

Report of Director, Environment and Neighbourhoods

Report to Executive Board

Date: 12 December 2012

Subject: Tenancy Strategy for Leeds 2013 - 15

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): all	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

The Localism Act 2011 requires local housing authorities in England to prepare and publish a Tenancy Strategy by 15 January 2013 for their district. A Tenancy Strategy is a strategy for each district setting out the matters that registered providers of social housing (both local authority and housing associations) must have regard for when formulating policies relating to the allocation and management of housing.

This report will therefore set out the key provisions within the draft Leeds Tenancy Strategy. It will also inform the development of an updated Leeds City Council Lettings Policy.

Officers have consulted on the development of the Leeds Tenancy Strategy and this report seeks approval for the final draft.

Recommendations

The Executive Board notes the contents of this report.

The Executive Board approves the final version of the Tenancy Strategy attached in Appendix 1 to be implemented from January 2013, which states:

The Council will continue to offer new tenants introductory or secure tenancies and encourages Registered Providers in Leeds normally to offer the most secure form of tenancy.

Where Registered Providers do offer flexible (fixed term) tenancies, they should consider the factors set out in the Tenancy Strategy.

The council will consider discharging its duty to homeless customers through the offer of accommodation in the private rented sector.

The council encourage Registered Providers using Affordable Rent to clearly advertise properties as Affordable Rent and undertake financial assessments prior to letting.

The council will consider changes to the lettings policy as part of a separate review

The council will continue to operate its current succession policy, as outlined in the Tenancy Agreement 2008

1.0 Purpose of this report

1.2 The purpose of this report is to update Executive Board on the consultation on the draft Tenancy Strategy and how responses to the consultation have been taken into account in developing a final version of the Tenancy Strategy for approval.

2.0 Background information

2.1 The 2011 Localism Act requires all local authorities to publish a Tenancy Strategy for their district by 15 January 2013. A Tenancy Strategy is a strategy for a local authority district setting out the matters that Registered Providers (local authorities and housing associations) must have regard for when formulating policies relating to the allocation and management of social housing.

2.2 A Tenancy Strategy is the broad strategic framework that informs the development of Tenancy Policies that each Registered Provider is obliged to have.

2.3 For Leeds City Council, the Leeds Tenancy Strategy will inform the development of an updated Lettings Policy governing the allocation and management of council housing. All other housing associations in the city will need to have regard for the Leeds Tenancy Strategy when formulating their own tenancy policies.

2.4 Each Tenancy Strategy must set out the matters to which Registered Providers should have regard for. These are:

- The types of tenancies they should grant, including the use of flexible tenancies
- The circumstances in which they will grant a tenancy of a particular type
- Where they grant tenancies for set terms, the length that those terms will be
- The circumstances in which they will grant a further tenancy on the ending of the existing tenancy
- The introduction of the new 'Affordable Rent' product
- The potential to make changes to the Leeds Homes Register and lettings policy
- Discharging the homelessness duty with an offer of private rented accommodation

- General tenancy management issues, including the policy on granting 'discretionary succession' rights

- 2.5 In June 2012, Executive Board approved a draft Tenancy Strategy 2013 – 2015 for consultation.
- 2.6 The law requires each council to send a copy of the draft strategy, or proposed modification, to every Registered Provider of social housing in its district, and give them a reasonable opportunity to comment on it. A copy of the draft Tenancy Strategy was sent to all Registered Providers in Leeds along with a set of consultation questions.
- 2.7 Consultation has also taken place with other stakeholders. The results of the consultation are summarised in this report and in more detail in Appendix 2.
- 2.8 There are currently 25,500 households on the Leeds Homes Register, of whom 15% are assessed as being in a degree of housing need. The Council manages approximately 58,000 properties and Registered Providers manage a further 16,000 properties in Leeds. Approximately 5,000 Council lettings become available each year. The Council secures a further 1,000 lettings for customers on the housing register through its nomination agreements with Registered Providers.

3.0 Main issues

- 3.1 The Leeds Tenancy Strategy reflects the view that all people who wish to choose social housing as their preferred housing tenure should have the opportunity to register an interest in becoming a social housing tenant. The Leeds Tenancy Strategy also reflects the view that social housing should not solely be the preserve of those who are unable to purchase their own home or rent in the private sector. This does not conflict with legal duties to give some degree of priority for re-housing in the social housing sector to people with identified housing need.
- 3.2 The Leeds Tenancy Strategy also reflects the view that long-standing tenancy rights, such as maximising security of tenure, should wherever possible be maintained. This is certainly the view in respect of council housing.
- 3.3 The Leeds Tenancy Strategy also reflects the principle that social housing tenants have both rights and responsibilities in respect of their social housing that they have secured. The Leeds Tenancy Strategy therefore has links to the tenancy agreement that a social housing tenant signs up to.

3.4 Flexible (fixed term) tenancies

- 3.4.1 The Council and housing associations have a new power to offer tenancies of a fixed term called flexible tenancies for new tenants. The tenancy rights of existing tenants are unaffected. At the end of the initial tenancy period, the tenancy may be renewed for another fixed term, renewed as a more secure tenancy; the tenant could be offered another tenancy elsewhere or be required to move on.
- 3.4.1 Officers propose to maintain the use of introductory and secure tenancies for Leeds council housing to maximise the security of tenure that new tenants have and to

equalise the tenancy offer with that of existing tenants. The consultation feedback was broadly in support of retention of most secure forms of tenancy being used in general needs accommodation.

- 3.4.2 If flexible tenancies are used, there was broad agreement with exemptions suggested in draft strategy, including that a flexible tenancy should not be offered for lettings of sheltered or extra care properties, for older people or people with vulnerability.
- 3.4.3 Respondents were broadly in agreement with the proposed review process, although there was concern that a review could take longer than the suggested six month period. A reference has been added to the final Tenancy Strategy stating providers may wish to begin the review process earlier than this.
- 3.4.4 Some respondents had concerns about the resources required to introduce and manage flexible tenancies.

3.5 Affordable Rent

- 3.5.1 Affordable Rent can be set at up to 80% of the local market rent and is intended to be for customers who cannot afford full market rents. The additional rental income will be used to fund the development of new affordable homes.
- 3.5.2 Some Registered Providers in Leeds have already entered into contracts to build new homes with Affordable Rents, as well as planning to apply Affordable Rent on a proportion of re-lets (conversions).
- 3.5.3 The consultation was broadly in support of the introduction of Affordable Rent where it offers an alternative to market rents, and acceptance that Affordable Rents will be introduced for new developments and conversions.
- 3.5.4 Concern was expressed about how Affordable Rents on re-lets (conversions) would be selected, with fears of a two tier system developing within an area where some properties would be more affordable than others.
- 3.5.5 The Tenancy Strategy addresses the issue of affordability by including safeguards to ensure they are targeted to people who can afford them and recommends housing associations include details of how they will select properties to be relet or converted to Affordable Rent.
- 3.5.6 Where Registered Providers decide to introduce Affordable Rent, the Council expects them to advertise properties through the Leeds Homes choice based lettings scheme, clearly stating the property is subject to Affordable Rent and which customer groups the product is aimed at. Prior to letting an Affordable Rent property, the Registered Provider should undertake a financial assessment of the prospective tenant's ability to pay the rent, including whether the customer is likely to be affected by the Department for Work and Pensions (DWP) social sector size criteria (reduction in housing benefit paid to under occupying social sector tenants of working age).
- 3.5.7 The Council expects existing social rent tenants to retain their existing rent level where their move is a management transfer instigated by their current landlord (for

example, if they need to move due to a regeneration programme), but not necessarily if they apply to move of their own choice.

3.6 Changes to the Housing Register

- 3.6.1 Housing authorities have a new power to determine what classes of people are considered to be 'qualifying' to appear on the housing register and be made offers of accommodation. Since Executive Board considered the draft Tenancy Strategy in June 2012, the government has published the Code of Guidance on Allocations which gives more guidance on developing qualification criteria.
- 3.6.2 The Leeds Tenancy Strategy reflects the view that all people should have the opportunity to register an interest in securing a social housing tenancy providing they have not committed behaviour that renders unsuitable to be a social housing tenant. The latter point reflects the view that social housing tenants have both rights and responsibilities in respect of their tenancy. The Leeds Tenancy Strategy therefore proposes to maintain an open housing register.
- 3.6.3 The consultation was broadly in support of retaining an open waiting list, with some exceptions. Specific reference was made to excluding people with outstanding rent arrears and/or a history of anti-social behaviour. The updated Leeds City Lettings Policy will place a strong emphasis on setting criteria to make exclusion relating to rent arrears and anti-social behaviour. Consultation also highlighted views that people with 'significant' financial resources should be excluded from the housing register. Again this point will be considered through the updating of the Leeds City Council Lettings Policy.
- 3.6.4 Proposed changes to the Leeds Homes Register are outlined in a separate report for consideration by Executive Board, and will be subject to consultation and approval.

3.7 Discharging the homeless duty into the private rented sector

- 3.7.1 The Localism Act amends the statutory provisions relating to homelessness that were previously contained in Part VII of the 1996 Housing Act (as amended). These changes came into force on 9 November 2012.
- 3.7.2 The Localism Act permits local authorities to end the housing duty owed to a statutorily homeless applicant (eligible for assistance, unintentionally homeless and in priority need) through the offer of a 'suitable' private rented tenancy. The housing duty can be discharged whether the 'private rented sector offer' is accepted or refused.
- 3.7.3 Prior to the implementation of the Localism Act changes, local authorities invariably secured 'suitable' temporary accommodation until the applicant was offered a 'suitable' social housing tenancy. The main exception to this was that local authorities could end the housing duty if the applicant accepted a 'qualifying' offer of a private rented tenancy. The applicant could refuse such an offer without any change to the housing duty owed to them. The Localism Act repeals the legal provision relating to 'qualifying offers': the housing duty owed can be ended simply by the offer (rather than acceptance) of a 'suitable' private rented tenancy.

- 3.7.4 The definition of a 'suitable' private rented tenancy is therefore of critical importance. Private rented tenancies that have commenced since January 1989 will generally be let on an assured shorthold arrangement. Such tenancies must have a minimum 'fixed term' of six months during which period a tenant will, providing they do not breach their tenancy agreement, have security of tenure. The Localism Act states that a 'suitable' private rented tenancy offer must have a minimum fixed period of twelve months.
- 3.7.5 The local authority must also agree that the offer of accommodation is 'suitable'. A statutory instrument¹ came into force on 9 November 2012 setting out the criteria that local authorities should apply to the 'suitability' assessment. The criteria include being provided with a valid tenancy agreement, being satisfied that the landlord is a 'fit and proper person', the property being appropriately licensed, the property being in a 'reasonable physical condition' and the landlord demonstrating 'reasonable' fire safety and carbon monoxide poisoning precautions. The private rented tenancy offer must also be deemed to be affordable for the applicant for at least the duration of the twelve month fixed term.
- 3.7.6 The Localism Act requires that if an applicant loses, through no fault of their own, the private rented tenancy within a two year period then the discharged housing duty would be re-instated. The key criteria is whether the loss of the accommodation is 'unintentional': if the authority believes that the applicant has lost the accommodation through their own actions, such as incurring 'avoidable' rent arrears or committing anti-social behaviour, then the housing duty will not be re-instated. The government has stated that loss of accommodation caused by financial changes 'beyond the control' of the applicant would not make an applicant intentionally homeless.
- 3.7.7 The government consulted on the changes that have now come into force through the DCLG consultation paper: 'Local decisions: a fairer future for social housing'. 75% of local authority responses expressed support for the proposal to discharge housing duty through a 'suitable' private rented offer. Feedback from voluntary and community organisations was more critical with a common view being that the proposals would not offer sufficient stable housing options for homeless applicants.
- 3.7.8 The Council does not have to apply the housing duty for homeless applicant changes. It can continue to discharge the housing duty through the offer of a 'suitable' social housing tenancy. If the Council does start to discharge housing duty through the private rented sector then it must comply with the provisions relating to tenancies having a minimum 'fixed term' of twelve months, the housing being 'suitable' and re-instating the housing duty if the applicant 'unintentionally' loses the tenancy within a two year period.
- 3.7.9 It would be inappropriate, given the pressures on housing supply in the city, to wholly disregard the option of discharging the housing duty through a private rented tenancy. However, it is also recommended that the Leeds approach should exceed

¹ The Homelessness (Suitability of Accommodation) (England) Order 2012

the legal thresholds so that we ensure a stable housing option is offered to homeless applicants to end the housing duty owed to them.

- 3.7.10 The proposed Leeds scheme for discharging housing duty through the private rented sector would not focus on specific groups of statutorily homeless households. This would raise equity concerns why specific groups, for example young people, can more readily have their homeless duty discharged than other groups. It is proposed that the Leeds scheme would offer applicants a sufficiently high standard of accommodation that they may choose to take up the immediate offer of a private rented tenancy rather than wait for a social housing tenancy.
- 3.7.11 It is widely accepted that a tenancy which a household chooses to take up is more likely to be successful than one that a household has reservations about accepting. Many local authorities will decide to discharge the housing duty owed if an applicant refuses an offer of a private rented tenancy. This is legally permissible as the local authority is only obliged to make one offer of a 'suitable' private rented tenancy. In Leeds, the starting position is that if an applicant refuses an offer of a private rented tenancy then in all likelihood the unmet housing need, which warranted the housing duty being accepted, will still exist. Officers intend to develop the Leeds scheme, as described below, so that applicants choose to take up the offer of a private rented tenancy. There may well be circumstances where it is considered reasonable to discharge the housing duty owed because of a refusal of a 'suitable' private rented tenancy. It is not possible to be wholly prescriptive in this matter but an example could be a household who has been evicted from council housing for rent arrears or anti-social behaviour, but is still owed a housing duty, refuses an offer of a 'suitable' private rented tenancy.
- 3.7.12 There is a disparity in the legal framework between the minimum fixed term period of twelve months and the two year period in which an applicant can have the housing duty re-instated if they 'unintentionally' lose their accommodation. Officers therefore believe that in Leeds a 'suitable' private rented offer should have a minimum fixed term of twenty-four months.
- 3.7.13 Council officers would carry out a financial assessment on the applicant to confirm that the private rented tenancy offer is affordable. This would include an assessment of income and all expenditure incurred by the applicant. The financial assessment could only be carried out on an applicant's then circumstances. The government has stated that tenancy loss caused by 'unavoidable' reduction in financial resources would not constitute 'intentional' loss of housing. Officers believe that any applicant who experiences a reduction in benefit relating to welfare reform would not be considered to have made themselves intentionally homeless and the housing duty would be re-instated.
- 3.7.14 Officers believe that the Leeds provisions relating to 'suitability' of accommodation should exceed the legal provisions. The definition of 'fit and proper' person to be a landlord would require a landlord to be a member of the Leeds Landlord Accreditation scheme. All properties would be subject to a pre-offer and then annual inspection by the Council's Housing Regulation Team. A 'reasonable' state of repair would mean that the property is free of Category 1 'hazards' as defined under 2004 Housing Act, has adequate 'thermal comfort' (has gas central heating or

storage heating), all doors are secured to the requisite national standard for single or family households, both gas and electrical safety certificates are supplied, the property has a hard wired smoke alarm and rooms are at least of a prescribed size.

- 3.7.15 The provisions within the Leeds City Council Lettings Policy relating to priority awards for overcrowding would be applied if an applicant's household composition changed and the property became overcrowded. The appropriate priority award would be made to help the applicant secure alternative housing. An applicant would be made a Band B award for re-housing on the Leeds Homes Register if they were one bedroom overcrowded and the housing duty, with the accompanying Band A award, would be re-instated if the applicant was two bedrooms overcrowded. This assumes that the current Lettings Policy provisions relating to overcrowding are maintained.
- 3.7.16 Applicants may well re-approach for assistance, asking for the housing duty to be re-instated, whilst the private rented tenancy is still available to occupy. This emphasises the importance of the private rented tenancy offer being of a high standard and the applicant making the choice to accept the tenancy. Nevertheless, each case would be assessed on its individual circumstances and the Council could re-instate the housing duty, even if the accommodation was still available to occupy, if there were compelling reasons to do so. For example, the applicant had secured low paid employment and believed that they would have difficulty meeting rental costs in the future.
- 3.7.17 Applicants will have a statutory right to review any decisions relating to the discharge of housing through an offer of a 'suitable' private rented tenancy or not to re-instate the housing duty owed to them if a private rented tenancy is no longer available and/or is no longer suitable. Applicants, and their advocates, can hold the Council to account through the statutory review process.
- 3.7.18 All decisions relating to the housing duty owed will be made in writing setting out the reasons for the decision. Applicants will be notified of their statutory right to review in writing as part of a decision letter.
- 3.7.19 Concerns have been expressed, including by legal advocates, that some local authorities may seek to secure private rented tenancies in other districts. There is little that Leeds could do to deter such practice, other than be clear to the other authority that if the tenancy fails the re-instated housing duty would rest with that authority rather than Leeds. The main exception to this would be if the applicant was fleeing violence from the area that previously accepted the housing duty. The local authority arranging the tenancy is legally obliged to advise the authority where the tenancy is located that it is doing so. In addition, officers from Statutory Housing Services will liaise with officers from Leeds Benefits Service to identify whether there is an upward trend on new housing benefit applications for private rented tenants that were previously living outside of Leeds.

3.8 General tenancy management issues

- 3.8.1 Section 160 Localism Act 2011 amends the right of new tenants to succeed to a tenancy. Currently wider family members have a right to succeed, but since April

2012 the Localism Act has limited rights to spouses, civil partners and partners and joint tenants. Existing tenants are not affected by this change, and new Leeds City Council tenants still have the wider rights given under the Tenancy Agreement.

3.8.2 The consultation was in support of retaining rights for wider family members, as set out in the council's current Tenancy Agreement. Registered Providers are expected to set out their approach to allowing succession.

4.0 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The following consultation has taken place with key stakeholders:

- ALMO Collaborative event and ALMO and BITMO Board meetings
- Area Panel meetings
- 39 Housing Associations operating within Leeds were sent a copy of the draft strategy and covering letter with details of the consultation
- Leeds Housing Forum
- Leeds Homelessness Forum
- Leeds Tenants Federation Board meeting and tenant workshop attended by 42 residents and tenants
- West North West tenant workshop attended by 20 residents and tenants
- Scrutiny Board (Regeneration) Working Group
- Talking Point online survey signposted from Leeds City Council website, Leeds Homes flyer and council press release. Two ALMO tenants' newsletters had articles about the consultation, and directed tenants to the online survey or a paper version available in housing offices.

4.1.2 The Tenancy Strategy was the subject of a Scrutiny Board Working Group inquiry in September 2012. There was concern at the low response rate to the Talking Point online survey and it was agreed that going forward lessons would be learnt and other ways of consulting directly with tenants would need to be established.

4.1.3 The Working Group made the following comments on the draft Strategy:

- a) That the proposals put forward to the Executive Board are based on fairness and transparency.
- b) To strongly support the position that new tenants would normally be offered the most secure form of tenancy.
- c) were generally supportive of the Council undertaking the following measures:

- Determining what classes of persons are or are not ‘qualifying persons’ who can appear on the housing register and be allocated housing, with particular reference to high income earners..
- Being able to discharge the main homelessness duty with an offer of suitable accommodation from a private landlord without requiring the applicants agreement, provided the tenancy is for a minimum fixed term of 12 months.
- Encouraging Registered Providers to offer flexible tenancies to new social tenants as a form of probationary period to deal with tenants who misbehave and cause nuisance to others.
- In respect to new tenants removing the current statutory right of succession to a secure tenancy to people other than spouses, civil partners and partners to succeed to a secure tenancy. Members expressed concerns about individuals looking after elderly relatives (and other groups) and the need for suitable safeguards and exemptions.

4.1.4 This feedback is in line with the other consultation responses received which has been taken into account in the final version of the strategy. Although the number of individual responses from tenants was low with only 62 responses to the Talking Point survey, the feedback received has been very consistent and generally the same as the above comments. It should be noted that the proposed changes do not impact on current tenants and any changes to the tenancy agreement or lettings policy would be subject to further consultation.

4.1.5 All the feedback received has been consistent in relation to a presumption towards maximising security of tenure, better responding to anti-social behaviour and retaining the current flexibility in relation to tenancy succession.

4.1.6 A summary of the consultation responses is attached in Appendix 2.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The council has undertaken a full assessment on the Tenancy Strategy.

4.2.2 The positive impacts include:

- current council and housing association tenants will retain their existing security of tenure and rent terms
- new council tenants will continue enjoy the same terms as existing council tenants
- where Registered Providers do use flexible tenancies, the Tenancy Strategy encourages them to offer disabled and older tenants more secure forms of tenancy rather than a flexible tenancy. This will assist tenants to maintain their independence in their own home.
- Registered Providers who use flexible tenancies must take into account the needs of vulnerable customers
- where Affordable Rents are used, they will remain below market rents and offer an alternative to private rented accommodation

- existing council and housing association tenants who move to an Affordable Rent property as a management transfer would retain their existing rent
- discharging the homelessness duty into the private rented sector offers an alternative to waiting for a long time for social housing
- under the council's tenancy agreement, younger family members (e.g. grown up children) and older family members (e.g. parents) who are not the same generation as the tenant retain the right to succeed, subject to meeting certain criteria, as do other family members (e.g. siblings) who would not qualify to succeed under the new legislation.
- under the council's tenancy agreement, and where Registered Providers allow wider family members to succeed, is positive where the home has been adapted to meet the needs of a disabled family member, meaning they can maintain their independence in their home and not face the disruption of moving to another property.
- when dealing with succession requests, the council will consider cases individually, and take into account the reasons for a family member wanting to remain in the local area, e.g. children's schooling etc. other household members who are not the spouse, civil partner or partner or related to the tenant in anyway, (e.g. carers) will have their request to remain in the property considered.

4.2.3 The negative impacts include:

- the council's decision to maintain the use of introductory and secure tenancies in its stock for new tenants may mean it will take longer for new applicants to be rehoused
- Affordable Rents may not be affordable for households in low paid work or on benefits
- by discharging the homelessness duty into the private rented sector, homeless households would be offered a tenancy with less security than a traditional social housing tenancy
- where the council or housing association allow wider family members to continue to succeed may result in larger family accommodation being under occupied and the new under occupying tenant may be affected by the forthcoming changes to benefits resulting in them having a shortfall to make up in their rent.

4.2.4 The actions required are:

- ensuring properties let at Affordable Rent are clearly advertised as such, and that a financial assessment of the prospective tenant's ability to pay the rent is undertaken
- ensuring housing costs are not a barrier to employment for households in receipt of benefit.
- for the council to develop guidance on how it will use the new power to discharge duty to homeless households
- for the council to review its policy on non-statutory succession when it next reviews its Tenancy Agreement. Any review will be subject to consultation with tenants, a separate Equality Impact Assessment and relevant approval.

In the meantime, the council will continue its current policy which allows wider family members to succeed.

4.3 Council policies and City Priorities

4.3.1 The Tenancy Strategy sits below the Council's Housing Strategy and works in conjunction with the Council's Homelessness Strategy and Lettings Policy. These documents will be reviewed to reflect the changes introduced by the Localism Act, the Department of Communities and Local Government Code of Guidance consultation 'Allocation of accommodation: guidance for local housing authorities in England' and regulations on rehousing former members of the Armed Forces.

4.3.2 The Tenancy Strategy will contribute to the Vision for Leeds priority of making Leeds the best city in the UK. It also relates to:

- **Vision for Leeds** - 'Leeds will be fair, open and welcoming', 'All Leeds' communities will be successful'
- **City Priority Plans** - Health and Wellbeing: 'Support more people to live safely in their own homes'
- **Council Business Plan** - Create the environment for effective partnership working'

4.4 Resources and value for money

4.4.1 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 the limited resource, for example, by ensuring landlords put in place policies to support their tenants remain in their current property, reduce incidences of avoidable possession action and reduce homelessness and associated social and financial costs such as temporary accommodation placements.

4.4.2 The Council aims to operate an efficient lettings process, to reduce the length of time properties remain empty to ensure the needs of customers in housing need are met.

4.5 Legal Implications, Access to Information and Call In

4.5.1 Section 150 Localism Act 2011 requires the council to produce a Tenancy Strategy and Tenancy Policy by April 2013, which sets out the matters to which Registered Providers in its district must have regard to in formulating their tenancy policies.

4.6 Risk Management

4.5.2 The council has a duty to produce a Tenancy Strategy, and a more detailed Tenancy Policy. The council must also review its lettings policy in light of new legislation and statutory guidance.

5.0 Conclusions

- 5.1 The Council is required to produce a Tenancy Strategy by January 2013 setting out the matters to which Registered Providers must have regard to in developing their tenancy policies.
- 5.2 This report gives details about the responses to the consultation on the draft Tenancy Strategy and how this has been taken into account in developing a final version for approval.

6.0 Recommendations

- 6.1 Executive Board notes the outcome of the consultation on the draft Tenancy Strategy.
- 6.2 Executive Board recommends that the Tenancy Strategy attached in Appendix 1 is approved.

7.0 Background documents²

- 7.1 None

8.0 Appendices

- 8.1 Appendix 1, Tenancy Strategy for Leeds
- 8.2 Appendix 2, Summary of consultation
- 8.3 Appendix 3, Equality Impact Assessment, 30 October 2012

² The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.