

# Newark and Sherwood District Council

## Tenancy Strategy 2022 - 2026

*“It is vital that social housing is treated as an integral and valued part of our housing system, rather than being separated or segregated from other forms of housing”*

## **Contents**

<b>1. Introduction and Purpose</b>	<b>page 3</b>
<b>2. The Strategy Objectives</b>	<b>page 4</b>
<b>3. The Local, Affordable Housing Picture</b>	<b>page 5</b>
<b>4. Types of Tenancy</b>	<b>page 8</b>
<b>5. Rent and Rent Setting</b>	<b>page 10</b>
<b>6. Housing Options</b>	<b>page 11</b>
<b>7. The Council's Allocation Scheme and Housing Register</b>	<b>page 12</b>
<b>8. Approval, Consultation and Review Timetable</b>	<b>page 13</b>

**DRAFT**

## 1. Introduction and Purpose

- 1.1 The Localism Act 2011 placed a duty on all local authorities to produce a Tenancy Strategy to sit alongside the Landlord Strategy, Homelessness Prevention and Rough Sleeper Strategy, Allocations Scheme and a Registered Provider's Tenancy Policy.
- 1.2 The Council recognises that there is far more demand for social housing than current supply can meet and Registered Providers across the district will look to a range of housing options in response to this. The Council will support measures to tackle tenancy fraud and to introduce innovative arrangements which make best use of scarce resources. We also encourage our housing partners, wherever possible, to provide accommodation which is both stable and secure and contributes to creating sustainable communities.
- 1.3 This Strategy sets out expectations for Registered Providers with stock in the district requiring them to give 'due regard' to the objectives set out in this strategy. The Council acknowledges that Registered Providers work across a number of local authority areas and will therefore need to consider a number of local authority Tenancy Strategies in the formulation and review of their own tenancy policy.
- 1.4 It also includes guidance on how registered providers should decide:
  - ❖ What kind of tenancy to offer and the use of fixed term tenancies
  - ❖ Where a tenancy is set for a fixed term, the length of those terms
  - ❖ The circumstances under which landlords will grant tenancies of a particular type
  - ❖ The circumstances under which a tenancy may or may not be reissued at the end of the fixed terms, in the same or a different property
  - ❖ The application of an affordable rent
  - ❖ The use of private rented tenancies to discharge homelessness duties

## 2. The Strategy Objectives

2.1 The objectives of this strategy are:

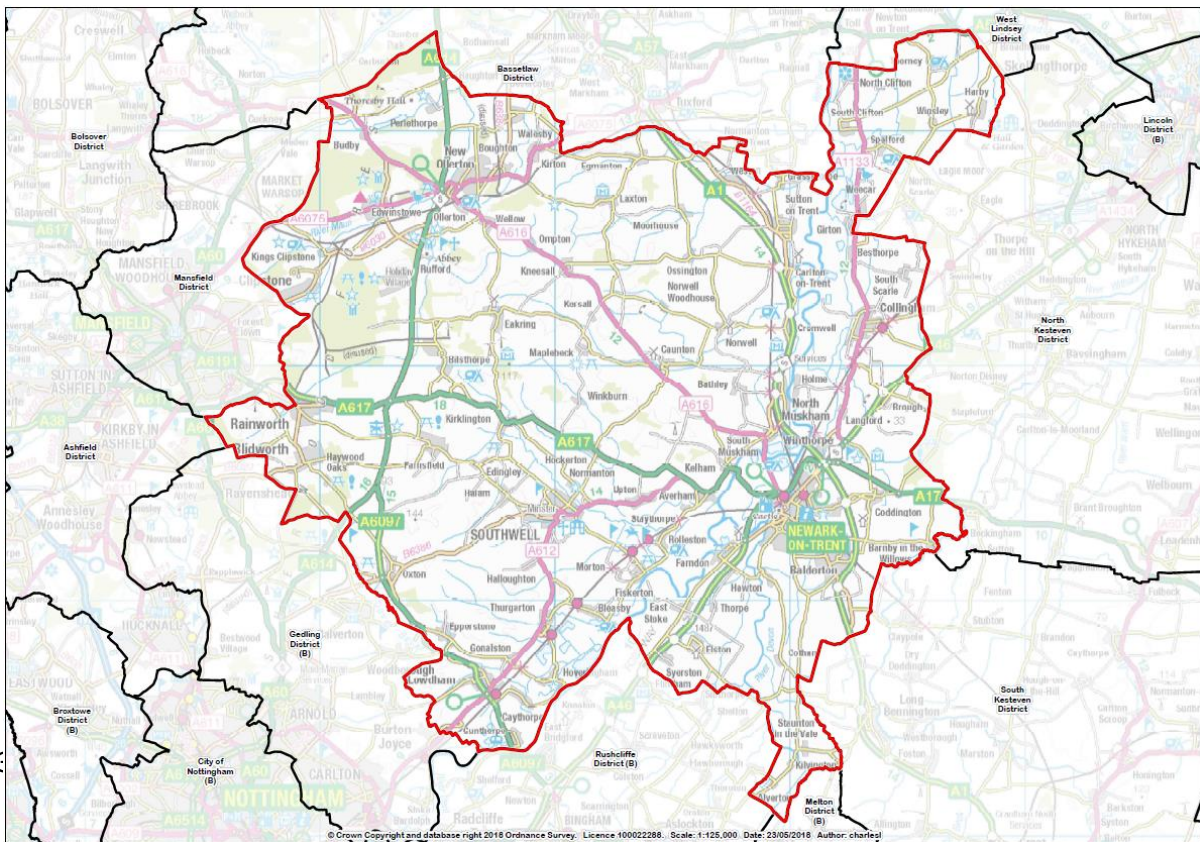
- ❖ Protect and provide stability for vulnerable people
- ❖ Make the best use of the social housing as social housing supply cannot keep pace with demand therefore there is a clear need to make the best use of the housing for those most in need.
- ❖ Be open and fair through assisting households to access all suitable tenure options as social housing is not necessarily suitable or available for all.
- ❖ Ensure those most in need are housed through applying Newark and Sherwood's Allocation Scheme.
- ❖ To support social mobility by supporting applicants to move into or remain in employment

2.2 These objectives align with housing priorities detailed in our Community Plan to:

- ❖ Create more and better-quality homes through our roles as landlord, developer and planning authority
- ❖ Create vibrant and self-sufficient local communities where residents look out for each other and actively contribute to the local area

### 3. The Local, Affordable Housing Picture

3.1 Newark and Sherwood is the largest, predominantly rural district in Nottinghamshire and has a resident population of approximately 121,556<sup>1</sup> people.



3.2 It is a popular place to live and has been designated as a growth point area; more recently we have secured £25 million funding as part of the Government's Towns Fund initiative.

3.3 The Charter for Social Housing Residents is clear in its focus to provide affordable housing to those in need, so we as a Council working with our partners will provide a number of affordable housing solutions. "It is vital that social housing is treated as an integral and valued part of our housing system, rather than being separated or segregated from other forms of housing"<sup>2</sup>

3.4 The Council is a stock holding authority, we own and manage 5540 homes, and the table on the following page provides a breakdown of property types:

<sup>1</sup>ONS 2018 mid-year population estimate

<sup>2</sup>Social Housing White Paper

Dwelling Type	General Needs					Supported			Housing with Care	
	No. of bedrooms					No. of bedrooms			No. of bedrooms	
	1	2	3	4	5	1	2	3	1	2
House	9	192	1702	111	7	12				
Bungalow	30	31	93	1		460	1223	6		35
Flat	201	334	14	1		558	199	6	110	12
Maisonette		117	65			12	2			
Bedsit	7					2				
<b>Totals</b>	<b>2915</b>					<b>2468</b>			<b>157</b>	

3.5 All RPs play an important role in meeting housing needs across Newark and Sherwood, and we nurture healthy and effective working relationships with all of the 19 providers in the district. The table on the following page details the RPs within our district and their stock levels:

Registered Provider	Total Stock	Total Social Rent	Total Shared Ownership	Total Other (Rent -to-Buy/ Mortgage Rescue/ Market Rent)
Accent Nene	7	4	3	0
Advance	29	29	0	0
Anchor Housing	74	74	0	0
PA Housing Group	213	204	9	0
De Montfort	85	47	34	4
Derwent Living	78	59	7	12
East Midlands	39	16	23	0
Family First	20	20	0	0
Framework	41	41	0	0
Guinness Group	9	9	0	0
Johnnie Johnson	7	0	7	0
Longhurst	17	10	7	0
Newark Housing	27	27	0	0
NCHA	1424	1288	127	9
Places for People	7	7	0	0
Raglan	24	24	0	0
Riverside	12	0	12	0
St Leonard's	54	54	0	0
<b>Totals</b>	<b>2167</b>	<b>1913</b>	<b>229</b>	<b>25</b>

- 3.6 The Council has nomination agreements in place with many of these registered providers and this supports us to address housing need within the district and assists us in fulfilling our statutory duty regarding homelessness.
- 3.7 Council commission a Housing Needs Survey provides data and evidence to inform strategies and policies for the Council and its partners, including the Community Plan. The latest HNS completed in December 2020, provided useful data relating to the household and tenure breakdown across the district (which is reflective of the previous data in 2014/15):

<b>Dwelling Type</b>	<b>Number</b>	<b>%</b>
<b>House</b>	42,699	74.4
<b>Bungalow</b>	9,756	17
<b>Flats</b>	3,960	6.9
<b>Other – including caravans</b>	975	1.7
<b>Tenure</b>	<b>Number</b>	<b>%</b>
<b>Owner Occupiers</b>	40,518	70.6
<b>Affordable Housing</b>	8,608	15
<b>Private Rented</b>	8,264	14.4

## **4. Types of Tenancies and Security**

- 4.1 The Council recognise the value and security of lifetime tenancies and encourages all Registered Providers (RPs), where possible, to align their tenancy policies and give due regard to our preference for lifetime tenancies or tenancies that give the most security and for the longest available period where tenancies are fixed term.

### **Introductory tenancies**

Effectively a one-year 'trial' tenancy where tenants automatically move on to a longer, more secure tenancy type providing they have kept to terms and conditions of their introductory tenancy. Where this isn't the case, tenancies can be extended for a further 6 months and tenants can be evicted more easily.

### **Secure tenancies /Assured tenancies**

These tenancies hold the most protection for tenants and can only be ended if the tenant breaches their tenancy conditions set out in their tenancy or set out in legislation.

### **Fixed Term Tenancies**

The Council expects RPs to give the longest fixed term tenancy available and to only consider ending the tenancy where there has been a significant breach of the terms and conditions. We would expect RPs to share with the Council the circumstances under which they will or will not reissue fixed term tenancies.

### **Non-Secure Tenancy or Licence**

A non-secure tenancy or licence would usually be granted to a tenant of the council or another landlord where they are occupying temporary or specialist accommodation.

### **Demoted Tenancies**

If a tenant has been involved in anti-social behaviour it is possible to seek a demotion order for their tenancy for a 12-month period. This is achieved by obtaining a court order. A demoted tenancy reduces a tenant's rights (as if it were an Introductory Tenancy) and facilitates the eviction process if required. At the end of the 12-month period, if the tenant has complied with the court order their tenancy will automatically revert to a secure or fixed term tenancy.

## **4.1 Domestic Abuse**

The Council wants to ensure that survivors of domestic abuse will not fear losing security of their tenure if they need to leave their home due to domestic abuse. The Council will follow the Secure Tenancies (Victims of Domestic Abuse) Act 2018 to ensure existing secure tenant needing rehousing to escape domestic abuse is granted a secure tenancy for their new home. This should be offset by the subsequent eviction of the perpetrator from the former home.



### 4.3 Tenancy Fraud

The Council recognises that affordable housing is a limited resource, and therefore it expects RP's to place great importance on tackling social housing fraud of any kind. All RP's should have robust internal audit policies and processes in place to detect possible fraudulent or corrupt actions by tenants and staff such as:

- ❖ Making a false declaration or submitting fraudulent documents to obtain a Tenancy
- ❖ Unlawful subletting, or where subletting is not permitted in a tenancy agreement
- ❖ Not using the social housing property as their main home
- ❖ Unlawful tenancy succession or wrongful succession to a person who does not qualify and or submitted false information to acquire the property; and
- ❖ submitting a false Right to Buy application

DRAFT

## 5. Rent and Rent Setting

- 5.1 With regard to rent setting, the Council retains a preference for social rent but may make use of Affordable Rent where required to comply with funding rules or where a greater choice of renting options is required.

Affordable Rent	Social Rent
Set at up to 80% of market rent (including service charges).	Is set by a government formula.  Set significantly lower than the private rental market.  Does not include service charges

- 5.2 The Council's view is that wherever possible affordable rent levels should not exceed LHA rates. The LHA rate is used to calculate housing benefit entitlement for most customers living in privately rented accommodation and rates are set by central government. The Local Housing Allowance (LHA) is based on the area in which the claimant lives and the number of people living in their household and not the rent that they are charged by their landlord.

- 5.3 Affordable housing should meet the needs of eligible households and be available at a cost affordable to them as determined by local incomes and relative house prices. The Council encourages other models of affordable housing including Shared Ownership to ensure that housing applicants and existing social housing tenants have access to a wide range of tenures to meet a range of needs and aspirations.

- 5.4 The table below demonstrates the comparison rents for the Council, registered providers, and private rented accommodation:

<b>Comparative rents (£ per week) 2021/22</b>			
	<b>NSDC (Social rent)</b>	<b>RP (Social rent)</b>	<b>Private Rented</b>
<b>1 Bed Property</b>	£65.75	£77.10	£108
<b>2 Bed Property</b>	£73.33	£91.30	£134.31
<b>3 Bed Property</b>	£84.07	£93.44	£160.15
<b>4 Bed Property</b>	£91.25	£103.26	£261

## **6. Housing Options**

- 6.1 The Homelessness Reduction Act introduced in 2018 changed the way homelessness was dealt with by Local Housing Authorities creating a partnership between the case officer and the applicant. This shift in focus also enhanced the usage of the private rented sector and made better use of our partnerships and nomination agreements. The council's housing stock and turnover is not sufficient to be used in isolation to discharge all of these too.
- 6.2 Homeless legislation may be clear in duties owed to applicants but with limited supply of affordable housing across all tenure types in the district the service must make best use of all options available for the council is to fulfill these duties whilst considering an applicant's wishes and affordability. It is for these reasons that the housing options service consider all available, suitable and affordable accommodation in discharging said duties. The Council will seek to ensure that any offer of private rented housing is appropriate to the needs of the household and the minimum length of any tenancy will be 12 months.

DRAFT

## 7 The Council's Allocation Scheme and Housing Register

- 7.1 Supply within the District is far outweighed by demand, and the need for aligned partnership working is integral to work towards addressing housing need within the district. Our Choice Based Lettings (CBL) platform is available for RPs wishing to let the properties they own within Newark and Sherwood.
- 7.2 Where RPs make use of our CBL platform we will request copies of their Tenancy Policy (and any subsequent reviews) to demonstrate their due regard to this Strategy, which will include their use of fixed term tenancies.
- 7.3 The Council is required to write and publish an Allocation Scheme that fulfils the legal requirements under the Housing Act 1996 and demonstrates clearly how the Council allocate the housing stock within the district, which includes details on how it is used to fulfil our statutory functions regarding preventing and relieving homelessness for individuals and households.
- 7.4 The Council currently has a waiting list of over 5300 applicants and with an annual turnover of circa 400 council homes, demand far outweighs supply. The scheme focuses on housing need and applicants are banded between 1 and 4; with band 1 being the applicant with the highest priority of need and band 4 where there is no evidenced housing need.
- 7.5 The table below demonstrates the breakdown of applicants in all four bands on the housing register as at October 2022 and the size of property they require:

	Band 1	Band 2	Band 3	Band 4	Totals
1 bed	31	76	596	1055	1758
2 bed	16	88	382	723	1209
3 bed	5	69	190	271	535
4 bed	1	13	71	15	100
5 bed+	1	8	6	2	17
1 and/or 2 (Supported Accommodation)	110	178	462	940	1690
Totals	164	432	1707	3006	<b>5309</b>

- 7.6 The data in this Tenancy Strategy demonstrates clearly why we, and our partners have a responsibility to make the best use of social housing stock across the District.

## 8. Approval, Consultation and Review Timetable

<b>Document Title</b>	Tenancy Strategy		
<b>Version Number</b>	1.0	<b>Protective Marking</b>	Official
<b>Lead Director</b>	Housing Health and Wellbeing		
<b>Portfolio</b>	Homes and Health		
<b>Consultation</b>	Tenant Engagement Board	Policy & Performance Improvement Committee	
	Local Influence Networks	Colleagues	
<b>Approval Dates</b>	SLT:		
	Portfolio Holder:		
<b>Review Dates</b>	Desktop:	November 2023	
		November 2024	
		November 2025	
	Full:	November 2026	