no longer needs affordable housing. Assured tenancies, also known as lifetime tenancies, can still be issued in exceptional circumstances, for example to those over the age of 65 years.

2.3 RP's can charge rents of up to 80% of local market rents, but only on new build affordable homes delivered using Government grant, or on re-lets to new social housing tenants. Affordable rent tenure (ART) homes ensure that public subsidy is used in the best possible way and enables additional rent paid to be put back into the delivery of new build affordable homes in the future.

3. Proposal

3.1 To approve the Refreshed Tenancy Strategy.

4. Alternative Options

4.1 To not approve the Refreshed Tenancy Strategy. This is not recommended because it will delay publication resulting in Swale breaching the statutory duties.

5. Consultation Undertaken or Proposed

5.1 Full public consultation is being carried out for an eight week period, and is available on the Council's website until the 23rd March. The link for the consultation has also been sent via email to all RP's that operate within Swale.

6 Implications

Issue	Implications
Corporate Plan	**A borough to be proud of** The continuation of fixed term tenancies aims to encourage tenants into work, taking on more responsibility to ensure their homes are maintained to a good standard and their rent is paid. Lifetime tenancies will continue to be available to those with greater vulnerabilities to ensure protection and sustainment with their housing. **A community to be proud of** The tenancy strategy supports measures to tackle the gap between supply and demand of affordable homes, whilst ensuring Registered Providers continue to make best use of existing housing stock for those most in need. **A council to be proud of** The variety of tenancies available will encourage work and mobility, and enable affordable housing to be utilised more effectively across all sectors.
Financial, Resource and Property	None.
Legal and Statutory	The tenancy strategy is a legal requirement of the Localism Act 2011 Part 7. Section 150 states that each local housing authority must publish a tenancy strategy setting out the matters to which Registered Housing Providers of the local area must have regard to when formulating policies.
Crime and Disorder	The proposals should encourage balanced and sustainable communities which will have a positive impact on crime and disorder.
Environmental Sustainability	Flexible tenancies and the affordable rent model, enables the opportunity to increase affordable housing supply in the Borough.
Health and Wellbeing	The requirement to review flexible tenancies and encourage tenants into work will have positive health and wellbeing impacts.
Risk Management and Health and Safety	There are no identified risks or health and safety implications.
Equality and Diversity	Affordable rent, flexible and fixed term social housing tenancies are available to vulnerable households most in housing need.
Privacy and Data Protection	Any personal information held as part of this programme will be protected from unauthorised access or disclosure.

7   Appendices

7.1   The following documents are to be published with this report and form part of the report:

Appendix I: Refreshed Tenancy Strategy document

8   Background Papers

8.1   None