

Leeds City Council Tenancy Strategy Review 2023

Date: February 2024

Report of: Housing Manager, Lettings and Tenancy Manager

Report to: Chief Officer, Housing

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

This report seeks approval to approve the council's Tenancy Strategy, which sets out the matters which Registered Providers (the council and housing associations) must have regard to in formulating their tenancy policies.

The strategy has been refreshed to focus on the matters required by law but maintains LCC's position of offering introductory or secure tenancies and not using fixed term tenancies.

Recommendations

- a) To approve the refreshed Tenancy Strategy following consultation with Registered Providers.

What is this report about?

- 1 Under the Localism Act 2011 the council must publish a Tenancy Strategy, setting out the matters which Registered Providers (the council and housing associations) in its district must have regard to in formulating their tenancy policies.
- 2 The Tenancy Strategy 2012 – 2016 was approved by Executive Board in 2012, and in 2017 it was extended until 2018 pending further guidance from the Ministry of Housing and Local Government on the mandatory use of fixed term tenancies. The government has since stated that these provisions, which were contained in the Housing and Planning Act 2016, will not be implemented at this time. The Tenancy Strategy has now expired and has been removed from LCC website.

What impact will this proposal have?

- 3 Refreshing the Tenancy Strategy will bring the council into compliance with the duty to publish a strategy and will provide guidance to Registered Providers on the council's expectations on them.

How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 4 The Tenancy Strategy outlines the council's expectations of social landlords offering fixed term tenancies, and the council's own offer, which links to the focus on better and more equal access to housing, children having the best start in life and enjoy childhood, supporting good health, wellbeing and educational outcomes in housing, employers having access to skills in the local community and recognition that place matters.

What consultation and engagement has taken place?

Wards affected: All

Have ward members been consulted?

Yes

No

- 5 Under the Localism Act the council must send a copy of the draft strategy, or proposed modification, to Registered Providers of social housing in its district, and give them a reasonable opportunity to comment on it.
- 6 Consultation has taken place with Registered Providers who operate in Leeds through an online survey along with a copy of the draft strategy to comment on.
- 7 10 responses were received, which are summarised below:
- Only one RP use fixed term tenancies in general needs properties, in total covering only 5 tenancies. These are offered for a minimum of 5 years, and are reviewed based on under occupation, behaviour, or the tenant no longer needing the particular property type
 - One RP was converting their historic fixed term tenancies into longer lifetime tenancies
 - Two RPs use FTTs in their affordable rent products i.e. Rent to Buy/ Market rent products / intermediate rent but not in their general needs stock.
 - The majority do not use FTTs and have no plans to introduce them and offer Assured Tenancies. The reasons for not using FTTs include them being seen to be incompatible with aims of building stable communities and the resources required to manage them. One RP that had introduced FTTs in other areas is converting them to Assured Tenancies, as are a number of other local authorities.
 - There were no comments or objections raised about the draft Tenancy Strategy. Two stated they support the use of longer term (lifetime) tenancies which align with their own approach to sustainability.
- 8 Consultation has also taken place with the Executive Member for Housing, who is supportive of the updated Tenancy Strategy.

What are the resource implications?

- 9 Through the Tenancy Strategy, the council aims to ensure social housing stock within the Leeds area is managed efficiently and best use is made of a limited resource.

What are the key risks and how are they being managed?

10 The main risk is in not publishing the refreshed Tenancy Strategy.

What are the legal implications?

11 The council is under a duty to publish its Tenancy Strategy which reflects its current position of offering introductory and secure tenancies, and not using flexible (fixed term) tenancies.

Options, timescales and measuring success

What other options were considered?

12 None.

How will success be measured?

13 Approval and publication of a refreshed Tenancy Strategy.

What is the timetable and who will be responsible for implementation?

14 The refreshed Tenancy Strategy will be published and shared with partner Registered Providers once it has been approved.

Appendices

Appendix 1 – Leeds City Council Tenancy Strategy 2024

Appendix 2 – EDCI

Background papers

- none