

# BROXBOURNE TENANCY STRATEGY 2012



## 1. Introduction

- 1.1. This tenancy strategy sets out the factors which the registered providers of social housing in Broxbourne should consider when formulating their tenancy policies. It only considers the issues around Lifetime versus fixed term tenancies. Affordability, affordable rent levels and other development matters are covered in the Broxbourne Affordable Housing Strategy. The Council's Allocations Policy details the policy around the allocation of social housing to applicants on the housing register.
- 1.2. The Localism Act 2011 requires all local housing authorities in England to publish a tenancy strategy, setting out the matters to which the registered providers (RP) of social housing for its district are to have regard when formulating their tenancy policies.
- 1.3. The Council recognises that most of the housing associations with housing in Broxbourne have stock in a number of local authority areas, and cannot therefore tailor their tenancy policies to align exactly with this tenancy strategy. However, the Council would expect RPs, in particular its development partners, to have due regard to its tenancy strategy.

1.4. Existing social tenants with Lifetime tenancies will not be affected by these changes.

## 2. Housing in Broxbourne

- 2.1. Broxbourne Borough Council transferred its housing stock in 2006 to B3 Living (formerly Broxbourne Housing Association). Therefore it does not own any housing stock itself, other than short term hostel accommodation.
- 2.2. There are 13 housing associations with rented housing in Broxbourne with a total stock of around 5,100 homes. This is one of the lowest of any district within the County of Hertfordshire.
- 2.3. At a national level, the Borough of Broxbourne would be regarded as relatively affluent, but within the borough there are pockets of deprivation. So whilst Goffs Oak, Broxbourne and Hoddesdon North are among the least deprived areas in England a number of areas within the borough are much more deprived. Furthermore 3 of the 10 most deprived small areas in Hertfordshire are located within Broxbourne, as measured by the 2010 Indices of Multiple Deprivation, although only one of these areas was ranked among the worst 20% of Super Output Areas in England.
- 2.4. Housing pressures are typical of the commuter belt with average house price to income affordability ratio of 10.6. Average incomes are amongst the lowest in Hertfordshire.
- 2.5. At the end of March 2012, there were over 3,400 households on the housing list. Approximately 250 properties per year become available for letting. Only 5-10% applicants are likely to receive any such offer in any one year meaning that, even if the 3 bedroom list was closed now, it would take over 10 years to clear the backlog of cases.
- 2.6. The relatively low turnover rate of existing rented housing association stock means that it would be many years before fixed terms tenancies

formed the majority, even if all homes becoming available were let on these terms.

- 2.7. It has become increasingly challenging for the Council to prevent homelessness. Homelessness acceptances increased very significantly in 2011/12 compared to 2010/11. Broxbourne had the second highest number of homeless acceptances per 1,000 households in Hertfordshire.

## 3. Under Occupation

- 3.1. There is a significant degree of under occupation in the social housing stock in Broxbourne, although the exact numbers are difficult to quantify. The Council would wish to see RPs adopt an approach that seeks to tackle under occupation, and have regard to it when determining fixed term tenancy renewals. However, the issue is sensitive and the Council would support the adoption of a 'case by case' approach rather than a blanket policy

## 4. Regulatory Framework

- 4.1. Social housing landlords should have tenancy policies that are clear and transparent so that tenants, future tenants and the wider community can understand the policy and its implications for them.
- 4.2. They must also demonstrate how their lettings
  - make best use of the stock
  - are compatible with the purpose of the housing
  - contribute to local authorities' strategic housing function

## 5. Objectives of the Tenancy Strategy

- 5.1. The Broxbourne Strategy aims to:
  - Encourage the best use of the social housing stock in the Borough
  - Protect and provide stability for the vulnerable
  - Promote economic activity and incentivise work
  - Encourage those able to meet their own housing need to do so



- Support the Council's wider community aims such as achieving sustainable communities and tackling crime and anti-social behaviour.
- Underpin and support partnership working with Registered Providers and their aims and objectives

## 6. Fixed Term Tenancies

- 6.1. The Council is broadly in favour of the use of fixed term (flexible) tenancies to enable best use of the limited social housing stock. Fixed term tenancies can encourage tenants who are under-occupying homes to downsize and those who are now able to consider home ownership to explore the options.
- 6.2. However, tenants need to have an assurance of stability so that they can settle and become part of the local community, whilst resolving issues such as unemployment or health.
- 6.3. Vulnerable people need to be protected from unsettling frequent moves to enable them to live as independently as possible. Therefore short tenancies of less than 5 years are only appropriate in a minority of cases.
- 6.4. Fixed term tenancies should be used for all new social lettings from April 2013, except where the home is:
- part of a retirement housing scheme
  - part of a Flexicare housing scheme
  - designated for people aged 55 or over
- 6.5. Older people need peace of mind and to be assured of a home for life. Under-occupation is unlikely to be a significant issue in retirement housing or in housing designated for 55+ as these homes are generally smaller units. Where a Lifetime tenancy is to be offered, this should be made clear when the property is advertised.



## 7. Transferring Tenants

- 7.1. Social housing tenants who currently hold Lifetime tenancies, should be offered another Lifetime tenancy should they transfer from one home to another. This should include tenants

who transfer from one RP landlord to another. Otherwise there would be a disincentive for tenants to move to more suitable housing.

## 8. Starter Tenancies

- 8.1. Starter tenancies of up to one year should be used where the home is let to somebody who is a new social housing tenant. Starter tenancies should not normally be used for tenants who are transferring home.

## 9. Length of Fixed Term Tenancies

- 9.1. Most tenancies should be for a term of 5 years, although in some circumstances the Council believes a longer term can be justified. Many new social housing tenants have been living in unsettled, overcrowded or stressful circumstances and will need a reasonable period to get established. Shorter lets do not enable people to become rooted in the community and work against community cohesion.
- 9.2. In exceptional cases, such as when there have been concerns during the starter tenancy, a tenancy of 2 years may be offered.
- 9.3. 5 year tenancies will allow the registered providers to review the rent levels of affordable rent homes. During the tenancy, affordable rents can only be increased by the Retail Price Index + 0.5%. The ending of the tenancy enables the landlord to review the rent against the current market rents.

## 10. When the Fixed Term ends

- 10.1. The offer of a further tenancy when the fixed term comes to an end, should be based on factors such as:
- The size of the property and the size of the household, particularly if under-occupation has resulted
  - Where the home is specially built for a disabled person or has significant adaptations, whether the household still requires them
  - The household's need to stay in the area for schooling, family support etc
  - Income and savings
  - The conduct of the tenancy
- 10.2. The usual measures to deal with breaches of tenancy such as antisocial behaviour or rent arrears should continue to be used by RPs in a timely and proportionate way. However, RPs should give due weight to the overall conduct of the tenancy in determining whether or not to offer a further tenancy at the expiry of the fixed term.

- 10.3. When the fixed term ends and the RP decides not to offer a further tenancy, the Council expects full and complete compliance with the requirements of the Localism Act 2011 that the tenant should be served notice in writing, setting out the landlord's reasons for not proposing to grant another tenancy.

## 11. Advice and Assistance

- 11.1. If the RP decides not to offer the tenant another tenancy, the RP should offer the tenant advice and assistance in finding another home. If the tenant is likely to become homeless, the RP should, with the tenant's consent, inform the Council of the impending homelessness in good time, and at least 3 months before the tenancy expires. The Council and RPs need to work in partnership to prevent homelessness and ensure that vulnerable people are safeguarded as far as possible.
- 11.2. Registered Providers should set out clearly in their tenancy policies the length of the fixed term tenancies and the factors that will be taken into account when deciding whether or not to offer tenants a further tenancy. They should also set out details of the advice and assistance they will provide to tenants on finding alternative accommodation, in the event that they decide not to grant a further tenancy.
- 11.3. When properties are advertised, the type of tenancy offered should be clearly stated. The tenancy policy should be clearly explained to the prospective tenants when they are offered a home.

## 12. Availability of the Tenancy Strategy

- 12.1. A copy of this draft tenancy strategy is available at the Council's offices at Bishops College, Churchgate, Cheshunt. It is also on the Council's website.

## 13. Monitoring and Review

- 13.1. The tenancy strategy will be reviewed annually and the modified strategy will be made available at the Council's offices and posted on the Council's website.
- 13.2. RPs' general approach to letting fixed term tenancies will be reviewed periodically. In the case of RP preferred development partners, this will be discussed in the regular RP liaison meetings and form part of the periodic reviews of development partners.

