



West
Northamptonshire
Council

Tenancy Strategy

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1. Introduction

The Localism Act created a statutory requirement for all Local Authorities to develop a Tenancy Strategy. West Northamptonshire's Tenancy Strategy sets out the way the Council and social housing providers that own and / or manage properties in the local authority area, are expected to consider when developing or reviewing their own tenancies policies.

The Tenancy Strategy was also developed to support a wider set of Council strategies and deliver against the priorities in the Council's Corporate Plan. The corporate vision states:

Our vision is to make West Northants a great place to live, work, visit and thrive, a place:

- ✓ where there is opportunity for all – where children are given the best start in life and vulnerable children are supported and protected. A place where all young people grow up qualified and inspired to succeed
- ✓ where people are proud to live, with strong sustainable communities, decent homes, a fulfilling job, and stress free travel through well connected places
- ✓ where people are supported to live independent, self-sufficient lives and where everyone has the best life chances
- ✓ where services are joined up and if you need a helping hand you'll get it
- ✓ with a thriving and prosperous economy that draws in investment, visitors and talent
- ✓ where we have modern towns but where rural character is cherished
- ✓ at the forefront of action on climate change with clean air, sustainable growth and a flourishing natural environment.

The Tenancy Strategy brings together the strategic vision of West Northamptonshire Council and will replace the former legacy council's tenancy strategies that were in place.

Although Registered Providers are not under a legal or regulatory obligation to conform to this Tenancy Strategy, it is expected that they review their own tenancy policies in light of this strategy to ensure that, wherever possible, their policies work to complement, and do not contradict it.

2. The Legal and Regulatory Context

Section 150 of the Localism Act 2011 places a duty on every local housing authority to publish a Tenancy Strategy. All registered providers of social housing should then have regard to this Tenancy Strategy in framing their own tenancy policies in relation to:

- The kind of tenancies they grant
- The circumstances in which they grant different kinds of tenancies
- The length of time a tenancy will be granted for
- How tenancies will be managed towards the end including the offer of a new tenancy

The Tenancy Strategy will also support social housing providers in delivering the Regulator of Social Housing's Tenancy Standard and requirement for a tenancy policy that sets out specific expectations how they should outline their approach to tenancy management.

Other legislations considered in the development of this Tenancy Strategy include:

- Housing and Regeneration Act 2008
- The Housing Act 1980; 1988
- Anti-Social Behaviour Act 2013
- The Housing Act 1996

- Welfare Reform Act 2012
- Homelessness Act 2002
- The Homelessness Reduction Act 2017
- The Housing and Planning Act 2016
- Secure Tenancies (Victims of Domestic Abuse) Act 2018
- Domestic Abuse Act 2021
- The Equality Act 2010
- Social Housing Regulations Act (2023)

3. Local Consideration

West Northamptonshire experiences significant levels of housing need and demand is high for all types of housing. The Council and registered providers own around 28,000 social housing stock. At the end of March 2024, there were 4931 live housing applications on the housing register. The Council have implemented a new Housing Allocation Scheme, and two key aims are to “achieve an appropriate balance of choice against the shortfall of social housing, and ensuring we help those in greatest housing need” and “contribute to the development of mixed and sustainable communities.”

The pressure on housing supply coincides with increasing levels of homelessness and demand for temporary accommodation across West Northamptonshire. The Council’s Homelessness and Rough Sleeping Strategy has four key themes focussing on:

Theme 1: Improve collaborative partnerships to make homelessness everyone’s business.

Theme 2: Early identification, intervention and prevention of homelessness

Theme 3: Increase provision and access to suitable and sustainable settled housing solutions

Theme 4: Ensure that where rough sleeping occurs, it is rare, brief and non-recurring.

In formulating this tenancy strategy, the Council has further considered:

- **West Northamptonshire Council’s Corporate Plan:** The collective vision for making West Northants a great place to live.
- **West Northamptonshire Council’s Housing Allocations Scheme:** Sets out how social and affordable housing goes to those who need it the most.
- **West Northamptonshire Council’s Housing Strategy 2022-2025:** Sets out the main housing related issues and how to deliver the key themes and objectives.
- **West Northamptonshire Council’s Homelessness and Rough Sleeping Strategy 2024 – 2029:** Sets out the vision for tackling homelessness and rough sleeping over the next 5 years.
- **Integrated Care Northamptonshire Strategy 2023-2033:** Developed together by NHS providers, local councils, voluntary and community organisations and other partners, with a focus on enabling residents to benefit from equitable opportunities to live their best life, whoever they are and wherever they live in the county.
- **West Northamptonshire Council’s Domestic Abuse Strategy 2021-2025:** Sets out the strategic priorities and plans to tackle domestic abuse.
- **West Northamptonshire Council’s Anti-Poverty Strategy 2021-2025:** Sets out how the Council will work with partners to support people struggling financially, what to do to stop people falling into poverty and how to work to influence the Government and other national organisations to get the best deal for the people of West Northants.

4. Objectives

The strategy recognises that social housing plays an important role in providing affordable housing to meet local needs and contributing to safe and sustainable communities that enable residents to prosper.

The strategy will set out the Council's view on the use and issue of tenancy arrangements, in order to support a consistent approach to the types of social rented housing tenancies issued across all social housing providers operating within the West Northants area.

The Tenancy strategy will contribute to the 4 key themes from West Northamptonshire Council's Housing Strategy 2022-25:

- Deliver homes people need and can afford
- Improve the quality, standard and safety of homes and housing services
- Support residents to live healthy, safe, independent and active lives
- Support thriving and sustainable communities

The Tenancy Strategy seeks to support the key actions highlighted in the above themes:

Objective 1: Work with partners to deliver more social rent and genuine affordable housing

The increasing cost of housing across West Northamptonshire has contributed to the need for more affordable housing. The West Northamptonshire Anti-Poverty Strategy highlighted how high living costs along with rising rent and house prices had caused people to live in poverty.

Rising costs means Affordable Rent levels (set at 80% of market rent values) may be unsustainable for low-income families, homeless households or applicants on the Council's Housing Register. To ensure genuine affordable housing, the Tenancy Strategy seeks to encourage the delivery of Social Rent in relation to new housing provision.

Objective 2: Make best use of our affordable housing stock

The Council's Housing Allocation Scheme aims to make best use of what is a scarce resource and ensuring social housing is available for those who need it the most.

The tenancy strategy recognises that there is a balance to be struck between generating greater availability of social housing for those in need and to maintain stable communities. It would not be desirable to allow a high proportion of fixed-term tenancies in any area if this risk creating an excessive turnover of properties and hence, instability within communities.

The tenancy strategy seeks to balance these different needs and would support the limited use of fixed term tenancies in special circumstances.

Objective 3: Tackle homelessness and rough sleeping

Alongside West Northamptonshire's Homelessness and Rough Sleeping Strategy, the Council is committed to the prevention of homelessness. The Tenancy Strategy supports the approach that residents remain in their existing home wherever possible, provided that their needs are met, and they wish to stay there.

The termination of any tenancy should not lead to increases in levels of homelessness in the area. If a tenancy is at risk or due to end, residents should be supported to avoid homelessness. Early identification, intervention and prevention of homelessness are key factors that define the Tenancy Strategy.

Objective 4: Support thriving local economies and communities by linking local employment with suitable housing opportunities.

The Council recognises the importance of stability for individuals and their families and for the wider community and local economy. The Tenancy Strategy makes clear that the Council is committed to creating and maintaining sustainable communities by promoting greater security of tenure.

To encourage stability in social housing will enable people to feel part of their community and bring a sense of neighbourhood and shared responsibility. Greater security of tenure will provide residents with the foundation to settle and connect to suitable employment opportunities.

5. The Tenancy Strategy and Delivering our Objectives

The Council's first preference is for new tenants to be offered introductory or starter tenancies and following its successful completion to convert to lifetime tenancies, with the option of using fixed term tenancies only in exceptional circumstances.

This approach will support the Council in achieving the vision, aims and objectives of its key strategies and to provide the best environment for families to thrive and become part of a sustainable community. The use of fixed term or flexible tenancies should only be used in exceptional circumstances, to enable a degree of flexibility to respond to changing environments and demands.

The Council encourages all landlords operating across West Northamptonshire to offer the longest and the most secure tenancy possible.

There are several different types of tenancies which are outlined below, along with the Council's view on each one in order to deliver the objectives of this strategy:

5.1 Introductory Tenancy or Starter Tenancy

New council tenants are normally offered an introductory tenancy and usually lasts for 12 months. An equivalent scheme for registered providers is the use of a starter tenancy. After the 12-month period, the tenancy will automatically become secure or assured unless the Council or registered provider decides to evict or extend the introductory or starter tenancy for another six months. Tenants are entitled to almost all rights as others but there are certain limits and less security, for example, eviction can be carried out more quickly.

The Council support the use of Introductory or Starter tenancies for new tenants. These tenancies offer new tenants the opportunity to demonstrate their ability to successfully manage their tenancy obligations.

In most cases, the Council will offer introductory tenancies for all new tenants. Where the tenant has met the conditions of their introductory tenancy at the end of the period, they should be immediately issued with a secure tenancy.

The Council expect that tenants will be provided with support to enable them to conduct their introductory tenancy successfully.

Where an introductory tenancy isn't used, registered providers should offer appropriate support to assist with establishing and sustaining the tenancy.

5.2 Secure or Assured Tenancy

Known as lifetime tenancies, these tenancy types allow the tenant, subject to compliance with their tenancy conditions, to remain in their home for as long as they wish.

The Council's first preference is introductory to lifetime tenancies with the option of using fixed (flexible) term tenancies in exceptional circumstances.

We encourage registered providers to use the most secure form of tenancy available to them wherever possible in order to create settled homes for families to live in.

This approach will support the Council in achieving its corporate vision and provide the best environment for families to thrive and become part of a sustainable community.

The use of fixed term tenancies should only be in exceptional circumstances which will be intended to enable a degree of flexibility to respond to changing environments and needs.

5.3 Demoted Tenancy

The Anti-social Behaviour Act 2003 introduced a power for local authorities and Registered Providers to apply to demote a tenancy. A secure, flexible or assured tenancy can be demoted when the tenant or visitor engages in repeated anti-social behaviour. A demoted tenancy provides less rights for tenants, to what is similar to an introductory or starter tenancy.

Demoted tenancies will support the Council's homelessness prevention perspective. However, the use of demoted tenancies should be carefully assessed and only used in appropriate circumstances where other options have been explored without success.

Registered providers and the Council should have robust support systems in place to help tenants address any issues before any decision to demote is made.

5.4 Flexible Tenancy or Fixed Term Assured Shorthold Tenancy

A flexible tenancy is for a fixed period of time. When the fixed period comes to an end, the Council or registered partner may decide to renew it or terminate it. An equivalent scheme for registered providers is a fixed term assured shorthold tenancy.

Whilst being committed to the use of lifetime tenancies, the Council recognise that there may be exceptional circumstances where fixed term tenancies may be appropriate. This may include:

- To protect specific social stock. For example, a significant shortage of a particular property in comparison to demand, such as specially adapted properties (unless the person's condition will last their lifetime).
- To support a Local Lettings Plan that would bring benefits to the community or geographical area.
- To support funding opportunities such government grants. For example, where grant conditions mean the use of a fixed term tenancy would offer the best use of stock.

Where fixed term tenancies are used, the Council and registered providers will conform to the Tenancy Standard by the Regulator of Social Housing and publish clear and accessible policies which outline their approach to the tenure being offered.

The Council concur with Tenancy Standard and would encourage the following approach where fixed term tenancies are offered:

5.4.1 Tenancy length

The Council is keen to encourage security and stability in social housing to allow people to feel part of their community. The minimum length of five years will help to achieve this. However, in exceptional circumstances, a minimum of two-year fixed term can be offered. The types of exceptional circumstance in which landlords will seek to operate tenancies of less than five years should be clearly stated within the tenancy policies.

5.4.2 Tenancy Review

There should be a clear and transparent tenancy review process which is understood by the tenant at the time of tenancy sign up.

The Council would like to see tenancy reviews carried out 12 months before the end of the tenancy term, but no later than 6 months, in order to prevent homelessness.

5.4.3 Tenancy Renewal

The Council expects fixed term tenancies to be renewed at the end of the fixed term, other than in exceptional circumstances.

It is preferred that the Council and registered providers do not to base decisions on whether to renew tenancies on grounds of breach of tenancy conditions, as there are other tools available to tackle such issues.

Furthermore, the council would not be supportive of decisions made not to renew a tenancy on the basis that the tenant had gained work or otherwise improved their earned income. Residents should be not be disincentivised from bettering their circumstances. Providing settled homes to meet the needs of residents and their employment will better support the local economy.

The decision to not renew should consider the impact on:

- The prevention and alleviation of homelessness
- The sustainability of the community
- The efficient use of housing stock
- Obligations regarding children in need
- Health, safety, and wellbeing

Where a tenancy is not to be renewed, it is expected that the Council and registered providers will provide advice and support to the tenant in finding suitable alternative accommodation. Where such residents continue to qualify for the Housing Register, residents should be offered suitable alternative accommodation in an area of their preference.

It is required that the Council and all registered providers offering flexible fixed term tenancies, to ensure a robust appeal process is in place for those tenants where a termination notice has been served, and the tenant is advised to seek independent legal advice as needed.

5.5 Non-Secure Tenancy and Licenses

Whilst being committed to the use of secure and assured tenancies, the Council recognise that non-secure tenancies and licenses may be appropriate in some circumstances:

- The provision of temporary accommodation provided under homelessness legislation
- Gypsy and Traveller pitch licenses
- Government funded programmes where conditions require a specific tenancy

6. Victims of Domestic Abuse

There are no circumstances where a fixed term tenancy can be granted to a lifetime tenant if they or a member of their household has been a victim of domestic abuse and the new tenancy is granted in connection with that abuse. This is in accordance with the Secure Tenancies (Victims of Domestic Abuse) Act 2018.

7. Social Landlord Policies

The Social Housing (Regulation) Act 2023 introduced a new approach to the regulation of social housing providers, including the revised consumer standards. There are 4 revised consumer standards that social housing providers must adhere to:

- Safety and quality standard
- Neighbourhood and community standard
- Tenancy standard
- Transparency, Influence and Accountability Standard

Registered providers should develop their tenancy policies in line with the relevant legislation and regulator's expectations as set out in the above standards

The Tenancy Strategy has strong regard to the Council's Homelessness and Rough Sleeping Strategy and Housing Allocation Scheme and will help registered providers move towards aligning their tenancy policies with that of the Council's strategic functions to meet the local housing need. All registered providers are strongly encouraged to consult with the Council on their proposed tenancy policies before these are adopted and issued to support these strategic elements.

8. Complaints

The Social Housing (Regulation) Act 2023 gave new powers to the Housing Ombudsman which issued a new Complaint Handling Code setting out requirements for housing providers to respond to complaints effectively and fairly.

Details of the complaint and appeals process should be outlined in the Council and registered providers' tenancy policy to effectively meet the Complaint Handling Code and the Transparency, Influence and Accountability Standard.

9. Social and Affordable Rent

The Council encourages Social Rent as a default position for new homes to help tackle poverty and improve accessibility for households on the Housing Register.

It is acknowledged that Affordable Rent may still be necessary to support investment in building more affordable homes and contribute to the development of mixed communities to meet a wide range of needs. Where Affordable Rent is used, it is recommended that it does not exceed the Local Housing Allowance (LHA). Where Affordable Rents are set above LHA rates, this could result in those who are in receipt of low incomes, becoming reliant upon Universal Credit or Discretionary Housing Payments (DHPs) and still not have the ability to bridge the gap of the shortfall between income and rent. The Council expect registered providers to consider the level at which LHA are set when deciding their rent.

10. Succession

The Localism Act 2011 altered the law regarding succession by providing different rules dependant on the start date of the tenancy.

The Council and registered providers should include in their tenancy policy, a position on 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, prevents homelessness, and considers the needs of vulnerable household members.

11. Tenancy Sustainment

A key theme of the West Northants Homelessness and Rough Sleeping Strategy is 'Early identification, join-up intervention and prevention of homelessness'. Tenancy sustainment is a crucial to helping achieve this and can be accomplished with effective tenancy management by good intervention, sustainment, and support practices.

It is expected that the Council and registered providers support tenants to sustain their tenancies, taking early action to address any concerns which could put their tenancy at risk. Particular attention should be given to vulnerable groups, such as care leavers, to enable sustainment of first-time tenancies and preventing potential homelessness. Evictions should be sought only as a last resort once all other avenues have been exhausted without success.

12. Local Lettings Plan

Local lettings Plans continue to inform the letting of homes on new developments; particularly on larger sites where it especially important to ensure the creation of successful mixed and sustainable communities.

These local lettings policies apply a set of specific objectives or intents to a specific property, properties or to a specific type of development, where the qualification and priority criteria may be varied, and subsequently the tenures may be affected.

13. Review

The tenancy strategy will be reviewed periodically and adjusted as required to take into account of the following:

- Updates to the Council's relevant housing policies and strategies
- Good practice developments
- Legislations or regulations to which it must follow

14. Equality Impact

An Equality Screening Assessment was completed on this strategy to ensure that equality and diversity have been fully recognised.

The Council expect that all registered providers will undertake an equality impact assessment or equivalent, of their own tenancy policies to identify groups who may be disadvantaged by its implementation.

If any are identified, it is expected that steps are taken to demonstrate how these disadvantages will be mitigated for the affected group(s).

15. Consultation

The Localism Act 2011 requires the Council to:

- Send a copy of the draft strategy, or proposed modification, to every private registered provider of social housing for its district.
- Give the private registered provider a reasonable opportunity to comment on those proposals.
- Consult such other persons as the Secretary of State may by regulations prescribe. The authority must, in preparing or modifying a tenancy strategy, have regard to its current allocation scheme under section 166A of the Housing Act 1996, & (b) its current homelessness strategy under section 1 of the Homelessness Act 2002.

This draft Tenancy Strategy will be shared with registered providers operating within West Northamptonshire and the public. The period of consultation will be for 6 weeks in which comments from all will be invited upon.

16. Glossary of terms

Term	Definition
Adapted properties	Adjustments made to a property to assist a disabled member of the household access the property or facilities
Affordable Rent	Rented housing let by registered providers of housing to households who are eligible. Affordable Rent is not subject to the national rent regime but is subject to other rent controls that require a rent of no more than 80 per cent of the local private rented market rent.
Allocation Scheme	This is how housing is allocated in the West Northamptonshire Council area. It prioritises applicants by using a banding system.
Care Leaver	An adult who has spent time living in the care system, away from their family
Domestic Abuse	An incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence, in the majority of cases by a partner or ex-partner, but also by a family member or carer.
Fixed Term Tenancy	A type of tenancy granted by Registered providers that are for a fixed length of time.
Flexible Tenancy	Flexible tenancy lasts for a fixed period of time
Housing Register	A list of customers requesting social housing who are eligible for assistance in accordance with the Local Authority's Allocation Scheme.
Introductory Tenancy	An introductory tenancy is a trial period before you become a secure tenant. Introductory tenants have fewer rights than secure tenants, and their tenancies can be ended more easily if they break their tenancy conditions.
Local Authority	West Northamptonshire Council
Local Lettings Scheme	Local Lettings Schemes can be agreed in exceptional circumstances for the allocation and letting of social housing within an agreed community and or location or across a type of property. A Local Lettings Plan would only be agreed in consultation with the Local Authority and partners and aims to bring benefits to the area e.g., to create more balanced sustainable communities.
Registered Providers	A housing association or a not-for-profit company registered with Homes England to provide social or affordable housing.
Secure Tenant	As a secure tenant, you can normally live in the property for the rest of your life, as long as you do not break the conditions of the tenancy.

Term	Definition
Social Housing/Landlords	Includes social rented and affordable rented housing owned by the Local Authority or Registered Providers
Social Rent	Low-cost rent that is set by a government formula. This means it is significantly lower than the rent a tenant would pay in the normal market.
Succession	Succession happens when someone inherits a tenancy after the original tenant dies.
Tenancy	The temporary possession or occupancy of property that belongs to another person (landlord)
Tenancy sustainment	The prevention of tenancy breakdown or a failed tenancy
Temporary Accommodation	This is accommodation offered to applicants under homeless legislation. It is not provided on a long-term basis.