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Please note that the following document were published separately from the main agenda for this meeting of the Executive to be held on Monday, 18th March 2024 at 6.00 pm in Committee Room 1, City Hall.

- Item 8. Extract from Committee: Housing Scrutiny Sub Committee: 11 March 2024 - Tenancy Strategy (Pages 3 - 4)

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EXTRACT FROM COMMITTEE

Housing Scrutiny Sub-Committee

11 March 2024

58. Tenancy Strategy

Paula Burton, Assistant Director of Housing Management and Andrea Ripley, Housing Strategy Officer

- a) tabled a quick guide which assisted members to understand the different purposes of the Tenancy Strategy, Tenancy Policy and Tenancy Agreement
- b) presented the draft Tenancy Strategy for review prior to consideration by Executive
- c) gave the background of the report as detailed at paragraph 2 of the report and advised that the main purpose of the strategy was to make the best use of existing housing stock with mechanisms such as flexible tenancies, succession rights and affordable rented tenures
- d) advised that consultation of the draft strategy was sent out to all known registered providers operating within the City during December 2023, the responses were contained at Appendix 2 of the report
- e) referred to the draft Tenancy Strategy contained at Appendix 1 of the report and advised that it focussed on the following areas:
 - Fixed/Flexible Tenancies
 - Reviewing fixed tenancies
 - Starter/ Introductory tenancies
 - Assured Tenancies
 - Secure tenancies
 - Non-secure tenancies
 - Licenses
 - Family Intervention tenancies
 - The use of Demoted tenancies
 - Existing social tenants, security of tenure
 - Succession
 - Affordable Rent
 - Intermediate Rent
 - Tenancy reviews
- f) explained that the Tenancy Strategy would be reviewed every three years to ensure compliance with current legislation and as part of a validation exercise to ensure that Registered Providers were letting homes in line with the Tenancy Strategy
- g) invited Sub-Committees questions and comments:

Members discussed the content of the report in further details, asked questions, made comments and received relevant responses from officers as follows:

Question: When would demoted tenancies be used and what would this mean for existing tenants encountering more Anti-Social Behaviour in their local communities?

Response: Demoted tenancies were introduced in the Anti-Social Behaviour Act 2003, to enable housing providers to demote a tenancy as a positive tool to help anti-social behaviour to be managed and controlled, as an alternative to eviction. This was a stepped mechanism, once a final warning was issued, if breached then the possession action route would be used as a last resort.

Question: Was a period of twelve months not a long time to take to alleviate such problems?

Response: The tenancy could remain demoted up to twelve months; Security of tenure could be taken away at any time during this period. Action would still be taken if breaches of the tenancy occurred. A demoted tenancy would either go to court or revert back to a periodic secure or assured tenancy.

Question: Was it possible to take away a tenancy without making a court application?

Response: No There must be a possession order in place from the courts.

Comment: We needed a strategy to address issues of tenancies being sub-let to family members, There were instances where tenancies were being sub-let at the same time as housing benefit was being claimed by the individual not living there, although it was difficult to prove. We needed to know who our tenants were.

Question: Could surveillance be carried out on properties via interaction with the DWP?

Response: Subletting was a breach of tenancy and taken seriously by the Council and where evident, enforcement action was taken. Often the Councils first indicator of proven fraud cases was when Housing Benefit ceased. The DWP worked independently to the Council due to data protection law which restricted information being shared so the Council would not be aware of surveillance levels for these cases.

RESOLVED that the contents of the Tenancy Strategy be supported.