

Crawley Borough Council

Report to Overview and Scrutiny Commission 25th November 2024

Report to Cabinet 27th November 2024

Tenancy Strategy 2025 to 2029

Report of the Head of Strategic Housing – SHAP/091

1. Purpose

- 1.1 To request approval for the attached Tenancy Strategy 2025 to 2029 to be adopted to replace the council's existing Tenancy Strategy 2019 to 2024.

2. Recommendations

- 2.1 To the Overview and Scrutiny Commission:

That the Commission consider this report and strategy and decide what comments, if any, it wishes to submit to the Cabinet.

- 2.2 To Cabinet:

That the Cabinet is requested to recommend to Full Council the approval and adoption of the Tenancy Strategy 2025 to 2029 (Appendix A of report SHAP/091) from 1st January 2025.

3. Reasons for the Recommendations

- 3.1 To fulfil the council's legal duty to publish a Tenancy Strategy to set out matters to which registered providers are to have regard to when formulating their own tenancy policies.

4. Background

- 4.1 The Localism Act 2011 imposes a legal duty on all local authorities to prepare and publish a tenancy strategy that sets out strategic matters to which registered providers with housing stock in their area are to have regard to when formulating their own tenancy policies. Whilst registered providers are legally required to 'have regard' to the tenancy strategy, they are not bound by it and may adopt a different approach when drawing up their own tenancy policies. Local authority tenancy strategies therefore exist in an advisory capacity only. It is a registered provider's tenancy policy that sets out their own operational procedures and practices and applies to all their housing stock (often across multiple local authority areas). Local authorities are not consulted on the creation or amendment of registered providers' tenancy policies.

4.2 A local authorities tenancy strategy must have regard to:

- the kind of tenancies registered providers grant
- the circumstances in which they will grant a tenancy of a particular kind
- where registered providers grant tenancies for a fixed term, the length of the term, and
- the circumstances in which they will renew a tenancy

4.3 The Localism Act 2011 states that local housing authorities must keep their tenancy strategy under review and may modify or replace it from time to time. Since the publication of the council's previous Tenancy Strategy in 2019 the national economic climate and local housing market have changed considerably. The Tenancy Strategy has been reviewed and rewritten to reflect the environment in which the council is now delivering housing services.

4.4 The Tenancy Strategy 2025 – 2029 has been developed following a desktop review of the current tenancy strategy, alongside statistical review and analysis of homelessness in Crawley over the past five years. The draft strategy was subject to consultation with registered providers with housing stock in the borough (including Crawley Homes), and councillors (via email following on from formal notification in the members' information bulletin) through online questionnaires.

4.5 Consultation feedback was limited, but a small number of minor amendments were made in response to the feedback, such as the use of numbers (not percentages) in the 'Crawley context' section of the strategy and strengthening the section covering rent setting and the council's expectations.

5. Description of Issue to be resolved

5.1 The council's existing tenancy strategy was published in 2019 and expires at the end of this year. The review of the strategy determined that in the light of the changing housing market and regulatory framework, rewriting the Strategy was the most appropriate way forward. This enables it to better reflect current pressures and the environment in which housing services are now being delivered.

5.2 The draft Tenancy Strategy 2025 to 2029, if adopted, will apply to all wards and all service users in Crawley.

6. Information & Analysis Supporting Recommendation

6.1 Alongside the regulatory requirements noted in section 4.2 of this report, the tenancy strategy identifies social obligations that registered providers with housing stock in Crawley are asked to consider when formulating their tenancy policies, such as:

- that services and procedures focus on the prevention of homelessness
- making best use of housing stock to support the Council in meeting housing need in the borough
- ensuring that accessing social housing is equitable for all
- ensuring that social housing remains affordable for all

6.2 The existing tenancy strategy is dated and no longer reflects the wider environment in which services are being delivered, therefore it was considered that a new Tenancy Strategy would better serve the needs of the service, its customers and stakeholders.

- 6.3 The proposed tenancy strategy was drafted alongside the Homelessness and Rough Sleeping Strategy 2025 to 2029 because of the synergies in respect of role registered providers can play in the prevention of homelessness.
- 6.4 Approved actions from the final report to Cabinet (4 September 2024) of the Housing Associations Scrutiny Panel (OSC/320a) have been incorporated into sections 7 and 8 of the Tenancy Strategy.

7. Implications

- 7.1 Financial – There are no financial implications as a result of implementing the Tenancy Strategy 2025 to 2029.
- 7.2 Staffing - There are no staffing implications as result of implementing the Tenancy Strategy 2025 to 2029.
- 7.3 Legal – Adoption of the Tenancy Strategy 2025 to 2029 fulfils the Council’s statutory obligations to have a tenancy strategy. There are no other legal implications from implementing the strategy.
- 7.4 Equalities - An Equalities Impact Assessment has been carried out and does not identify any action that would need to be taken in the event the strategy is approved.

8. Background Papers

[Localism Act 2011](#)

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