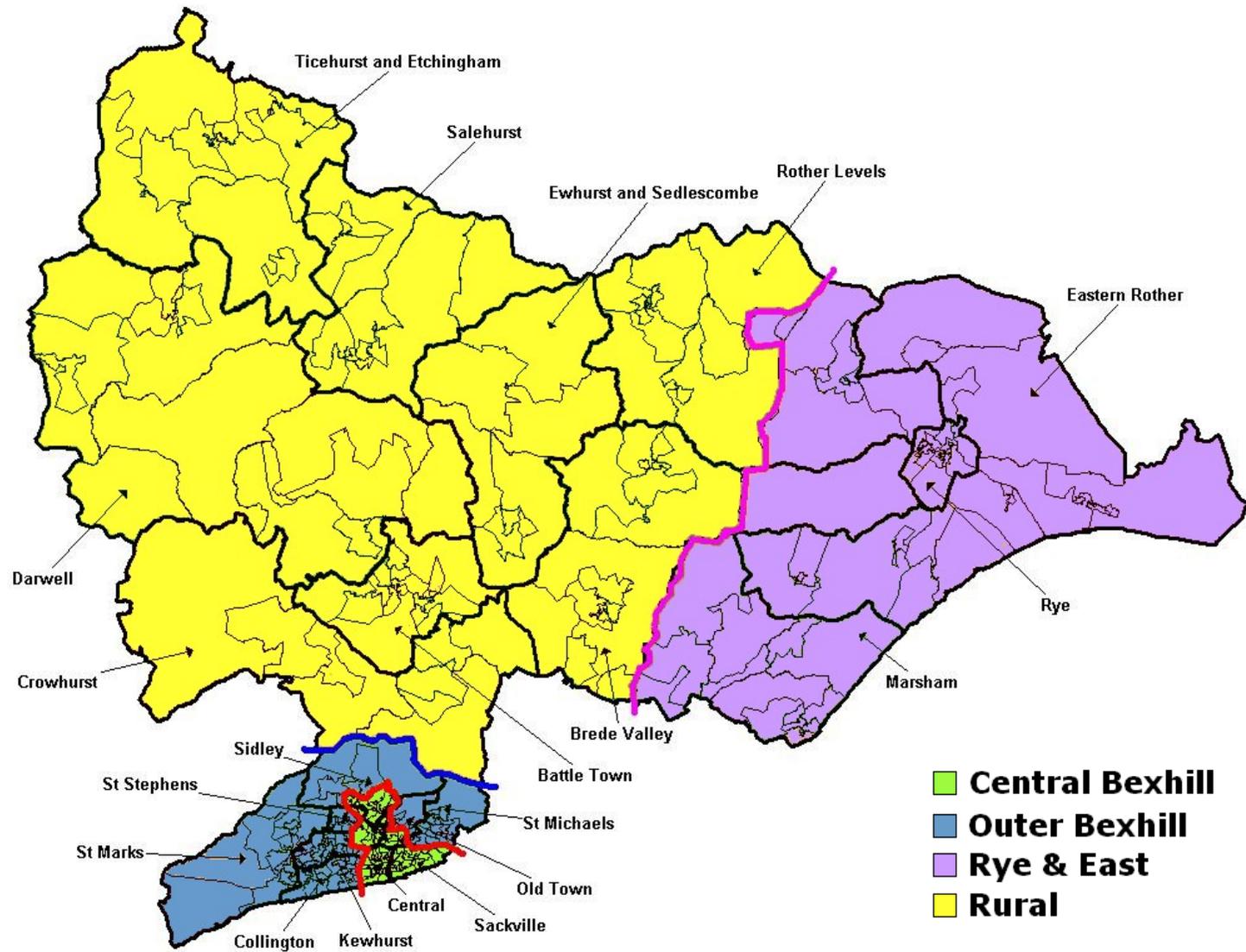




ROTHER DISTRICT COUNCIL TENANCY STRATEGY DOCUMENT 2013

Map of the Rother District



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1. Introduction

- 1.1 The Rother District Council Tenancy Strategy is a guide for partners who work with the Council to provide new affordable homes. It is a requirement within the Localism Act.
- 1.2 This Tenancy Strategy is our response to the changes from the Localism Act to help us work with registered providers to deliver new homes for our residents, it also helps to:
 - a) Support the delivery of Countywide strategic housing aims in 'Pride of Place', and the East Sussex Housing & Support Strategy.
 - b) Support the delivery of East Sussex Housing and Homelessness Strategies.
 - c) Encourage the development of new social and affordable housing.
 - d) Make the best use of available housing stock, including reducing overcrowding, tackling under occupation and making the best use of adapted housing for those with a disability.
 - e) Maximise choice for applicants, by making sure that affordable housing is available in all areas.
 - f) Make sure the needs of vulnerable people are met.

2. Housing in the Rother District in Context

- 2.2 Often described as a traditional seaside resort and rural idylls, Rother is an area of contrasts and mixed fortunes. It has an urban population in the main town of Bexhill, surrounded by a relatively sparsely populated rural hinterland, dotted with small and medium sized market towns. Within both the urban and rural settings there are a number of housing challenges and opportunities. These include:
 - a) Areas with high levels of poverty and deprivation
 - b) Coastal town and economies in need of regeneration
 - c) High levels of housing need in urban and rural area and a lack of affordable housing
 - d) Difficult road and rail infrastructure
 - e) An ageing population with an associated increasing demand for services
 - f) Inadequate access to services in some rural areas
 - g) Low wages and skills
 - h) Few high earners, most working outside the area
 - i) Poor health, high rates of long term limiting illness
 - j) An unmet need for good quality supported accommodation, particularly for older people and people with learning disabilities
 - k) Flood risk in some rural and coastal areas
 - l) The challenge of ensuring sympathetic design which takes account of local character

Of a population of 90,600:

- 25,700 or 28% are aged over 65 compared to just over 16% nationally.
- Approximately 5% of Rother's households over 65s are living in the rural districts, therefore 23% live in Bexhill.
- 45,700 or 50% are over 50 against a national average of 34%.
- 56% are of working age against a national average of 62%.
- 16% are under 16 against a national average of 18.9%.

3. Rother's Housing Market

- 3.1 Rother's housing market has fairly low house prices compared to South East averages, but is still unaffordable to local people; earnings are far below the South East average, by approximately £6,000. Unemployment is higher and economic activity lower.
- 3.2 There are a total of 42,500 homes in Rother with approximately 10% housing association homes, 73% owner-occupied homes and 13% private rented sector.
- 3.3 The Council no longer owns or manages its own housing stock. The Council has rights to the housing association homes in its area. The housing association homes are made up of sheltered housing, flats, bungalows and houses. There are 3,600 housing association homes in Rother and on average there are between 200 to 300 vacancies each year, over 40% of these vacancies were sheltered housing vacancies for older people (aged 60+).

4. National Housing Strategy

- 4.1 In November 2011, the national housing strategy *Laying the Foundations: A Housing Strategy for England* was published. This strategy, supported by the provisions of the Localism Act, paves the way for significant reform of social housing, increasing the flexibility for local authorities to determine their own housing priorities at the local level, promoting access to homeownership and introducing new measures to reinvigorate the housing market.

5. The Localism Act 2011

- 5.1 The Localism Act 2011 required local authorities to produce and publish a tenancy strategy. This is our Tenancy Strategy, it sets out the matters registered providers (housing associations) of social housing operating in our district will have to regard when making their own policies, including:
- a) the kind of tenancies they grant;
 - b) the circumstances in which they will grant a flexible tenancy;
 - c) where they grant tenancies for a certain term, the length of the term; and
 - d) the circumstances in which they will grant a further tenancy on the coming to an end of an existing fixed term tenancy.
- 5.2 The East Sussex Local Authorities have worked together to develop a framework document for East Sussex, which sits above this Strategy.

6. Affordable Housing Development

- 6.1 Government grant funding has been reduced so less money is available to registered providers. A new system has therefore been put in place to try and increase funding.
- 6.2 Most new homes will be funded by the Homes and Communities Agency's (HCA) 'Affordable Homes Programme'. These will be delivered by registered providers letting homes at 'affordable rents' and selling some of their existing homes to fund new housing developments.

6.3 An affordable rent is a new higher rent, in the past registered providers provided social rents that were often much lower than market rents. Now registered providers can charge a rent *up to 80% of market rents*. Registered providers are also able to re-let existing homes at the new higher 'Affordable rents'.

7. Flexible Tenancies

7.1 Registered providers will be able to offer different tenancies including fixed term assured shorthold tenancies (ASTs). These can be provided for a minimum of 2 years, but will usually be for up to 5 years. The table below explains the different types.

Housing Associations	
Tenancy Type	Key Points
Starter	Enables HAs to give tenants a 'trial period'. No statutory grounds required for eviction, i.e. a S21 can be used to gain possession
Assured	'Lifetime' tenancy Grounds required for eviction
Assured Shorthold Tenancies (ASTs) (new)	Fixed term (2 year to 5 year term) Tenant can be evicted with S21 Notice

8. What the Council expects from Registered Providers

8.1 Registered providers should set affordable rents at no higher than the local housing allowance. They will have to take local circumstances into account and consider the need to set affordable rents at below 80% of market rent in some high cost areas to make sure rents stay affordable and are not a disincentive to work.

8.2 Registered providers should work with the Council to look for opportunities to use the money provided from higher rents and sales to build new affordable homes in the district.

8.3 It is essential registered providers work with the Council for tenants who are affected by welfare benefit changes. This will be achieved by offering them advice and information about what these changes will mean to them, having particular regard to the introduction of the universal credit and housing benefit changes including under-occupancy changes.

8.4 Registered providers should advertise all vacant affordable rent properties through Homemove (our choice based lettings scheme) to ensure transparency and fairness.

8.5 The conversion of social rented properties to affordable rent by registered providers will be based on the agreed contract with the HCA. Support from the Council will be required prior to any conversions. Registered providers should take into account the impact of conversions upon the tenure profile and overall sustainability of the communities within which they operate.

8.6 The Council will continue to seek social rented homes on new developments where no HCA grant has been given subject to the viability of the scheme on a site by site basis.

- 8.7 The Council will continue to seek social rented homes on supported housing schemes, subject to the viability of the scheme on a site by site basis.
- 8.8 It is essential registered providers seek the consent of the Council before any sales of or changes to affordable rents of their homes are planned. Details of any properties to change from social rent to affordable rent or homes that are to be disposed of should be presented to the Council in good time to be presented to Members. Nomination rights in favour of the Council will need to be considered at that time, as they have a value to the Council. Registered providers may have to reimburse the Council for the loss of the value of their nomination rights.

9. RDC Tenancy Strategy: What Providers should have regard to

- 9.1 Fixed term tenancies should be set at a minimum of 5 years in all but exceptional cases, when 2 years (in addition to any one year starter tenancy) may be considered. At the end of the fixed term and depending on the circumstances of the individual household, tenants will be advised on the following options:
- a) To remain in social housing, either in their current home or at another home at a social or affordable rent.
 - b) To move into the private rented sector.
 - c) To move into home ownership via low cost home ownership or otherwise.
 - d) Lifetime tenancies should be offered to older people in sheltered housing and tenants with specific ongoing care and support needs.
- 9.2 The Council is committed to meeting the housing needs of residents and we recognise that these new flexibilities provide an opportunity for registered providers to address under-occupation, improve stock turnover and encourage the best use of the affordable housing stock.
- 9.3 In cases of under-occupation, the individual circumstances of the household will be considered on a case by case basis. Where possible the tenant should be offered a smaller home with the same / other registered providers.
- 9.4 All must be aware of the need to create sustainable communities and neighbourhoods and we must ensure that this concept is not undermined if there is too much transience in local populations.
- 9.5 All must be aware of the likelihood of people becoming caught in a 'benefits trap' if the security of their tenancies is linked to them not improving their own circumstances.
- 9.6 The needs of particular households or groups should also be taken into account, for example the circumstances of households who have dependent school aged children attending a local school, those living in disabled adapted properties and those with a support need should be considered when deciding on the length of a fixed term tenancy. It is important that the most vulnerable tenants are provided with the level of stability they require and fixed term tenancies will not be appropriate for certain groups, for example tenants in specialist or lifelong supported housing.
- 9.7 Registered providers must notify the Council as soon as they are 'minded to' make a decision to end a tenancy.
- 9.8 Registered providers must provide advice and guidance on alternative housing options as soon as a decision is made to end a tenancy and notification of this must be given to the Council within 10 working days to enable us to consider our statutory housing duties.

- 9.9 Registered providers must consider and provide evidence of the conduct of the tenant throughout the fixed term. This should include community work, good rent account and property management. The registered provider must also provide evidence of any anti-social behaviour or neighbour issues, rent arrears or property management problems.
- 9.10 Registered providers should ensure that tenancy reviews are undertaken *at least* 6 months (9 months for vulnerable groups) prior to the end of the fixed term. And at the earliest possible convenience to ensure that appropriate advice is given, move-on is facilitated and additional casework for local authority homelessness and housing option teams is avoided.
- 9.11 Fixed term tenancies should not, in most cases, be renewed where the tenants circumstances have improved to the extent that they are able to afford a different tenure or they under-occupy their home. Registered providers should fund access to other tenures for those tenants who need to move on.
- 9.12 Particular care should be taken to ensure that the housing and support needs of vulnerable groups are met. Registered providers are encouraged to work with ESCC Children and Adult Services in such instances.
- 9.13 Registered providers should ensure that appropriate support services are in place for vulnerable people, particularly where a tenancy is not granted.

10. Other Considerations

Tenant Mobility

- 10.1 The Council wants to ensure that the introduction of the new housing reforms does not restrict the mobility of existing tenants living in the social rented sector, particularly where an existing household is presently under or over or under-occupying their property. To enable mobility and encourage stock turnover, the Council therefore encourages registered providers with social rented tenants to be allowed to retain their existing security of tenure if they choose to transfer to an alternative property.
- 10.2 Registered providers should carefully consider the size, type and location of the homes they plan to convert to the affordable rent, or sell as we want to avoid disproportionate levels of conversion which limits the opportunities available for existing social rented tenants to transfer to areas of their choice. Registered providers should be mindful of the impact of conversions upon the tenure profile and overall sustainability of the communities within which they operate.

Housing Allocation Policy

- 10.3 The Localism Act has enabled local authorities to determine which groups of applicants should qualify to join the housing register. This differs from the current situation where anybody (*with very few exceptions*) may apply to join the housing register, no matter what their housing need. The Act now enables Councils to decide to close the list to some categories of applicant; however the government has retained a role in determining priority groups by preserving the current 'reasonable preference' categories. A specific requirement of the legislation is also to give additional priority to armed forces personnel. Rother will exclude any applicant who does not have a local connection to Rother, apart from those the Council has a statutory duty to house for example; armed forces personnel.

Risk Management and Joint Working

- 10.4 The Council has a strong approach to reducing the numbers who become homeless and is committed to preventing homelessness where we can. We are aware that the changes may bring

an increased risk of homelessness through an inability for some residents to afford the increased rent levels, particularly in light of the welfare reforms.

- 10.5 We will require registered providers to work with us and communicate effectively about decisions taken to terminate any fixed term tenancy, to mitigate the risk of increased homelessness. On-going communication and agreements with our registered providers about the rent levels on new properties and re-let conversions will assist this process.
- 10.6 We wish to see registered providers offering a strong role helping their tenants and preventing them from becoming homeless in the first place. This should be supported by robust and effective joint homeless prevention work, with the local authority and registered providers front line teams.
- 10.7 We also expect registered providers to ensure that appropriate advice and assistance is given to secure alternative accommodation for households when necessary and advising the Council as soon as a decision is made to end a tenancy.

11. **Monitoring and Review**

11.1 The development of this Strategy has been based on research and data collections from a number of sources. We will continue to monitor the impact of this Strategy through data collections on:

- Housing Register and Homelessness statistics
- Tenure changes through stock profiling
- Rent levels
- Void times (vacancy to re-let)
- Percentage turnover of stock

An initial review will take place after one year of the Strategy's 5 year shelf-life, and we will work with the East Sussex Housing Officers Group (ESHOG) and Registered Provider partners to develop a set of indicators which will enable an assessment of the impact of this strategy on community cohesion, neighbourhood participation and the general social well-being of different levels of tenancy security.

If you require any clarification on any matters in this strategy please contact us:

housingpolicy@rother.gov.uk