

STRATEGIC TENANCY STRATEGY

Submitted by: Caroline Abel

Portfolio: Regeneration and Planning

Ward(s) affected: All

Purpose of the Report

To advise Members of the statutory duty Local Authorities now have to prepare and publish a Strategic Tenancy Strategy within 12 months of the publication of the Localism Act 2011. This duty applies to all Local Authorities whether or not they still retain housing stock and is seen as part of the authorities' strategic housing role, not their landlord role.

To advise Members of the progress on the development of Newcastle under Lyme's Strategic Tenancy Strategy.

Recommendation

To seek comments on the draft Strategic Tenancy Strategy as part of the consultation process.

Reasons

Endorsing this Strategy will ensure that the Council is up to date with its strategic aims around the delivery of social housing in Newcastle under Lyme, it gives rise to fundamental social housing reform opportunities and will cover the whole of the Borough.

1. Background

- 1.1 On 15 November 2011, the Localism Bill received Royal Assent and become the Localism Act 2011.
- 1.2 The Act places a statutory duty on Local Authorities to prepare and publish a Strategic Tenancy Strategy. The Act incorporates many of the proposals contained in the DCLG's consultation paper Local Decisions: A fairer future for Social Housing. It devolves greater powers to Councils and neighbourhoods in order to give local communities more control over housing and planning decisions.
- 1.3 During the parliamentary process, whilst the Bill was progressing through Parliament, it was very clear that the proposed duty for Local Authorities to produce a Strategic Tenancy Strategy would remain and become part of the final Act. With this in mind the Housing Strategy team for the Council was keen to begin the implementation of this strategy and gained Cabinet approval on 20 July 2011 to commence work on the Strategy.
- 1.4 The Housing Strategy team began to work with partners on the proposals within the Act; this partnership process enabled the team to develop a Strategic Tenancy Strategy Statement. This document was a mix of background information, proposals, assumptions and questions. The statement was circulated amongst all partners and stakeholders to promote further discussion and feedback. The responses from partners on the issues raised within the Statement have been considered and used in the development of Newcastle's Strategic Tenancy Strategy.

2. **Issues**

- 2.1 Newcastle's Strategic Tenancy Strategy sets out the broad objectives to be taken into consideration by all individual Registered Housing Providers who operate in the Borough regarding the development of their future policies in the granting and reissuing of tenancies.
- 2.2 All Registered Providers will also be required to publish and follow their own policy on tenure, which meets the requirements of the Council's Strategic Tenancy Strategy. Our Strategic Tenancy Strategy makes clear the approach we wish Registered Providers follow in regard to the:
- The kinds of tenancies to be granted;
 - The circumstances in which a particular tenancy will be granted;
 - The use of Affordable Rents;
 - The national Mobility Scheme; and
 - The discharge of Homelessness duty into the Private Rented Sector.
- 2.3 Whilst it is clear that the Act enables Registered Providers substantial freedoms on the types of tenancy they may wish to provide, and to avoid creating bureaucratic structures which restrict the ability to respond creatively and sensibly to the particular needs of local communities and particular circumstances, these have to be balanced with consideration for local housing needs and circumstances. Our Strategic Tenancy Strategy will be the overarching document that will ensure that these alternative tenancy options are balanced against meeting local housing need in the Borough. Our Strategy highlights the importance of protecting those who are deemed as vulnerable and/or needing care and support services within the Borough, when operating under the new reforms.
- 2.4 Our Strategy also recognises that the reforms need to be seen in the context of the proposed welfare changes which when implemented may reduce the ability of those in housing need (and reliant on housing benefit) to secure alternative types other than social housing accommodation in the Borough. This will put greater emphasis on the existing social housing in the Borough; and we must ensure that it is used appropriately and is available to those with the greatest housing need.
- 2.7 The Council will need to ensure that the Strategic Tenancy Strategy is reviewed from time to time and that it is consistent with our Joint Allocation Policy and our Homelessness Strategy.
- 2.8 The aim is that the publication of this Strategy will provide transparency, by enabling local communities to clearly understand how the Council and Registered Providers are responding to local housing needs and priorities.

3. **Options Considered**

- 3.1 No other options have been considered as the requirement for each Local Authority to produce and publish a Strategic Tenancy Strategy is a statutory requirement.
- 3.2 The Strategic Tenancy Strategy needs to be in place 12 months from 15 November 2011, when the Act was published.
- 3.3 By producing and publishing our Strategic Tenancy Strategy early in 2012 the Council is able to give clear guidance to Registered Providers who are also commencing work on their own tenancy policies. The sooner these documents are in the place the better it will be for the Borough in relation the allocation of future housing stock to residents as the Council can be confident that all agencies are working towards the same aims and objectives.

4. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

4.1 Newcastle's Strategic Tenancy Strategy has the following aims:

- To encourage better use of existing social housing stock to meet housing need in the Borough
- To tackle overcrowding and under occupation in social housing stock in the Borough
- To contribute to balanced and sustainable and cohesive communities within the Borough
- To protect and support vulnerable people who require housing in the Borough

4.2 Implementation of the Strategic Tenancy Strategy will assist in the delivery of the corporate priority of creating safe and sustainable communities.

5. **Legal and Statutory Implications**

5.1 Under the Localism Act it is a statutory duty for Local Authorities to produce a Strategic Tenancy Strategy, within 12 months of the publication of the Act.

6. **Equality Impact Assessment**

6.1 On 31 Jan 2011 the Government published its impact assessment document on the Localism Bill: A Fairer Future for Social Housing.

7. **Financial and Resource Implications**

7.1 There are no direct implications and it is planned that the 'mainly electronic' consultation process will be met within the current budgets.

8. **Major Risks**

8.1 Not having a Strategic Tenancy Strategy will leave the Council open to legal challenge for failing to produce a mandatory document.

9. **Key Decision Information**

9.1 Endorsing this Strategy will ensure that the Council is up to date with its strategic aims around the delivery of social housing in the Borough, it gives rise to fundamental social housing reform opportunities and will cover the whole of the Borough.

10. **Earlier Cabinet/Committee Resolutions**

10.1 20 July 2011 Cabinet gave approval to commence work on the Strategic Tenancy Strategy in the Borough.

11. **List of Appendices**

Appendix A - Newcastle under Lyme Borough Council's Draft Strategic Tenancy Strategy.

14. **Background Papers**

The Localism Act – plain English Guide

<http://www.communities.gov.uk/publications/localgovernment/localismplainenglishupdate>

The Localism Act 2011

<http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted/data.htm>