



Report to: Cabinet Meeting - 21 February 2023

Portfolio Holder: Councillor Tim Wendels, Homes & Health

Director Lead: Suzanne Shead, Director - Housing, Health & Wellbeing

Lead Officer: Julie Davidson, Business Manager – Housing Services & Estates, 01636 655542

Report Summary	
Type of Report	Open Report, Key Decision
Report Title	Tenancy Agreement Review
Purpose of Report	To present the outcomes of the Council’s tenancy agreement review following tenant and officer consultation and set out the key changes proposed to the existing agreement along with a new draft tenancy agreement.
Recommendations	That Cabinet approve the adoption and implementation of the revised Tenancy Agreement
Alternative Options Considered	None
Reason for Recommendations	<p>The current tenancy agreement has been in use since 2010 and needs updating to reflect changes in the law, regulation, our policies and general accepted good practice.</p> <p>The revised agreement aligns with the Community Plan objectives:</p> <p><i>Create vibrant and self-sufficient local communities where residents look out for each other and actively contribute to their local area</i></p> <p><i>Improve the health and wellbeing of local residents</i></p> <p><i>Reduce crime and anti-social behaviour and increase feelings of safety in our communities</i></p>

1.0 **Background**

1.1 The current tenancy agreement has been in use since 2010 and needed updating to reflect changes in the law, regulation, our policies, and general accepted good practice. The review of the agreement was an activity in last year’s Housing & Estates Management Business Plan.

- 1.2 The review process included a working group consisting of members of the tenancy team and involved tenants.
- 1.3 The Council is legally obligated to consult with all tenants in line with section 103 of the Housing Act 1985; and this period of consultation commenced on 9 December 2022 and closed on 16 January 2023.
- 1.4 The draft agreement was also circulated to all housing business managers and their teams as well as our legal colleagues – comments have been acknowledged and incorporated as required.
- 1.5 In addition to the formal consultation detailed at 1.3 we also took the opportunity to speak with tenants during tenant engagement events during the same period from 9 December 2022 to 16 January 2023.

Event	No. of Tenants
The Circle Christmas event	8
Sherwood LIN	15
Coopers Rise Coffee Morning	15
The Hub	5
Tenant Forum	8
Rural LIN	3
Total	54

- 1.6 We received in total 19 responses from tenants during the consultation period, 48% of these were via the on-line feedback mechanism.
- Four responses did not relate to the tenancy agreement, so respondents have been thanked and advised we had forwarded their comments onto the appropriate service area.
 - Seven tenants confirmed they were in agreement with the new tenancy agreement.
 - Fifteen responses were received with specific feedback; these have been considered with ten (66%) being incorporated into the agreement. These related to:
 - Including in the permission section that you need to seek permission if you wish to install a pond
 - Inclusion of consequence of fly tipping
 - Improved clarity and guidance regarding CCTV & the use of Smart Doorbells
 - Improved clarity if damage is caused by us or our contractor during works to their home
 - Referencing error corrected
 - The addition of foxes to the request at 11f “You must not do anything to encourage wild pigeons, rats, mice, foxes or grey squirrels on to your home, including the garden or communal areas, or other Council land.
 - Improved clarity and guidance regarding the keeping of pets
 - Improved clarity regarding the storage of fuel or any flammable liquid

2.0 Proposal

- 2.1 The proposed draft Tenancy Agreement and a table of key changes are attached as appendices to this report. These were endorsed by SLT on 31 January 2023 and are recommended for approval and adoption.
- 2.2 Once approved for implementation the new Tenancy Agreement will be sent out to all tenants along with a final Notice of Variation. It is worth noting that should tenants reject the changes that would mean terminating their tenancy, so by not doing this they are deemed to have accepted the new, amended conditions of tenancy.
- 2.3 This Notice of Variation and the revised agreement will be with all tenants by 3 April 2023 with a go live date of 1 May 2023. This provides the legislative 28-day notice period.

3.0 Implications

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

3.1 Financial Implications – FIN22-23/9821

The cost of printing and postage of the new tenancy agreement, along with the notice of variation will cost £15,000. Budget provision has been provided within the Housing Revenue Account.

3.2 Equalities Implications

An Equality Impact Assessment has been completed.

This revised agreement provides clear and transparent information for all tenants regarding their tenancy obligations, their rights and similarly for us as the landlord.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None