

Cabinet

1 October 2024

Tenancy Strategy 2024

Portfolio Holder: Councillor Louwella Prenter, Portfolio Holder for Housing and Homelessness

Report from: Adam Bryan, Director of Place

Author: Mark Breathwick, Assistant Director, Culture and Community

Summary

This report introduces the Tenancy Strategy 2024 which replaces the previous Tenancy Strategy approved by Cabinet in 2018. The Tenancy Strategy 2024 sets out the move away from wide use of fixed term tenancies, which was a material change set out in the 2018 Tenancy Strategy to a focus on secure tenancies and the use of fixed term tenancies in specific circumstances.

1. Recommendations

- 1.1. The Cabinet is asked to note the comments of the Regeneration, Culture and Environment Overview and Scrutiny Committee, as set out in section 9 of the report.
- 1.2. The Cabinet is asked to agree the Tenancy Strategy 2024, as set out in Appendix 1 to this report.

2. Suggested reasons for decision(s)

- 2.1. The previous Tenancy Strategy ran from 2018 and the updated Tenancy Strategy 2024, will allow an updated position on tenancies in line with Medway Council's priorities.

3. Budget and policy framework

- 3.1. The Tenancy Strategy 2024 has been developed in line with the Council Plan and sets out the Council's contribution to meeting the aims of the Council Plan with respect to Housing. The approval of a Tenancy Strategy is a matter for Cabinet.

4. Background

- 4.1. Medway Council's current Tenancy Strategy was agreed in 2018. It was recognised that an updated strategy was required to reflect the changes in local demand and national legislative changes and our ability to successfully manage tenants and local communities. Since the 2018 Strategy, a new raft of legislation including significant focus on tenant satisfaction measures have been brought in by the Charter for Social Housing Residents: The Social Housing White Paper (2020) This, coupled with the ongoing effects of socio-economic conditions stemming from the pandemic and the costs of living crisis in terms of impacts on households and communities, requires that we update the Strategy.
- 4.2. As required by the Localism Act responses to the strategy consultation have been analysed by officers within strategic housing services including any potential changes to the strategy identified. A log of responses to consultation, and any answers to questions raised, are summarised in section 8.

5. Options

- 5.1. The options are:
- 5.2. That Cabinet agree adoption of the Tenancy Strategy 2024. This will provide support to Medway Housing's objectives and service planning for the lifetime of the strategy.
- 5.3. That Cabinet require amendments to be made to the Tenancy Strategy to 2024 and re-presentation to Cabinet at a future date for adoption.
- 5.4. That Cabinet do not agree to adopt the Tenancy Strategy to 2024 and carry on business as usual without a new strategy in place.

6. Advice and analysis

- 6.1. The Tenancy Strategy 2024 has been developed based upon a comprehensive review and consideration of:
 - the national changes in legislation with regards to additional focus on ensuring tenant satisfaction across all social housing provision.
 - the local context and the challenges faced by tenants during the cost-of-living crisis.
 - consultation with Medway Housing Tenancy teams with regards to effectively managing tenants and communities
- 6.2. Sustainability is an ongoing commitment for all Medway Housing activities, and whilst there are no material impacts within the strategy, efforts are being made to ensure that all activity aligns with Medway's Climate Change Action Plan.

- 6.3. The strategy has been written with Medway Housing's ongoing commitment to include the needs of Looked After Children, in mind. Whilst not targeted to this group, the additional flexibility contained within the strategy will provide a second chance to many groups who may have challenges in maintaining a tenancy.
- 6.4. The key material change in the Tenancy Strategy as opposed to the previous Strategy is that Medway Housing Tenants will receive a secure tenancy in the majority of circumstances. The previous Strategy had outlined that flexible tenancies would be the standard offer for new Medway Housing Tenants.
- 6.5. Given the pressures on Medway households and communities, as outlined in the background section, as well as the changes in legislation, flexible tenancies will be used on an occasional basis where significant circumstances warrant this approach. (e.g. to give a family another chance to engage with services in an attempt to avoid eviction proceedings).
- 6.6. Of 2653 tenancies of general needs housing units, Medway Housing currently have 2087 households on secure tenancies (a further 69 on introductory secure tenancies) with 478 households on flexible tenancies (a further 8 on introductory flexible tenancies). The expectation is that the vast majority, if not all, of those on a flexible tenancy will move to a secure tenancy. One household is on a Family Intervention Tenancy. Medway Housing currently have 10 households where an extended introductory tenancy has been put in place representing less than 0.5% of tenancies. These figures support the case for secure tenancies to be the standard offer for Medway Housing
- 6.7. A Diversity Impact Assessment is attached as Appendix 2 to this report.

7. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
That the changes detailed in the strategy are not carried out.	The move away from the previous stated position on flexible tenancies as a tool to be used where necessary, instead of a default position, is central to the strategy.	The realities of the national and local context have meant that, in effect, the changes have already started. The Tenancy Strategy gives formal notice to these changes.	CIII
That the decision is made not to update the 2018 Tenancy Strategy to this draft version, leaving the council open	The strategy has been written to take into account the national picture and the evolving needs of Medway Housing's Tenants.	The direction outlined in the strategy is a response to local changes which are already in effect. Should the strategy	CIII

Risk	Description	Action to avoid or mitigate risk	Risk rating
to challenge as not having a current strategy.		not be agreed, the work areas would continue under the aims of the previous strategy.	

For risk rating, please refer to the following table (please **retain** table in final report):

Likelihood	Impact:
A Very likely	I Catastrophic
B Likely	II Major
C Unlikely	III Moderate
D Rare	IV Minor

8. Consultation

- 8.1. Due to the focus of the Strategy, consultation initially took place with members of Medway's Housing Revenue Account as to how best fit the changing needs of Medway Housing's Tenants and ensure that the concerted focus on Satisfaction Measures remained at the forefront. The strategy was then sent to the Registered Providers of Social Housing in Medway to ensure that they had chance to comment, given the stipulation in the Localism Act that they should have regard to Medway's Strategy. The Strategy was also presented to a panel of Medway Housing Residents on 12 July 2024 to seek their views.
- 8.2. We received one response to our consultation with registered providers of social housing in Medway (there was also only one response to the previous consultation in 2018). Mhs homes, who responded as follows - 'as Medway's largest social landlord mhs homes and Heart of Medway welcome Medway Council's Tenancy Strategy and fully support the objectives.'
- 8.3. At the Tenant and Leaseholder Panel on 12 July 2024, which formed our consultation with residents of Medway Housing, the strategy was agreed by the panel of tenants. The sole caveat raised was around ensuring that families were not put under additional stress through any changes following them being put on a Family Intervention Tenancy (FIT). It was explained that this would only ever be used alongside a related support offer and the FIT would in fact give the household an additional layer of protection against potential eviction.
- 8.4. The draft strategy was circulated to colleagues in Adult Social Care, Children's Services and Public Health, with agreement on the content. One minor amendment was made to the draft strategy wording as a result.

9. Regeneration, Culture and Environment Overview and Scrutiny Committee

9.1 The Regeneration, Culture and Environment Overview and Scrutiny Committee considered this report on 15 August 2024 and its comments are set out below:

9.2. Officers informed the Committee that the material change to the Tenancy Strategy was that Medway Housing Tenants would receive a secure tenancy in the majority of circumstances as opposed to flexible tenancies in the previous strategy. Members requested that the Diversity Impact Assessment be updated as some of the officer names were out of date.

9.3. Members raised various queries which officers responded to:

9.4. **Difference between Family Intervention Tenancy and Demoted Tenancy** – Officers agreed to seek clarification and respond outside of the meeting.

9.5. **93.5% of council owned properties meeting Decent Homes Standard** – Officers explained that the figure was always lower at the start of the year, some homes would get new bathrooms and kitchens throughout the year and some tenants did not want work done although all steps were taken to try and complete required works.

9.6. **Number of Anti-Social Behaviour complaints and how these were dealt with** – Officers agreed to provide Members with data on this.

9.7. **Number of households receiving benefits** – Officers committed to providing a briefing note showing how many households were claiming benefits and measures taken to assist them back into the workplace.

9.8. **Tenancies for Key Workers** – Officers explained that social housing cannot be provided for key workers, but other options were being explored.

9.9. **Cap on the cost of adaptations for vulnerable tenants** – Officers explained that the same general principles for the Disabled Facilities Grant were applied to the cost of adaptations in social housing with an upper limit of £30,000, however decisions were made on a case by case basis.

9.10. **Decision:**

The Committee agreed that the Draft Tenancy Strategy 2024 proceeded to Cabinet with a view to approval in October 2024. The Draft Strategy was attached as Appendix 1.

10. Climate change implications

10.1. Due to the nature of the changes within the previous Tenancy Strategy to the updated Strategy, there are no anticipated climate change implications.

11. Financial implications

11.1 The Tenancy Strategy 2024 does not include any budgetary commitments over and above those already planned for.

12. Legal implications

12.1. There is a legal requirement for a local authority to have a Tenancy Strategy, and to revise this when there have been material changes.

Lead officer contact

Mark Breathwick, Assistant Director Culture and Community
Gun Wharf 01634 333540 mark.breathwick@medway.gov

Appendices

Appendix 1 - Tenancy Strategy 2024

Appendix 2 - Diversity Impact Assessment

Background documents

None