

Agenda

Notice of a meeting held in private **Community Development**
Directorate - Executive Members
and Corporate Director Meetings

To: Councillors Mark Crane and Simon Myers.

Date: Wednesday, 8 April 2026

Time: 10.00 am

Venue:

These meetings are private meetings. The agenda and papers for the meeting have been published for the purposes of openness and transparency. If a member of the public or press wishes to attend these meetings where there are extenuating circumstances, then they can request to do so via Maureen Wilson. Each request will be considered on its own merits.

Business

1. Declarations of Interest

Items for decision by the Executive Member for Open to Business

Items for decision by the Executive Member for Culture, Arts & Housing

2. Mutual Exchange Policy (*Pages 3 - 38*)

3. Rent Setting Policy (*Pages 39 - 70*)

Items for Corporate Director Decision

4. Any Other Items of Business

5. Date of Next Meeting

Barry Khan
Assistant Chief Executive
(Legal and Democratic Services)

County Hall
Northallerton

Friday, 27 March 2026

Enquiries relating to this agenda please contact Maureen Wilson – maureen.wilson@northyorks.gov.uk

Website: www.northyorks.gov.uk

This page is intentionally left blank

North Yorkshire Council

Executive Member for Culture, Arts and Housing

8 April 2026

Mutual Exchange Policy

Report of the Corporate Director Community Development.

| | |
|------------|--|
| 1.0 | PURPOSE OF REPORT |
| 1.1 | To seek approval from the Executive Member for the adoption of the North Yorkshire Councils Mutual Exchange Policy, establishing a single, harmonised approach to receiving, assessing and deciding mutual exchange applications across council owned housing stock. |
| 2.0 | SUMMARY |
| 2.1 | The Mutual Exchange Policy (see Appendix A) provides a single, consistent approach to how North Yorkshire Council (NYC) manages mutual exchange applications. It explains who is eligible, how applications will be assessed, and the checks that must be completed before a decision is made. |
| 2.2 | It confirms that decisions must be issued within the statutory 42-day timeframe and explains the possible outcomes: approval, conditional approval or refusal based on the legal grounds set out in housing legislation. The policy also covers specific considerations such as Section 106 restrictions, adapted properties, safeguarding concerns and unauthorised exchanges. |
| 2.3 | Overall, the policy aims to improve tenant mobility, make better use of housing stock and provide a fair, transparent and consistent service across the county. |
| 3.0 | BACKGROUND |
| 3.1 | The formation of North Yorkshire Council brought together the housing services of the former district and borough councils. Each legacy area had its own approach to mutual exchanges, including different application forms, processes, and communication methods. This has resulted in inconsistent experiences for tenants across the county, with some reporting delays linked to outdated or varied administrative practices such as reliance on postal correspondence. |
| 3.2 | As a single landlord service operating under the Housing Revenue Account, the Council must ensure that all tenants receive a consistent, transparent and efficient service, regardless of where they live. A unified approach is also necessary to ensure compliance with statutory timeframes, regulatory expectations and good housing management practice. |
| 3.3 | In addition, harmonisation is required to ensure that decision-making is applied fairly and legally across the entire stock, particularly in areas involving complex factors such as Section 106 restrictions, adapted homes or safeguarding considerations. A single, council-wide policy provides clarity for tenants and officers, strengthens governance, and reduces the risk of inconsistent or unauthorised practice. |

3.4 The development of a consolidated Mutual Exchange Policy therefore forms part of the wider work to standardise landlord services following Local Government Reorganisation (LGR), improve the tenant experience, and embed clear expectations for service delivery across the new Council.

4.0 MUTUAL EXCHANGE POLICY

4.1 The Mutual Exchange Policy provides clear guidance for tenants and staff, ensuring that all exchanges are processed lawfully, consistently and within statutory timeframes. The policy applies to all tenants with a statutory or contractual right to exchange, including NYC secure tenants, flexible tenants, and secure or assured tenants of other social landlords who wish to exchange into an NYC property.

4.2 The policy explains that tenants must submit a formal application, using the harmonised council-wide form, and provide all required information before the Council can begin assessing the exchange. Once a complete application is received, the statutory 42-day decision period starts. During this time, the Council will carry out tenancy checks, including rent account reviews, information from other landlords involved, and assessments of whether the proposed exchange would result in overcrowding, under-occupation or an unsuitable match based on household need. These suitability assessments follow the same principles used within the Council's Allocations Policy, ensuring that household composition, bedroom entitlement and property type are applied consistently across all mutual exchange cases. Property inspections are carried out to check condition, identify any unauthorised alterations, and ensure that the home meets health and safety and compliance standards. If repairs or reinstatement works are needed, the policy allows the Council to issue conditional approval so that the exchange can proceed once those actions are completed.

4.3 The policy also explains how legal restrictions may affect exchanges. Where a property is subject to a Section 106 planning obligation, the incoming household must meet the specific requirements, such as local connection or residency criteria, or the Council cannot approve the exchange. Some S106 agreements may allow limited discretion, which the Council may apply only in exceptional circumstances, for example where there are significant safeguarding or welfare concerns, provided this remains compliant with the agreement. Tenants may need to provide evidence of eligibility.

4.4 At the end of the assessment process, the Council will issue a written decision confirming whether the exchange is approved, conditionally approved or refused. Refusals can only be made on the statutory grounds listed in the Housing Act 1985 and Localism Act 2011. Reasons must be provided, and tenants have the right to submit a complaint if they do not agree with the outcome.

4.5 The policy clearly states that tenants must not exchange keys or move into another property before formal written approval and the necessary legal documents have been completed. Exchanges are normally finalised through a Deed of Assignment, and the move only becomes lawful on the agreed completion date. Any early move is treated as an unauthorised exchange, and the occupants may be asked to return to their former home or face enforcement action.

4.6 Finally, the policy sets out expectations around communication, accessibility and support for tenants. It recognises feedback that communication delays can occur when relying on post and therefore encourages use of telephone and email to keep tenants informed. It also confirms that reasonable adjustments and alternative formats are available to ensure that the process is accessible to all residents. The policy will be monitored through the Housing Revenue Account Performance Framework and reviewed after one year, then every three years to ensure it remains up to date and reflects any changes in legislation or regulation.

5.0 REGULATOR OF SOCIAL HOUSING CONSUMER STANDARDS

- 5.1 The Mutual Exchange Policy supports NYC's compliance with the Regulator of Social Housing's Consumer Standards, particularly the Tenancy Standard, which requires social landlords to provide tenants with clear information about options, including mutual exchange. The Standard also places an obligation on landlords to ensure that decisions relating to exchanges are fair, transparent and made within statutory timeframes. This policy provides the framework to ensure these requirements are met consistently across the Council's housing stock.
- 5.2 Following LGR, it is essential that the new Council can demonstrate robust and consistent compliance with the Consumer Standards across all former district and borough areas. Establishing a single mutual exchange policy strengthens NYC's governance and assurance arrangements, enabling the Council to evidence:
- consistent decision-making across the landlord service
 - clear and accessible information for tenants
 - timely responses within the statutory 42-day period, and
 - fair assessment processes that follow legislative requirements and avoid unlawful variation between localities.
- 5.3 As the Regulator of Social Housing strengthens its consumer regulation approach, including enhanced monitoring of landlord performance and tenant outcomes, the Council must be able to demonstrate that its policies are up to date, clearly documented, and applied consistently. The adoption of a single mutual exchange policy contributes to this wider assurance framework and supports the Council's ability to evidence compliance under the Housing Revenue Account Performance Framework.

6.0 CONSULTATION UNDERTAKEN AND RESPONSES

- 6.1 As part of developing the Mutual Exchange Policy, the Council carried out consultation with tenants who had recently completed a mutual exchange. Officers contacted tenants directly to understand their experiences of the process, the challenges they faced, and what improvements they felt would make the service clearer and more accessible. Their feedback provided valuable insight into how communication, decision-making and coordination between services currently operate in practice. Many tenants told us that delays were made worse by reliance on letters, that contact details were not always provided, and that clearer updates by phone or email would have reduced stress during the exchange process. Issues such as confusion over safety certificates, uncertainty about Section 106 restrictions, and the lack of clarity around property condition expectations and timescales were also highlighted.
- 6.2 This direct engagement helped shape the policy, particularly the strengthened emphasis on communication, the need for accessible and consistent information at the start of the process, and the importance of officers reviewing available evidence before making decisions.
- 6.3 Internally, the policy was also shared with relevant teams to ensure that it accurately reflects operational requirements, legislative duties and the realities of cross-departmental working. This internal consultation led to the inclusion of a section on the implications of exchanges involving flexible tenancies, to make tenants aware that entering into an exchange involving a flexible tenancy may affect the level of security they hold after the move, and that it is important they understand these implications before proceeding.

- 6.4 Once the draft policy was updated following internal feedback, it was shared again with the same group of tenants who had contributed their experiences earlier in the process. This allowed tenants to see how their feedback had influenced the policy wording and provided an opportunity for further comment before finalisation. Tenants welcomed the opportunity to review the updated draft, and no further feedback was given.

7.0 CONTRIBUTION TO COUNCIL PRIORITIES

- 7.1 The Mutual Exchange Policy supports several of North Yorkshire Council's strategic priorities by ensuring that tenants have fair, consistent and accessible opportunities to move to homes that better meet their needs. By setting out a single, county-wide approach following LGR, the policy strengthens the Council's ability to deliver a modern and responsive landlord service that treats tenants consistently regardless of where they live. This directly contributes to the priority of providing high-quality customer-focused services and ensuring residents receive the same standard of support across all former district areas.
- 7.2 The policy helps the Council make more effective use of its housing stock, supporting sustainable and well-balanced communities. Mutual exchange is often the quickest route for tenants to move to appropriately sized accommodation, helping reduce under-occupation and overcrowding. Several tenants highlighted how mutual exchange enabled them to resolve pressing housing needs more quickly than the allocations process alone. This contributes to efficient management of the Housing Revenue Account and supports broader priorities around meeting housing need and improving residents' wellbeing.
- 7.3 By committing to regular review cycles and performance monitoring through the Housing Revenue Account framework, the policy also contributes to the Council's aim of continuous improvement. It ensures the service can adapt to legislative changes, strengthen compliance with regulatory expectations, including the Regulator of Social Housing's consumer standards, and maintain a clear focus on tenant outcomes. This reinforces the Council's wider ambition to deliver modern, efficient and well-governed services across all areas.

8.0 ALTERNATIVE OPTIONS CONSIDERED

- 8.1 The Council considered retaining existing approaches within the former district and borough areas, however, this was not a viable option. LGR brought together several different processes, forms and communication methods, and consultation with tenants demonstrated that this inconsistency had led to delays, confusion and varying standards of service across the county. Maintaining these differences would continue to create inequity for tenants and make it difficult for the Council to manage performance effectively across the Housing Revenue Account.
- 8.2 A further option explored was making only minor amendments to existing legacy policies rather than creating a single consolidated document. This approach would not have addressed key issues raised by tenants, particularly around communication, access to information, safety checks and the handling of Section 106 restrictions. It would also fail to provide the level of clarity and consistency expected under the Regulator of Social Housing's Consumer Standards.
- 8.3 The recommended option is to adopt a single, comprehensive Mutual Exchange Policy for North Yorkshire Council. This ensures a consistent process for tenants, provides clear guidance for officers, responds directly to tenant feedback, and strengthens compliance with legislation and regulatory expectations. It also aligns with the Council's wider priorities for service harmonisation and improved customer experience following LGR.

9.0 IMPACT ON OTHER SERVICES/ORGANISATIONS

- 9.1 Implementation of the Mutual Exchange Policy will have implications for several service areas across North Yorkshire Council. The policy sets out a clearer, more structured process for assessing, inspecting and approving mutual exchanges. This will require consistent coordination across Housing Management, Repairs and Compliance, Customer Services and Legal Services to ensure applications progress smoothly and within the statutory 42-day period. Housing officers will need to follow a unified process, use harmonised application forms and adopt improved communication standards, reflecting the issues raised by tenants around delays caused by reliance on letters, difficulties contacting officers and inconsistent handling of safety checks.

10.0 FINANCIAL IMPLICATIONS

- 10.1 The Mutual Exchange Policy primarily formalises the Council's existing statutory duties and therefore does not introduce significant new financial burdens. The costs associated with implementing the policy are expected to be contained within existing Housing Revenue Account budgets. These include the routine officer time required to process applications, carry out tenancy checks and coordinate communication between services and external landlords. Pre-exchange property inspections and the completion of health and safety checks, such as electrical and gas certification, are already part of the Council's regulatory responsibilities and will continue to be funded through existing compliance and repairs budgets.

11.0 LEGAL IMPLICATIONS

- 11.1 The Mutual Exchange Policy ensures that North Yorkshire Council meets its statutory responsibilities in relation to mutual exchanges. The legal right for secure tenants to exchange their home is established under Section 92 of the Housing Act 1985, with the grounds on which a landlord may refuse an exchange set out in Schedule 3 of the same Act. The policy reflects these requirements and confirms that refusals can only be made on the statutory grounds defined in legislation.
- 11.2 Where exchanges involve flexible or fixed-term tenants, the Council must also comply with the provisions of the Localism Act 2011, which introduced additional statutory grounds under Schedule 14. The policy incorporates these requirements and ensures that decisions involving mixed tenancy types follow the correct legal framework.
- 11.3 The legal implications also extend to the completion of the exchange. Most exchanges are completed using a Deed of Assignment, which transfers the existing tenancy from one household to another. The policy sets out the legal requirement for tenants not to move or exchange keys until this documentation is completed. Moving early constitutes an unauthorised exchange, which has legal consequences including potential possession action, loss of tenancy rights and liability for use and occupation charges.
- 11.4 Where properties are subject to Section 106 planning obligations, the Council must comply with the specific legal requirements attached to the dwelling. The policy confirms that an exchange cannot be approved if the incoming household does not meet these requirements, as this would place the Council in breach of a binding planning agreement. Limited discretion may only be applied where explicitly permitted within the terms of the S106 agreement itself.
- 11.5 The policy also supports compliance with the Regulator of Social Housing's Tenancy Standard, which requires landlords to provide tenants with clear information about mobility options and ensure transparent, timely and fair decision-making. Embedding these requirements in a unified policy reduces legal risk and strengthens the Council's ability to demonstrate regulatory compliance.

12.0 EQUALITIES IMPLICATIONS

- 12.1 An Equality Impact Assessment (see Appendix B) has been completed for this policy and has identified no negative equalities implications. The assessment confirmed that the policy can be applied fairly and consistently across all tenant groups and does not adversely affect anyone with protected characteristics.

13.0 CLIMATE CHANGE IMPLICATIONS

- 13.1 A Climate Change Impact Assessment (CCIA) screening form (see Appendix C) has been completed for this policy and has identified no climate change implications. The policy relates to the administrative and legal process for mutual exchanges and does not introduce any new activities, operational changes or service practices that would have a measurable impact on emissions, energy use or climate resilience

14.0 PERFORMANCE IMPLICATIONS

- 14.1 The Mutual Exchange Policy will contribute to more consistent and transparent performance monitoring across North Yorkshire Council's landlord service. The policy confirms that mutual exchange activity will be monitored through the Housing Revenue Account (HRA) Performance Framework, enabling the Council to track application volumes, timeliness of decisions and overall service delivery on a county-wide basis. This will help ensure compliance with the statutory 42-day decision period and allow the Council to identify and address any delays or variations between localities.

15.0 POLICY IMPLICATIONS

- 15.1 Adoption of this Mutual Exchange Policy will replace any existing mutual exchange policies, procedures or local practices that were previously in place across the former district and borough councils. Following LGR, the Council has a responsibility to ensure that all housing policies operate consistently across the county. A single, unified policy ensures that tenants receive the same standard of service regardless of where they live and that officers apply the same legal requirements, assessment principles and communication standards.
- 15.2 The policy aligns with other key documents within the Council's landlord service, including the Allocations Policy, by ensuring that assessments of suitability, bedroom need and property type are applied consistently across all mutual exchange cases. It also strengthens compliance with the Regulator of Social Housing's Tenancy Standard, which requires clear, accessible information and fair decision-making.
- 15.3 Replacing legacy policies with a single consolidated document also improves internal governance. It strengthens the Council's ability to monitor performance through the Housing Revenue Account Performance Framework and provides a clear foundation for future procedural guidance, training and policy reviews. This unified approach ensures that mutual exchange activity is delivered in a legally compliant, transparent and customer-focused way across all of North Yorkshire.

16.0 RISK MANAGEMENT IMPLICATIONS

- 16.1 Adopting a unified Mutual Exchange Policy helps reduce several risks that currently arise from inconsistent legacy processes across the former district and borough councils. Without a single policy, there is a risk of uneven decision-making, variable standards of communication and delays in progressing applications, all of which were highlighted by tenants during consultation. A consolidated approach provides clearer expectations for officers, supports compliance with statutory requirements and prevents conflicting practices across different localities.

- 16.2 There is a legal and regulatory risk if mutual exchange cases are not handled in line with the statutory framework, including the Housing Act 1985 and Localism Act 2011. The policy mitigates this by setting out the grounds on which an exchange may be refused, ensuring decisions remain lawful and defensible. The policy also supports compliance with the Regulator of Social Housing's consumer standards, reducing the risk of regulatory challenge or findings of poor practice.
- 16.3 Operational risks also exist where communication is unclear or inconsistent. Tenant feedback showed that reliance on postal communication, delays in responses, and lack of direct contact details created confusion and stress, which can escalate complaints or lead to breakdowns in the process. The policy mitigates this by emphasising more proactive communication and by setting out clear expectations for how and when tenants are updated during the assessment period.
- 16.4 Another risk relates to properties with Section 106 restrictions or specialist adaptations. If these homes are not matched appropriately, there is potential for breaches of legal obligations or for homes designed for disabled residents to be allocated inappropriately. The policy reduces this risk by clearly setting out the checks required before approval and by ensuring that incoming households meet relevant criteria.
- 16.5 There is also a risk associated with unauthorised exchanges, where tenants move without approval or before legal documentation is complete. This can create legal uncertainty, expose the Council to enforcement action and complicate tenancy management. By clearly stating the consequences of unauthorised exchanges and outlining the correct legal process, the policy reduces this risk considerably.
- 16.6 Overall, the adoption of this policy strengthens both governance and operational control, reducing the likelihood of legal challenge, regulatory non-compliance, avoidable delays, and negative impacts on tenants. It also provides a firmer basis for consistent practice, which will help reduce service-related risks and support more effective performance management across the Housing Revenue Account.

17.0 CONCLUSIONS

- 17.1 The development of a single Mutual Exchange Policy provides North Yorkshire Council with a clear, consistent and legally compliant framework for managing mutual exchange applications across the county. It brings together legacy approaches from former district and borough councils and addresses the issues raised through tenant consultation, including delays, inconsistent communication and a lack of clarity around expectations. By clarifying the application process, strengthening communication standards and embedding statutory requirements, the policy ensures that tenants receive a fair and transparent service and that decisions are made within the required 42-day timeframe.
- 17.2 The policy also supports the Council's wider strategic aims by improving the efficient use of housing stock, strengthening governance and compliance, and contributing to a better tenant experience. Consultation with tenants who have recently been through a mutual exchange highlighted areas in need of improvement, and their feedback has been used to shape the final policy, ensuring it reflects real-world experience as well as legislative requirements.
- 17.3 Overall, the policy provides a robust foundation for delivering a modern, consistent and customer-focused mutual exchange service across North Yorkshire. Its adoption will reduce risk, support improved performance and ensure the Council continues to meet its statutory and regulatory responsibilities.

18.0 REASONS FOR RECOMMENDATIONS

- 18.1 The Mutual Exchange Policy is recommended for approval because it provides North Yorkshire Council with a single, clear and consistent approach to managing mutual exchange applications following LGR. A unified policy is essential to replace the differing processes previously used across the former district and borough councils and to ensure that all tenants receive an equitable, transparent and reliable service.
- 18.2 The policy ensures the Council meets its statutory and regulatory obligations, including the requirements set out in the Housing Act 1985, Localism Act 2011 and the Regulator of Social Housing's Tenancy Standard. By clearly setting out the grounds for decision-making, the required checks and the legal process for completing an exchange, the policy reduces risk and strengthens the Council's ability to demonstrate compliance.
- 18.3 The policy also supports the Council's wider strategic priorities by improving the effective use of housing stock, supporting mobility for households with changing needs and enabling earlier resolution of housing issues that may otherwise increase demand on other services. It provides a robust foundation for future performance monitoring through the Housing Revenue Account Framework and includes a clear review cycle to ensure it remains up to date.
- 18.4 For these reasons, legal compliance, service consistency, improved customer experience and stronger governance, the adoption of the Mutual Exchange Policy is recommended.

19.0 RECOMMENDATION(S)

- 19.1 That the Executive Member approves the North Yorkshire Council Mutual Exchange Policy for implementation across the Council's landlord service, replacing all previous mutual exchange policies and local procedures used by the former district and borough councils.
- 19.2 That the Executive Member delegates authority to the Corporate Director Community Development to make any minor amendments required to support implementation of the policy, including updates to operational guidance, harmonised forms and communication processes, provided these do not alter the substantive policy content.

APPENDICES:

Appendix A – Mutual Exchange Policy

Appendix B – Equalities Impact Assessment (EIA)

Appendix C – Climate Change Impact Assessment (CCIA) Screening Form

Nic Harne
Corporate Director – Community Development
County Hall
Northallerton
24 March 2026

Report Author – Imogen Downie, Housing Policy and Strategy Officer (Service Improvement)
Presenter of Report – Imogen Downie, Housing Policy and Strategy Officer (Service Improvement)

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

APPENDIX A

North Yorkshire Council Landlord Services – Mutual Exchange Policy

| Version | Development Stage | Descriptions | Key Changes Implemented |
|---------|------------------------------|---|---|
| 1 | Initial draft | Preliminary version of the policy document developed by the Service Improvement Team. | Baseline content created outlining the policy's purpose, scope and initial provisions. |
| 2 | Internal Consultation | Circulated for internal review, including legal and departmental stakeholders. | Amends to the review process to state only complaints route. Also, a section added on implications of exchanges involving flexible tenancies. |
| 3 | Second internal consultation | Edited draft with implemented feedback re-circulated to internal officers for approval. | Minor changes to language, with key policy points approved. |

1. Introduction

North Yorkshire Council (NYC) is committed to supporting tenant mobility and ensuring that residents have fair opportunities to move to homes that better meet their needs. Mutual exchange is a key route for tenants to achieve a move without waiting for a transfer or bidding for available properties. It enables two or more social housing tenants to legally swap homes and tenancies with their landlords' consent, provided all legal criteria are satisfied.

NYC recognises the important role mutual exchanges play in:

- enabling residents to move for work, support needs, family circumstances, affordability or lifestyle reasons
- improving the use of housing stock
- supporting the creation of sustainable communities

2. Policy Purpose and Scope

The purpose of this policy is to set out North Yorkshire Council's approach to receiving, assessing and deciding mutual exchange applications in accordance with relevant legislation and the Tenancy Standard. This policy ensures North Yorkshire Council:

- meets all legal duties around tenant mobility rights
- provides clear guidance to staff and tenants
- processes exchanges lawfully, fairly and within statutory timeframes
- supports residents by making mutual exchange accessible and transparent

This policy applies to:

- Secure tenants of North Yorkshire Council who hold a statutory right to mutual exchange.

- Flexible (fixed term) tenants of North Yorkshire Council who hold a statutory right to mutual exchange.
- Secure or assured tenants of other social landlords who have a statutory or contractual right to assign their tenancy by way of mutual exchange and who are seeking to exchange into a North Yorkshire Council property.
- Joint tenants, provided that all named tenants give their consent for the mutual exchange to proceed.

This policy does not apply to tenants who do not hold a statutory or contractual right to mutual exchange. This includes, but is not limited to:

- Introductory tenants
- Starter tenants
- Assured shorthold tenants
- Licence holders
- Shared owners

The policy covers the full process from application to decision and subsequent legal completion of an exchange.

3. Policy Aims

The aims of this Mutual Exchange Policy are to:

Improve mobility and housing outcomes

- Promote mutual exchange as a viable option for residents seeking a move
- Support tenants to consider exchanges where this may offer quicker or more suitable rehousing than a transfer or waiting list position

Ensure fair, transparent and lawful decision making

- Make decisions in line with statutory grounds only
- Provide decisions in writing and within the statutory 42-day timeframe

Support efficient use of the housing stock

- Enable households to move into homes of appropriate size and type
- Increase turnover of properties without creating additional voids

Provide accessible and supportive services

- Offer help to households unable to complete processes online
- Provide clear information on responsibilities, legal steps and expectations

4. Legal and Regulatory Framework

NYC recognises and complies with the statutory requirements relating to mutual exchanges, particularly:

- Housing Act 1985 – Section 92 establishes the right to exchange for secure tenants and sets the statutory grounds for refusal.
- Localism Act 2011 – Sections 158–159 apply where lifetime secure tenants (pre-2012) exchange with flexible/fixed-term tenancies.
- Regulator of Social Housing – Tenancy Standard, requiring landlords to provide mobility options and fair, transparent decision making.

These legislative requirements guide this policy and the Council's processes.

4.1 Exchanges Involving Flexible Tenancies

The Localism Act 2011 introduced additional statutory provisions for mutual exchanges involving flexible (fixed-term) tenancies. These requirements apply where one or more tenants in an exchange hold a flexible or fixed-term tenancy.

Where a flexible tenant exchanges with a secure tenant, the tenancy type held after the exchange is determined by legislation. A secure tenant whose tenancy began on or after 1 April 2012, who moves into a property let on a flexible tenancy, will normally become a flexible tenant, and a flexible tenant moving into a secure property will normally become a secure tenant, provided the receiving landlord grants secure tenancies for that property type. A secure tenant whose tenancy began before April 2012 will retain their secure status, even when moving into a property let on a flexible tenancy.

Where an exchange results in a secure tenant becoming a flexible tenant, that tenant may experience changes to the length and review of their tenancy and may not retain the lifetime security associated with a secure tenancy. Conversely, a flexible tenant moving into a secure tenancy may gain increased security of tenure. These changes take effect from the date of the exchange and cannot be altered by the Council, as they are set out in legislation.

Additional statutory grounds for refusal apply to exchanges involving flexible tenancies, as set out in Schedule 14 of the Localism Act 2011 and listed in Appendix A.

Given the implications for future security of tenure, tenants involved in an exchange that includes a flexible tenancy will be encouraged to ensure they understand the tenancy type they will hold following completion and may wish to seek independent legal or housing advice before proceeding.

5. Accessing the Mutual Exchange Service

North Yorkshire Council provides a mutual exchange service for secure tenants who wish to move home by exchanging their property and tenancy with another social housing tenant. Tenants can use HomeSwapper, the national online exchange platform, to advertise their property and search for potential matches. This service is provided free of charge

Information about mutual exchange is available on the Council's [website](#). Housing Officers can offer guidance to tenants considering a mutual exchange, including explaining the process, the checks involved and the responsibilities of all parties. This ensures tenants understand what is required before submitting an application.

Tenants may identify exchange partners through informal routes, including community links or online platforms. These are not monitored by the Council. Regardless of how a match is found, every exchange must be processed through the Council's formal application, assessment and approval procedures.

Tenants who are unable to access online services independently will be offered appropriate support to ensure fair access to the mutual exchange process.

6. Eligibility

Mutual exchange is only available to tenants who hold a tenancy with a statutory or contractual right to exchange. This includes NYC secure tenants, NYC flexible (fixed-term) tenants who retain a statutory right and most secure or assured tenants of other social landlords.

Introductory, starter and assured shorthold tenants, as well as licence holders and shared owners, do not have the right to exchange. Joint tenants may only apply where all named tenants have given consent.

Eligibility to exchange does not guarantee approval - all applications are subject to statutory checks.

6.1 Section 106 Requirements

Tenants may only exchange into a property where the Council is legally able to grant the tenancy. Some North Yorkshire Council homes are subject to Section 106 planning obligations, which may include requirements such as local connection criteria, residency restrictions or other conditions attached to the property. Where an exchange involves a home affected by an S106 agreement, the incoming household must meet the specific requirements set out in that agreement. The Council will be unable to approve a mutual exchange where an incoming tenant does not meet these requirements, as doing so would place the Council in breach of a legally binding planning obligation.

In limited circumstances, an S106 agreement may allow exceptions or provide scope for discretion. Where this applies, the Council may consider an exchange in exceptional cases, such as where there are significant safeguarding or welfare concerns, including domestic abuse or situations involving care leavers. Any decision to apply discretion must remain fully compliant with the terms of the individual S106 agreement. Tenants may be asked to provide evidence of eligibility before the exchange can proceed.

6.2 Allocations Policy

Suitability for a mutual exchange will be assessed using the principles of the Council's Allocations Policy. This includes consideration of household composition, bedroom entitlement and the efficient use of the housing stock.

7. Applying for an Exchange

Tenants who wish to complete a mutual exchange must submit a formal application form to North Yorkshire Council. The Council can only begin assessing an application once all households involved have provided the required information.

Tenants may find an exchange partner through HomeSwapper or any other method, but every exchange must still follow the Council's formal process.

Applications must:

- include details of all household members
- be signed by all joint tenants
- include any documents requested by the Council

A mutual exchange cannot proceed without consent from every named tenant.

Once an application is received, the Council will check it is complete. If anything is missing, such as documents, signatures or landlord details, the application will pause until the information is provided. The 42-day statutory decision period only begins once the application is complete.

During the assessment, tenants may be asked to clarify information or give consent for the Council to contact other landlords involved. The Council will request tenancy references, rent account details and other relevant information for applicants from other social landlords.

The Council will explain the next steps, including inspections and tenancy checks. Tenants must not move or exchange keys until written approval has been issued and all legal documents have been signed.

8. Processing Applications

The formal assessment begins once the Council has received a complete mutual exchange application. A complete application includes all required information, documents and signatures from every tenant involved.

The Council will acknowledge receipt and begin the 42-day statutory timeframe for issuing a decision.

During this period, the Council will carry out checks to ensure legal and tenancy requirements are met. These include:

- tenancy record checks (e.g. rent arrears, breaches, anti-social behaviour)
- confirmation of tenancy details for applicants from other social landlords
- property suitability checks, including household size and bedroom needs
- applying allocations policy to ensure the home is appropriate

The Council will also arrange a property inspection to assess condition, identify repairs or health and safety concerns, and review any alterations. Tenants may be required to complete repairs or pay for rechargeable works before the exchange can proceed. These may form part of a conditional approval.

Throughout the process, the Council will keep applicants updated on progress and any actions required. To reduce delays, particularly those caused by postal correspondence, the Council will use email or telephone as the primary methods of communication where possible, unless a tenant requires an alternative method.

Tenants must provide access for inspections and respond to requests for information.

Once all checks and inspections are complete, the Council will issue a written decision confirming whether the exchange is approved, conditionally approved or refused. The decision will include reasons where applicable. After this, the legal steps to complete the exchange can begin.

9. Property Inspections and Condition Requirements

As part of the mutual exchange process, North Yorkshire Council will carry out a full inspection of the outgoing tenant's home. This is required before any exchange can be approved and ensures the property meets the standards expected at the point of assignment.

The inspection will check:

- the overall condition and cleanliness of the property
- any repairs needed
- health and safety concerns
- authorised or unauthorised alterations
- any tenant-caused damage

If issues are identified that are the tenant's responsibility, the Council may require repairs to be completed or payment for rechargeable works before the exchange can proceed. These actions must be completed before approval can be given.

The Council will also record any authorised improvements or fixtures the tenant intends to leave. Tenants must make the incoming household aware of any features that are not provided or maintained by the Council. Incoming tenants accept the property in its current condition, except where works fall under the Council's repair responsibilities.

If the property contains adaptations or specialist equipment, the Council will check whether the incoming household needs and can appropriately use these features. This ensures adapted homes are allocated to households that require them. Further assessment may be needed where adaptations do not meet the incoming tenant's needs.

Statutory safety checks, including gas and electrical checks, must be up to date before the exchange takes place. Tenants must provide access for these checks. An exchange cannot proceed until all compliance requirements have been met.

After the inspection, the Council will confirm in writing any works or actions required. Where necessary, a follow-up inspection will take place to ensure the work has been completed to an acceptable standard. The exchange will not be approved until all identified issues have been resolved.

10. Decision Making

Once all tenancy checks, property inspections, and verification steps have been completed, North Yorkshire Council will formally determine the outcome of the mutual exchange application. A decision will be issued in writing within the statutory 42-day period from the date a complete application was received.

Decisions on mutual exchange applications will be made in line with the Council's Allocations Policy where suitability, household composition and bedroom need are relevant. Where an exchange would result in significant overcrowding, under-occupation, or where the accommodation is otherwise unsuitable for the incoming household, the Council may refuse the application on statutory grounds.

The Council may approve, conditionally approve, or refuse an application. Refusals can only be made on the statutory grounds set out in housing legislation. These grounds are prescribed in Schedule 3 of the Housing Act 1985 and Schedule 14 of the Localism Act 2011, depending on the type of tenancy involved. A full list of these grounds is provided in Appendix A – Statutory Grounds for Refusal.

10.1 Approval

Approval will be granted where all legal requirements are met, no statutory grounds for refusal apply, and all property condition and tenancy checks have been satisfactorily completed. When approval is issued, the Council will begin the process of arranging the legal documentation required to complete the exchange, including agreeing an exchange date with all parties.

10.2 Conditional Approval

Conditional approval may be given where a mutual exchange cannot be approved immediately but may proceed once specific actions have been completed. Conditions may include, but are not limited to:

- clearing outstanding rent arrears
- remedying a breach of tenancy
- completing outstanding repairs the tenant is responsible for

- resolving issues identified during the property inspection

All conditions will be set out clearly in writing, along with the steps the tenant must take and any deadlines. The exchange will not proceed until all conditions have been met to the Council's satisfaction. A follow-up inspection or tenancy review may be required before final approval is issued.

10.3 Refusal

The Council may refuse a mutual exchange where one or more statutory grounds apply. These grounds are established in law and relate to factors such as possession proceedings, tenancy breaches, inappropriate or unsuitable accommodation, specialist or adapted housing, charitable restrictions, and other matters defined in legislation.

The statutory grounds applicable to mutual exchange refusals are listed in Appendix A – Statutory Grounds for Refusal.

In addition to the statutory grounds, the Council may also refuse an exchange where there are significant safeguarding concerns, including situations where an exchange may place a household at risk of harm, exacerbate known vulnerabilities, or undermine the Council's duties to protect children or adults at risk.

Where an application is refused, the Council will provide a written explanation of the specific ground(s) applied and outline the applicant's right to request a review of the decision.

10.4 Timeliness and Communication

Throughout the decision-making process, the Council will ensure tenants are informed of progress and any outstanding actions. If a decision cannot be made because required information has not been provided or conditions have not been met, delays will be communicated to the applicant. However, the statutory 42-day timescale will only apply where the application is complete and all necessary information is available.

A decision marks the end of the assessment phase and allows the Council, and any other landlords involved, to begin preparing the legal paperwork required for the exchange, including the Deed of Assignment or arrangements for surrender and regrant where applicable.

11. Legal Completion of the Exchange

A mutual exchange can only take place once formal written consent has been given by North Yorkshire Council and, where relevant, any other landlords involved. Tenants must not move, exchange keys or make arrangements to occupy each other's homes until all legal documentation has been completed and the agreed exchange date has been confirmed in writing.

Most exchanges are completed using a Deed of Assignment, which transfers the existing tenancy from the outgoing household to the incoming household. A separate deed is required for each property involved in the exchange.

In some circumstances, the legal process may need to be completed using an alternative mechanism where a tenancy cannot be assigned. In these cases, the Council will explain the legal process that applies and ensure that all required tenancy rights and protections are maintained.

Before legal completion, the Council will check that any conditions attached to the approval have been met. This may include completing required repairs, providing access for inspections or resolving tenancy-related matters such as rent arrears. If these actions are not completed, the exchange may be delayed or prevented.

The Council will arrange a sign-up appointment for all households involved at a local Council office. Tenants must attend in person and provide identification. During this appointment, the Council will explain the terms of the tenancy, outline rights and responsibilities, and confirm any specific obligations that apply to the incoming tenant.

On the agreed exchange date, the legal documents will take effect. From that date, each household becomes responsible for their new tenancy, including rent, utilities and compliance with all tenancy conditions. Incoming tenants should take meter readings and arrange for utilities to be transferred into their name.

After legal completion, the Council will update its systems, close outgoing tenancy records and ensure that all compliance documentation is in place. The exchange is only considered fully complete once these administrative steps are finished.

Tenants are reminded that moving before the agreed legal completion date, or without landlord consent, is not permitted and may result in the occupants being treated as unauthorised. Enforcement action may be taken where necessary.

12. Tenant Responsibilities

Tenants who wish to complete a mutual exchange have a number of responsibilities throughout the process to ensure that the application can be assessed properly and that the exchange, if approved, is completed legally and safely.

All tenants involved in the exchange are responsible for providing accurate and complete information when submitting their application. This includes supplying all documents required by the Council and promptly responding to any requests for additional information. Tenants must ensure that all joint tenants on their tenancy agreement provide their consent, as an application cannot proceed without agreement from every named tenant.

Tenants are responsible for allowing reasonable access to their home for inspections, compliance checks and any follow-up visits required before the exchange can be approved. This includes providing access for gas and electrical safety checks where these are required prior to completion. Delays in providing access may delay or prevent the exchange from progressing.

Outgoing tenants must ensure that their current property is maintained to an acceptable standard for the incoming household. This includes carrying out any repairs that fall within their responsibility, rectifying any damage caused during their tenancy, reinstating unauthorised alterations where required, and ensuring that all areas of the property, including lofts, gardens, sheds or outbuildings, are cleared of personal belongings. Any items agreed to be left in the property must be clearly communicated to the incoming tenant.

Incoming tenants are responsible for viewing the property they intend to move into and for accepting it in its existing condition, except where works fall under the Council's statutory repair obligations. Incoming tenants must ensure they understand the condition of the property at the point of exchange and accept responsibility for any tenant-responsible issues not resolved by the outgoing household.

All tenants are responsible for ensuring that rent accounts, are in good order. Where conditional approval is granted, tenants must fulfil any conditions stated in the decision letter before the exchange can proceed. Failure to do so will prevent completion of the exchange.

Tenants must not move home, exchange keys, or take possession of another property before written consent has been issued and all legal documents have been signed. Moving without permission will be treated as an unauthorised exchange and may result in enforcement action, including the loss of security of tenure or possession of the property.

Finally, tenants are responsible for meeting all tenancy obligations from the date their new tenancy takes effect, including paying rent from the correct date, updating utility accounts and complying with all conditions set out in their new tenancy agreement.

13. Unauthorised Exchanges

A mutual exchange can only take place with the formal written consent of North Yorkshire Council and, where applicable, any other landlords involved in the exchange. Tenants must not move into another property, exchange keys, or make any arrangements to occupy a new home until the Council has issued approval and all legal documentation has been completed. Moving prior to this point constitutes an unauthorised exchange.

Where an unauthorised exchange occurs, the move is not legally valid. Tenants who move without consent do not acquire the rights and responsibilities associated with the tenancy of the property they have moved into. Instead, they will be treated as unauthorised occupiers, and the Council may take enforcement action to protect its housing stock and ensure that tenancy law is properly applied.

In the event of an unauthorised exchange, the Council may require the households involved to return to their original homes. If this is not possible or practical, the Council may serve notice to end the occupancy and take possession proceedings. Any person occupying a property without a valid tenancy or without the Council's consent may also be liable for charges equivalent to use and occupation of the home for the period of unauthorised occupation.

Tenants who undertake an unauthorised exchange will also lose any protections associated with their original tenancy. This may include losing security of tenure or other rights associated with their former tenancy type. In addition, any repairs, damage, or changes made by unauthorised occupiers will be the responsibility of those individuals, and the Council may recharge costs where appropriate.

Tenants must follow the proper process and await formal written permission before moving home. This ensures that all legal rights are protected, the exchange is carried out safely, and both households enter their new tenancies on a secure, lawful basis.

14. Complaints

Tenants who are dissatisfied with a decision made in relation to their mutual exchange application, including a refusal or the application of conditions they believe to be unreasonable, may challenge the decision through the Council's corporate complaints procedure.

Complaints will be reviewed in accordance with the Council's corporate complaints process. This ensures that the decision is considered by an officer who was not involved in the original decision, providing an appropriate level of independence and oversight.

The Council will provide a response in line with its corporate complaints timescales. Submitting a complaint does not pause the statutory 42-day period for determining the mutual exchange application.

If the matter remains unresolved after the Council has issued its final complaint response, the tenant may refer their complaint to the Housing Ombudsman Service for independent consideration.

15. Performance monitoring

We are committed to transparency, accountability, and continuous improvement in the delivery of our services. Performance in relation to the implementation of this policy will be monitored through the Housing Revenue Account Performance Framework.

16. Communication and tenant's voice

A copy of this policy can be found on our website and can be requested in PDF format or hard copy. An easy read version will also be available. If needed in a different format, please let us know and all reasonable efforts will be made to provide this. The policy will regularly be promoted to tenants via our communication channels including via the tenant's newsletter.

17. Equalities Statement

North Yorkshire Council is committed to ensuring that this policy is applied fairly, consistently and without discrimination. An equality assessment has been carried out during the development of this policy, and no negative impacts have been identified.

The Council recognises that each household's circumstances are different, and that the application of this policy must take account of individual needs, vulnerabilities and personal situations. While the mutual exchange process must operate within the requirements of housing legislation and tenancy law, the Council will take reasonable steps to ensure that tenants with diverse needs are supported to access the process and are not placed at a disadvantage.

Where appropriate, reasonable adjustments will be considered to assist tenants in navigating the mutual exchange process. This may include providing information in alternative formats, offering additional support with the application process, or making adjustments to communication methods to meet individual needs.

The Council is committed to promoting equality, eliminating discrimination and ensuring that all tenants are treated with dignity and respect throughout the mutual exchange process

18. Policy Review

This policy will undergo an initial review after one year, followed by a review every three years by the Service Improvement Team to ensure alignment with legislative, regulatory, and best practice developments. Where necessary, interim updates may be made outside of the scheduled review cycle to maintain the policy's relevance, fairness, and effectiveness, particularly in response to new legislation or regulatory changes.

Last updated: X

Approved: X

Review date: X

19. Contact

For enquiries, comments or complaints about a service, please contact us via the [website](#), phone: 0300 131 2131, or in person at any of the Council offices.

Appendix

Statutory Grounds for Refusal

Schedule 3 – Housing Act 1985 (Secure Tenancies)

| Ground | Summary of Legal Reason |
|-----------------|--|
| Ground 1 | A possession order (including a suspended possession order) is in force for the tenant or the proposed assignee. |
| Ground 2 | A Notice Seeking Possession has been served and is still in force, or possession proceedings have begun under Grounds 1–6 of Schedule 2 Housing Act 1985. |
| Ground 2ZA / 2A | An injunction, anti-social behaviour order, demotion order, riot-related order, or similar court order is in force or an application for one is pending against the tenant, proposed assignee or a household member. |
| Ground 2B | The property is subject to a closure notice or closure order. |
| Ground 3 | The accommodation is substantially larger than is reasonably required by the incoming household. |
| Ground 4 | The accommodation is not reasonably suitable to the needs of the incoming household. |
| Ground 5 | The property was provided in connection with employment (e.g., caretaker or tied accommodation), forms part of a building mainly used for non-housing purposes or is situated in a cemetery. |
| Ground 6 | The landlord is a charity and the incoming household's occupation would conflict with the charity's objectives. |
| Ground 7 | The home is substantially adapted for a physically disabled person, and the incoming household does not require those adaptations. |
| Ground 8 | The landlord provides housing for persons with special needs (other than financial), and the incoming household does not meet those criteria. |

| | |
|-----------|---|
| Ground 9 | The home is part of a group of dwellings let to persons with special needs, supported by nearby facilities, and the incoming household does not meet those needs. |
| Ground 10 | The home is subject to a tenant management agreement requiring association membership, and the incoming tenant is not (and will not become) a member. |

Schedule 4 – Localism Act 2011

Applies to exchanges involving a pre-April 2012 'lifetime' secure/assured tenant and a fixed-term or flexible tenant.

| Ground | Summary of Legal Reason |
|---------------|---|
| Ground 1 | Rent lawfully due under either tenancy has not been paid. |
| Ground 2 | A tenancy obligation has been breached or not performed. |
| Ground 3 | A possession order or suspended possession order is in force. |
| Ground 4 | A Notice Seeking Possession is in force for a secure tenancy (including absolute ASB grounds), or possession proceedings have begun. |
| Ground 5 | A Notice Seeking Possession is in force for an assured tenancy (including ASB grounds), or possession proceedings have begun. |
| Ground 6 | An injunction, ASB order, demotion order, riot-related order, or similar order is in force or pending for the tenant, proposed assignee, or household member. |
| Ground 6A | The dwelling is subject to a closure notice or closure order. |
| Ground 7 | The accommodation to be assigned is substantially larger than reasonably required by the incoming tenant. |
| Ground 8 | The accommodation to be assigned is not reasonably suitable to the needs of the incoming tenant and their household. |

| | |
|-----------|---|
| Ground 9 | The home is tied to employment or is located in a cemetery and was originally provided in connection with employment. |
| Ground 10 | The landlord is a charity and occupation by the incoming tenant would conflict with the charity's objectives. |
| Ground 11 | The home has features designed for a physically disabled person, and if the exchange went ahead no such person would live there. |
| Ground 12 | The landlord provides housing only to persons with particular special non-financial needs, and the incoming household does not meet these needs. |
| Ground 13 | The home is part of a group of dwellings for persons with special needs supported by nearby facilities, and the incoming household does not meet those needs. |
| Ground 14 | The home is subject to a tenant-management agreement requiring membership, and the incoming tenant is not (and will not become) a member. |

Additional Grounds – Housing Act 2004

| Ground | Summary of Legal Reason |
|-----------------------|---|
| Additional ASB Ground | An injunction, ASBO, demotion order, or possession order relating to anti-social behaviour is in force or pending for the tenant, proposed assignee, or household member. |



Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

Mutual Exchange Policy

An Equality Impact Assessment (EIA) form is a document that proves paying due regard by considering protected characteristics. EIAs that accompany reports presented to Councillors for decision-making are published with the committee papers on our website and are also available in hard copy at the relevant meetings.

Section 1: Initial Equality Impact Assessment Screening

This section documents the equality screening process of actual or potential impacts of the proposed activity on a specific protected characteristic, along with NYC's additional agreed-upon characteristics, to determine whether a full Equality Impact Assessment (EIA) is necessary or appropriate.

| Basic Details | |
|--|---|
| Directorate | Community Development |
| Service area | Housing |
| Proposal being screened | Mutual Exchange Policy |
| Officer(s) carrying out screening | Imogen Downie |
| Lead Officer and contact details | Imogen Downie, Housing Policy and Strategy Officer (Service Improvement) imogen.downie@northyorks.gov.uk |
| Date of the assessment | Feb 2026 |
| Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, or stopping doing something?) | Development of a unified Mutual Exchange Policy for North Yorkshire Council to set out how the Council will manage applications from social housing tenants who wish to exchange their homes. |
| What does the authority hope to achieve by it? (E.g. to save money, meet increased demand, do things in a better way.) | The authority aims to create a single, consistent Mutual Exchange Policy that replaces the varied legacy approaches inherited from former councils. It details eligibility criteria, statutory checks, property inspections, decision-making processes, legal completion requirements, and tenant responsibilities. The policy aims to support tenant mobility, ensure fair and |

| | |
|--|---|
| | lawful decision-making, and promote efficient use of the housing stock across the council area. |
|--|---|

Further Details

| | |
|---|--|
| 1.1 How have stakeholders been involved in this policy/ decision/ proposal? (e.g. a consultation exercise) | Stakeholders have contributed through internal engagement with Legal Services and Housing teams during the development of the draft policy. Tenants who have recently undergone a mutual exchange were contacted to discuss their experience and to review the draft policy. |
|---|--|

| | |
|--|--|
| 1.2 Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Please explain briefly | <p>The revised Mutual Exchange Policy is not expected to have a significant impact on how partner organisations operate. Most changes relate to our internal procedures for assessing and approving mutual exchange applications. External organisations such as other social landlords will continue to follow their own exchange processes, and the proposed policy does not alter their responsibilities or criteria.</p> <p>There may be minor administrative impacts when coordinating exchanges with other housing providers, such as sharing information or aligning timescales, but these are consistent with current practice and do not represent a significant change</p> |
|--|--|

1.3 Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC’s additional agreed characteristics

As part of this assessment, please consider the following questions:

- To what extent is this service used by particular groups of people with protected characteristics?
- Does the proposal relate to functions that previous consultation has identified as important?
- Do different groups have different needs or experiences in the area the proposal relates to?

If for any characteristic, it is considered that there is likely to be an adverse impact or you have ticked ‘Don’t know/no info available’, then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt.

Tick and indicate which protected characteristics are identified as relevant to the proposal (positive, negative, neutral or don’t know).

| Protect ed charact eristic | Impact | | | | Comments |
|----------------------------|----------|----------|---------|------------|--|
| | Positive | Negative | Neutral | Don't know | |
| Age | | | x | | <p>From information currently available we can estimate that 51% of our tenants are aged over 60. In 2021, 25% of the county’s adult population was over the age of 65. This is higher than the national percentage of 18.4%. This means that our tenant population is significantly more aged than the average population for North Yorkshire and the country.</p> <p>By 2035, 32.60% of North Yorkshire’s total population will be aged 65+ and 5.97% will be aged 85+.</p> <p>Nationally 23.26% will be 65+ and 4.05% will be 85+ by 2035.</p> <p>Less than 5% of our tenant population are under 29. North Yorkshire has a lower proportion of young people than the</p> |

| | | | | | |
|-----------------------|--|--|---|--|---|
| | | | | | <p>national average- 24.5% under 25 compared to 29.2% nationally.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Disability | | | X | | <p>North Yorkshire has a lower proportion (19.3%) of people with a disability or long-term limiting illness whose day-to-day activities are limited a lot- against the national average of 23.69%.</p> <p>However, this will rise to 20.89% of the 65+ population in North Yorkshire, against a national average of 24.86%.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Sex | | | x | | <p>The proportion of females is slightly higher (51%) than that of males (49%).</p> <p>This pattern is reflected across all localities, with the exception of Richmondshire, where the large number of predominantly male military personnel have the effect of reversing the proportions.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Race (including GRTS) | | | X | | <p>North Yorkshire has a much lower proportion (4.77%) of people who identify with a non-UK identity than the national average (12%).</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Gender reassignment | | | X | | <p>In the 2021 census 1478 (0.28%) of residents across North Yorkshire identified themselves as transsexual or with a gender identity different to that registered at birth.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Sexual orientation | | | x | | <p>In the 2021 census 11,291 (2.2%) of residents across North Yorkshire identified themselves as Lesbian, Gay, Bisexual, or Other (LGB+).</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |

| | | | | | |
|---|--|--|---|--|---|
| Religion or belief | | | x | | <p>North Yorkshire has higher levels of Christians (55.6%) than the national average (46.2%), and lower levels of all other religions than the national average. Percentages of those with no religion or not stating their religion are broadly similar to the national average.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Pregnancy or maternity | | | x | | <p>In 2021 there were 5133 live births in North Yorkshire.</p> <p>In 2020 the conception rate per 1000 for under 18's was 10.9. This is below the rate for England (13).</p> <p>In 2020/21 4.2% of deliveries in North Yorkshire were to mothers from ethnic minorities, compared to the England value of 21.6%.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Marriage or civil partnership | | | x | | <p>A higher percentage of North Yorkshire's population is married or in a civil partnership (53.7%) than the national average (46.8%)</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| NYC's additional characteristics | | | | | |
| People in rural areas | | | x | | <p>The population in North Yorkshire is generally sparser than the national average (77 people per square kilometre as opposed to 434 nationally). In some parts of the county this is lower still (Ryedale 36, Richmondshire 38, Craven 48, Hambleton 69).</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| People on a low income | | | x | | <p>The proportion of households in deprivation in North Yorkshire reduced between 2011 and 2021. In 2011 52.1% of households in North Yorkshire were deprived in at least one of the four dimensions (employment, education, health and disability, housing).</p> <p>By 2021 this had fallen to 46.7%. This 5.4 percentage point reduction in North Yorkshire compared with a 5.9 percentage point reduction across England as a whole, with the proportion of households in deprivation in North Yorkshire remaining below the national average.</p> |

| | | | | | |
|--|--|--|---|--|---|
| | | | | | Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic. |
| Carer (unpaid family or friend) | | | x | | <p>Carers' allowance claimants make up 0.98% of North Yorkshire's population.</p> <p>This is lower than the average for England (1.42%) but there are variations across the county. It is likely, however, that these figures do not reflect the true number of people carrying out caring roles in the county as many do not claim allowances.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Are from the Armed Forces Community (including veterans) | | | x | | <p>North Yorkshire has 29,831 Armed Forces Veterans. Richmondshire has the highest proportion of Armed Forces Veterans in North Yorkshire at 9.5% (3,962), which is the third highest nationally.</p> <p>The proportion of veterans in Richmondshire is more than double the national average rate, which is 3.8%.</p> <p>Harrogate has the highest number of Armed Forces Veterans in North Yorkshire with 7,076 (5.2%).</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |

1.4 To which Part(s) of the Public Sector Equality Duties is the Policy/decision/proposal relevant? Tick and briefly describe.

| General Duties | Yes | No | Details |
|---|-----|----|--|
| Eliminate unlawful discrimination, harassment and victimisation | x | | The Mutual Exchange Policy supports the elimination of discrimination by ensuring that all applications are assessed against consistent, transparent criteria. The policy sets out clear grounds for refusal which apply equally to all tenants, and it ensures that decisions are based on housing need and property suitability rather than personal characteristics. The process includes consideration of reasonable adjustments to ensure that no group is disadvantaged. |
| Advance equality of opportunity | x | | The policy helps advance equality by providing a fair route for tenants to move to homes that better meet their needs, |

| | | | |
|---|--|---|---|
| | | | including those related to disability, mobility, household size, or caring responsibilities. By setting out clear timescales and expectations, it ensures that all tenants have equal access to the mutual exchange process and understand how to progress their application. |
| Foster good relations between different groups | | x | The policy is primarily procedural and does not directly influence relationships between different groups. However, by providing a fair, transparent process for mutual exchanges and promoting tenant mobility, it may indirectly support positive relations by reducing overcrowding, stress and conflict associated with unsuitable housing. |

| | | | | |
|---|-----|--|----|---|
| 1.5 Decision (Please tick one option) | | | | |
| Decision to recommend this policy/ decision for an Equality Impact Assessment? | Yes | | No | x |

If the answer is “Yes”, or you indicate a negative impact on any of the characteristics mentioned in the table above, please continue to Section 2 and complete the full Equality Impact Assessment. If the answer is “No”, please give a brief reason here.

The screening has identified no negative impacts on any protected characteristic. The Mutual Exchange Policy promotes fair, consistent decision-making and supports equality of opportunity by enabling tenants to move to housing that better meets their needs. Any impacts are either positive or neutral, and no further detailed Equality Impact Assessment is required.

| | |
|--|--|
| Signed (Assistant Director or equivalent) | |
| Date | |

Section 2: Equality Impact Assessment

This section aims to provide a full assessment of the actual or potential impacts on specific protected characteristics, along with NYC’s additional characteristics. It will also identify the proper actions to mitigate these impacts, if needed.

- 2.1 Evidence, Consultation and Data: What data or evidence source(s) has/ have been used to inform this assessment? Select the relevant source (s):**
- Demographic data
 - Service usage data
 - Consultation feedback
 - National/local research and report
 - Expert opinion
 - Others

2.2 Stakeholder Engagement: What engagement has been done regarding the proposal and what are the results?

- Who has been consulted?
- How were they consulted?
- What feedback was received?

2.3 What positive impact will this proposal have on the council budget, people, community, economic growth and environment, etc? Please explain briefly

2.4 Please briefly describe how will this proposal affect people with protected characteristics? Only those who are identified as relevant to the proposal in section 1.

| protected characteristics | Negative | Don't know | Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information, etc. |
|---|----------|------------|--|
| Age | | | |
| Disability | | | |
| Sex | | | |
| Race (including GRTS) | | | |
| Gender reassignment | | | |
| Sexual orientation | | | |
| Religion or belief | | | |
| Pregnancy or maternity | | | |
| Marriage or civil partnership | | | |
| NYC's additional characteristics | | | |
| People in rural areas | | | |

| | | | |
|--|--|--|--|
| People on a low income | | | |
| Carer (unpaid family or friend) | | | |
| Are from the Armed Forces Community (including veterans) | | | |

2.5 Geographic impact: Please detail where the impact will be (please tick all that apply)

| | |
|----------------------|--|
| North Yorkshire wide | |
| Craven | |
| Hambleton | |
| Harrogate | |
| Richmondshire | |
| Ryedale | |
| Scarborough | |
| Selby | |

If you have ticked one or more areas, will specific town(s)/ village(s) be particularly impacted? If so, please specify below.

| |
|--|
| |
|--|

2.6 Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, citing evidence from Q2.1 & Q2.2, e.g. engagement, consultation and/or service user data or demographic information, etc.

| |
|--|
| |
|--|

2.7 Mitigation and Actions: List the actions that will be taken to reduce or eliminate any negative impact identified above and how positive impacts will be enhanced. Briefly describe the action you defined.

| Actions | Lead | By when |
|---------|------|---------|
| | | |
| | | |
| | | |
| | | |

2.8 Monitoring and Review: If the proposal is to be implemented, how will the impact be monitored?

Briefly describe the monitoring arrangements/systems that will be put in place to find out how the expected outcomes have been achieved in practice.

2.9 Conclusion: Please summarise the findings of your EIA, including impacts, recommendations in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

2.10 Sign off section

This full EIA was completed by:

Name: Imogen Downie

Job title:

Directorate:

Signature:

Completion date:

Authorised by relevant Assistant Director (signature): A Rowe

Date: 18 February 2026

Once this has been signed off, please send it to webteam@northyorks.gov.uk for publication on the appropriate webpage.

Publication:

To help people find completed EIAs, we publish them in the Equality and Diversity section of the NY Council [website](#).

Contact details

If you need further support and guidance about carrying out EIA, please contact your directorate equality representative as listed in Stage 4 on our Intranet: [Paying due regard to equality using equality impact assessments](#)

Or contact North Yorkshire Council's equality team on email Equality@northyorks.gov.uk

Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

If you have any additional queries, which are not covered by the guidance please email climatechange@northyorks.gov.uk

| | |
|---|---|
| Title of proposal | Mutual Exchange Policy |
| Brief description of proposal | The proposal introduces a new Mutual Exchange Policy for North Yorkshire Council's landlord services. The policy sets out how the Council will manage applications from social housing tenants who wish to exchange their homes. It details eligibility criteria, statutory checks, property inspections, decision- making processes, legal completion requirements, and tenant responsibilities. The policy aims to support tenant mobility, ensure fair and lawful decision- making, and promote efficient use of the housing stock across the council area. |
| Directorate | Community Development |
| Service area | Housing |
| Lead officer | Imogen Downie |
| Names and roles of other people involved in carrying out the impact assessment | |

The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following;

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

| Environmental factor to consider | For the council | For the county | Overall |
|--|-------------------------------------|-------------------------------------|-------------------------------------|
| Greenhouse gas emissions | No effect on emissions | No Effect on emissions | No effect on emissions |
| Waste | No effect on waste | No effect on waste | No effect on waste |
| Water use | No effect on water usage | No effect on water usage | No effect on water usage |
| Pollution (air, land, water, noise, light) | No effect on pollution | No effect on pollution | No effect on pollution |
| Resilience to adverse weather/climate events (flooding, drought etc) | No effect on resilience | No effect on resilience | No effect on resilience |
| Ecological effects (biodiversity, loss of habitat etc) | No effect on ecology | No effect on ecology | No effect on ecology |
| Heritage and landscape | No effect on heritage and landscape | No effect on heritage and landscape | No effect on heritage and landscape |

If any of these factors are likely to result in a negative or positive environmental impact then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

| | | | | |
|--|---|---|------------------------|--|
| Decision (Please tick one option) | Full CCIA not relevant or proportionate: | x | Continue to full CCIA: | |
| Reason for decision | The Mutual Exchange Policy relates solely to the administrative and procedural management of mutual exchange applications within the Council’s landlord services. It does not introduce any new activity, service change, construction work, operational process, or resource use that would impact emissions, waste, water, land use, ecology, or resilience to climate change. The policy provides guidance on decision-making and tenant responsibilities but does not alter how properties are used or managed in ways that could create environmental impacts. As no direct or indirect environmental effects have been identified, a full Climate Change Impact Assessment is not required. | | | |
| Signed (Assistant Director or equivalent) | A Rowe | | | |
| Date | 24 March 2026 | | | |

This page is intentionally left blank

North Yorkshire Council

Executive Member for Culture, Arts and Housing

8 April 2026

Rent Setting Policy

Report of the Corporate Director for Community Development

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval from the Executive Member for Culture, Arts and Housing to adopt the proposed North Yorkshire Council Rent Setting Policy.

2.0 SUMMARY

- 2.1 This report introduces the proposed Rent Setting Policy (see Appendix A) for properties within North Yorkshire Council's Housing Revenue Account (HRA). The policy sets out a clear and transparent county-wide approach to setting the rents charged for Social Rent, Affordable Rent and Shared Ownership properties owned and managed by the Council. It clarifies the statutory and regulatory obligations which the Council will follow to ensure that a fair and consistent approach is adopted across all housing management areas.
- 2.2 The Rent Setting Policy does not introduce new measures. It brings together existing statutory requirements and current practice into one harmonised county-wide approach, reflecting how North Yorkshire Council is already required to set rents as a social landlord. The introduction of a harmonised policy will ensure consistency and transparency for tenants and leaseholders, by outlining a single approach which is in line with legislative and regulatory requirements.
- 2.3 This policy has been drafted with reference to the former Selby District Council Rent Setting Policy, alongside legislative guidance and best practice examples from other local authorities and Registered Providers.

3.0 BACKGROUND

- 3.1 North Yorkshire Council's HRA Policy Framework for Landlord Services is a key component of the Council's Housing Improvement Programme to meet the requirements of the Social Housing (Regulations) Act 2023 and to demonstrate compliance with the consumer standards and economic standards set by the Regulator for Social Housing (RSH).
- 3.2 Work is currently underway to harmonise policies across the HRA functions. Transparency in decision-making around these policies is central to the revised Consumer Standards, as data-based decision-making is a critical tool in the Council's ability to demonstrate service improvement and delivery driven by the specific needs and vulnerabilities of its tenants.
- 3.3 One of the fundamental benefits of social housing is its affordability, and the government's legislative policies around setting rents for social housing are an essential requirement which all Registered Providers, including the Council, must follow.

- 3.4 The RSH publishes regulatory standards which set out the outcomes that social housing providers are expected to achieve. The revised Rent Standard (an economic standard), with which the Council must comply, was introduced on 1 April 2026, in conjunction with the Ministry of Housing, Communities and Local Government (MHCLG)'s Policy Statement on Rents for Social Housing. The Policy Statement sets out the government's policy on rents for social housing, which the RSH must follow in setting the Rent Standard and must require Registered Providers, such as the Council, to comply with when setting rents. This includes requirements on how rents are set and increased or decreased.
- 3.5 Following Local Government Reorganisation (LGR) in North Yorkshire in 2023, the new unitary authority inherited responsibility for approximately 8,500 Council homes previously owned by the former stock holding authorities of Harrogate Borough Council, Richmondshire District Council and Selby District Council. Although regulation has ensured largely similar rent setting practices across the three legacy authorities, only Selby District Council had a formal Rent Setting Policy in place. This has resulted in tenants and leaseholders across North Yorkshire lacking the assurance of a consistent and transparent approach to setting rents post-LGR. The proposed policy aims to resolve this.
- 3.6 This draft policy builds on the legacy Selby policy, reflects current regulatory and legislative guidance, and draws from best practice examples from other local authorities and social housing providers. It does not introduce significant new measures. It instead clarifies how the Council will ensure it meets the recently updated statutory and regulatory obligations set out by the government, assuring tenants and leaseholders that a fair, clear and consistent approach to rent setting is being followed across the Council's Landlord Services.

4.0 RENT SETTING POLICY

- 4.1 The Rent Setting Policy sets out North Yorkshire Council's approach to setting rents for its Social Rent, Affordable Rent and Shared Ownership properties. It establishes a clear framework for setting and making changes to rents in a manner which is fair, consistent and compliant with legal and regulatory requirements. Such requirements are designed to provide stability for Registered Providers while ensuring affordability for tenants and leaseholders.
- 4.2 The way that rent is calculated depends on the tenure type. For Social Rent and Affordable Rent properties, the policy follows the rules set out for each in the Rent Standard (2026) and the government's Policy Statement on Rents for Social Housing (2026), as stipulated by the RSH. For Shared Ownership properties, it follows Homes England's Capital Funding Guide (2026). For the sake of consistency and fairness, this guidance will be adhered to on all future Shared Ownership properties, regardless of whether an individual dwelling has been delivered through Homes England funding or not. This reflects the Council's current rent setting practice for new Shared Ownership properties.
- 4.3 In February 2026, the Regulator of Social Housing published its revised Rent Standard, which now includes a convergence mechanism to address the gap between current rents and formula rents on Social Rent properties. This will allow the Council to increase weekly rents for Social Rent properties that are currently below formula rent, by an additional amount on top of the CPI + 1% annual increase, with staggered implementation. The drafted Rent Setting Policy addresses this upcoming change to national policy, which will commence on 1 April 2027, stating its implementation will be detailed when the Rent Setting Policy undergoes review next year and when convergence measures can begin to take place.

- 4.4 The proposed Rent Setting Policy reflects the way rents are already being set at the Council. Its purpose is not to introduce significant changes, but, instead, to offer transparency to tenants and leaseholders, demonstrate our commitment to compliance with the requirements of the RSH, and ensure consistency by governing future rent setting practices in a more robust manner. It recognises and anticipates future changes to rent setting that will come as a result of rent convergence, the implementation of which will be addressed when the Rent Setting Policy undergoes an initial review in one year.
- 4.5 A single Rent Setting Policy for North Yorkshire ensures that all tenants and leaseholders have access to accurate information about how their rents are calculated. It holds the Council to account for upholding its legal obligations, which will be further strengthened through regulatory returns to the RSH and regular internal audits of the Council's rent setting process. Ultimately, these measures will improve the Council's landlord service by reducing the risk of error and contributing to better relationships between the Council and its tenants and leaseholders.

5.0 CONSULTATION UNDERTAKEN AND RESPONSES

- 5.1 During development, the Rent Setting Policy was shared internally with relevant officers to ensure that it reflected legislative guidance, departmental priorities and operational requirements. This internal consultation led to further clarity within the policy around definitions, such as that of an 'existing tenant' for whom rents would not be re-set, and greater robustness through the inclusion of commitments to internal and external auditing of the Council's rent setting process and of Council approval of any rent increases through the HRA budget.
- 5.2 Following internal feedback, the Council consulted tenants on the transparency and readability of the policy. Due to the limited scope for discretion on the part of the Council in setting rents, tenants were not consulted on any decision points, but were instead invited to offer feedback around the level of clarity the policy offered. This feedback led to some minor changes to the language in the policy, and the Council has committed to producing a tenant guide to rents to sit alongside the policy, offering a simplified overview of how different rents are calculated.

6.0 CONTRIBUTION TO COUNCIL PRIORITIES

- 6.1 The draft Rent Setting Policy aligns with the equality objectives outlined in North Yorkshire Council's Housing Strategy 2024-29, which states the Council will 'ensure equality of service to all our tenants' and 'ensure that our policies are fair and non-discriminatory and equally accessible to all residents' (p. 33). Publishing a unified Rent Setting Policy which is applicable to all North Yorkshire's housing management areas, and which is publicly available, meets these priorities by ensuring that the Council's rent setting process is robust, accessible, fair and consistent.
- 6.2 The Council's Housing Improvement Strategy (2024) commits to working with the RSH to improve our compliance and ensuring we communicate clearly with tenants and leaseholders; producing a transparent policy which sets out how we will meet the Rent Standard contributes to these aims. This draft of the Rent Setting Policy also forms part of the larger policy harmonisation activity which the Council is undertaking as part of the Housing Improvement Strategy, contributing to our commitments to strengthening our governance and oversight through policy development, and managing tenancies fairly by ensuring that rents are set correctly.

7.0 ALTERNATIVE OPTIONS CONSIDERED

- 7.1 An alternative option to the proposed policy would be not to create a single Rent Setting Policy and instead to continue with current practice and with a Rent Setting Policy in place only for the former Selby District Council area. This is not recommended, as it would fail to deliver a transparent service to all tenants and leaseholders, and risk inconsistencies in applying the Rent Standard. Without a unified policy, the Council cannot be held accountable for consistency and equal treatment of tenants and leaseholders when setting rents.
- 7.2 The RSH published its revised Rent Standard in February 2026, which was accompanied by an updated Policy Statement on Rents for Social Housing from the government. Registered Providers need to adhere to the new standard, which includes a 10-year settlement and a rent convergence mechanism, from 1 April 2026. Failure to produce a new Rent Setting Policy would leave the Council with a legally outdated policy which covers only one housing management area and does not anticipate future changes associated with the implementation of rent convergence. This would represent a failure to communicate with tenants and leaseholders, and to work proactively with the RSH to meet its standards.

8.0 FINANCIAL IMPLICATIONS

- 8.1 The Rent Setting Policy formalises the Council's existing rent setting obligations and does not therefore introduce any significant changes to the HRA. The forecasted income from rents in the HRA budget 2026/27 already reflects existing government guidance and acknowledges the potential impact of convergence in future years, recommending that it is adopted.
- 8.2 Adopting rent convergence will allow the Council to bridge the gap between allowable rent charges for Social Rent properties and actual rents, which resulted in an income shortfall of £2,043,917.15, or 4.5%, in 2025/26. This lost income would have been additional to the Council's income of £41,406,000 in rents that year. As such, by stating that the Council will look at adopting rent convergence from 2027/28 onwards and by justifying this, the Rent Setting Policy anticipates greater income for the HRA, which will in turn have positive implications in terms of investing in existing and future housing stock.

9.0 LEGAL IMPLICATIONS

- 9.1 The Rent Setting Policy is designed to ensure that North Yorkshire Council meets its statutory and regulatory requirements, as outlined in the RSH's Rent Standard and MHCLG's Policy Statement on Rents for Social Housing, alongside any capital funding agreements made with Homes England. The policy reflects these requirements and sets out the circumstances under which any flexibility or room for discretion within the guidance will be adopted. Doing so reduces legal risk and strengthens the Council's ability to demonstrate regulatory compliance.
- 9.2 The policy acknowledges that, in the case of Shared Ownership properties, rents will be set in accordance with the terms of the individual lease above all else. This will safeguard the Council against any legal challenges, as rents for Shared Ownership properties do not have the same regulatory requirements as those for Social and Affordable Rent properties, and can vary significantly in how they are calculated. The Rent Setting Policy therefore largely sets out how the Council will set and increase rents on future Shared Ownership properties rather than existing ones.

10.0 EQUALITIES IMPLICATIONS

- 10.1 An Equality Impact Assessment (see Appendix B) has been completed for this policy and has identified no negative equalities implications. The assessment confirmed that the policy can be applied fairly and consistently across all tenant groups and does not adversely affect anyone with protected characteristics.

11.0 CLIMATE CHANGE IMPLICATIONS

- 11.1 A Climate Change Impact Assessment (CCIA) screening form (see Appendix C) has been completed for this policy and has identified no climate change implications. The policy does not introduce any new activities, operational changes or service practices that would have a measurable impact on emissions, energy use or climate resilience.

12.0 PERFORMANCE IMPLICATIONS

- 12.1 This policy will contribute to more consistent and transparent monitoring of the Council's rent setting process across its housing management areas. It sets out how performance will be monitored through regulatory returns, as well as internal and external auditing. This will ensure that the policy is being followed in practice and reduce the risk of error when calculating or making changes to rents, providing evidence of statutory and regulatory compliance to tenants, leaseholders and the RSH.

13.0 POLICY IMPLICATIONS

- 13.1 If adopted, this Rent Setting Policy will replace any existing rent setting policies that were previously in place across the former district and borough councils. Following LGR, the Council has a responsibility to ensure that all housing policies operate consistently across the county. A single, unified policy ensures that tenants receive the same treatment and that regulatory requirements are being met across the county. Replacing legacy policies with a single, consolidated document improves internal governance by strengthening the Council's ability to monitor performance and demonstrate compliance.
- 13.2 This policy aligns with other key documents within the Council's HRA, including the HRA budget, and strengthens compliance with the RSH's Tenancy Standard, which requires clear, accessible information and clear decision-making. It therefore complements existing policies and priorities around rents and contributes to work with the RSH to improve the Council's landlord services.

14.0 RISK MANAGEMENT IMPLICATIONS

- 14.1 Adopting a single Rent Setting Policy reduces the risk of inconsistency in rent setting across the former district and borough councils. It holds the Council to account for upholding its legal obligations, through a commitment to regulatory returns and regular internal and external audits of the Council's rent setting process. Adopting a unified policy with such performance measures in place will reduce the risk of error and support compliance with statutory and regulatory requirements.

16.0 REASONS FOR RECOMMENDATIONS

- 16.1 The Rent Setting Policy is recommended for approval because it sets out a clear and transparent approach to setting rents post-LGR. The introduction of a harmonised policy will ensure consistency and transparency for tenants and leaseholders, by outlining a single approach which is in line with legislative and regulatory requirements.
- 16.2 The policy ensures the Council meets its statutory and regulatory obligations, as set out in the Rent Standard and the government's Policy Statement on Rents for Social Housing, as well as any capital funding conditions. By outlining how the Council will fulfil these requirements and the grounds for decision-making, the Rent Setting Policy reduces legal risk and strengthens the Council's ability to demonstrate regulatory compliance.
- 16.3 The proposed policy also supports the Council's wider strategic aims by ensuring fairness and transparency for all tenants, and by contributing to its commitment to strengthen governance and oversight through policy development and harmonisation. It ensures that these priorities will be met in the rent setting process through robust performance monitoring, completed via regulatory return and regular audits.

17.0 RECOMMENDATIONS

- 17.1 That the Executive Member approves the adoption of the Rent Setting policy as set out in Appendix A.
- 17.2 That authority be delegated to the Corporate Director for Community Development to make minor amendments to the policy in response to legislative changes or operational requirements.

APPENDICES:

Appendix A – Rent Setting Policy

Appendix B – Equality Impact Assessment (EIA) Form

Appendix C – Climate Change Impact Assessment (CCIA) Screening Form

Nic Harne
Corporate Director – Community Development
County Hall
Northallerton
24 March 2026

Report Author – Holly Watson, Graduate Trainee – Housing Strategy and Partnerships
Presenter of Report – Holly Watson, Graduate Trainee – Housing Strategy and Partnerships

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

APPENDIX A

North Yorkshire Council Landlord Services – Rent Setting Policy DRAFT

| Version | Development stage | Descriptions | Key Changes Implemented |
|---------|------------------------------|--|--|
| 1 | Initial Draft | Preliminary version of the policy document developed. | Baseline content created outlining the policy's purpose, scope and initial provisions. |
| 2 | Internal consultation | Circulated for internal review, including legal and departmental stakeholders, for feedback. | Feedback received from relevant officers and departments, including Legal and Finance, with comments documented and addressed. |
| 3 | Second internal consultation | Edited draft with implemented feedback re-circulated to internal officers for approval. | Minor changes to language, with key policy points approved. |
| 4 | Tenant consultation | Circulated for review from Involved Tenants on transparency and readability | Minor changes to language for clarity. |

1. Introduction

This policy outlines North Yorkshire Council's approach to setting the rent charged for its Social Rent, Affordable Rent and Shared Ownership properties, in accordance with legislative and regulatory requirements. The approach used differs between tenures and is subject to any specific conditions within the individual tenancy agreement and/or lease.

2. Scope

This policy applies to General Needs and Supported Housing properties which sit within the Council's Housing Revenue Account, and which are charged Social Rent or Affordable Rent, or are part of the Shared Ownership scheme. This includes existing and new-build Council dwellings, as well as any property acquisitions assimilated into the Council's housing stock. The policy does not apply to temporary accommodation, rented garages, or to any assets which exist outside of the Council's Housing Revenue Account.

Service charges are always included in Affordable Rent calculations but are identified separately from the rent charge on Social Rent and Shared Ownership homes. As such, service charges for Social Rent and Shared Ownership

properties are out of the scope of this policy, and will be covered instead in a separate policy to be developed as part of the Council's Housing Improvement Plan.

3. Key Principles

The main aims of this policy are:

- To ensure that rents for homes owned and managed by North Yorkshire Council are set in accordance with statutory and regulatory obligations, which help to protect rent affordability for social housing tenants.
- To ensure that rents are set at a level which allows the Council to remain financially viable as a social landlord, meet tenants' needs, and grow its housing stock while ensuring its existing stock is maintained at a high standard.
- To provide a clear framework for North Yorkshire Council's approach to setting Social Rent, Affordable Rent and Shared Ownership Rents, on existing and new-build Council dwellings, and on any property acquisitions that are assimilated into the Council's housing stock.

4. Associated Frameworks and Legal and Regulatory Compliance

As a Registered Provider, the Council must set and increase Social and Affordable Rents in accordance with the government's Policy Statement on Rents for Social Housing (2026) and the Regulator of Social Housing's Rent Standard (2026). These documents are designed to provide stability for social housing providers while ensuring appropriate protection for tenants.

The Regulator of Social Housing has delegated powers from the Ministry of Housing, Communities and Local government, under which it monitors and enforces compliance with the Rent Standard. As such, North Yorkshire Council follows the standard and the accompanying government guidance in calculating and making any changes to its Social and Affordable Rents.

Shared Ownership property rents are set in accordance with Homes England's requirements for funding. Homes England is a government agency responsible for the distribution and management of funding for the delivery of a range of housing, and North Yorkshire Council follows its Capital Funding Guide (2016, updated 2026) when setting and making any changes to its Shared Ownership Rents.

5. Social Rent Setting

Since 2001, rents for Social Rent properties have been set based on a formula issued by the government, which is included in its regulatory guidance. The aim of using a formula is to ensure that similar rents are charged on similar Social Rent properties. Following this approach produces a 'formula rent' for each property, calculated based on the relative value of the property, average local income levels, and the number of bedrooms.

Details on how formula rent is calculated can be found in the appendix at the end of this document.

5.1. Rent caps

Rent caps, published by the government, apply as a maximum ceiling on formula rent, based on the number of bedrooms in the property. If the formula rent calculation is higher than the rent cap for a property of a particular size, the rent cap will be used instead. From 2026-27 onwards, the government's rent caps will increase by Consumer Price Index (CPI) (as of September of the previous year) + 1.5% annually.

5.2. Initial rent

When a new tenancy begins in one of its Social Rent homes, the Council can set the initial rent to a level that is no higher than formula rent, subject to the rent flexibility level. As such, when one of the Council's existing Social Rent properties become available for re-let, rents will be checked to ensure they are set correctly. Where rents are set at below formula rent, they will be increased to formula rent upon re-let. If the property is being re-let to an existing tenant, however, the rent will not be re-set. An existing tenant, in this context, means one to which a tenancy of the property in question is not being granted for the first time. This includes:

- individuals to which a secure tenancy is granted as a result of the end of an introductory or flexible fixed term tenancy;
- individuals to which a tenancy is granted following a change from a joint tenancy to a sole tenancy, or from a sole tenancy to a joint tenancy;
- individuals whose tenancy has been transferred to the Council from another Registered Provider following the sale or stock transfer of the property in question.

Where a tenancy is assigned in a mutual exchange under Section 92 of the Housing Act 1985 or in other circumstances (e.g. to a family member), or when a tenancy is inherited after a death (succession), the rent will not be re-set.

The government allows Registered Providers the flexibility to set rents at up to 5% above formula rent on General Needs properties, and up to 10% above formula rent on Supported Housing properties, where there is a clear rationale for doing so. This decision must take local circumstances and affordability into account. North Yorkshire Council reserves the right to apply this flexibility where it can give a clear and fair justification for doing so.

5.3. Changes to rents

The government permits annual rent increases of up to CPI + 1% for existing tenants on Social Rent. This will remain the case for rent increases applied over the next ten years, starting 1 April 2026, unless the new rent amount would exceed the rent flexibility level (5% or 10%) for the year in which the rent increase would apply. In this case, the Council is only permitted to increase rent by up to CPI.

The Council will review rents annually, with any changes subject to Council approval as part of the Housing Revenue Account budget. Tenants will be informed in writing of any changes to their rent and how it has been calculated, with a minimum of four weeks' written notice prior to any increase taking effect.

6. Affordable Rent Setting

Affordable Rents are calculated differently from – and are usually higher than – Social Rents. Affordable Rent, which equates to 80% of the value of local market rents (inclusive of applicable service charges), was introduced to enable social landlords to generate additional capacity for investment in new affordable housing. Affordable Rent may be charged on Council-owned and -managed properties in line with funding agreements made on specific new-build or acquired properties. These agreements support the financial viability of Council housing development.

6.1. Initial rent

As per government regulation and guidance, the Council will set Affordable Rents at no higher than 80% of market rent valuations, inclusive of any applicable service charges.

Market rent is assessed according to the individual property and the rent for which it might reasonably be expected to be let in the private rented sector,

based on property size, location, type and service provision. Market rent valuations for Council homes will be carried out in accordance with a method recognised by the Royal Institute of Chartered Surveyors (RICS), as stipulated by the Regulator of Social Housing.

In cases where Affordable Rent is calculated to be below formula rent for a given property, the Council will instead charge a Social Rent. The Council will also cap rent levels at a level below 80% of market rent if there is a rationale for doing so, based on local market context. If, for example, Affordable Rent is calculated to be above the applicable Local Housing Allowance (LHA) rate, rents will be capped at the LHA rate.

When a property is re-let, Affordable Rents will be re-set to ensure they are no higher than either 80% (including service charges) of market rents or formula rent, whichever is highest. If the property is being re-let to an existing tenant, the rent will not be re-set. An existing tenant, in this context, means one to which a tenancy of the property in question is not being granted for the first time. This includes:

- individuals to which a secure tenancy is granted as a result of the end of an introductory or flexible fixed term tenancy;
- individuals to which a tenancy is granted following a change from a joint tenancy to a sole tenancy, or from a sole tenancy to a joint tenancy;
- individuals whose tenancy has been transferred to the Council from another Registered Provider following the sale or stock transfer of the property in question.

Where a tenancy is assigned in a mutual exchange under Section 92 of the Housing Act 1985 or in other circumstances (e.g. to a family member), or when a tenancy is inherited after a death (succession), the rent will not be re-set.

6.2. Changes to rents

Government legislation permits annual rent increases of up to Consumer Price Index (CPI) + 1% for existing tenants on Affordable Rent. This will remain the case for rent increases applied over the next ten years, starting 1 April 2026.

When setting and reviewing Affordable Rents, North Yorkshire Council will consider the local market context when deciding whether to implement a rent

increase and the level of that increase, as well as the relevant Local Housing Allowance (LHA) rate for each property and area.

The Council will review rents annually, with any changes subject to Council approval as part of the Housing Revenue Account budget. Tenants will be informed in writing of any changes to their rent and how it has been calculated, with a minimum of four weeks' written notice prior to any increase taking effect.

7. Shared Ownership Rent Setting

Shared Ownership allows a household to buy a share in a certain property (between 10% and 75% of its full market value) and pay subsidised rent to the Council on the remaining share. The Council will set its Shared Ownership Rents in accordance with the terms of the individual lease.

7.1. Initial rent

In line with government requirements, the initial rent on a Shared Ownership property should be calculated on an annual figure capped at no more than 3% of the unsold equity. However, Homes England encourages providers to use the figure of 2.75% of the value of the unsold equity for initial rent setting purposes. North Yorkshire Council will use the figure of 2.75% as a maximum cap when setting initial rents.

This figure will be calculated based on the full market value of the property, assessed as the price a 100% interest in the lease would be expected to fetch. This information will be obtained through a valuation from a Royal Institution of Chartered Surveyors (RICS) qualified and registered valuer at the point of initial sale of a Shared Ownership home.

When setting and reviewing Shared Ownership Rents, the Council will also consider the affordability of the total housing expenditure to residents, including the mortgage costs, rent and any service charges.

Upon resale, rents will be set at the same level as they were in the previous lease if the resale is based on the same ownership percentage.

7.2. Changes to rents

Since October 2023, Homes England has permitted annual rent increases of up to Consumer Price Index (CPI) + 1% for grant-funded Shared Ownership properties delivered through its relevant funding programmes. Where CPI is -1% or below, then a maximum of 0% rent increase applies. These rules only apply to

leaseholders who have purchased a share of their homes through the Right to Shared Ownership scheme on or after 12 October 2023.

North Yorkshire Council will follow the government's annual rent increase regulations in all future Shared Ownership leases, regardless of whether each property was delivered with the relevant Homes England funding. For new leaseholders, Shared Ownership Rents will increase by a maximum of CPI + 1% each year, unless CPI is -1% or below, in which case rents will not increase. Existing leaseholders should refer to their individual lease for information on how their rents will change.

Leaseholders who bought a share of their homes before April 2026 should refer to their individual lease for information about how their initial rent was set and how it will increase annually. Details on purchasing additional shares in a Shared Ownership home and thereby reducing the amount of rent paid (staircasing) can be found in the Council's Shared Ownership Policy and in the individual lease.

The Council will review rents annually, with any changes subject to Council approval as part of the Housing Revenue Account budget. Leaseholders will be informed in writing of any changes to their rent and how it has been calculated, with a minimum of four weeks' written notice prior to any increase taking effect.

8. Future Changes to Rent Setting

On 2 February 2026, the Regulator of Social Housing published its revised Rent Standard, which now includes a convergence mechanism to address the gap between current rents and formula rents. This will allow the Council and other Registered Providers to increase weekly rents for Social Rent properties that are currently below formula rent, by an additional amount on top of the CPI + 1% annual increase.

From 1 April 2027, Social Rents will increase by up to CPI (as at September of the previous year) + 1%, subject to the rent flexibility level for the year. If a property's weekly rent when increased by CPI + 1% is below formula rent for the year in which the rent increase will apply, weekly rent may be increased by an additional £1 over and above CPI + 1%. However, if the weekly rent when increased by an additional £1 exceeds formula rent for the year in which the increase will apply, weekly rent can only be increased to formula rent.

From 1 April 2028, the same annual increase rules will apply, except that where a property's weekly rent when increased by CPI + 1% is below formula rent for the year in which the rent increase will apply, weekly rent may be increased by an additional £2 (rather than £1) over and above CPI + 1%. This increase will also be capped at formula rent levels for that given year.

Implementation of these upcoming changes will be fully addressed when this policy undergoes an initial review in one year. Adopting rent convergence will enable the Council to ensure equitable rents are charged for its Social Rent properties and ensure that the rents charged cover the full cost of managing and maintaining stock, supporting the long-term sustainability of the Housing Revenue Account.

Rent setting regulation may be further amended by future legislation or government policy. The Council will update this policy accordingly and communicate any significant changes to tenants through its usual channels.

9. Performance Monitoring

North Yorkshire Council is committed to transparency, accountability and continuous improvement in the delivery of its services. The Regulator of Social Housing requires all Registered Providers to maintain robust internal controls and high quality data to ensure compliance with the Rent Standard, and to provide assurance to the Council, tenants and the Regulator that rents are being calculated and charged correctly.

Alongside regulatory returns, the Council will complete annual internal audits of its rent setting process while the three housing management areas continue to operate on different systems, to ensure consistency and reduce the risk of error. Once the Council has moved to a single housing management system, a risk based review will determine the future frequency of internal audits.

In addition to internal monitoring and regulatory returns, the rent setting process will be independently reviewed through external audits on a three year cycle, unless significant changes in government policy require this cycle to be adjusted.

10. Communication and Tenants' Voice

A copy of this policy can be found on the Council website and can be requested in PDF format or hard copy. An easy read version will also be available. If needed in a different format, please let the Council know and all reasonable efforts will be made to provide this. The policy will regularly be promoted to tenants via the Council's communication channels including via the tenant's newsletter.

11. Equalities Statement

The Council will ensure that this policy is applied fairly and consistently to all tenants and leaseholders. An equality assessment was carried out during the development of this policy. This concluded that the implementation of this policy

will not have any negative impacts. The Council will take individual circumstances and the diverse needs and vulnerabilities of our tenants into account as far as possible when applying this policy – within the restrictions placed by relevant legislation.

12. Policy Review

This policy will undergo an initial review after one year, followed by a review every three years by the Service Improvement Team to ensure alignment with legislative, regulatory, and best practice developments. Where necessary, interim updates may be made outside of the scheduled review cycle to maintain the policy's relevance, fairness, and effectiveness, particularly in response to new legislation or regulatory changes.

Last updated:

Approved:

Review Date:

13. Contact

For comments or complaints about a service or to request compensation please contact us via the [website](#), phone: 0300 131 2131, or in person at any of the Council offices.

Appendix: Social Rent Setting Methodology

Rent on properties to be let at Social Rent must be set at a level that is no higher than formula rent (subject to rent flexibility).

The basic weekly formula rent (over 52 weeks) is equal to:

70% of the national average rent

Multiplied by relative county earnings

Multiplied by the bedroom weight

Plus

30% of the national average rent

Multiplied by relative property value

The national average rent means the average rent cost in England in April 2000.

Relative county earnings means the average manual earnings for the county in which the property is located, divided by the average manual earnings in England, both at 1999 levels.

Relative property value means an individual property's value divided by the average property value in England, as at January 1999 prices.

The relevant figures for calculating formula rent are:

- The national average rent that must be used, for April 2000, is £54.62.
- The national average property value to be used, for January 1999, is £49,750.
- The national average manual earnings data to be used, for 1999, is £316.40.
- The North Yorkshire earnings data to be used is £299.60

The prescribed bedroom weighting is:

| Number of bedrooms | Bedroom weight |
|---------------------------|-----------------------|
| Bedsit | 0.8 |
| 1 | 0.9 |
| 2 | 1.0 |
| 3 | 1.1 |
| 4 | 1.2 |
| 5 | 1.3 |
| 6 or more | 1.4 |

Calculating formula rent requires a consistent approach to property valuations. These will be done in accordance with a method recognised by the Royal Institution of Chartered Surveyors (RICS) and will be made at January 1999 prices, in line with regulatory guidance. The Council may re-value properties where major works have been carried out, such as the addition of an extra room, extensions or other structural alterations.

Once formula rent for 2000-01 has been calculated, it must be adjusted to the relevant year, using the inflation levels published by the government. The rent is then adjusted annually by a maximum of CPI (at September of the previous year) + 1%.

Social Rent caps for 2026-27 are:

| Number of bedrooms | Weekly rent cap |
|---------------------------|------------------------|
| 1 and bedsits | £204.35 |
| 2 | £216.35 |
| 3 | £228.36 |
| 4 | £240.37 |
| 5 | £252.39 |
| 6 or more | £264.41 |

From 2027-28, rent caps will continue to increase by CPI (at September of the previous year) + 1.5%.

This page is intentionally left blank

Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

Rent Setting Policy

An Equality Impact Assessment (EIA) form is a document that proves paying due regard by considering protected characteristics. EIAs that accompany reports presented to Councillors for decision-making are published with the committee papers on our website and are also available in hard copy at the relevant meetings.

Section 1: Initial Equality Impact Assessment Screening

This section documents the equality screening process of actual or potential impacts of the proposed activity on a specific protected characteristic, along with NYC's additional agreed-upon characteristics, to determine whether a full Equality Impact Assessment (EIA) is necessary or appropriate.

Basic Details

| | |
|--|---|
| Directorate | Community Development |
| Service area | Housing |
| Proposal being screened | Rent Setting Policy |
| Officer(s) carrying out screening | Holly Watson |
| Lead Officer and contact details | Holly Watson, Graduate Trainee – Housing Strategy & Partnerships (holly.watson@northyorks.gov.uk) |
| Date of the assessment | March 2026 |
| Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, or stopping doing something?) | This EIA seeks to assess the proposed Rent Setting Policy for North Yorkshire Council, which has been developed using government legislation and regulatory guidance, alongside legacy documents and best practice examples from other local authorities. |
| What does the authority hope to achieve by it? (E.g. to save money, meet increased demand, do things in a better way.) | To bring together existing statutory requirements and current practice into one harmonised, county-wide approach, reflecting how North Yorkshire Council is required to set rents as a social landlord. |

Further Details

| | |
|---|---|
| 1.1 How have stakeholders been involved in this policy/ decision/ proposal? (e.g. a consultation exercise) | Internal officers were consulted throughout the policymaking process, with a kick off meeting at the beginning to agree on the scope of the policy, important decision points and any potential issues. The first and second drafts of the policy were sent to the relevant officers and service areas for feedback, which were implemented. The third draft was then shared with tenants for feedback on transparency and readability, rather than on any decision points, given the limited scope for discretion in rent setting. This led to some minor changes to the language in the policy, and the Council has committed to producing a tenant |
|---|---|

| | |
|--|--|
| | guide to rents to sit alongside the policy, offering a simplified overview of how different rents are calculated. |
| 1.2 Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Please explain briefly | The Rent Setting Policy is not expected to have a significant impact on how partner organisations operate. It reflects how North Yorkshire Council is already required to set rents as a social landlord and does not therefore bring in any significant changes. External organisations such as other social landlords will continue to follow their own rent setting practices, which will not be impacted by this policy. |

1.3 Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC’s additional agreed characteristics

As part of this assessment, please consider the following questions:

- To what extent is this service used by particular groups of people with protected characteristics?
- Does the proposal relate to functions that previous consultation has identified as important?
- Do different groups have different needs or experiences in the area the proposal relates to?

If for any characteristic, it is considered that there is likely to be an adverse impact or you have ticked ‘Don’t know/no info available’, then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt.

Tick and indicate which protected characteristics are identified as relevant to the proposal (positive, negative, neutral or don’t know).

| Protected characteristic | Impact | | | | Comments |
|--------------------------|----------|----------|---------|------------|---|
| | Positive | Negative | Neutral | Don't know | |
| Age | | | X | | <p>From information currently available we can estimate that 51% of our tenants are aged over 60. In 2021, 25% of the county’s adult population was over the age of 65. This is higher than the national percentage of 18.4%. This means that our tenant population is significantly more aged than the average population for North Yorkshire and the country.</p> <p>By 2035, 32.60% of North Yorkshire’s total population will be aged 65+ and 5.97% will be aged 85+.</p> <p>Nationally 23.26% will be 65+ and 4.05% will be 85+ by 2035.</p> <p>Less than 5% of our tenant population are under 29. North Yorkshire has a lower proportion of young people than the national average- 24.5% under 25 compared to 29.2% nationally.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Disability | | | X | | <p>North Yorkshire has a lower proportion (19.3%) of people with a disability or long-term limiting illness whose day-to-day activities are limited a lot- against the national average of 23.69%.</p> |

| | | | | | |
|-----------------------|--|--|---|--|--|
| | | | | | <p>However, this will rise to 20.89% of the 65+ population in North Yorkshire, against a national average of 24.86%.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Sex | | | X | | <p>The proportion of females is slightly higher (51%) than that of males (49%).</p> <p>This pattern is reflected across all localities, with the exception of Richmondshire, where the large number of predominantly male military personnel have the effect of reversing the proportions.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Race (including GRTS) | | | X | | <p>North Yorkshire has a much lower proportion (4.77%) of people who identify with a non-UK identity than the national average (12%).</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Gender reassignment | | | X | | <p>In the 2021 census 1478 (0.28%) of residents across North Yorkshire identified themselves as transsexual or with a gender identity different to that registered at birth.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Sexual orientation | | | X | | <p>In the 2021 census 11,291 (2.2%) of residents across North Yorkshire identified themselves as Lesbian, Gay, Bisexual, or Other (LGB+).</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Religion or belief | | | X | | <p>North Yorkshire has higher levels of Christians (55.6%) than the national average (46.2%), and lower levels of all other religions than the national average. Percentages of those with no religion or not stating their religion are broadly similar to the national</p> |

| | | | | | |
|---|--|--|---|--|--|
| | | | | | <p>average.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Pregnancy or maternity | | | X | | <p>In 2021 there were 5133 live births in North Yorkshire.</p> <p>In 2020 the conception rate per 1000 for under 18's was 10.9. This is below the rate for England (13).</p> <p>In 2020/21 4.2% of deliveries in North Yorkshire were to mothers from ethnic minorities, compared to the England value of 21.6%.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Marriage or civil partnership | | | X | | <p>A higher percentage of North Yorkshire's population is married or in a civil partnership (53.7%) than the national average (46.8%)</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| NYC's additional characteristics | | | | | |
| People in rural areas | | | X | | <p>The population in North Yorkshire is generally sparser than the national average (77 people per square kilometre as opposed to 434 nationally). In some parts of the county this is lower still (Ryedale 36, Richmondshire 38, Craven 48, Hambleton 69).</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| People on a low income | | | | | <p>The proportion of households in deprivation in North Yorkshire reduced between 2011 and 2021. In 2011 52.1% of households in North Yorkshire were deprived in at least one of the four dimensions (employment, education, health and disability, housing).</p> <p>By 2021 this had fallen to 46.7%. This 5.4 percentage point reduction in North Yorkshire compared with a 5.9 percentage point reduction across England as a whole, with the proportion of households in</p> |

| | | | | | |
|--|--|--|---|--|---|
| | | | | | <p>deprivation in North Yorkshire remaining below the national average.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Carer (unpaid family or friend) | | | X | | <p>Carers' allowance claimants make up 0.98% of North Yorkshire's population.</p> <p>This is lower than the average for England (1.42%) but there are variations across the county. It is likely, however, that these figures do not reflect the true number of people carrying out caring roles in the county as many do not claim allowances.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |
| Are from the Armed Forces Community (including veterans) | | | X | | <p>North Yorkshire has 29,831 Armed Forces Veterans. Richmondshire has the highest proportion of Armed Forces Veterans in North Yorkshire at 9.5% (3,962), which is the third highest nationally.</p> <p>The proportion of veterans in Richmondshire is more than double the national average rate, which is 3.8%.</p> <p>Harrogate has the highest number of Armed Forces Veterans in North Yorkshire with 7,076 (5.2%).</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p> |

1.4 To which Part(s) of the Public Sector Equality Duties is the Policy/decision/proposal relevant? Tick and briefly describe.

| General Duties | Yes | No | Details |
|---|-----|----|---|
| Eliminate unlawful discrimination, harassment and victimisation | X | | The Rent Setting Policy supports the elimination of discrimination by ensuring that rents are set consistently for all tenants and leaseholders across North Yorkshire. It sets out clearly how rents will be set for the relevant tenure types and ensures that, where there is scope for case-by-case decision-making, this is done based on tenant and leaseholder affordability and the Council's financial |

| | | | |
|---|--|---|---|
| | | | position, rather than any personal characteristics. |
| Advance equality of opportunity | | X | The policy does not directly promote equality of opportunity because it does not bring in significant changes to how the Council already sets rents. However, supporting consistency through a county-wide policy helps to ensure that rents for properties of the same tenure type are calculated in the same way, reducing the risk of some North Yorkshire residents being unable to access the Council's housing as a result of inequity between rents. |
| Foster good relations between different groups | | X | The policy does not directly influence relations between different groups. However, providing a consistent and transparent process for setting different rents and explaining the legislation underpinning this may improve relations between tenants and leaseholders by offering clarity around any discrepancies between their individual rents. |

| | | | | |
|---|-----|--------------------------|----|---|
| 1.5 Decision (Please tick one option) | | | | |
| Decision to recommend this policy/ decision for an Equality Impact Assessment? | Yes | <input type="checkbox"/> | No | X |
| <p>If the answer is "Yes", or you indicate a negative impact on any of the characteristics mentioned in the table above, please continue to Section 2 and complete the full Equality Impact Assessment. If the answer is "No", please give a brief reason here.</p> | | | | |
| Signed (Assistant Director or equivalent) | | | | |
| Date | | | | |

| |
|--|
| <h2>Section 2: Equality Impact Assessment</h2> <p>This section aims to provide a full assessment of the actual or potential impacts on specific protected characteristics, along with NYC's additional characteristics. It will also identify the proper actions to mitigate these impacts, if needed.</p> <p>2.1 Evidence, Consultation and Data: What data or evidence source(s) has/ have been used to inform this assessment? Select the relevant source (s):</p> <ul style="list-style-type: none"> • Demographic data • Service usage data • Consultation feedback • National/local research and report • Expert opinion • Others |
|--|

2.2 Stakeholder Engagement: What engagement has been done regarding the proposal and what are the results?

- Who has been consulted?
- How were they consulted?
- What feedback was received?

2.3 What positive impact will this proposal have on the council budget, people, community, economic growth and environment, etc? Please explain briefly

2.4 Please briefly describe how will this proposal affect people with protected characteristics? Only those who are identified as relevant to the proposal in section 1.

| protected characteristics | Negative | Don't know | Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information, etc. |
|--|----------|------------|--|
| Age | | | |
| Disability | | | |
| Sex | | | |
| Race (including GRTS) | | | |
| Gender reassignment | | | |
| Sexual orientation | | | |
| Religion or belief | | | |
| Pregnancy or maternity | | | |
| Marriage or civil partnership | | | |
| NYC's additional characteristics | | | |
| People in rural areas | | | |
| People on a low income | | | |
| Carer (unpaid family or friend) | | | |
| Are from the Armed Forces Community (including veterans) | | | |

2.5 Geographic impact: Please detail where the impact will be (please tick all that apply)

| | |
|----------------------|--|
| North Yorkshire wide | |
| Craven | |
| Hambleton | |
| Harrogate | |
| Richmondshire | |
| Ryedale | |
| Scarborough | |
| Selby | |

If you have ticked one or more areas, will specific town(s)/ village(s) be particularly impacted? If so, please specify below.

| |
|--|
| |
|--|

2.6 Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, citing evidence from Q2.1 & Q2.2, e.g. engagement, consultation and/or service user data or demographic information, etc.

2.7 Mitigation and Actions: List the actions that will be taken to reduce or eliminate any negative impact identified above and how positive impacts will be enhanced. Briefly describe the action you defined.

| Actions | Lead | By when |
|---------|------|---------|
| | | |
| | | |
| | | |
| | | |
| | | |

2.8 Monitoring and Review: If the proposal is to be implemented, how will the impact be monitored? Briefly describe the monitoring arrangements/systems that will be put in place to find out how the expected outcomes have been achieved in practice.

2.9 Conclusion: Please summarise the findings of your EIA, including impacts, recommendations in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

2.10 Sign off section

This full EIA was completed by:

Name: Imogen Downie

Job title:

Directorate: Community Development

Signature:

Completion date:

Authorised by relevant Assistant Director (signature): A Rowe

Date: 24 March 2026

Once this has been signed off, please send it to webteam@northyorks.gov.uk for publication on the appropriate webpage.

Publication:

To help people find completed EIAs, we publish them in the Equality and Diversity section of the NY Council [website](#).

Contact details

If you need further support and guidance about carrying out EIA, please contact your directorate equality representative as listed in Stage 4 on our Intranet: [Paying due regard to equality using equality impact assessments](#)

Or contact North Yorkshire Council's equality team on email Equality@northyorks.gov.uk

This page is intentionally left blank

APPENDIX C

Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

If you have any additional queries, which are not covered by the guidance please email climatechange@northyorks.gov.uk

| | |
|---|---|
| Title of proposal | Rent Setting Policy |
| Brief description of proposal | This CCIA seeks to assess the proposed Rent Setting Policy for North Yorkshire Council, which has been developed using government legislation and regulatory guidance, alongside legacy documents and best practice examples from other local authorities. The policy will bring together existing statutory requirements and current practice into one harmonised, county-wide approach, reflecting how North Yorkshire Council is already required to set rents as a social landlord. |
| Directorate | Community Development |
| Service area | Housing Delivery & Partnerships |
| Lead officer | Holly Watson |
| Names and roles of other people involved in carrying out the impact assessment | |

The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following;

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

| Environmental factor to consider | For the council | For the county | Overall |
|--|-------------------------------------|-------------------------------------|-------------------------------------|
| Greenhouse gas emissions | No effect on emissions | No Effect on emissions | No effect on emissions |
| Waste | No effect on waste | No effect on waste | No effect on waste |
| Water use | No effect on water usage | No effect on water usage | No effect on water usage |
| Pollution (air, land, water, noise, light) | No effect on pollution | No effect on pollution | No effect on pollution |
| Resilience to adverse weather/climate events (flooding, drought etc) | No effect on resilience | No effect on resilience | No effect on resilience |
| Ecological effects (biodiversity, loss of habitat etc) | No effect on ecology | No effect on ecology | No effect on ecology |
| Heritage and landscape | No effect on heritage and landscape | No effect on heritage and landscape | No effect on heritage and landscape |

If any of these factors are likely to result in a negative or positive environmental impact then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

| | | | | |
|--|---|---|------------------------|--|
| Decision (Please tick one option) | Full CCIA not relevant or proportionate: | X | Continue to full CCIA: | |
| Reason for decision | The proposed Rent Setting Policy will have neither a positive nor negative environmental impact. As such, a full CCIA is not necessary. | | | |
| Signed (Assistant Director or equivalent) | A Rowe | | | |
| Date | 24 March 2026 | | | |

This page is intentionally left blank