

Title of meeting:	Cabinet Member for Housing
Date of meeting:	18 September 2012
Subject:	Tenancy Strategy for Portsmouth
Report by:	Alan Cufley Head of Community Housing and Regeneration
Wards affected:	ALL
Key decision:	No
Full Council decision:	No

1. **Purpose of report**

The Localism Act 2011 requires local authorities to publish a Tenancy Strategy. There are some specific requirements around consultation and so the Tenancy Strategy is being proposed at this meeting in order to allow for the required consultation.

2. **Recommendations**

That the Cabinet member for Housing

- a) **Endorses the draft Tenancy Strategy**
- b) **Agrees to consultation with relevant stakeholders as described below and in the appendix**
- c) **Gives delegated responsibility for incorporating the responses as necessary from the consultation and publishing the Tenancy Strategy to the Head of Community Housing & Regeneration on consideration of a report which refers to the necessary matters to which regard must be had in adopting a strategy.**

3. **Background**

Clause 150 of the Localism Act 2011 places a duty on every local housing authority to publish a tenancy strategy. All registered providers of social housing should then have regard to this tenancy strategy in framing their own tenancy policies.

The tenancy strategy must summarise the policies relating to tenancies and a local housing authority is likely to have to have regard to its tenancy strategy in exercising its housing management functions.

The Localism Act 2011 (Commencement No. 2 and Transitional and Saving Provision) Order 2012 marks the introduction of clause 150 and so there is a year from 15 January 2012 for the Tenancy Strategy to be introduced.

The Local Authority must keep its tenancy strategy under review, and may modify or replace it from time to time.

The required Contents from the 2011 Act are:

- a) The kinds of tenancy that should be granted
- b) the circumstances in which a tenancy of a particular kind will be granted,
- c) where tenancies are granted for a term certain, the lengths of the terms, and
- d) the circumstances in which a further tenancy will be granted on the coming to an end of an existing tenancy

4. Reasons for recommendations

The recommendations have been made in order that elected members can decide upon the contents of the Portsmouth tenancy Strategy. The draft strategy suggests how registered providers of social housing should grant tenancies in Portsmouth and the advice and support that should be given to tenants at the beginning and end of tenancies, and how the agreements on conversion of tenancies and the disposal of properties might operate.

Registered providers of social housing should have regard to this tenancy strategy in framing their own tenancy policies. The strategy does not impose a way of operating on social housing providers and indeed it is for such providers to develop their own Tenancy Policy. The strategy is, however, important in indicating the way in which the local authority wishes to see the implementation of flexibilities concerning tenancies and a significant deviation from the strategy could lead to a risk to a providers operation in a particular local authority area.

5. Consultation

The legislation requires that consultation on the strategy must at least take place with every private registered provider of social housing in Portsmouth, and the strategy must have regard to the current allocation scheme and the current homelessness strategy. The Housing Options team have been consulted about this report and although a review of the allocation scheme is occurring, the outcome will not be reported upon until later in the year. They confirm however that this report does not conflict with the allocation scheme as currently adopted. It is proposed that as well as consulting with providers, views will be sought from a wider group with the website being utilised in this process. 2 months will be given for views to be received.

6. Equality impact assessment (EIA)

A preliminary Equality impact assessment has been undertaken and at this point it has been concluded that there is no need for a full Equalities Impact Assessment. Once the consultation period has finished the comments will be reviewed as will this conclusion on a full EIA.

7. City Solicitor comments

The Cabinet Member for Housing has the power to adopt the recommendations.

8. Head of finance's comments

No additional costs to Portsmouth City Council are expected to be incurred as a result of complying with the Localism Act 2011 and publishing a Tenancy Strategy and carrying out other associated works.

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Signed by:

**Appendices:
The Portsmouth Tenancy Strategy**

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Localism Act 2011	

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by: