

# North Tyneside Council

## Report to Cabinet

### Date: 20 September 2021

#### Title: North Tyneside Tenancy Strategy 2021 – 2025

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| <b>Portfolio(s):</b> Housing | <b>Cabinet Member(s):</b> Councillor Steve Cox |
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**Report from Service Area:**

**Environment Housing and Leisure**

**Responsible Officer:**

**Phil Scott, Director of Environment, Housing and Leisure**

**(Tel: (0191) 643 7295)**

**Wards affected:**

**All Wards**

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## PART 1

### 1.1 Executive Summary:

The Authority is required under Section 150 of the Localism Act 2011 to prepare and publish a Tenancy Strategy. This document must clearly set out the Authority's expectations to registered providers of social housing on the type of tenancies to be awarded in the Borough.

North Tyneside's existing Strategy covers the period between 2013 -2018. Since then, new legislation and significant welfare reform changes have been introduced. These changes mean that affordable and secure homes are a greater priority for those households where renting is the only option available to them.

It is a requirement of any Tenancy Strategy review that the Authority must carry out a consultation exercise with registered providers of social housing within the Borough.

On 25 January 2021 the draft Tenancy Strategy was presented to the Cabinet, Cabinet approved further consultation with our residents to seek their views on the strategy. The consultation exercise has now concluded, and this report provides details of the results.

### 1.2 Recommendation(s):

It is recommended that Cabinet:

- (1) Acknowledges the consultation exercise responses at Appendix 3 of this report; and
- (2) Approves the Tenancy Strategy 2021 – 2025 at Appendix 1 of this report.

### 1.3 Forward Plan:

Twenty-eight days' notice of this report has been given and it first appeared on the Forward Plan that was published on 13 August 2021.

### 1.4 Council Plan and Policy Framework

This report relates to the following priorities in the Our North Tyneside Plan 2020 - 2024:

#### **Our Places will:**

- Be great places to live by focusing on what is important to local people;
- Offer a good choice of quality housing appropriate to need, including affordable homes that will be available to rent or buy; and
- North Tyneside Council's housing stock being decent, well managed and its potential maximised.

In addition to Our North Tyneside Plan 2020-2024 the current plans and strategies in the Framework are as follows:

#### **North Tyneside Housing Strategy 2016 – 2021 'a great place to live'**

This strategy has four strategic objectives, of which two support this strategy:

- More and better homes; and
- Better housing, better health, and wellbeing.

#### **North Tyneside Allocations Policy**

This policy aims to help people access secure, suitable, and affordable social sector homes within North Tyneside.

#### **North Tyneside Homelessness Prevention and Rough Sleeping Strategy 2019 - 2021**

This strategy has four priorities. Priority Two: meeting local housing and Priority Three: supporting households to secure and sustain an affordable home complement this strategy.

### 1.5 Information:

1.5.1 The objective of the revised draft strategy is to ensure that best use is made of affordable housing stock to:

- Meet local housing need
- Benefit vulnerable households
- Contribute to strengthened communities
- Enable households to make realistic choices based on their own circumstances.

#### 1.5.2 Background

The Localism Act 2011 placed a duty on all local housing authorities in England to publish a tenancy strategy, that sets out their expectations that registered providers of social housing must have regard to when formulating policies relating to:

- The kind of tenancy to be granted.

- The circumstances in which they will grant a tenancy of a particular kind.
- Where they grant tenancies for a term, the length of the terms; and
- Other circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.

1.5.3. The tenancy strategy must summarise those policies or explain where they may be found.

1.5.4 A local housing authority must have regard to its tenancy strategy when exercising its own housing management functions.

1.5.5 A local housing authority must keep its tenancy strategy under review; and may amend or replace it from time to time.

1.5.6 When amending or replacing the strategy, the Authority must consult with registered housing providers who operate in the Borough.

1.5.7 In addition to the duty placed on local authorities to review, revise, and consult on its Tenancy Strategy, significant welfare reform and legislative changes must be considered.

1.5.8 Since the last strategy was approved the following legislation changes have been introduced:

- Welfare Reform Act 2012;
- Welfare Reform and Work Act 2016;
- Homelessness Reduction Act 2017; and
- Green Paper: a new deal for social housing 2018.

A review of the new legislation was carried out and reflected within the new strategy. These changes make having an affordable, secure home a greater priority for those households where renting is the only option available to them.

## 1.6 Consultation

As agreed at the Cabinet meeting on 25<sup>th</sup> January 2021 an extension of the Tenancy Strategy consultation needed to take place to seek the views of our residents.

The consultation was carried out over a 6-week period between 10 May 2021 – 20 June 2021 and was widely promoted most notably through:

- the Authority's website
- "Have your Say"
- Direct email correspondence, with hard copies available on request.

The following responded to the survey:

- A Registered provider = 5
- An Owner occupier = 11
- A Council tenant = 7
- A Private landlord = 1
- A Leaseholder = 1

No responses were received from any registered provider tenants, private rented tenants, or leaseholder tenants.

There were four questions:

- Is the purpose of the document clear?
- Are the aims of the document clear?
- Do you think North Tyneside Council should use the private rented sector as an alternative to social housing?
- Do you think there is a need for more affordable homes in North Tyneside?

In total 25 responses were received to the consultation. Out of the 25 responses received the feedback received did not highlight any concerns that required amendments to the draft strategy.

The key issues raised from the consultation were in relation to the terminology of the strategy - *"Need to explain in layman's terms not in legal jargon"*. However, due to the nature of the document the terminology is a requirement for a legislative document.

Details of the outcomes and response to the strategy consultation can be found in Appendix 3.

## **1.7 Decision options:**

The following decision options are available for consideration by Cabinet

### Option 1

The Authority is required to formulate and publish a Tenancy Strategy based on the requirements of the Localism Act 2011. This strategy must be kept under review and amended or replaced from time to time. This includes consultation with registered providers who operate in the Borough.

Cabinet is requested to acknowledge the consultation exercise results and approve the draft Tenancy Strategy 2021 – 2025.

### Option 2

Cabinet may reject the strategy; however, the Authority could be at risk of failing to meet its duty in formulating and publishing a Tenancy Strategy, that is kept under review and amended or replaced from time to time.

### Option 3

Cabinet may request further information prior to approval of the Tenancy Strategy 2021 - 2025.

Option 1 is the recommended option.

## **1.8 Reasons for recommended option:**

Option 1 is recommended for the following reasons:

It is a statutory requirement that local authorities publish a Tenancy Strategy. This strategy provides guidance to registered providers of social housing in North Tyneside on the Authority's preferred approach to tenancies.

When amending or replacing the strategy, the Authority must consult with registered providers of social housing who operate in the Borough. The Authority extended this to residents of North Tyneside to capture those who may already be a social housing tenant or who may become a social housing tenant in the future.

The feedback received following the consultation with the wider audience did not highlight any concerns that required changes needed within the draft strategy.

## **1.9 Appendices:**

'Appendix 1: North Tyneside Tenancy Strategy 2021 – 2025'.

'Appendix 2: Engagement Plan'

'Appendix 3: Consultation Exercise'

## **1.10 Contact officers:**

Paul Worth, Senior Manager, Housing Operations, tel: (0191) 643 7554

Toby Hartigan Brown, Manager Housing Services, tel: (0191) 643 7736

Fiona Robson, Housing Policy and Development Manager, tel: (0191) 643 6212

Darrell Campbell, Senior Business Partner, tel: (0191) 643 7052

## **1.11 Background information:**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

[North Tyneside Tenancy Strategy 2013-18](#)

[North Tyneside Housing Strategy 2016 – 2021](#)

[The Housing Act 1996](#)

[The Homelessness Act 2002](#)

[The Localism Act 2011](#)

[Equality Impact Assessment \(EIA\)](#)

Consultation Exercise

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

There are no financial implications arising from the consultation exercise.

### **2.2 Legal**

The Localism Act 2011 (sections 150 - 151) places a duty on all local authorities to prepare and publish a Tenancy Strategy. The strategy must set out the matters to which registered providers of social housing in its district are to have regard to in formulating policies relating to tenancies and should contain the following:

- The kind of tenancies they grant;
- The circumstances in which they will grant a tenancy of a particular kind;
- Where they grant tenancies for a term certain, the lengths of the terms; and
- The circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.

Before adopting a Tenancy Strategy or modifying it, local authorities must:

- Send a copy of the draft strategy, or proposed modification, to every private registered provider of social housing for its district;
- Give the private registered provider a reasonable opportunity to comment on those proposals; and
- Consult such other persons as the Secretary of State may by regulations prescribe.

The Authority must also have regard to:

- Its current allocation scheme under section 166A of the Housing Act 1996; and
- Its current homelessness strategy under section 1 of the Homelessness Act 2002.

### **2.3 Consultation/community engagement**

#### **2.3.1 Internal Consultation**

Cabinet Member for Housing and internal partners were able to participate in the wider consultation exercise

#### **2.3.2 External Consultation/Engagement**

The consultation exercise was open for six weeks and available to all registered providers who provide social housing in North Tyneside, residents, and any other relevant stakeholder. It ran from 10<sup>th</sup> May 2021 – 20<sup>th</sup> June 2021. Information was available through:

- 'Have your Say' on the Council's website;
- Email to Resident's Panel and engaged tenants; and
- Direct communication with Registered Housing providers

## 2.4 Human rights

There are no human rights implications arising from this strategy.

## 2.5 Equalities and diversity

All equality and diversity implications that may arise from this Strategy have been considered. These are highlighted in the Equality Impact Assessment which forms part of the background information.

## 2.6 Risk management

Any risks associated with this strategy have been considered. The Tenancy Strategy provides guidance to registered providers of social housing in North Tyneside on the Authority's preferred approach to tenancies. Without such a strategy in place, there is a risk that providers would not know the Authority's preference, and their tenancy offer may not meet local housing need.

## 2.7 Crime and disorder

There are no crime and disorder implications directly arising from approval of the proposed strategy.

## 2.8 Environment and sustainability

There are no environment and sustainability implications directly arising from this strategy. An expected outcome of the Tenancy Strategy is a balance of flexibility in social housing promoting settled, sustainable, and mixed tenure communities.

### PART 3 - SIGN OFF

- Chief Executive
- Director of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Assistant Chief Executive