

North Yorkshire Council

Executive

4 February 2025

North Yorkshire Tenancy Strategy

Report of the Corporate Director Community Development

1.0 PURPOSE OF REPORT

1.1 To present to the Executive the North Yorkshire Tenancy Strategy for approval (Appendix A).

2.0 SUMMARY

2.1 The Council is the strategic housing authority for North Yorkshire and is required by law to have a Tenancy Strategy.

2.2 The Tenancy Strategy is a high-level framework of shared objectives and principles relating to tenancy issues which will provide guidance for North Yorkshire Council (NYC) and partners who manage affordable housing across North Yorkshire.

3.0 BACKGROUND

3.1 The Council is required to produce a Tenancy Strategy in order to meet the requirements of section 150 of the Localism Act 2011 and ensure that it is kept under review and periodically modified or replaced.

3.2 The strategy must set out matters which all registered providers of social housing in its area must consider when framing their own tenancy policies on:

- types of tenancies they will grant
- circumstances under which different types of tenancies will be granted
- where they elect to grant fixed-term tenancies, the length of the fixed term
- circumstances in which they will grant a further tenancy when the fixed-term expires

3.3 Registered providers of social housing include the local housing authority itself and all private registered providers of social housing (PRPSHs) that are landlords in the area.

3.4 Allied to this, the Regulator of Social Housing must set a tenancy standard requiring all registered providers to publish their own tenancy policies.

3.5 Once developed, tenancy policies govern which types and lengths of tenancy are granted to new tenants and, where applicable, how they are reviewed at the end of a fixed term.

- 3.6 From 1 April 2012, the tenure outcome of the tenancy standard requires that local authorities and PRPSHs must, when deciding the types of tenancies to grant, consider the:
- purpose of the accommodation
 - needs of individual households
 - sustainability of the community
 - efficient use of housing stock
- 3.7 If fixed-term tenancies are to be granted they ought to be for a minimum term of five years, except in 'exceptional circumstances' when they can be granted for a minimum term of two years.
- 3.8 Equally, if registered providers use probationary tenancies (introductory tenancies or starter tenancies), these must be for a maximum term of 12 months, or a maximum term of 18 months where reasons for extending the probationary period have been given and the tenant has had the opportunity to request a review.

4.0 TENANCY STRATEGY CONSULTATION

- 4.1 This proposed strategy is a revised document which was initially developed as part of the preparations for Local Government Re-Organisation. It has been refined further still following the publication of the North Yorkshire Housing Strategy in 2024.
- 4.2 In accordance with North Yorkshire Councils consultation principles, a public consultation was carried out between 28 October and 20 December 2024 and the draft strategy was published on the consultation area of the NYC website.
- 4.3 Members of the York & North Yorkshire Housing partnership (a total of 23 organisations including NYC), together with other registered providers who are responsible for the management of affordable housing in North Yorkshire were consulted with directly.
- 4.4 The results of our consultation activity have now been analysed and taken into consideration in the review of the strategy where possible.
- 4.5 The detailed response provided by members of the York & North Yorkshire Housing partnership is attached at Appendix B.

5.0 CONTRIBUTION TO COUNCIL PRIORITIES

- 5.1 The Tenancy Strategy contributes principally to the following Council priorities:
- Place and Environment: Communities are supported and work together to improve their local area.
 - People: People are free from harm and feel safe and protected.

6.0 ALTERNATIVE OPTIONS CONSIDERED

- 6.1 Do nothing - as a local authority, it is a legal requirement to comply with all relevant legislation and which in this case means the requirements set out within the Localism Act 2011.
- 6.2 Delay – the Renters Reform Bill is likely to have implications both for the strategy and for registered providers when developing their own tenancy policies. Whilst key reforms are scheduled for implementation in the Summer of 2025, and which is likely to require an early review of the strategy, there is however no guarantee that this timetable will be met. This option has therefore been discounted at this stage.

7.0 IMPACT ON OTHER SERVICES / ORGANISATIONS

7.1 There is no anticipated impact on internal partners as this is primarily an outward facing strategy and our key external partners have actively contributed to the development of the strategy. These partners will be invited to further contribute to any changes arising from the legislation referred to in the preceding section (6.2).

8.0 FINANCIAL IMPLICATIONS

8.1 There are no anticipated financial implications associated with adopting the strategy.

9.0 LEGAL IMPLICATIONS

9.1 As stated above it is a legal requirement for the Council to have an up-to-date Tenancy Strategy.

9.2 In carrying out the public consultation and in considering the feedback received, the Council is seeking to ensure that its decision making is open, transparent, and fair.

10.0 EQUALITIES IMPLICATIONS

10.1 An initial Equalities Impact Assessment screening form has been completed and reviewed internally. No detrimental effects were identified. (Appendix C).

11.0 CLIMATE CHANGE IMPLICATIONS

11.1 A climate change impact assessment screening form has been completed acknowledging that there are no significant impacts. (Appendix D).

12.0 POLICY IMPLICATIONS

12.1 The Tenancy Strategy will be a new strategy document for the Community Development directorate and as such will require regular review.

13.0 REASONS FOR RECOMMENDATIONS

13.1 The Tenancy Strategy has been subject to a broad consultation exercise; responses to the consultation have resulted in a revised version.

14.0 RECOMMENDATION(S)

- i. That Executive notes the content of the report, the proposed Tenancy Strategy, consultation responses and the Equality Impact Assessment.
- ii. That Executive approves the Tenancy Strategy to become effective no later than 1 March 2025.
- iii. That the Executive delegates to the Corporate Director Community Development, authority to make minor amendments to the Tenancy Strategy as needed by changes to regulation or legislation.

APPENDICES:

Appendix A – North Yorkshire Tenancy Strategy
Appendix B – Consultation feedback
Appendix C – Equalities Impact Assessment screening form
Appendix D – Climate Change Impact Assessment

BACKGROUND DOCUMENTS: none

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10 January 2025

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