

Response from Melton Borough Council

Section 10:

Summary of consultation questions

Question 1: As a landlord, do you anticipate making changes in light of the new tenancy flexibilities being proposed? If so, how would you expect to use these flexibilities? What sort of outcomes would you hope to achieve?

We already have introductory tenancies in place, so we see this as an extension to that. We do feel that given some of our local issues we would use this as an additional tool in resolving some of the issues around younger people without dependants and other non priority groups.

Question 2: When, as a landlord, might you begin to introduce changes?

We agree with the 2-5 years and would look to implement this to compliment changes to our allocation policy in 2012/13.

Question 3: As a local authority, how would you expect to develop and publish a local strategic policy on tenancies? What costs would you expect to incur?

Developing a local strategy policy on tenancies would be in partnership with Housing associations and neighbouring authorities in the sub-region, this way we would develop a consistent approach.

We would also take into account related information gained from SHMA, housing strategies and any further research would be undertaken

There would be implications for Melton Borough Council and partner organisations but these can only be clearer once further details emerge.

Question 4: Which other persons or bodies should local authorities consult in drawing up their strategic tenancy policy?

It's crucial that Housing Associations and neighbouring local authorities are consulted on this policy. In addition we would consult with our tenant organisation, HCA and voluntary and community organisations.

Question 5: Do you agree that the Tenancy Standard should focus on key principles? If so, what should these be?

Yes. There should be key principles around vulnerable applicants and priority groups.

Question 6: Do you have any concerns that these proposals could restrict current flexibilities enjoyed by landlords? If so, how can we best mitigate that risk?

No. We note the focus on removing open lists with no real need.

Question 7: Should we seek to prescribe more closely the content of landlord policies on tenancies? If so, in what respects?

A detailed prescribed policy would impact on the role of localism and accountability, however, some high level guidance around landlord policies take into account strategies policies on tenancies would be welcome.

Question 8: What opportunities as a tenant would you expect to have to influence the landlord's policy?

The council already creates many mechanisms for tenants to influence policy and we would build on them.

We have a strong tenant group, a well developed tenant participation compact. Through task groups we ensure tenants are able to influence policies, this would continue.

This will be complimented through other direct consultation methods i.e. road shows, newsletters, website pages, leaflets.

Question 9: Is two years an appropriate minimum fixed term for a general needs social tenancy, or should the minimum fixed term be longer? If so, how long should it be? What is the basis for proposing a minimum fixed term of that length? Should a distinction be drawn between tenancies on social and affordable rents? If so, what should this be? Should the minimum fixed term include any probationary period?

We feel 2 years is sufficient for a general needs social tenancy.

However, this is based on recognises priority groups, which is commented on below.

Question 10: Should we require a longer minimum fixed term for some groups? If so, who should those groups be and what minimum fixed terms would be appropriate? What is the basis for proposing a minimum fixed term of that length? Should a distinction be drawn between tenancies on social and affordable rents? If so, what should this be?

Yes, for some priority groups, which we have commented on below:

Question 11: Do you think that older people and those with a long term illness or disability should continue to be provided with a guarantee of a social home for life through the Tenancy Standard?

Yes, we agree that older people and those with a long term illness or disability should continue to be provided with a social home for life through the Tenancy Standard.

Question 12: Are there other types of household where we should always require landlords to guarantee a social home for life?

No, we feel the groups highlighted in question 11 are adequate.

Question 13: Do you agree that we should require landlords to offer existing secure and assured tenants who move to another social rent property a lifetime tenancy in their new home?

Melton Borough Council welcomes their assurance that current social tenants should have their tenancies unaffected.

Question 14: Do you agree that landlords should have the freedom to decide whether new secure and assured tenants should continue to receive a lifetime tenancy when they move?

Yes, we believe this fits in with the Localism agenda around accountability and dealing with local issues locally.

Question 15: Do you agree that we should require social landlords to provide advice and assistance to tenants prior to the expiry of the fixed term of a the tenancy?

Yes we should provide advice and assistance prior to the expiry of a fixed term tenancy. This would include: financial advice and other housing related advice i.e. rent deposit, shared ownership, and mortgage

Question 16: As a landlord, what are the factors you would take into account in deciding whether to reissue a tenancy at the end of the fixed term? How often would you expect a tenancy to be reissued?

We would carry out a needs assessment to identify vulnerability. In addition we would set a criteria at the first stage between the landlord and tenant that encourages good relationships and support.

We would also consider

- Any issues around ASB
- Condition of property
- Rent arrears.

We may also consider to design a scale to extend tenancy based on various factors.

Question 17: As a local authority, how would you expect to use the new flexibilities to decide who should qualify to go on the waiting list? What sort of outcomes would you hope to achieve?

We agree that it is a good idea to not to keep an open list and would keep a list based on need. This would cut down on the waiting list and ensure allocations are based on housing need.

Question 18: In making use of the new waiting list flexibilities, what savings or other benefits would you expect to achieve?

We can identify the benefits around securing housing for those on most need. This we see as being crucial in our attempts to deal with issues through early intervention and prevention. This would allow us to be more focused and targeted.

Question 19: What opportunities as a tenant or resident would you expect to have to influence the local authority's qualification criteria?

As well as the opportunities identified in question 8, we would adopt an appeals mechanism.

Question 20: Do you agree that current statutory reasonable preference categories should remain unchanged? Or do you consider that there is scope to clarify the current categories?

The current statutory reasonable preferences categories should remain unchanged.

Question 21: Do you think that the existing reasonable preference categories should be expanded to include other categories of people in housing need? If so, what additional categories would you include and what is the rationale for doing so?

No, they do not require expanding.

Question 22: As a landlord, how would you expect to use the new flexibility created by taking social tenants seeking a transfer who are not in housing need out of the allocation framework? What sort of outcomes would you hope to achieve?

We would still look to look after good tenants and need to balance the need for mobility and costs, certainly use it to encourage and promote downsizing.

Question 23: What are the reasons why a landlord may currently choose not to subscribe to a mutual exchange service?

We don't see any reason not to subscribe to a mutual exchange service.

Question 24: As a tenant, this national scheme will increase the number of possible matches you might find through your web-based provider but what other services might you find helpful in arranging your mutual exchange as well as IT-based access?

We feel the IT-based services would best fit a national scheme.

Question 25: As a local authority, how would you expect to use the new flexibility provided by this change to the homelessness legislation?

We would look to develop a people to Private rented scheme to embed the discharge of duty for homelessness.

Question 26: As a local authority, do you think there will be private rented sector housing available in your area that could provide suitable and affordable accommodation for people owed the main homelessness duty?

Suitable and affordable private related accommodation is a concern, but we would build relations with the private sector to develop a people to private rented scheme.

Question 27: Do you consider that 12 months is the right period to provide as a minimum fixed term where the homelessness duty is ended with an offer of an assured shorthold tenancy? If you consider the period should be longer, do you consider that private landlords would be prepared to provide fixed term assured shorthold tenancies for that longer period to new tenants?

12 months is a sufficient minimum fixed term period.

Question 28: What powers do local authorities and landlords need to address overcrowding?

Attention is needed to increasing the supply of larger properties in the social sector, and we would welcome powers and incentives to free up under occupied properties.

Question 29: Is the framework set out in the 1985 Housing Act fit for purpose? Are any detailed changes needed to the enforcement provisions in the 1985 Act?

We do not feel there are detailed changes needed to the enforcement provisions in the 1985 Act.

Question 30: Should the Housing Health and Safety Rating System provide the foundation for measures to tackle overcrowding across all tenures and landlords?

The HHSRS is the most appropriate standard for the assessment of overcrowding.

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