

Buckinghamshire Tenancy Strategy

January 2013

Produced by the Bucks Tenancy Strategy
Partnership involving consultation with local
Registered Providers



1. Aims and Purpose of the Buckinghamshire Tenancy Strategy

- 1.1. Local authorities are required to produce a tenancy strategy. The contents of the tenancy strategy are set out in the Localism Act 2011¹. This draft Strategy has been written in partnership by all the district councils within the county of Buckinghamshire, a group which for the purposes of this document will be referred to as the Partnership. The four councils in the Partnership are Aylesbury Vale District Council, Chiltern District Council, South Bucks District Council and Wycombe District Council.
- 1.2. The four district councils in Bucks already work closely together on housing issues, sharing a Common Allocations Policy² and a Choice Based Lettings System called Bucks Home Choice (BHC). This Partnership considered it appropriate to co-operate on a Tenancy Strategy; tying this in with the on-going development of Bucks Home Choice and conversations with local Registered Providers (RPs).
- 1.3. This Strategy outlines what the Partnership expects from RPs in terms of the development of affordable housing³, tenancies, rents and allocations in the county. The Strategy has been written with regard to the following Housing Strategies:
- AVDC: Housing and Homelessness Strategy 2008-2013
 - CDC: Strategic Housing Framework 2012/13 and the Homelessness Strategy
 - SBDC: Homelessness Strategy 2008-13
 - WDC: Housing Strategy 2009-2014
- 1.4. This is a statutory document to which RPs are to have regard when formulating tenancy policies.
- 1.5. The Partnership believes that the district councils are well placed to provide information on the housing needs of the county and that if RPs apply the principles of this Strategy, it should enable the changes to be introduced consistently throughout Buckinghamshire.
- 1.6. The Partnership expects:
- a) a proportion of affordable housing (both new build and re-lets) to be let as social rented housing (in accordance with the definition set down

¹ The following link is to the 'Tenancy strategies' section of the Localism Act:
<http://www.legislation.gov.uk/ukpga/2011/20/part7/chapter2/crossheading/tenancy-strategies/enacted>

² A copy of the Bucks Home Choice Allocations Policy can be found at:
<http://www.buckshomechoice.gov.uk/uploads/CBLAllocationPolicy01Jan11.pdf>

³ As defined on page 50 of the National Planning Policy Framework:
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

in the National Planning Policy Framework⁴), and expects RPs to have due regard to the Homes and Communities Agency guidelines in respect of relets.

- b) the use of one year “introductory tenancies” for all new lets, and;
- c) a minimum of a five year tenancy term being offered following the introductory period, where fixed-term tenancies are utilised (unless there are exceptional circumstances and excluding circumstances where lifetime tenancies may be considered to be appropriate).

2. Partnership preferences: Tenancies

2.1 The Partnership expects that RPs issue tenancies compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of housing stock. In particular, it expects that each RP that is developing and letting accommodation in Buckinghamshire will:

- a) Publish a clear and transparent Tenancy Policy⁵ (including details of when fixed-term tenancies will be utilised and the circumstances in which they will and will not be renewed) and make this available on request to the district councils and prospective tenants.
- b) Issue a one year starter/introductory tenancy for all new tenancies (unless a lifetime tenancy is granted).
- c) Issue a fixed-term tenancy for a minimum tenancy term of five years following the end of the starter/introductory tenancy (unless the RP chooses not to grant a further tenancy because the tenant has breached the terms of the starter/introductory tenancy).
- d) Consider lifetime tenancies where appropriate.
- e) Renew a fixed-term tenancy at the end of the tenancy term if:
 - there have been no significant changes to the circumstances of the household, and
 - there have been no major breaches of the tenancy agreement.

(This approach will have the benefit of:

- providing the RP with a reliable income,
- providing more security for the tenants,
- helping to prevent homelessness, and
- allowing for the best use of stock).

- f) Assist households who have not had their tenancy renewed and are still in housing need to secure a transfer or exchange into more

⁴ See page 50 of the Policy Framework document:
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

⁵ Contact the respective RP for a copy of their tenancy policy

suitable replacement accommodation on a fixed-term tenancy (e.g. support a household whose children have moved on to secure a move to smaller accommodation).

- g) Ensure that the tenant and the relevant district council are given at least six months' notice of the expiry of the tenant's fixed-term tenancy (in the event of the RP deciding that the tenancy will not be renewed) and work with the tenant and district council to provide the necessary advice and assistance to prevent the tenant becoming homeless on the expiry of the notice.
- h) Include in their Tenancy Policy - managing successions and assignments that has due regard to legal requirements and which focuses on securing an outcome that secures the best use of accommodation and prevents homelessness.
- i) Consult with the relevant district council on any proposed disposals or tenure changes within its stock and, seeking agreement, ensure that any disposals have due regard to the terms of any relevant planning agreements and that all proceeds are re-invested in the district concerned where possible.
- j) Provide full information on fixed-term tenancies so that they can be clearly advertised on the countywide allocation system, which is currently Bucks Home Choice. More information on the preferences for the allocation of new tenancies is outlined in section 4.

2.2 The expectations set down in paragraph 2.1 apply to tenancies that are being let at Social Rent or Affordable Rent levels.

3. Partnership preferences: Development and Affordable Rent

3.1 Affordable Rent properties will be coming through the development pipeline and the Partnership welcomes the potential for the new revenue stream to be reinvested into the development of new affordable homes in Buckinghamshire.

3.2 The preferences that each individual district has towards the development of new Affordable Rent properties is linked to the individual affordable housing policy advice contained within the Supplementary Planning Document (SPD) of each district. Each district's SPD outlines the development that the district council would like to see in the area and should be considered before the preferences outlined in this Strategy.

3.3 Whilst the districts are expecting to see the development of Affordable Rent properties, the continued provision of new Social Rent homes on sites where viability allows it is also expected.

Each individual district will have different preferences, both on the amount of development and the amount of Social Rented units (if any) that it would prefer to see on a given site. Therefore, it is recommended that RPs and developers approach the appropriate district as soon as possible to discuss affordable housing and the types of tenure on their sites.

4. Partnership Preferences: Allocation of Tenancies

4.1 The Partnership expects the districts to retain nomination rights on new and existing properties, irrespective of rent levels. The expectations of the Partnership in terms of the allocation of new rents and tenures are outlined below:

- a) Properties will be let in line with existing nominations agreements between the RP and the relevant district council.
- b) Conversions of re-lets from Social Rent to Affordable Rent will be in line with HCA contractual terms.
- c) Affordable Rent properties will be advertised and allocated through the countywide allocations system (currently BHC).
- d) The rent (Social or Affordable) will be clearly advertised to applicants.
- e) The terms of fixed-term tenancies will be clearly advertised on the allocations system, so that applicants on the housing register understand the type of tenancy that they are applying for and how long the tenancy will last.
- f) Any lifetime tenancies will be clearly advertised on the allocations system.

4.2 The Partnership also expects all new and existing properties to be allocated in line with the rules of each individual districts' allocations policy (which is currently the countywide Bucks Home Choice) and the relevant nominations agreement.

Appendix: Definitions/glossary

Affordable housing	Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market.
Affordable Rent	Rent charged at no more than 80% of the local market rent (including service charges, where applicable).
Choice Based Lettings	Advertising vacant properties and giving applicants the opportunity to express an interest in them. www.buckshomechoice.gov.uk
Fixed-term tenancy	Applies to tenancies offered for a specific period of time rather than traditional “lifetime tenancies”.
Homes and Communities Agency (HCA)	The national housing investment agency.
Lifetime tenancy	A tenancy granted by an RP that is not subject to a fixed-term and can only be brought to an end by either: (i) the tenant voluntarily ending the tenancy; or (ii) the provider securing a possession order from the Court due to a breach of tenancy conditions.
Registered Provider (RP)	An organisation registered with the HCA. Some RPs were previously referred to housing associations or Registered Social Landlords.
Social Rent	Guideline target rents that are determined through the national rent regime.
Tenancy policy	The Localism Act requires RPs to produce a Tenancy Policy, covering the following:

	<p>§ Type of tenancies granted</p> <p>§ The circumstances in which we will do so</p> <p>§ The length of tenancy terms</p> <p>§ The circumstances in which a further tenancy will be granted.</p>
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