

CYNGOR SIR POWYS COUNTY COUNCIL

CABINET 26th July 2016

REPORT AUTHOR: County Councillor Rosemarie Harris, Portfolio Holder for Property, Buildings and Housing

SUBJECT: Tenancy Management Policy

REPORT FOR: Decision

1. Summary

- 1.1 The Powys County Council Housing Service manages almost 5,400 Council homes. The updated Tenancy Management Policy describes how we create, change and end tenancy agreements. The policy follows current legislation. The policy enables tenants to exercise their rights as introductory and secure tenants. It also provides Housing Staff with a reference on which they can base their decisions.
- 1.2 The Cabinet is invited to approve the policy.
- 1.3 The report is supported by the following appendices:
 - A The policy
 - B Consultation response summary
 - C Single Integrated Impact Assessment (SIIA)

2. Background

- 2.1 After a tenant has accepted an offer for accommodation, the Council and tenant will sign the tenancy agreement. This policy explains tenancy management in more detail. Currently the Council does not have one document containing all information in this way.
- 2.2 It is expected that new tenancies will be implemented in autumn 2017 as part of the Renting Wales Act 2016. The policy will be amended after Welsh Government guidance is published.
- 2.3 The policy formalises existing practice in Powys.
- 2.4 The policy's contents are as follows:
 - 1 Creation of tenancies
 - 2 Ending of tenancies
 - 3 Assignment of tenancies
 - 4 Succession of tenancies
 - 5 Amending existing tenancies
 - 6 Right to buy
 - 7 Right to take in lodgers
 - 8 Right to sublet
 - 9 Equalities
 - 10 Reviewing decisions, complaints and compliments
 - 11 Review of the tenancy management policy Appendix with detailed Standards.

2.5 Draft versions of the policy have been discussed with:

- Policies subgroup Tenants' Liaison Forum
- Legal Services
- Relevant Housing staff.

2.6 A public consultation took place during a four week period in March 2016. The key findings is attached to this report.

3. Proposal

3.1 Cabinet approve the policy. It will ensure that there is consistency across the County.

4. One Powys Plan

4.1 The SIIA states that the impact on Council priorities will be positive, particularly providing tenants, including vulnerable tenants, with long term security. There are suggestions for improvement that could be explored. However this is a case of exploring and reviewing ways of working, not of changing the policy itself. These potential improvements will be considered in the Service Improvement Plan or part of continuous improvement.

5. Preferred Choice and Reasons

5.1 The preferred choice is to approve the policy to ensure consistency in the County.

5.2 The second choice is not to approve the policy. This would mean that there is a risk Officers will use slightly different approaches to base their decisions on.

6. Sustainability and Environmental Issues/Equalities/Crime and Disorder/Welsh Language/Other Policies etc

6.1 The SIIA states that the impact on Welsh Government well-being goals will be positive.

6.2 The impact on Welsh language is neutral, but if the Welsh language standard were to be followed this would be positive.

6.3 The impact on equalities will be positive.

6.4 The impact on the council's other key guiding principles will be positive.

6.5 There are suggestions that could be explored to increase from good to excellence. However this is a case of exploring and reviewing ways of working, not of changing the policy itself. These potential improvements will be considered in the Service Improvement Plan or as part of continuous improvement.

7. Children and Young People's Impact Statement - Safeguarding and Wellbeing

7.1 The policy ensures long term security for tenants, including many vulnerable tenants and children. This will have a positive impact on the wellbeing and safeguarding of children and young people.

8. Local Member(s)

8.1 This policy applies to all Council HRA dwellings in Powys.

9. Other Front Line Services

9.1 There will be no changes to other front line services. This policy confirms existing practice.

10. Support Services (Legal, Finance, HR, ICT, BPU)

10.1 Legal – the Professional Lead-Legal supports the recommendation in this report and confirms that the Legal services will offer advice and support as and when required.

10.2 There will be no changes to support services. This policy confirms existing practice.

10.3 Finance – the Finance Business Partner can confirm this will ensure consistency across Powys within current legislation.

11. Local Service Board/Partnerships/Stakeholders etc

11.1 Tenants' Liaison Forum members, members of the Housing Services Group 100, all Housing staff and several external stakeholders, including Powys Teaching Health Board, PAVO and Brecon Beacons National Park Authority have been invited to read the policy and provide comments as part of the public consultation. Consultation responses have been considered in the policy.

12. Communications

12.1 The new policy will be published on the corporate website. Individual Council tenants will be informed of the policy through Open House Magazine and the Tenant Engagement Facebook page. The Tenants' Liaison Forum Members will be informed. There will be a link on the Council's Housing Service intranet page to the corporate website.

13. Statutory Officers

13.1 The Solicitor to the Council (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report.

13.2 The Strategic Director Resources (S151 Officer) has commented as follows: "I note the comments made by Finance."

Recommendation:	Reason for Recommendation:
To approve the Tenancy Management Policy for Council Housing in Appendix A of the report.	The policy formalises current good practice and ensures consistency across Powys.

Relevant Policy (ies):			
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	All
----------------------------------	------------

Person(s) To Implement Decision:	Steve Evans / Andrew Hall
Date By When Decision To Be Implemented:	1st July 2016

Contact Officer Name:	Tel:	Fax:	Email:
Henk Jan Kuipers	07917172854	-	Henk.jan.kuipers@powys.gov.uk

Background Papers used to prepare Report:

Powys County Council secure tenancy agreement 2008

Powys County Council introductory tenancy agreement 2015

CIH practice online

Housing Law and Practice 2014; Gail Price

Housing Management Law, March 2003; Margaret Biggs; Housing Law Training; Chartered Institute of Housing Cymru.

Appendices

Appendix A: Proposed Council Housing Tenancy Management Policy

Appendix B: Key findings from consultation

Appendix C: Impact assessment