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# WYCHAVON

## Tenancy Strategy Framework & Principles



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## **1. Introduction**

- 1.1 The Localism Act received Royal Assent on the 15<sup>th</sup> November 2011. The Act is designed to shift power and the decision-making process on a range of matters from Whitehall to local councils, communities and individuals. The Act has a number of clauses relevant to housing including local authorities and other social landlords being able to grant fixed term tenancies with limited security of tenure. The Act also contains changes to the allocation of social housing, the law relating to homelessness and the abolition of the housing revenue account subsidy.
- 1.2 The Localism Act also requires local authorities to publish a Tenancy Strategy by 15 January 2013. This strategy must be produced in consultation with social landlords, tenants, and voluntary and community groups.
- 1.3 Within Worcestershire, each District Council's Tenancy Strategy will provide guidance to the Registered Providers (RPs) operating in its area on what issues the district council expects them to consider when developing their tenancy policies. Only local authority (Redditch) retains and manages its own housing stock.
- 1.4 Building on our strong and established working relationships within the county, this document has been developed collaboratively between the 6 district councils acting in our strategic role, together with registered providers and other key stakeholders. It sets out a consistent framework and an agreed set of principles across the county; each local authority's individual Tenancy Strategy will provide more detailed guidance according to their local conditions and need.

## **2. Background Policy**

- 2.1 The Government's key housing policy goal is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live. To achieve this, the Government is seeking to:

- Achieve a wide choice of high quality homes, both affordable and market housing, to address the requirements of the community
- Widen opportunities for home ownership and ensure high quality housing for those who cannot afford market housing, in particular those who are vulnerable or in need
- Improve affordability across the housing market, including by increasing the supply of housing and;
- Create sustainable, inclusive, mixed communities in all areas, both urban and rural.

### Definitions of Affordable Housing

2.2 Annex 2 of the National Planning Policy Framework (March 2012) defines 3 types of affordable housing: “Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market”.

- a) Social rented housing was the main type of affordable housing provided by Registered Providers up until the introduction of the “affordable rent” model. Social rents are typically around 50% of market rent levels. Guideline target rents are determined through the national rent regime.
- b) “Affordable rent” is subject to controls which permit rent levels up to a maximum of 80% of market rent (including any service charge).
- c) Intermediate housing comprises “homes for sale and rent provided at a cost above social rent, but below market levels” and “can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing”.

The NPPF also states that:

“Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.”

## Delivery of New Homes

2.3 Alongside the requirements of the Localism Act, the Homes and Communities Agency (HCA) has agreed programmes for the delivery of new affordable housing over the next 4 years with Registered Providers and local authorities.

2.4 The level of subsidy provided by the HCA for new affordable homes has significantly reduced and the ability for RP's to deliver with the reduced availability of grant has to be made up in the following ways:

- All new homes built with HCA subsidy are expected to be offered at affordable rents: up to 80% of the market rent.
- In addition RPs are offering to increase rents on a percentage of re-let properties.
- They have also been encouraged to take a more pro-active approach to managing their stock, including the disposal of stock where this will bring funds to invest in new homes.

## **3. Aims and Scope of the Strategy**

### Aims and Objectives

- To ensure that affordable housing meets local housing need
- To provide guidance and direction to RP partners in the development of their tenancy policies
- To provide a framework for up to date knowledge of the housing market in Worcestershire that can then be used to inform policy and practice
- To indicate to tenants and prospective tenants what they can expect from their tenancy

### Scope

3.1 The strategy will provide guidance to RPs in the following areas:

- The kind of tenancies that they grant,
- The circumstances in which different tenancies should be granted

- The length of fixed term tenancies
  - The criteria to consider when reviewing tenancies at the end of the fixed term
  - How disposals of stock should be managed
  - How the Worcestershire district councils will give consideration to new government guidance in relation to allocations of social housing.
- 3.2 Although local authorities are not required to include an assessment of affordability in their Tenancy Strategy, the Worcestershire district councils recognise the importance of ensuring that affordable housing continues to be available and accessible to those who need it most and must therefore remain affordable, as defined by locally defined thresholds. The Worcestershire Strategic Housing Market Assessment published in 2012 provides a detailed assessment of income and affordability in each district area and this information will be used to determine each district's guidance to RPs in their area.
- 3.3 The strategy will also set out the local authorities' approach to maximising the use of private rented sector tenancies, particularly in relation to the new power to discharge homelessness through this tenure.
- 3.4 The Framework and Principles were developed as a result of consultation with a range of partners and stakeholders, including RPs, Social Care, local councillors and voluntary and community organisations. Also key to the development of the principles was an examination of the nature of the housing market across the county of Worcestershire, looking at detailed information around the issues of need, supply and affordability locally.

#### **4. The County of Worcestershire in Context**

- 4.1 Worcestershire is a large and diverse county, including both urban areas, market towns and rural areas, all of which present different issues in terms of availability, accessibility and affordability of accommodation. The

county covers an area of 173,592 hectares with much of this being rural and sparsely populated.

- 4.2 Worcestershire is a two tiered authority area, with a county council and 6 local councils comprising of a city council, a borough council and 4 district councils. The only local authority to have retained its housing stock is Redditch Borough Council; the other 5 local authorities have all transferred their housing stock to housing associations, but continue to have a strategic housing responsibility.
- 4.3 The population of Worcestershire was estimated to stand at 556,000 in 2009. The County has seen growth of just below 9 per cent in its population since 1991, above average for the West Midlands but on a par with the national growth rate. The Worcestershire SHMA 2012 shows that the population will continue to grow over the next 20 years, with a significant growth in the older people population in particular areas.

#### Worcestershire Vision

- 4.4 The vision of the Worcestershire Housing Strategy is

***"The right home, at the right time, in the right place"***

- 4.5 This means that we want every household in Worcestershire to be able to access housing that suits their needs and circumstances when they need it. It is implicit in the vision that we want all housing to reach an appropriate standard, currently the Decent Homes Standard, and that the right home means one that is affordable to the household's budget. However, we do not mean that changing household circumstances should always result in the need to move home. Our vision embraces a much wider approach which always involves a housing options assessment to ensure household needs are met.

How Worcestershire Housing Strategy Goals link to the Tenancy Strategy:

	<b>Worcestershire Housing Strategy Goals</b>	<b>Tenancy Strategy Issues</b>
1	Better use of existing homes	The Tenancy Strategy will set out the local authorities' approach to using different types of tenancy, enabling mobility and discharging its homelessness duty to maximise the use of the existing housing stock in the county, including both social and privately rented homes
2	Deliver new housing	The Tenancy Strategy will set out the local authorities' approach to ensuring that the new affordable rent model can be used to maximise new affordable housing delivery whilst ensuring that homes remain affordable for local people in housing need.
3	Improve the condition of existing homes	The Tenancy Strategy is not the appropriate mechanism to facilitate this.
4	Providing housing related support	The tenancy strategy will set out the local authorities' approach to: <ul style="list-style-type: none"> <li>• ensuring that adequate and timely advice and assistance is given to households whose tenancies are not renewed at the end of the fixed term</li> <li>• maximising the use of adapted properties through the use of fixed term tenancies</li> <li>• linking the review of tenancies with support and tenancy sustainment not homelessness</li> </ul>



## 5. Profile of Housing Supply and Need in Worcestershire

5.1 There are currently just under 250,000 dwellings in Worcestershire. The Census (2001) shows that the largest proportions of dwellings in the County are either detached (37.7%) or semi-detached (36%). Terraced housing only accounts for a significant proportion of the total stock in Redditch and Worcester, in the latter reflecting the urban nature of much of the city. In Redditch the new town development between 1964 and 1985 also involved a significant amount of terrace style properties which served to increase the proportion of this stock type.

5.2 Figure 1 analyses the housing stock by type across the County:

Fig. 1 - Housing Stock by Type in Worcestershire

Property Type	Bromsgrove	Malvern Hills	Redditch	Worcester	Wychavon	Wyre Forest
Converted flats	0.6%	2.2%	0.8%	1.5%	0.9%	0.9%
Purpose built flats	4.0%	4.3%	6.5%	7.2%	4.2%	4.7%
Terraced	13.5%	10.6%	29.1%	23.8%	17.0%	18.1%
Semi-detached	39.1%	33.1%	31.8%	39.3%	31.1%	41.5%
Detached	41.4%	48.1%	31.2%	27.0%	45.2%	33.3%
Other	1.5%	1.7%	0.4%	1.0%	1.6%	1.6%

Source: Census, 2001

5.3 The tenure breakdown of the stock in each district is shown in Figure 2:

Fig. 2 Dwelling Stock by Tenure

District	Total Dwelling Stock	LA Dwelling Stock		RP Dwelling Stock		Other Public Sector Dwelling Stock		Owner Occupied and Private Rented Dwelling Stock	
		No.	%	No.	%	No.	%	No.	%
Bromsgrove	39,080	0	0.0	3,886	9.9	6	0.0	35,190	90.0
Malvern Hills	33,410	0	0.0	4,452	13.3	0	0.0	28,950	86.7
Redditch	35,160	6,079	17.3	1,657	4.7	17	0.0	27,410	78.0
Worcester	42,470	8	0.0	6,738	15.9	17	0.0	35,710	84.1
Wychavon	51,190	18	0.0	7,434	14.5	28	0.1	43,710	85.4
Wyre Forest	43,980	0	0.0	6,382	14.5	35	0.1	37,570	85.4
<b>Worcestershire</b>	<b>245,290</b>	<b>6,105</b>	<b>2.5</b>	<b>30,549</b>	<b>12.5</b>	<b>103</b>	<b>0.0</b>	<b>208,540</b>	<b>85.0</b>

Source: Communities and Local Government, 2011

5.4 In terms of social rented stock the 2001 Census showed that this tenure constituted 15.3% of all households across the County, with this varying between 10.6% in Bromsgrove and 22.7% in Redditch.

5.5 Right to buy activity has continued to reduce this proportion with approximately 31,000 properties being sold from 1994 to 2010. New properties have, however, also added to the social housing stock.

5.6 The County's social housing stock is split by district and size as follows:

Fig. 3 Social Housing Stock by District and Size

District	1 bed		2 bed		3 bed		4+bed		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Bromsgrove	1,364	36.3	1,055. 0	28.1%	1,290	34.3	47	1.3	3,756	90.0
Malvern Hills	1,272	29.7	1,582. 0	36.9%	1,357	31.7	73	1.7	4,284	86.7
Redditch	2,873	38.3	2,126. 0	28.3%	2,281	30.4	222	3.0	7,502	78.0
Worcester	2,025	31.9	1,810. 0	28.5%	2,356	37.2	149	2.4	6,340	84.1
Wychavon	2,081	29.3	2,390. 0	33.7%	2,487	35.0	141	2.0	7,099	85.4
Wyre Forest	728	16.1	1,515. 0	33.6%	2,161	47.9	104	2.3	4,508	85.4
<b>Worcestershire</b>	<b>10,343</b>	<b>30.9%</b>	<b>10,478</b>	<b>31.3%</b>	<b>11,932</b>	<b>35.6%</b>	<b>736</b>	<b>2.2%</b>	<b>33,489</b>	<b>85.0</b>

Source: Communities and Local Government, 2011

5.7 Nearly a third of social housing stock is made up of one bedroom properties of which the majority are flats. Of the large proportion of one bedroom properties, 45% are either sheltered bedsits or flats. Redditch has a particularly high proportion of one bedroom properties (37.9%), whereas Wyre Forest has by far the lowest (16.3%).

5.8 31% of the social housing stock is made up of two bedroom properties, split between flats (12.6%) and houses and bungalows (18.7%). Three bedroom houses account for over a third of the social housing stock, almost all of which are houses. Nearly half of Wyre Forest’s social housing stock is made up of 3 bedroom properties.

5.9 Four bedroom and larger houses make up just 2.3% of the overall stock. Redditch has the highest proportion of 4+ bedroom properties and Bromsgrove the lowest.

Fig. 4 Social Housing Lettings 2009/10

<b>Lettings (Bedrooms)</b>	<b>Bromsgrove</b>	<b>Malvern Hills</b>	<b>Redditch</b>	<b>Worcester</b>	<b>Wychavon</b>	<b>Wyre Forest</b>
0/1 Bedroom	48%	46%	57%	51%	49%	48%
2 Bedrooms	36%	37%	27%	32%	35%	35%
3 Bedrooms	14%	17%	14%	16%	16%	16%
4+ Bedrooms	2%	1%	1%	1%	1%	1%
<b>Total Lettings</b>	<b>309</b>	<b>291</b>	<b>574</b>	<b>512</b>	<b>484</b>	<b>526</b>

5.10 In total, there were 2,122 social lettings to households on the waiting list across Worcestershire during 2009/10. The majority of lettings were to smaller 1 and 2 bedroom properties, with only an average of 17% of lettings being to 3 and 4+bedroom properties.

### Housing Need

5.11 There are nearly 24,000 households on waiting lists for social housing in Worcestershire.

5.12 The following tables show a breakdown of these households:

Fig. 5 Households on the Waiting List by Household Type

District	Total Households	Couple	Family	Other	Pensioner	Single
Bromsgrove	3,324	8%	42%	5%	15%	30%
Malvern Hills	2,285	11%	37%	3%	15%	33%
Redditch	3,598	N/A	N/A	N/A	N/A	N/A
Worcester	4,501	9%	42%	1%	9%	39%
Wychavon	4,801	10%	35%	3%	16%	36%
Wyre Forest	5,210	9%	38%	0%	22%	31%
<b>Worcestershire</b>	<b>23,719</b>					

Source: Housing Waiting Lists, GVA Analysis 2011

5.13 This data shows that the household type most frequently requiring affordable housing are family households, followed by single person households.

Fig. 6 Households on the Waiting List by Age

Local Authority	18-24	25-34	35-64	65+	Under 18
Bromsgrove	17%	29%	41%	13%	0.0%
Malvern Hills	17%	23%	44%	15%	0.2%
Worcester City	21%	32%	39%	7%	0.4%
Wychavon	19%	28%	41%	12%	0.3%
Wyre Forest	19%	24%	41%	15%	0.4%

Source: Local Authority Waiting Lists

5.14 This data shows that the age group most frequently requiring affordable housing are 35-64 year olds, followed by 25-34 year olds.

Fig. 7 Households on the Waiting List by Household Type

District	Total Households	Owner Occupied	Social Rent	Private Rent	Sharing/Lodging	Other/Not Specified
Bromsgrove	3,324	11%	29%	21%	7%	32%

Malvern Hills	2,285	7%	36%	23%	6%	28%
Redditch	3,598	8%	36%	22%	30%	5%
Worcester	4,501	5%	29%	24%	13%	28%
Wychavon	4,801	7%	23%	16%	6%	48%
Wyre Forest	5,210	12%	26%	22%	6%	33%
<b>Worcestershire</b>	<b>23,719</b>					

5.15 This table illustrates the pressures on households in market tenures, with a relatively high demand from other tenures, in particular the private rented tenure. There are also significant numbers of households on the waiting list who are seeking to transfer from a social housing tenancy.

5.16 Households in 'Significant Need' are defined as those households in bandings of Silver and above on the two choice based lettings schemes in Worcestershire; Home Choice and Home Choice Plus.

Fig. 8 Households on the Waiting List in 'Significant Need'

District	Households in 'Significant Need'	Proportion of Total Waiting List (Authority)	Proportion of Total Number of Households (Authority)
Bromsgrove	499	15.0%	1.3%
Malvern Hills	479	20.9%	1.5%
Redditch	929	25.8%	2.8%
Worcester	1,061	23.5%	2.6%
Wychavon	1,153	24.0%	2.3%
Wyre Forest	986	18.9%	2.3%
<b>Worcestershire</b>	<b>5,107</b>	<b>21.5%</b>	<b>2.1%</b>

Source: Housing Waiting Lists, GVA Analysis 2011

5.17 There are a total of 5,107 households categorised as having a significant level of need for affordable housing, representing approximately 22% of the total number of households on waiting lists across Worcestershire.

5.18 Of those households in significant need, their estimated property size requirements are as follows:

Fig. 9 Estimated Property Size Requirements

<b>District</b>	<b>1 bedroom</b>	<b>2 bedrooms</b>	<b>3 bedrooms</b>	<b>4+ bedrooms</b>
Bromsgrove	45%	33%	14%	7%
Malvern Hills	66%	25%	5%	3%
Redditch	43%	29%	14%	14%
Worcester	52%	34%	9%	4%
Wychavon	44%	37%	14%	4%
Wyre Forest	60%	29%	9%	2%

5.19 There are slight variances in the size of affordable housing required going forward over the next five years within Worcestershire. Overall, however, a relatively consistent trend is evident; there is a predominant requirement for smaller 1 and 2 bedroom dwellings across all authorities within Worcestershire. However, there is still a continued requirement for 3 and 4+ bedroom units in all districts, particularly since these property types do not become available as frequently as smaller units (see fig. 4).

5.20 Taking into account the levels of need and supply of affordable housing in the county, the Worcestershire SHMA published in 2012 has concluded that there is an annual requirement for an additional 1,354 affordable properties in Worcestershire over the next 5 years.

5.21 Figure 10 below shows how this requirement is broken down by district and affordable tenure:

Fig. 10 Annual Affordable Housing Need over next 5 years

	Net Affordable Housing Requirement - by Tenure (Annual - next 5 years)					
	Social Rented			Intermediate		
Authority	Supply	Net Need (Total)	Net Need (%)	Supply	Net Need (Total)	Net Need (%)
Bromsgrove	227	186	85%	26	33	15%
Malvern Hills	220	127	97%	31	4	3%
Redditch	405	100	60%	20	67	40%
Worcester	366	297	83%	15	61	17%
Wychavon	372	221	82%	7	48	18%
Wyre Forest	404	154	73%	8	56	27%
<b>Worcestershire</b>	<b>1,994</b>	<b>1,085</b>	<b>80%</b>	<b>107</b>	<b>269</b>	<b>20%</b>

## 6. Profile of Rents and Affordability in Worcestershire

6.1 This section provides information on the rent levels across Worcestershire for market, affordable and social rents and provides an assessment of each tenure's affordability relative to average household income in each district.

6.2 In assessing the affordability of different tenures, the following principles have been applied:

- Housing is considered to be affordable where the rent payable would constitute no more than 25% of a household's gross income
- Rent payable is defined as the entire rent due, even if it is partially or entirely met by housing benefit
- Annual social housing rents are calculated from an average taken of RSL rental levels (RSR dataset)

- A household income of £30,000 is the benchmark for entry into market housing across the authorities
- Income data has been derived from CACI 2010

**Fig. 11**

**Average Monthly Private Rental Levels & Income Required by Property Size**

District	1 bedroom Apartment		2 bedroom		3 bedroom House		4 bedroom House		% of All Households Earning Less than £30,000
	Rent	Income Required	Rent	Income Required	Rent	Income Required	Rent	Income Required	
Bromsgrove	£433	£20,784	£578	£27,744	£690	£33,120	£941	£45,168	43%
Malvern Hills	£485	£23,280	£571	£27,408	£660	£31,680	£675	£32,400	51%
Redditch	£453	£21,744	£577	£27,672	£669	£32,112	£1,173	£56,304	50%
Worcester	£493	£23,664	£608	£29,160	£696	£33,408	£987	£47,376	53%
Wychavon	£466	£22,368	£577	£27,672	£730	£35,040	£929	£44,592	48%
Wyre Forest	£400	£19,200	£500	£24,000	£608	£29,184	£795	£38,160	55%

Source: Rightmove.co.uk, 2011

6.3 There is a relatively strong consistency across authorities in terms of rental levels. Worcester records a strong market for smaller properties, in particular 2 bed properties. Wyre Forest consistently records a lower monthly rental level across all property types.

**Fig. 12**

**Average Monthly Social Rental Levels & Income Required by Property Size**

District	1 bedroom Apartment		2 bedroom		3 bedroom House		4 bedroom House		% of All Households Earning Less than £30,000
	Rent	Income Required	Rent	Income Required	Rent	Income Required	Rent	Income Required	
Bromsgrove	£275	£13,200	£319	£15,312	£346	£16,608	£379	£18,192	43%
Malvern Hills	£306	£14,688	£342	£16,416	£383	£18,384	£431	£20,688	51%
Redditch	£339	£16,272	£339	£16,272	£369	£17,712	£417	£20,016	50%
Worcester	£282	£13,536	£319	£15,312	£332	£15,936	£381	£18,288	53%
Wychavon	£293	£14,064	£337	£16,176	£369	£17,712	£394	£18,912	48%



Wyre Forest	£298	£14,304	£329	£15,792	£338	£16,224	£361	£17,328	55%
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Source: RSR 'Guide to Local Rents Part II', 2011

6.4 As would be expected, there is a high level of consistency in rental levels across the authorities.

Fig.13

Average Affordable Rent Levels (80% market rent) & Income Required by Property Size

District	1 bedroom Apartment		2 bedroom		3 bedroom House		4 bedroom House		% of All Households Earning Less than £30,000
	Rent	Income Required	Rent	Income Required	Rent	Income Required	Rent	Income Required	
Bromsgrove	£346	£16,627	£462	£22,195	£552	£26,496	£753	£36,134	43%
Malvern Hills	£388	£18,624	£457	£21,926	£528	£25,344	£540	£25,920	51%
Redditch	£362	£17,395	£461	£22,138	£535	£25,690	£938	£45,043	50%
Worcester	£394	£18,931	£486	£23,328	£557	£26,726	£790	£37,901	53%
Wychavon	£373	£17,894	£461	£22,138	£584	£28,032	£743	£35,674	48%
Wyre Forest	£320	£15,360	£400	£19,200	£486	£23,347	£636	£30,528	55%

Source: GVA, 2011

6.5 Having set out the rent levels for the three rental tenures, the following table shows the difference between the average social and affordable rent levels in each district by property size.

Fig. 14

Difference between Monthly Social and Affordable Rent Levels by Property Size

District	1 bedroom	2 bedroom	3 bedroom	4 bedroom
Bromsgrove	£71	£143	£206	£374
Malvern Hills	£82	£115	£145	£109
Redditch	£23	£122	£166	£521
Worcester	£112	£167	£225	£409

Wychavon	£80	£124	£215	£349
Wyre Forest	£22	£71	£148	£275

6.6 Figure 14 shows that the introduction of affordable rent as a replacement for social rent would generate significantly higher rental returns for RPs than traditional social rents. Worcester City in particular records the greatest average differential. This is likely to pose an affordability challenge to many households within lower income bands.

6.7 It is therefore essential that an analysis of affordability is considered in terms of access to affordable rent. The following table sets out the proportion of households in each district who would be unable to afford an affordable rent level:

Fig.15 - Proportion of Households Unable to Afford Affordable Rent Housing

Authority	% Unable to Afford 80% Market Rent, 1-bed Apartment	% Unable to Afford 80% Market Rent, 2-bed Apartment	% Unable to Afford 80% Market Rent, 3-bed House	% Unable to Afford 80% Market Rent, 4-bed House
Bromsgrove	25%	35%	43%	59%
Malvern Hills	31%	41%	51%	51%
Redditch	30%	41%	50%	77%
Worcester City	33%	43%	53%	68%
Wychavon	29%	39%	48%	64%

Wyre Forest	34%	34%	45%	63%
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Source: CACI 2010, GVA Analysis 2011

6.8 These figures suggest that the effectiveness of affordable rent as a product to meet housing need will vary considerably across districts and property types and there will still be a need to ensure that the traditional, lower cost tenure of social rent continues to be provided to meet the needs of those households on lower incomes who are unable to afford affordable rent. In providing guidance to RPs on how the local authority would prefer to see the affordable rent model utilised, each district will take into consideration the difference between the rent levels for social and affordable rent, the proportion of households unable to afford affordable rent, the Local Housing Allowance levels in the district, the stock profile and the specific demographics and geography of the district.

## **7. Principles for Registered Providers on Tenancy Policy**

7.1 Having considered the nature of the housing supply, demand and need in the county, this section will set out the principles which the Worcestershire district councils expect RPs to have regard to when developing their own tenancy policy:

### **Tenancy Types**

#### **Background Information**

7.2 The Localism Act enables RPs to let properties to new tenants using fixed term tenancies rather than lifetime assured tenancies. Fixed term tenancies should usually be offered for a minimum of 5 years, unless there is an exceptional reason to reduce the term to 2 years.

7.3 Fixed term tenancies can be offered at either social or affordable rent.

7.4 RPs are not obliged to offer fixed term tenancies and lifetime tenancies can continue to be offered.

7.5 At the end of the fixed term, the RP will have the option to review the tenant's circumstances and the conduct of the tenancy and can either terminate or extend the tenancy. RPs are required to develop and publish

a Tenancy Policy and the criteria to be taken into account when deciding whether to extend or terminate a fixed term tenancy should be clearly set out in this policy.

- 7.6 Where a RP chooses to terminate a fixed term tenancy at the end of the period, the RP must give notice of their decision 6 months before the end of the tenancy and must also ensure that the tenant is provided with advice and assistance with finding suitable alternative accommodation.
- 7.7 Existing allocation and nomination arrangements will continue, with properties offered on fixed term tenancies being advertised and let through existing schemes, e.g. choice based lettings schemes.
- 7.8 RPs will continue to be able to offer introductory tenancies.
- 7.9 Existing tenants will retain their security of tenure where they transfer into vacated properties. However, their rent may change if they move to a property which the RP has chosen to let at affordable rent levels.

## **Worcestershire Principles**

- 7.10 The local authorities in Worcestershire welcome the introduction of fixed term tenancies as a means of ensuring that best possible use is made of the limited social housing stock in the county. However, it is essential that the use of fixed term tenancies should support the sustainability of communities and neighbourhoods and therefore there is a need for the impact of this new tenure to be monitored and for care to be taken when determining in what circumstances such tenancies will be offered and what review criteria will be applied at the end of the tenancy.
- 7.11 The Worcestershire district councils consider that where flexible tenures are to be used, they should be offered for a minimum of five years in order to provide stability and security.

7.12 It is also expected that unless there has been a significant change in circumstances following a review, the tenancy will be renewed for a further period. The circumstances in which a local authority considers a tenancy may not be renewed will be set out by each district according to their local conditions, but all RPs should ensure that they clearly publish the criteria and conditions they intend to apply to the allocation and review of fixed term tenancies and that this information should be provided to tenants prior to their tenancy commencement. RPs should also make clear whether they intend to terminate fixed term tenancies if any or all of the specified conditions are met and in what circumstances they will renew a tenancy even though some or all of the conditions are met.

### **Wychavon DC Additional Principles**

- **WDC supports the use of fixed term tenancies across all client groups, the full range of property types and all geographical areas of the district with a view to improving the flexibility in management of the stock to ensure its best and most effective use to meet locally identified needs.**
- **WDC requires that where Registered Providers offer fixed Term tenancies they will be for a period of at least 5 years other than in exceptional circumstances. The detail of what is defined as `exceptional circumstances` and at what level in the organisation these decisions will be made to be set out in Registered Provider tenancy policies and agreed with the Local Authority.**
- **WDC expects that unless there has been a significant change in circumstances following a review by the landlord Registered Provider, the tenancy will be renewed for a further period.**
- **WDC expects Registered Providers to only consider ending a fixed term tenancy where a household's circumstances have changed to the extent that the property no longer is suitable to meet their needs or they are able to meet their needs through market tenure housing.**

- **WDC requires Registered Providers to consider all of the circumstances of individual cases when making decisions about whether to end a fixed term tenancy**
- **Although not an exclusive list, it is expected that fixed term tenancies offered by Registered Providers will not be renewed where;**
  - **the household is under occupying the property**
  - **the households circumstances enable them to access market housing**
  - **The household has defaulted on a tenancy agreement (such as non payment of rent, or anti-social behaviour)**

**Registered Providers may include other reasons for a fixed term tenancy not to be renewed.**

- **Where a tenancy is not renewed at the end of the fixed term, the Registered Provider is required to offer the tenant reasonable and appropriate advice and assistance, including the tenant’s right to request a review of the decision.**
- **The Registered Provider, having made the decision to end a fixed term tenancy and having provided the tenant with reasonable and appropriate advice and assistance, will notify the Council’s Housing Team of any intended tenancy terminations as soon as notice is served. The tenant should be given a notice period of at least 6 months.**
- **WDC requires partner Registered Providers to keep to a minimum the number of homeless approaches and requests for housing options assessments by the council, directly generated as the result of terminating a fixed term tenancy. WDC requires the Registered Providers to have provided reasonable and appropriate advice and assistance, supporting the tenant to secure alternative accommodation. Where homelessness cannot be avoided WDC requires full co-operation of the Registered Provider with any enquiries and requests for assistance.**

## **Overcrowding and Under-occupation**

## **Background Information**

- 7.13 The Worcestershire Local Housing Authorities encourage landlords to take positive action to facilitate a move to more suitable accommodation where tenants' circumstances change and their current home is too large or indeed where the accommodation is too small.
- 7.14 The proposed housing benefit restrictions on bedroom size being applied from April 2013 for working age households will add further pressure to ensure that properties are not under occupied.
- 7.15 The Home Choice Plus Allocations Policy awards bandings to families who are overcrowded and reasonable preference and priority is given to those applicants who are living in severely overcrowded conditions.
- 7.16 It is important that the best possible use is made of existing housing stock and priority will be given where a Local Authority or Housing Association tenant, in the Home Choice Plus area, applies to move to a smaller, or more appropriate type of property.

## **Wychavon DC Additional Principles**

- **WDC requires partner Registered Providers to take positive action and work in partnership to facilitate moves, via the adopted allocation scheme, to more suitable accommodation where tenants' circumstances change and their current home is too large or too small to meet their needs.**

## **Properties with Adaptations**

### **Background Information**

- 7.17 It is important that properties with adaptations are used appropriately due to the limited resources available to meet a growing need for adapted properties. Many of the authorities in Worcestershire have a significant number of older people living in their locality and this figure is projected to increase. It is therefore important to ensure that if the circumstances or needs of a tenant with an adapted property change, meaning that they

no longer require a property with an adaptation then the RP will proactively work with the tenant if it is appropriate to do so, to enable the tenant to be moved to a more suitable property. The adapted property should then be allocated to someone requiring such an adaptation.

7.18 The Home Choice Plus Allocation Policy awards priority to households occupying an adapted property and wishing to move to a more suitable property.

### **Wychavon DC Additional Principles**

- **WDC expects that where Registered Providers offer fixed term tenancies within their stock, WDC expects them to offer fixed term tenancies to new tenants who will be occupying properties with adaptations to enable these tenancies to be managed more flexibly to ensure this valuable resource is better utilised to meet the needs of disabled people. Where on review of the tenancy an adapted property is no longer required by the disabled person or no longer meets the long term needs of the disabled person/ household it is expected that the tenancy will be ended and that the tenant and their household will be moved to more suitable accommodation to meet their needs.**

## **Affordable Rent**

### **Background Information**

7.19 The new tenure of affordable rent was introduced in 2010 following the Comprehensive Spending Review and enables RPs who have entered into a contract with the Homes and Communities Agency to charge rents of up to 80% of market rent levels on all new build properties funded through the 2011-15 HCA programme. These RPs may also convert a proportion of their existing properties to affordable rent.

7.20 RPs not in receipt of HCA development funding must continue to let properties at social rent levels. RPs in receipt of funding will also be able to continue charging social rent on existing properties if they choose to.



- 7.21 Existing tenants remaining in the same home will not be affected by this change. However, they may be affected if they transfer to a new home.
- 7.22 Tenants who are offered properties at affordable rent levels will continue to be eligible for Housing Benefit.
- 7.23 Existing allocation and nomination arrangements will continue, with properties offered at affordable rent being advertised and let through existing schemes, e.g. choice based lettings schemes.
- 7.24 The Worcestershire district councils expect RPs to take into consideration the affordability calculations included in the Worcestershire Strategic Housing Market Assessment (tables included in section 4 of this document) and the specific demographics of its operating area in determining the rent levels to set and the proportion of its existing stock that it will convert to affordable rent. RPs should also take into account the availability of affordable and market accommodation in specific areas and the need to ensure sustainable communities in determining rent levels – e.g. some rural areas may have very limited affordable housing stock and introducing affordable rent in these areas may make the stock unaffordable to the majority of local people. Each local authority will specify its preferences for areas which should be excluded from the affordable rent model.

### **Wychavon DC Additional Principles**

- **WDC support the provision of the affordable rent tenure by Registered Providers within the district on condition that the increase in rental income being used to develop new affordable housing within the Wychavon district**
- **To ensure that the provision of the affordable rent tenure will meet some of the affordable housing need within the district, WDC expects the Registered Providers to ensure rents do not exceed the Local Housing Allowance levels for the area where the property is situated.**

- **WDC has some concerns that households on low incomes and not in receipt of housing benefit may struggle to afford these rent levels. The Government agenda means it is important that rent levels do not act as a barrier or disincentive to entering employment. Evidence shows that affordability relating to the affordable rent tenure is a particular issue within the district in larger homes e.g. 3 and 4 bed houses. WDC requires that, unless otherwise agreed with the Local Authority, affordable rents either as new build or through conversions will not exceed a third of the affordable housing stock overall within the district to support mixed and sustainable communities. Within this mix no more than a third of the stock of 4 bedroom houses or half of the stock of 3 bedroom houses, within the district, will at any point in time be the affordable rent tenure. Registered Providers are expected to ensure a balance between the market town and more rural areas of the district in terms of affordable rent tenure provision.**
- **WDC requires that all affordable rent properties will be advertised through the adopted allocations scheme and that the rent level will be clearly indicated on the advert. The Registered Provider will ensure at allocation stage that the prospective tenant understands the difference in rent level, any impacts of welfare reform and that it is affordable to them.**
- **WDC requires Registered Providers to provide regular monitoring information (at least twice a year) about the implementation of the affordable rent tenure within the district to include valuation information, rent levels and affordability issues (including where homes are costly to heat) as well as committing to working in partnership to mitigate against any impacts which may hinder people from sustaining the tenancy or accessing employment**

### **Section 106 developments**

- **There is still a significant need to develop social rented housing within the district and this will be further impacted by the number of conversions of social rent to affordable rent. The**

**Worcestershire SHMA has identified that in order to meet the backlog and emerging housing need, new development should deliver 82% rented (social rent and affordable rent) and 18% intermediate housing. WDC will therefore continue to seek social rent as part of a mix of affordable housing tenures on sites where affordable housing is secured through a Section 106 agreement.**

- **Where social rented properties are provided on sites where housing is secured through a Section 106 agreement, it will be expected that these properties will not be converted to affordable rent. This will be monitored through the adopted allocations scheme to ensure they are offered as the right tenure.**

## **Mobility in Social Housing**

### **Background Information**

7.26 The Localism Act promotes mobility in social housing. The Secretary of State and the regulator has been given the powers to give directions making it easier for tenants to change homes should their circumstances change. All RPs are obliged to participate in a mutual exchange scheme to allow tenants to move more easily.

## **Worcestershire Principles**

7.27 Worcestershire recognises the need for tenants to be able to move to be closer to work, family support within the partnership boundaries etc. and supports the Government's efforts to facilitate easier movement within the sector.

7.28 Applicants are able to apply to Home Choice Plus from anywhere within the United Kingdom. However, in order to ensure that Home Choice Plus meets the needs of the local community, reduced priority will be given to those applicants without a Local Connection to the relevant Local Authority.

7.29 Local connection will be assessed having regard to the definition of local connection contained in Section 199 Housing Act 1996.

7.30 The following factors as set out in s199 Housing Act 1996 will be taken into consideration in determining whether or not an applicant has a local connection with the Local Authority area. An application is awarded a local connection if an applicant or a member of their household included in their application:

- has lived in the relevant Local Authority area by choice for a certain time (usually for six months out of the last 12 months or for three years out of the last five years);
- has close family living in the relevant Local Authority area, who have been permanently resident for at least the previous five years;
- has permanent employment in the relevant Local Authority area
- has special circumstances that give rise to a local connection

7.31 In determining permanent employment the policy gives consideration to the Local Government Association guidelines which state that this is employment other than that of a casual nature.

7.32 For the purposes of determining Local Connection, living in the Local Authority area will not include the following:

- Occupation of a mobile home, caravan or motor caravan where it is not their only or principal home
- Occupation of a holiday letting (which includes a permanent building, hotel or bed and breakfast accommodation) for the purposes of a holiday.
- Resident of a HMP, Bail Hostel or other such accommodation.
- In-Patient of Hospitals/specialist centres

## **Wychavon DC Additional Principles**

- **WDC requires that Registered Providers will participate in a national mutual exchange scheme e.g. Homeswapper.**
- **WDC expects Registered Providers to publish a mutual exchange policy, setting out any conditions it may apply to tenants who wish to exchange.**
- **WDC expects Registered Providers to offer flexibility in allowing mutual exchanges particularly where this is in respect of households whom are overcrowded, under-occupying, in need of adapted property or a property suitable for adaptation or having affordability issues to ensure household needs are met in suitable accommodation and to facilitate better use of the housing stock.**
- **WDC require Registered Providers to explain clearly how tenants' rights may be affected by exchange into different tenancy types, including fixed term and introductory.**

## **Disposal of Stock**

### **Worcestershire Principles**

7.33 The Worcestershire Local Housing Authorities do not wish to see the disposal of housing stock. However, it is recognised that in certain circumstances this may be justifiable providing it allows for future investment within the individual local authority area in providing more appropriate housing. Agreement would have to be gained from the local authority for any disposal of stock in accordance with legislative requirements and stock transfer agreements. This would include any payment in respect of the disposals claw back agreement.

### **Wychevon DC Additional Principles**

- **WDC requires disposals of affordable housing stock to be kept to a minimum as there are high needs for this type of accommodation within the district. There are however sometimes justifiable reasons why a property should be disposed of either to another Registered Provider or on the market for part or full sale.**

- **WDC expects Registered Providers to have a disposal strategy clearly setting out how any disposal will benefit their organisation and the local authority area in which it operates.**
- **Where affordable housing is lost from within the district through sale, the receipt must be re-invested within the district unless an exception is agreed by the Head of Housing & Planning in consultation with the Executive Board member with responsibility for the Housing Service.**
- **WDC expects that disposal decisions should be taken at Registered Provider Board level or at a level delegated to by the Board**
- **WDC requires that requests for support for Registered Provider housing stock disposals should be sent to the Head of Housing & Planning Services along with the following information;**
  - **Address of property**
  - **Type and size of property**
  - **Standard of the property (including thermal efficiency)**
  - **Whether the property is currently tenanted and if so, how the current tenant will be assisted to find suitable alternative accommodation**
  - **Details of any former subsidy**
  - **The projected income from the disposal**
  - **How and where this income is proposed to be used within the district**

## **Local Lettings Plans**

### **Worcestershire Principles**

7.34 Local Lettings Plans are currently used across the county in order to facilitate community sustainability and good housing management. Local Lettings Plans may be used by RPs in some areas to set out how and why particular properties will be let at affordable rent levels or offered on a fixed term basis.

7.35 Local Lettings Plans should always be developed in partnership with the local housing authority.

## **Wychavon DC Additional Principles**

- **All Local Lettings Plans are required by WDC to be need based and to have clear and robust evidence to support this need. The plan will clearly set out what the Registered Provider is aiming to achieve in applying restrictions on allocations and how these restrictions will assist to meet these objectives.**
- **WDC expects Registered Providers to use the standard Local Lettings Plan template agreed with Registered Providers**
- **All Local Lettings Plans are to be negotiated between WDC and the Registered Provider and approval is to be confirmed by signature of both parties at a senior officer level.**
- **Each Local lettings Plan will set a review date at which time the Registered Provider will assess whether the objectives have been achieved and whether the plan should be extended or amended.**
- **All Local Lettings Plans are to be published both by the Registered Provider and by WDC on the adopted allocation scheme website. Any advert which restricts allocations must make reference to the Local Lettings Plan in order that applicants are able to make informed choices regarding their bidding.**

## **8. Social Housing Allocations**

### **Worcestershire Principles**

8.1 All the Worcestershire district councils operate choice based lettings (CBL) schemes to determine how priority should be awarded in the allocation of social housing. Redditch Borough Council operates its own CBL scheme called Home Choice, while the 5 remaining Worcestershire district councils (along with Stratford on Avon District Council) operate a sub-regional CBL scheme called Home Choice Plus.

8.2 The Government has produced statutory guidance on social housing allocations for local authorities in England. This new guidance is intended

to assist authorities to take advantage of the provisions in the Localism Act 2011 by:

- Giving local authorities the freedom to manage their own waiting lists, including allowing them to restrict access to waiting lists
- Making it easier for existing social tenants to move to more suitable accommodation
- Encouraging local authorities to make use of the existing flexibilities within the allocation legislation to ensure that social homes go to people who need and deserve them the most, e.g. introducing priority for economically active households and those who contribute to their local community
- Ensuring that former Service men and women who have urgent housing needs are given 'additional preference' (i.e. high priority) for social housing

8.3 The 5 Worcestershire district council partners of the Home Choice Plus scheme have recently completed a review of the housing allocations policy, which has already taken advantage of flexibilities in terms of restricting priority. However, a further review is currently being undertaken to consider what further changes, if any, are needed. Redditch Borough Council's Home Choice scheme is also being reviewed in line with the new government guidance.

## **9. Use of Private Rented Sector Tenancies**

### **Background Information**

9.1 Local Authorities will be able to discharge their duty to homeless households with an offer of suitable accommodation in the private rented sector provided the tenancy is for a minimum of one year and is suitable for the household. The government will be developing new guidance on assessing suitability to accompany this new power.

### **Worcestershire Principles**



9.2 The private rented sector in the county is complex and differs in availability and affordability between the districts. Market research undertaken as part of the Worcestershire SHMA 2012 highlighted a countywide trend of a lettings market restricted by the lack of available property due to both the withdrawal of the buy to let investor from the market and the growing trend for people to remain within their rental property for increasing amounts of time. In particular agents have noted a lack of 2/3 bed houses, which linked to affordability issues and the nature of the households seeking property are the most popular property type.

9.3 This market research further identified the following district-specific trends:

#### Worcester City

9.4 Within Worcester the University of Worcester has changed the private rental market in recent years with increased demand from buy to let landlords which seek to cater for the student market. Overall across Worcester the lettings market is performing well with increasing demand. The absence of available supply was noted as being further compounded by the declining numbers of forced landlords who are beginning to move their property on to the sales market. The market remains very price sensitive and rental levels are a determining factor in whether a property is let.

#### Malvern Hills

9.5 In Malvern Hills the rental market in the area was coming under increasing pressure not only from first time buyers priced out of the market in the authority but also from an increasing number of households relocating into the authority. Rental demand for houses is particular strong and is likely to reflect a desire for couples and families to settle in the area but who are waiting until prices re-align themselves and for the sale market to provide greater choice. There is a need throughout the district for more rental properties as demand continues to outstrip supply.

#### Bromsgrove

9.6 Within Bromsgrove the lettings market remains buoyant with 3 bedroom houses with gardens being in particular demand. Flats are less popular and there is a high turnover rate associated with this property type. There

is high demand throughout Bromsgrove and areas close to transport hubs are always popular.

#### Wychavon

9.7 The market in Wychavon should be considered in terms of the individual settlements, given the geographical distance between them and the different market links with adjacent areas. The lettings market has slowed down in Droitwich over the last 12 months but rents have remained stable. In Evesham, the supply of rental properties has started to grow as a result of investors purchasing competitively priced properties. Within Pershore the lettings market is performing well, with all property types in demand.

#### Wyre Forest

9.8 In Wyre Forest there is a high demand for rental properties in Kidderminster in particular but overall rental transactions are relatively low, although demand is considered likely to pick up as a result of pressures not only from would be first time buyers in the authority but those looking to settle in the area and commute to the larger urban areas.

9.9 All the Worcestershire district councils offer some form of private rental sector (PRS) access scheme to facilitate households to enter this tenure and reduce the demand on social housing. There are also various schemes offered by partner and voluntary agencies across Worcestershire, providing PRS access services to specific client groups such as single homeless people and ex-offenders. The district councils are all planning to extend their PRS access schemes in the future and see this sector as offering a suitable alternative tenure for those households who would traditionally have entered social housing. The use of the private rented sector will, however, be determined by the local market.

### **Wychavon DC Additional Principles**

- **WDC is committed to build on the success of its rent deposit / bond schemes to improve supply of accessible, affordable private rented accommodation within the district for households in housing need on the housing register.**

- **WDC has to this end launched `Wych Move` broadening activity in addition to the rent deposit / bond schemes to include proactive property search, tenant matching, assisted sign-up and on-going Landlord / tenant support.**
- **Work undertaken by WDC is complimented by work of the voluntary sector within Worcestershire to assist people with substance misuse, ex-offenders and singles/couples to access private rented accommodation.**
- **WDC is exploring further development of `Wych Move` with partner RPs with a view to introducing tenancy management into the options provided through the scheme and to investigate the option of creating a Social Lettings Agency. WDC seek the co-operation of RP's to enable this area of property supply to be further developed.**
- **WDC regulates the licensing of Houses in Multiple Occupation as defined in the Housing Act 2004 and licenses are granted to properties achieving the required standards.**
- **WDC is also preparing for the new regulation which will enable discharge of the full homeless duty through the offer of suitable and affordable privately rented accommodation. WDC seeks the co-operation of partner Registered Providers to enable this to be developed further.**
- **Any use of the private rented sector will involve a rigorous assessment of suitability and affordability.**
- **Any duty to discharge a homeless duty will be subject to the normal homeless appeal process. The use of the new power will be monitored to ensure private rented tenancies can be sustained over the medium to long term and do not result in repeat homelessness.**
- **All properties let through the `Wych Move` scheme must comply with the property standard requirements under the Housing, Health & Safety Rating Standard as set out in the Housing Act 2004. Where possible rents will be charged at or below the Local Housing Allowance levels. However, where rents charged exceed**

**the local housing allowance WDC will assess and must be satisfied that the property is affordable for the tenants when they sign up and that any top up payment is reasonable.**

**10. Governance**

- 10.1 The Worcestershire Strategic Tenancy Framework and Principles will be reviewed annually by the Worcestershire Strategic Housing Officers' Group (WSHOG) to ensure that it remains consistent with the relevant allocations policy and the current Homelessness Strategy.
- 10.2 Each District Council will publish its own consultation process. Relevant stakeholders will be included in this consultation process and their feedback will be used to develop a final Tenancy Strategy for approval by each District Council.
- 10.3 Registered Providers are responsible for publishing their individual tenancy policies, enabling local communities to understand clearly how these landlords are responding to local needs and priorities.