

Appendix B

Draft Tenancy Policy for Cambridge City Council

Under the new Tenant Services Authority (TSA) Regulatory Framework for Social Housing in England, all Registered Providers, including Cambridge City Council as a provider of Council housing, are required to issue 'clear and accessible policies which outline their approach to tenancy management', including, amongst other things, their approach to granting tenancies.

This proposed Tenancy Policy outlines Cambridge City Council's approach to the types and length of tenure to be offered within the context of the new national Affordable Rents regime and new powers to offer fixed term rather than secure tenancies. It has been drawn up in the context of a proposed Tenancy Strategy for Registered Providers operating in the City, which is being considered by the Executive Councillor and Community Services Scrutiny during this committee cycle and is attached as Appendix 1.

This Tenancy Policy does not include the granting of licences to occupants of the Council's designated temporary or move-on accommodation for homeless households. The Council's approach to other aspects of tenancy management can be found in its range of other tenancy management policies.

A Tenancy Policy on the approach to granting tenancies is required to be in place during 2012, but owing to the short timescales given there hasn't been time to fully explore the issues or consult on it in a meaningful way. Therefore, this proposed Policy will be reviewed during 2012 -13, giving tenants and applicants on the housing register the opportunity to influence the policy in an informed way. As well as reviewing the type and length of tenancies to be used in the future, a decision will also be made at that stage on how frequently the policy should be reviewed.

The following outlines our policy on the type and length of tenure to be used for Council tenancies. Most of it is already

encompassed in the Council's existing policies. This Policy should be read within the context of the proposed Tenancy Strategy, Cambridge sub-regional Policy, and Cambridge City Council's own Lettings Policies.

Introductory Tenancies

Except for where transferring from a secure tenancy, or an assured tenancy with a registered social landlord (but not an assured shorthold tenancy), new tenants will be offered an Introductory Tenancy for a period of one year.

Security of Tenure

On satisfactory completion of an Introductory Tenancy, or on transfer from another secure or assured tenancy (although not a secure shorthold tenancy) the Council will continue to offer all of its tenants a secure tenancy. The Council will not offer short-term flexible tenancies, although this decision, and the Tenancy Policy as a whole, will be subject to future review during 2012 -13.

Affordable Rents

New homes built by the Council with grant funding from the Homes and Communities Agency will, in most cases, as a condition of the grant, need to be offered at an Affordable Rent. The Council will continue, as far as possible, to let its homes on Social Rents, as they are currently more affordable than Affordable Rents. Existing homes built without the grant requirement to offer Affordable Rents will continue to be let at Social Rents, unless it's considered appropriate, in exceptional circumstances, to negotiate arrangements with the HCA to convert some existing homes to Affordable Rents in place of offering all new homes built by the Council at Affordable Rents. An example of where this may be considered appropriate could be where the sustainability of a new development is significantly threatened by all the homes being let at Affordable Rents, or where a scheme is built with the intention of enabling tenants to down-size to a smaller home but the rent levels are likely to significantly discourage this from happening.

Succession rights

The following arrangements will continue to apply if a tenant dies:

For secure tenants: For secure tenants with a joint tenancy, if one tenant dies then the surviving tenant(s) will automatically take on the tenancy.

For a secure tenant who is a sole tenant who has not succeeded to the tenancy, the tenancy can be passed on to the tenant's spouse or civil partner, provided they are living with the tenant when the tenant dies. If there is no spouse or civil partner, then certain members of the family may succeed to the tenancy, provided they have been living with the tenant for at least 12 months at the date of the tenant's death.

For introductory tenants: For introductory tenants with a joint tenancy, if one tenant dies the surviving tenant(s) will automatically take on the tenancy.

For an introductory tenant with a sole tenancy who has not succeeded to the tenancy, the tenancy can be passed on to the spouse or civil partner provided they are living with the tenant when the tenant dies. If there is no spouse or civil partner, then certain members of the family may succeed to the tenancy provided they have been living with the tenant for at least 12 months at the date of death.

The tenancy will become secure at the end of the introductory period (or any extension of the introductory period) provided that no steps have been taken to end the tenancy.

For demoted tenants: For demoted tenants with a joint tenancy, one tenant dies the surviving tenant(s) will automatically take on the tenancy.

For a demoted tenant with a sole tenancy who has not succeeded to the tenancy then the tenancy can be passed to the spouse or civil partner, provided they have been living with the tenant for at least 12 months at the date of death. If there is no spouse or civil partner, then certain members of the family may succeed to the tenancy provided they have been living with the tenant for at least 12 months at the date of death.

The tenancy will become a secure tenancy at the end of the demotion period provided that no steps have been taken to end the tenancy.

For all tenants: If there is no right of succession under the above policy, the Council will offer advice and support to help the person or household to find suitable alternative accommodation, taking into account the circumstances of the people concerned. The Council may consider, where appropriate, re-letting the home or offering a new home to a vulnerable occupant through the Council's Lettings Policy.