

Refresh of the Council's Tenancy Strategy

Final Decision-Maker	CHE COMMITTEE
Lead Head of Service	William Cornall Director of Regeneration & Place
Lead Officer and Report Author	John Littlemore Head of Housing & Community Services
Classification	Public
Wards affected	ALL

Executive Summary

The Council is required to publish a Tenancy Strategy setting out how it will grant tenancies and to be used as a guide for social housing providers operating in its district.

Purpose of Report

Decision

This report makes the following recommendations to this Committee:

1. That the Committee adopts the new Tenancy Strategy 2021-26 attached as Appendix A to this report.
2. That the Committee approves for use by the Housing Service the secure tenancy agreement attached as Appendix C of this report.

Timetable

Meeting	Date
CHE Committee	29-06-2021

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1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p><i>The four Strategic Plan objectives are:</i></p> <ul style="list-style-type: none"> • <i>Embracing Growth and Enabling Infrastructure</i> • <i>Safe, Clean and Green</i> • <i>Homes and Communities</i> • <i>A Thriving Place</i> <p>• <i>Accepting the recommendations will materially improve the Council's ability to achieve the outcomes within Homes and Communities.</i></p>	Head of Housing & Community Services
Cross Cutting Objectives	<p><i>The four cross-cutting objectives are:</i></p> <ul style="list-style-type: none"> • <i>Heritage is Respected</i> • <i>Health Inequalities are Addressed and Reduced</i> • <i>Deprivation and Social Mobility is Improved</i> • <i>Biodiversity and Environmental Sustainability is respected</i> <p><i>The report recommendations supports the achievements of the cross cutting objectives.</i></p>	Head of Housing & Community Services
Risk Management	<p><i>By having an up to date Tenancy Strategy, the Council is at a lesser risk of challenge when issuing new tenancy agreements.</i></p>	Head of Housing & Community Services
Financial	<p><i>The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.</i></p>	Section 151 Officer & Finance Team
Staffing	<p><i>We will deliver the recommendations with our current staffing.</i></p>	Head of Housing & Community Services

Legal	<i>The secure tenancy template attached at Appendix C has been provided by the MKIP Legal Service, as a best practice document.</i>	Legal Team
Privacy and Data Protection	<i>Accepting the recommendations will not increase the volume of data held by the Council. We will hold that data in line with our retention schedules.</i>	Head of Housing & Community Services
Equalities	<i>The recommendations do not propose a change in service therefore will not require an equalities impact assessment</i>	Head of Housing & Community Services
Public Health	<i>We recognise that the recommendations will have a positive impact on population health or that of individuals.</i>	Head of Housing & Community Services
Crime and Disorder	<i>The recommendation will have a neutral impact on Crime and Disorder. The Community Protection Team have been consulted and mitigation has been proposed</i>	Head of Housing & Community Services
Procurement	<i>Not applicable</i>	Head of Housing & Community Services

2. INTRODUCTION AND BACKGROUND

- 2.1 The Communities, Housing & Environment Committee considered and approved the draft Tenancy Strategy 2021-26 for consultation at its meeting on 2nd February 2021.
- 2.2 The Council has consulted with registered providers of social housing (housing associations) within our area and received comments from several organisations. All the respondents were supportive of the refreshed Tenancy Strategy and some housing associations provided suggestions to improve the document or make certain points clearer.
- 2.3 The final version of the Maidstone Borough Council Tenancy Strategy 2021-26 is set out at Appendix A. The comments from housing association partners are set out in the Appendix B of this report together with the Council's suggested response.
- 2.4 The Housing Service wrote to 18 housing associations operating within our district, asking them to comment on the draft Tenancy Strategy 2021-26. The Council received 11 responses, including from our largest social housing provider - Golding Homes. All of the response received were positive about

the content of the new Tenancy Strategy; suggestions for improving the Strategy have been included into the final version attached as Appendix A of this report.

- 2.5 In addition, when the matter was discussed at CHE Committee in February 2021 there was a request to consider the detailed content of the tenancies that the Council intended to offer, having taken the decision to develop a limited number of new social housing; to be let by the Council on lifetime tenancies.
- 2.6 Of particular interest was the ability of tenants to keep pets. At the time, the Council was only providing temporary accommodation and a 'secure tenancy' template was not available to share with Members of the Committee. This has now been developed by MKIP Legal Services and is attached as Appendix C of this report for approval to use. Reference is made to the same Pet Owner Contract that has successfully been employed within the Council's temporary accommodation.

3. AVAILABLE OPTIONS

- 3.1 Having received comments from local housing associations, the CHE Committee is invited to adopt the refreshed Tenancy Strategy 2021-26 in order to remain compliant with Section 150 of the Localism Act 2011 and to enable applicants to understand the type of tenancy that the Council will issue; and to provide guidance for housing associations letting affordable housing in our district.
- 3.2 The Council could choose not to adopt a new Tenancy Strategy but to do so would place the Council in default of its obligations under the Localism Act 2011 and is therefore not recommended.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 To comply with our statutory responsibilities and to promote best practice, the Committee is invited to adopt the option set out in Paragraph 3.1 of this report.

5. RISK

- 5.1 By adopting an up to date Tenancy Strategy, the Council is reducing the risk of challenge from applicants who are provided with a Council tenancy.
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6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

6.1 The Council has fulfilled its statutory requirement to consult with housing associations providing affordable housing in its district. The results of the consultation are attached as Appendix B.

7. REPORT APPENDICES

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

- Appendix A: Maidstone Borough Council Tenancy Strategy 2021-26
 - Appendix B: Summary of responses from Housing Association consultation
 - Appendix C: Template Secure Tenancy Agreement
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8. BACKGROUND PAPERS

- Maidstone Borough Council Tenancy Strategy 2021-2026 report to CHE Committee 2nd February 2021
- Localism Act 2011