

Title: Joint Tenancy Strategy adoption

Lead Officer: Sally Kelsall – sally.kelsall@warwickdc.gov.uk

Portfolio Holder: Councillor Helen Adkins

Wards of the District directly affected: All wards

Approvals required	Date	Name
Portfolio Holder	13/01/2025	Councillor Adkins
Finance		Victoria Bamber
Legal Services	17/12/2024	Sue Mullins
Chief Executive		Chris Elliott
Director of Climate Change		Dave Barber
Head of Service(s)	13/01/2025	Lisa Barker
Section 151 Officer		Andrew Rollins
Monitoring Officer		Graham Leach
Leadership Co-ordination Group		
Final decision by this Committee or rec to another Cttee / Council?	Yes	
Contrary to Policy / Budget framework?	No	
Does this report contain exempt info/Confidential? If so, which paragraph(s)?	No	
Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?	No	
Accessibility Checked?	Yes	

Summary

The Localism Act 2011 requires Local Authorities to adopt and publish a Tenancy Strategy which sets out the tenancies which should be adopted and administered in the District by the Council, Public Registered Providers and Private Registered Providers also known as Social Landlords. A Joint Tenancy Strategy has been developed by Warwick District Council in collaboration with Nuneaton and Bedworth Borough Council, North Warwickshire Borough Council and Rugby Borough Council to present a standard approach in these areas where there is stock owned and managed by Private Registered Providers. This Joint Tenancy Strategy replaces the previous document in order to review and update the types of tenancy available to be used in the District and Borough Council areas and also to take into account the new Consumer Standards.

Recommendation

That Cabinet approve the Joint Tenancy Strategy 2025-2030, as set out at Appendix A to the report, for adoption.

1 Reasons for the Recommendation

- 1.1 The Localism Act 2011 requires Local Authorities to adopt and publish a Tenancy Strategy which sets out the tenancies which should be adopted and administered in the District by the Council, also known as Public Registered Providers and Private Registered Providers, also known as Social Landlords.
- 1.2 A Tenancy Strategy must set out the matters that all Council landlords and Private Registered Providers with rented housing stock in the area covered by the strategy must "have regard" to when framing their policies relating to:
 - The Types of tenancies that they grant;
 - The circumstances in which they will grant a tenancy of a particular type;
 - Where they grant fixed-term tenancies, the length of the terms; and
 - The circumstances in which they will grant a further tenancy at the end of an existing tenancy.
- 1.3 All Social Landlords must also have regard to the Tenancy Strategy in exercising their housing management functions.
- 1.4 The Localism Act 2011 also introduced a revised Regulatory Framework and Tenancy Standard (Homes and Communities Agency, 2012) which states that Registered Providers shall let their homes in a fair, transparent and efficient way. They shall take into account the housing needs and aspirations of tenants and potential tenants. Social Landlords shall demonstrate how their lettings:
 - Make the best use of available housing
 - Are compatible with the purpose and the nature of the housing offered
 - Contribute to the local authorities' strategic housing function and sustainable communities
- 1.5 When preparing or modifying a Tenancy Strategy, Local Housing Authorities are required to:

- Have regard to the housing allocations scheme and homelessness strategy for the area;
 - Give “Private Registered Providers” an opportunity to comment on any proposals before adopting the strategy.
- 1.6 The Localism Act 2011 also gave the Secretary of State power to give directions to the Regulator of Social Housing about tenure and this resulted in The Tenancy Standard – 2015 being developed which was updated on 1 April 2024 following the enacted Social Housing (Regulation) Act 2023 which outlines changes to how social housing is managed. It includes increased regulation of social landlords and new rules for protecting tenants from serious hazards in their homes.
- 1.7 An updated Tenancy Standard, one of the consumer standards and relevant to this strategy was published on 1 April 2024 and will apply to all Private Registered Providers including Councils. Under the new standards landlords will need to:
- Ensure tenants are safe in their homes
 - Listen to tenants’ complaints and respond promptly to put things right
 - Be accountable to tenants and treat them with fairness and respect
 - Know more about the condition of every home and the needs of the people who live in them
 - Collect and use data effectively across a range of areas, including repairs
- 1.8 Most social housing tenants live in decent homes, but the Regulator of Social Housing made it clear that all landlords can improve. To hold landlords to account, it will:
- Inspect larger landlords regularly to check they are meeting the outcomes in the standards
 - Scrutinise data about tenant satisfaction, repairs and other relevant issues
 - Continue to push landlords to protect tenants and put things right when there are problems
 - Use a range of tools when needed, including new enforcement powers
 - Continue to focus on the financial viability and governance of housing associations as part of its integrated regulation

Objectives

- 1.9 This strategy sets out how the Councils expect alternative tenancy types to be used in a strategic way to make the most appropriate use of the affordable housing stock across the areas.
- 1.10 The outcomes that Social Landlords are expected to support using social housing tenancies are:
- Households to have a stable and secure home life.
 - Existing and prospective tenants to be better able to improve their economic circumstances.
 - Vulnerable households to be protected.
 - Sustainable communities to be created, supported and maintained.
 - The economic viability of communities to be supported and underpinned.
 - Local households to be better able to meet their current and future housing needs.

- Social housing to be used in an equitable way to promote social mobility and financial inclusion and to reduce under-occupation and overcrowding.
- Investment in affordable housing in Warwickshire to be supported where it is needed.
- Homelessness to be prevented or relieved wherever possible.

Tenancies

1.11 The range of tenancies proposed in the Joint Tenancy Strategy are:

- Secure Periodic Tenancies and Assured Periodic Tenancies;
- Introductory Tenancies and Starter Tenancies;
- Demoted Tenancies;
- Family Intervention Tenancies;
- Flexible Secure Tenancies and Fixed-Term Assured Shorthold Tenancies;
- Equitable Tenancies.

1.12 An outline of the tenancies listed above is contained in the draft Joint Tenancy Strategy in Appendix A.

Consultation

1.13 It is a requirement that when developing a Tenancy Strategy, all Private Registered Landlords who hold stock (currently nearly 15,000 in the geographical area) have to be consulted. This consultation has taken place and all parties that responded have expressed satisfaction with the proposals.

2 Alternative Options

2.1 It is a legal requirement to have a Tenancy Strategy in accordance with the Localism Act 2011. A different range of tenancies could have been encouraged or endorsed such as only secure tenancies and not a combination of tenancies. However, the range of tenancies provides scope to accommodate for a range of household situations and is more acceptable to the parties consulted.

2.2 It should also be noted that if Cabinet wished to amend this strategy then there would be a need for further discussions with other Council's across Warwickshire to seek agreement to amend the shared Strategy.

3 Legal Implications

3.1 As outlined above, there is a legal requirement to have a Tenancy Strategy and it has been approved by the Council's shared Legal Services team.

4 Financial Services

4.1 There are no financial implications for the Council.

5 Corporate Strategy

5.1 Warwick District Council has adopted a Corporate Strategy which sets three strategic aims for the organisation.

Delivering valued, sustainable services.

The aim of the Tenancy Strategy to comply with the legal requirement is to ensure that sustainable services are provided by the Council's as well as other landlords who have social housing stock throughout the geographical areas included in the Tenancy Strategy.

Low cost, low carbon energy across the district.

This strategic aim is not relevant for the Tenancy Strategy.

Creating vibrant, safe, and healthy communities of the future.

As outlined in 1.10 above, the outcomes that Social Landlords are expected to support using social housing tenancies are as outlined below and therefore this strategic aim is supported:

- Households to have a stable and secure home life.
- Existing and prospective tenants to be better able to improve their economic circumstances.
- Vulnerable households to be protected.
- Sustainable communities to be created, supported and maintained.
- The economic viability of communities to be supported and underpinned.
- Local households to be better able to meet their current and future housing needs.
- Social housing to be used in an equitable way to promote social mobility and financial inclusion and to reduce under-occupation and overcrowding.
- Investment in affordable housing in Warwickshire to be supported where it is needed.
- Homelessness to be prevented or relieved wherever possible.

6 Environmental/Climate Change Implications

There are no implications with regard to environmental and climate change.

7 Analysis of the effects on Equality

An Equality Impact Assessment has been undertaken and there are no implications on equality.

8 Data Protection

8.1 There are no implications on data protection.

9 Health and Wellbeing

9.1 The adoption of a Joint Tenancy Strategy will ensure that Social Landlords will comply with the types of tenancy promoted or endorsed where there is housing stock held in the geographical area. This ensures that there is a consistent approach which impacts on the health and wellbeing of the tenants and customers, as outlined in the draft Joint Tenancy Strategy applies to nearly 15,000 households.

10 Risk Assessment

10.1 There are two main risks associated with the adoption of a Joint Tenancy Strategy. The first is that the tenancies may change or not be appropriate. One way of addressing this risk is to regularly review the document with the other Districts and Boroughs who are party to the Strategy.

10.2 A second risk is that if a Joint Tenancy Strategy is not adopted, it would be contrary to legislation, the Localism Act 2011, and consumer standards which would have a more serious impact. It is therefore preferable that the Joint Tenancy Strategy is adopted and regularly reviewed against tenancy revisions and how the tenancies are operated throughout the area.

Background papers: None

Supporting Papers: Equality Impact Assessment