

# South Lakeland District Council and Eden District Council

Tenancy Strategy Update 2019

Appendix A

Survey January 2019

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Housing Stock	Home Group	South Lakes Housing	Castles and Coasts	Eden HA	Impact
Total stock in SLDC area:	592	3,152	625 (420 general needs)	63	350 (excluding Shared Ownership and Managing Agent properties)
Date commenced using fixed term tenancies:	01.09.2018	01.02.2019	Not using	NA	NA
If you do not already use but intend to use fixed term tenancies, state commencement date:	NA	NA	No	01.04.2019	NA
Reason for using fixed term tenancies	To promote more efficient use of our housing stock	SLH will only consider using fixed term tenancies in exceptional circumstances ie as part of the regeneration of an estate or where properties have been ear marked for disposal	NA	Efficient management of stock	NA
Time frame offered on fixed term tenancies (following completion of any starter tenancy):	5 years, plus 1 year starter period	5 Years	NA	12 month starter – converted to assured upon anniversary	NA
How many fixed term tenancies have you granted since 2012:	38	1	NA	NA	0
Of these how many were in areas outside of Kendal, Ulverston, Grange over Sands, Kirkby Lonsdale, Milnthorpe, Windermere, Ambleside, Sedbergh:	1	0	NA	NA	NA
How many have not been renewed:	2	0	NA	NA	NA
Of those not renewed, provide a breakdown of reason:	Set up in error, moved nearer to work/school	NA	NA	NA	NA
Do you charge affordable rents?	yes	yes	Yes	yes	yes

Reason for using affordable rents:	Reinvest surplus in building more affordable houses	All new developments are let on affordable rents	Mandatory conversion as part of development agreement/ maximize rental income	Section 106 agreements	Generation of income
Total number of stock charged at affordable rent compared with social rent charged:	Not provided	As at 18 February 2019: Social Rent General Needs 2,658 Social Rents Sheltered 429 Social Rents Total 3,087 (97.9%)  Affordable Rents 63 Intermediate Rents 2 Affordable Rents Total 65 (2.1%)	778 Affordable and 5173 social.	10	48/302
Total number of rent conversions on re-let from social rent to affordable:	0	0	?	0	11
Of these how many were outside Kendal/Ulverston/Grange over Sands/Kirkby Lonsdale/Milnthorpe/Windermere/Ambleside and Sedbergh:	0	NA	172 affordable rents currently let in SLDC area	NA	0

# Appendix B

## Fixed Term and Flexible tenancies

Set out below are the kinds of circumstances whereby a RP could consider ending a fixed term tenancy and factors the RP should have regard to. However, we would only expect these to be applied in a minority of cases.

A. The property is adapted and the current tenant does not need the adaptations and the Registered Provider is aware of a household who does. Similarly where the property is suitable for elderly people (bungalow/sheltered housing) and occupied by a household who does not need this type of accommodation and the Registered Provider is aware of a household who does.

Factors to consider; Is there suitable alternative housing for the current tenant to move into thereby eliminating the risk of homelessness? The type of adaptations (can they be removed easily or not?) NB by suitable; is alternative housing accessible to work/schools/connections and suitable size for the household's needs?

B. The property is now under occupied.

Factors to consider; Is there suitable alternative housing for the current tenant to move into thereby eliminating the risk of homelessness? Could there be suitable mutual exchange?

C. The property is now overcrowded.

Factors to consider; Is there suitable alternative housing for the current tenant to move into thereby eliminating the risk of homelessness? Could there be suitable mutual exchange?

D. The household is able to meet their needs on the open market?

Factors to consider; Is there suitable alternative housing for the current tenant to move into thereby eliminating the risk of homelessness? Would the household be eligible to buy/rent an affordable home? Housing options advice to be given.

E. The household has engaged in anti-social and/or criminal behaviour.

Factors to consider; Have all support options been explored and utilised, for example, floating support, liaison with statutory agencies such as Police, Probation, Education, Children's Services etc. Is there suitable alternative housing available?

F. The property is part of a disposal or refurbishment plan.

Factors to consider; Make best use of assets.

G. The tenant is in significant arrears and is not engaging with the Landlord to reduce the arrears.

Factors to consider; Have support options been considered, for example, floating support and contact with the Housing Options Team. Is there suitable alternative housing available?

# Appendix C

## Recommendations

### Flexible/Fixed Term Tenancies

- That on review in the majority of cases these tenancies should be renewed in order to maintain stable communities, except for those circumstances in Appendix B.
- When allocating fixed-term tenancies RPs should be clear on the circumstances whereby the tenancy is to be renewed or terminated with the incoming tenant(s).
- RPs should take part in the initiative to set up an early warning system under the Homelessness Strategy for all tenancies that may not be renewed or where the household is struggling to maintain the tenancy due to rent arrears and/or anti-social behaviour. Such a system will ensure that Housing Options Teams can apply early interventions such as floating support, debt advice etc to prevent homelessness.
- RPs will need to consider the review process and have a system in place to carry out a review of a flexible tenancy as required by the Localism Act.
- Older people living in extra care and sheltered housing and people living in supported housing should not be granted a flexible tenancy. People living in supported housing are most likely to be on a licence.
- RPs should consider not granting flexible tenancies to households with school age children, unless the tenancy can be automatically renewed so that there is stability in the schooling.
- In order to maintain stable communities in rural areas we would not expect flexible tenancies to be used outside of the Key Service Centres of Kendal, Ulverston, Grange over Sands, Kirkby Lonsdale, Sedbergh, Windermere, Ambleside, Alston, Appleby, Kirkby Stephen and Penrith) except in a minority of cases where this may be appropriate.

RPs should discuss options around shared ownership and discounted sale properties with households when undertaking a review of the tenancy. This would assist households who are able to benefit from these options as well as releasing a rented property for those households in need of it.

- Flexible/fixed term tenancies should be for no less than five years.

### Tenancy Policies

- RPs should review their Tenancy Policy should Government Regulations stipulate that they can charge the full rent if a household earns in excess of the prescribed amount (this is yet to be determined).

## Regulation of Social Housing

- We are keen to ensure that RPs have consistent standards in place in relation to regulation by working collaboratively.
- Tenants should be consulted on any changes to take account of the reduced role of the Government in this regard.
- RPs to stipulate in their Tenancy Policies how the regulatory process will work in practice, including the role of tenants.
- Providers are encouraged to make use of training from organisations such as the Tenant Participatory Advisory Service who run regulation training for tenants and staff.
- RPs need to take account of and co-operate with the strategic housing role of local authorities, for example by making homes available for the homeless.

## Allocating Affordable and Social Rented Properties

- The Allocation Policy (Cumbria Choice) is regularly reviewed and consideration be given in future for affordable rented properties to be allocated to households who are not solely reliant on housing benefit and who may be working already. Checks are carried out by RPs to ensure that the rents can be afforded by the ingoing tenant(s) before an offer is made.
- Consideration be given to how social rented homes are allocated under Cumbria Choice to ensure they are let to those households in greatest need of the lower rent.
- Statistics are gathered showing vacancy reasons and any properties that become vacant more than once are highlighted.

## Affordable Rent Conversions

- There should be a limit on the number of relets that are converted to affordable rents to maintain a supply of social rented homes. It is recommended that RPs consult the Council when considering how many conversions will take place in future bidding rounds with Homes England.
- Where conversions are being considered RPs should consult with the Council concerning the percentage of rent to be charged. This is due to the fact that there are likely to be existing planning obligations that may restrict rent set out within Section 106 agreements or covenants. Additionally, the Council will advise on local income levels in particular localities to ensure that the affordable rents are affordable.
- Larger 3 and 4 bedroom properties should remain within the Local Housing Allowance limits to ensure future affordability in light of Universal Credit.
- Ingoing tenants should receive advice and guidance on affordability to ensure that they can afford the rents.
- Tenants who begin to struggle to meet rent payments should be referred to the Housing Options Team for advice and guidance to reduce and prevent homelessness.

- Ensure that a range of property types are available for both social rent and affordable rent.
- Conversions should in most cases be limited to key service centres, i.e. Kendal, Ulverston, Grange over Sands, Kirkby Lonsdale, Milnthorpe, Windermere, Ambleside and Sedbergh, where there is a greater number of relets, thus protecting the sustainability and affordability of rural localities.

## New Build Affordable Rented Properties

- RPs should continue to consult the Council's Strategic Housing dept with regard to affordable rents so these can be based on local income data.
- RPs should explore other avenues of providing social rented properties without Homes England funding.
- RPs should look to the Council's statements reflected in the Core Strategy relating to affordable prices for new build properties. This is based on our SHMA 2017.

## Under occupancy and Overcrowding

- RPs to set up a system to map the number of under occupying households and contact tenants to discuss their needs and aspirations, for example tenancy audits.
- RPs to encourage tenants to access the national home swapper scheme and other options such as working with other local RPs to publicise and enable mutual exchanges or other moves, for example a matching service to match under occupying households with overcrowded households (right size package).
- Where one or each party has arrears this should not preclude them from a mutual exchange, particularly where a household is affected by welfare reform, in order to improve under occupancy and overcrowding issues.
- RPs consider allowing tenants to take in lodgers where appropriate and where this is not already offered under the terms of the Tenancy Agreement.
- RPs consider incentive schemes (unless this is already offered) that offer assistance (such as organising removals/connections/informing utilities etc, handyman for putting up curtains, shelves and other small jobs in the new home, small scale decorating charges covered) and/or financial support to enable under occupiers to move.
- RPs consider publicising the scheme to encourage take up, for example using flyers, tenant newsletters, web-site, holding events on housing options particularly geared around older people.
- RPs could seek referrals from adult social care, Citizens' Advice Bureau etc to be made aware of tenants who are struggling to meet their bills so they can be made aware of options to downsize and reduce outgoings.
- Review priority under the allocations scheme (Cumbria Choice) for under occupiers to allow greater priority to move.
- In certain circumstances, RPs may wish to allow under occupancy by no more than one bedroom. For example, for a household who requires a carer to stay overnight on occasions.



- RPs carry out regular audits of tenants to reveal under occupiers and households who are overcrowded.
- During a review of a flexible tenancy, overcrowded tenants could be assisted to move to alternative accommodation either via a mutual exchange or through bidding through Cumbria Choice or obtaining private rented or low cost home ownership options.

## Tenancy Fraud

- RPs carry out regular audits of tenants to reveal cases of tenancy fraud.
- RPs encourage neighbours to report suspected incidents of fraud, for example through tenant newsletters, web-site and posters.
- Information is sought from energy companies where fraud is suspected in line with regulations to oblige energy companies to release this information.

## Succession and assignment

- RPs ensure tenancy agreements comply with their tenancy policies in respect of assignment and succession.
- In making changes to a tenancy agreement that RPs follow the correct legal process.
- Where a household does not qualify to succeed to a tenancy or have a tenancy assigned to them, it is recommended that RPs contact Housing Options Teams at the earliest possible convenience so that options can be explored to prevent homelessness.

## Voluntary Right to Buy (new)

- RPs ensure that properties in designated rural areas are protected from the Voluntary Right to Buy.