

TENANCY STRATEGY

2025 to 2029

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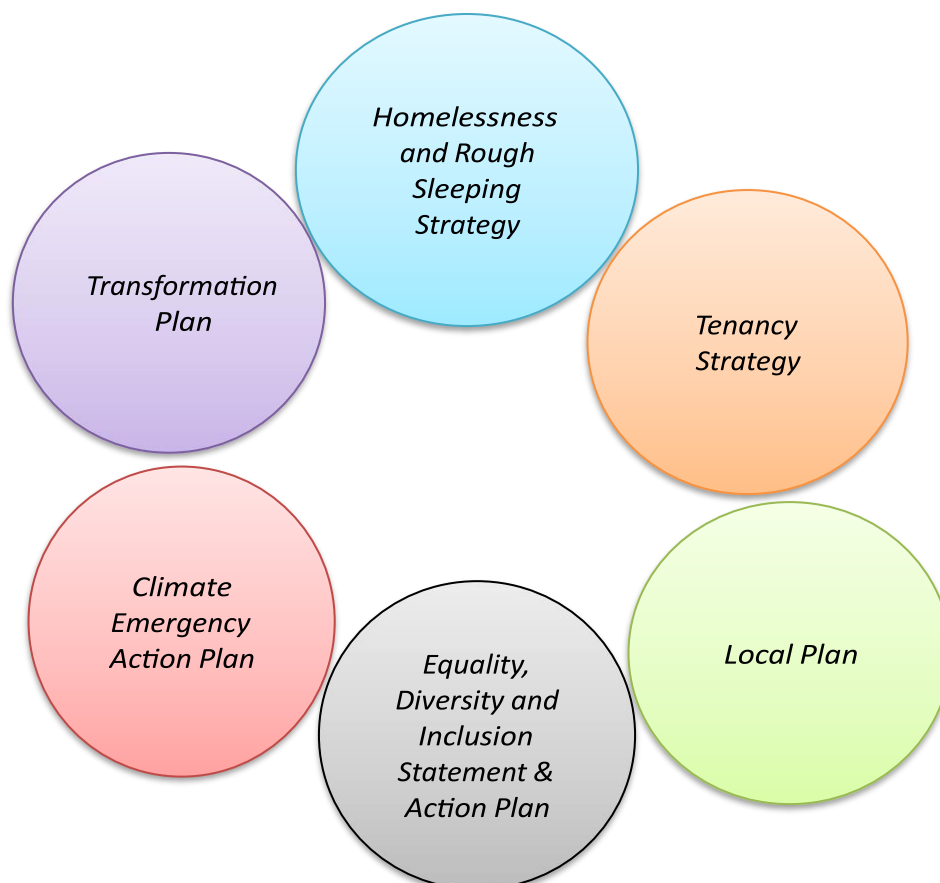
1.0 Introduction

The Localism Act 2011 ('the Act) places an obligation on all local housing authorities in England to prepare and publish a Tenancy Strategy. The purpose of a Tenancy Strategy is to help shape the tenancy policies of social housing providers who operate in a local authority's district or borough by setting out the matters they are to have regard to when formulating their own policies, namely:

- the types of tenancies they will grant.
- the circumstances in which different types of tenancies will be granted.
- where they grant flexible tenancies, the length of the fixed term and the circumstances in which they will grant a further tenancy when the fixed term expires.

Social housing providers are legally required to 'have regard to' the tenancy strategy but are not bound by it and may adopt a different approach when drawing up their own tenancy policies. The Act also requires local authorities to keep their tenancy strategy under review. Since the publication of the council's previous Tenancy Strategy in 2019 the national economic climate and local housing market have changed considerably. In addition, in April 2024 the Regulator for Social Housing introduced a number of Consumer Standards social housing providers must comply with when delivering services to tenants. It is the Regulator for Social Housing (RSH), who are responsible for the regulation and enforcement of these standards.

The council's Tenancy Strategy has been reviewed and rewritten to reflect the environment in which the council is now delivering services. It sits within a framework of governing documents.



2.0 Crawley context

The context in which services are delivered is key to understanding the challenges faced by the council and residents within the borough. Headline data from the Homelessness and Rough Sleeping Review 2019 to 2023 that forms the basis of the Homelessness and Rough Sleeping Strategy 2025 to 2029 clearly highlights the pressures on housing in Crawley:

Housing market

- in 2023 the median gross annual income in Crawley was £34,385 yet the median house price was £345,625, over 10 times as much. In five years, median annual gross salaries rose by nearly £5,000 but median house prices in Crawley increased by over £55,500

Private rented sector

- in May 2024 the average rent in Crawley was £1,333 per month, and the average monthly shortfall between rent and the Local Housing Allowance ranged from £276 (shortfall) for a room in a shared house to £961 (shortfall) for a four-bed house

Social housing

- the supply of social housing for allocation via the housing register decreased by over 200 properties a year (from over 650 to less than 440), and in 2023 was at the lowest level it has been in ten years
- this was compounded by the delivery of new build social housing halving during that time, largely due to the impact of water neutrality on development locally

Homeless approaches and referrals

- approaches from households who believed themselves to be homeless or threatened with homelessness increased by 74%, from nearly 1300 in 2019 to over 2230 in 2023
- the number of referrals into the service (from external agencies) rose from 25 in 2019 to 206 in 2023
- in 2022 the end of a tenancy in the private rented sector took over from parental eviction as the most common reason for homelessness and in 2023 being required to leave Home Office accommodation became the third most common reason for homelessness

Temporary accommodation

- the average cost of hotel style temporary accommodation almost doubled, from £50 per night in 2019, to £92 per night in 2023
- the number of households across all forms of temporary accommodation rose from 158 to 467, and this upward trend is continuing
- 2019 saw 20 households placed out of borough, rising to 274 in 2023 (this is over a quarter of the placements made in 2023) and is a consequence of lack of supply of suitable accommodation in-borough

Rough sleeping

- the number of people sleeping on the streets of Crawley halved, from 33 to 16
- whilst the rate of people sleeping rough per 100,000 population more than halved (from 29.4 to 13.4), it remains higher than that of the South East (7.1) and England (6.8), and all other West Sussex local authorities with the exception of one

3.0 Council approach

In order to demonstrate its ongoing commitment to tackling housing and homelessness, one of the council's longstanding corporate priorities remains:

Delivering affordable homes for Crawley and addressing homelessness.

The council will work towards meeting this priority by:

- continuing to deliver as much affordable housing as possible, particularly council housing, through our own-build and enabling programmes for people with a local connection to Crawley and to meet the council's other statutory duties
- working collaboratively with other statutory and voluntary sector agencies in supporting those facing homelessness within the borough. This includes actively lobbying government for the appropriate funding support for temporary accommodation and those at risk of homelessness
- continuing to work with neighbouring councils in the spirit of partnership to collectively deliver housing to meet Crawley's needs through the 'duty to cooperate' arrangements
- delivering improvements to the management of the council's housing stock in line with legislative reform, ensuring that customers are at the heart of service delivery and feel safe and secure in their tenancy

The council maintain a register of households in housing need, with their priority assessed using the banding system set out in the council's Housing Allocation Scheme. Between 2019 and 2023, homeless applications increased by 74% and the use of temporary accommodation more than doubled. This led, in part, to the number of households on the housing register increasing by over 500, whereas the supply of properties for allocation decreased from over 650 in 2019 to under 440 in 2023. There are now over 2,500 households on the housing register, and due to the increased demand for housing and reduced supply, households may wait many years for an offer of suitable housing.

The pressure from increasing homeless approaches and the resulting increasing use of and expenditure on temporary accommodation has placed unprecedented strain on the council's financial resources. In February 2024 Crawley Borough Council took the decision to declare a housing emergency. By declaring a housing emergency, the council drew attention to the situation and highlighted the need for greater support and action from government who hold many of the key levers needed to address the crisis.

4.0 Social responsibility and homelessness

Social housing providers have a statutory duty and regulatory obligation to assist local authorities in the discharge of their homelessness duties under part VII of the Housing Act 1996 (as amended). The council also expects social housing providers that own or manage housing stock in Crawley to meet their social obligations as well as regulatory requirements in relation to homelessness, and the RSH consumer standards. Social housing providers are expected to work alongside the council:

- to understand what the council requires of social housing landlords who own, let and manage stock in the borough
- to ensure that the supply of affordable housing is genuinely affordable and built to a good standard to meet the needs of local residents, including adapted properties
- to support residents to live in their homes for as long as they remain suitable and in doing so, create sustainable communities
- to help residents understand their rights and responsibilities in relation to their tenancy

This strategy has been developed alongside the council's 'Homelessness and Rough Sleeping Strategy 2025 to 2029' as both share the following goals:

- ensure that the nomination process does not disadvantage households that are homeless or threatened with homelessness
- ensure pre-tenancy assessment and offer criteria do not hinder access to social housing
- ensure rents remain at levels that are affordable for those eligible for social housing
- ensure procedures are in place to minimize the risk of tenancies failing and households becoming homeless (from debt management to renewal processes)
- ensure tenancies are created in a way that supports the creation of communities, whilst making best use of housing stock
- provide services that support tenants to maintain their tenancy and prevent unnecessary eviction, ensuring that homelessness prevention is at the core of all tenancy related policies and procedures
- provide timely advice and assistance before a tenancy ends

5.0 Housing supply

Housing need manifests itself in a variety of ways, such as increased levels of overcrowding, young people living with their parents for longer, acute affordability issues, impaired labour mobility resulting in businesses finding it difficult to recruit and retain staff, and increased levels of homelessness. The delivery of new build social and affordable housing is a crucial step in meeting this need.

The council's local plan sets the way forward for planning the future of Crawley and provides a clear indication of the council's approach to the development of the town, including how we have identified housing need within the borough and the work underway to meet this need. The Northern West Sussex Strategic Housing Market Assessment published by Iceni in 2019 identified that by 2040 Crawley would need a further 15,050 new homes to support the housing needs of the growing population of the town, 752 dwellings a year.

Due to land supply constraints, it is likely that a proportion of the town's housing needs will need to be met within neighbouring boroughs. This includes properties to be let at social and intermediate rents, and properties for sale on the open market. The plan commits the council to positively consider all reasonable opportunities for maximising the effective use of land and increasing housing delivery by working closely with neighbouring authorities.

Crawley has always benefited from an active housing delivery programme, working alongside social housing provider partners to deliver quality housing for its residents, and yet there is still a significant need for additional affordable housing in the borough. The delivery of new build housing has been severely impacted by the declaration by Natural England of water neutrality issues in the borough. This means that where development is located within the Sussex North Water Supply Zone, it must demonstrate that it will not increase pressure on water resources (in that total water use after the development must be equal to or less than the water-use before the development). Due to water neutrality restrictions, 2023/2024 saw the delivery of new build social housing decrease by nearly 70% of 2019/2020 levels, resulting in a reduction of housing for allocation via the housing register of over 200 properties. This has decreased the discharge of homeless duties into social housing, and in the absence of affordable private rented sector alternatives, increased the use of and expenditure on temporary accommodation.

6.0 Setting rents and affordability

As a social housing provider, the council is committed to ensuring that the level at which rents are set remains affordable to all. While recognising that funding streams will determine whether rents are set at “social” or “affordable” levels, the council expects rents to be affordable for all those in housing need, including those in receipt of benefits. Social rents are determined by the rent standard and when re-let or converted to another rental type, any rent increase shall be applied in accordance with current guidance.

Affordable rents should be no more than 80 per cent of market rents and to be available and affordable to households who are on low incomes and those in receipt of benefits, should not exceed local housing allowance levels.

Whether rents are set at social or affordable rental levels, properties must remain subject to local authority nominations in accordance with nomination agreements and accessible to those eligible for social housing.

7.0 Starting a tenancy

Social housing providers must ensure that tenancies offered are compatible with the type of accommodation, the needs of households, and contribute to sustainable communities. The council supports the granting of periodic, secure or assured (lifetime) tenancies and recommends that providers implement an introductory (typically 12 month) tenancy at the start to encourage new tenants to meet their tenancy responsibilities. Where social housing providers have taken the decision to grant flexible tenancies, the term should comply with current statutory guidance. The council wish to see the supply of social homes maximised and those who are in the highest levels of need (including those who are homeless or who are or have been street homeless) housed as quickly as possible. This is increasingly important in an era of substantial demand for affordable housing. The council is keen to ensure that:

- households are not denied access to social housing due to upfront payments such as rent in advance or deposits. Where such payments are required, social housing providers are expected to offer flexible payment options
- where an individual or household would benefit from assistance to enable them to succeed in their tenancy, efforts are made to identify this at an early stage and provide the appropriate support
- potential refusal of a nomination is discussed with the local authority in order that any issues or concerns are addressed where possible to enable the nomination to proceed
- social housing providers carrying out their own affordability assessments are expected to take a reasonable and flexible approach to determining affordability and to discuss any issues with the council and the incoming tenant so that these may be addressed where possible to enable the nomination to proceed and succeed

- officers of the council, where appropriate (and data protection legislation allows), share relevant information with housing providers so they can assist the tenant fully both prior to and during the tenancy

The Domestic Abuse Act 2021 expanded the statutory definition of domestic abuse to include physical, psychological, sexual, financial and emotional abuse, coercive and controlling behaviour. Providers of social housing are to ensure that for reasons connected with domestic abuse (and in accordance with statutory guidance), victims of domestic abuse do not lose a secure lifetime or assured tenancy.

In April 2024 the Regulator of Social Housing introduced the neighbourhood and community standard, that requires social housing providers to work co-operatively with other agencies tackling domestic abuse, enable tenants to access appropriate support and advice, and have a policy for how they recognise and effectively respond to cases of domestic abuse. In addition, the council encourages social housing providers to consider how to protect survivors from having to move or become homeless, and not keep them tied to a joint tenancy while separation proceedings are progressed.

8.0 Tenancy management and sustainment

Effective management of tenancy conditions increases the likelihood of tenants acting in accordance with their responsibilities. The council encourages all housing providers to provide tenancy sustainment services as investment in sustainment can give long term benefits to both the tenant and housing provider. The tenant is supported and can feel more confident and empowered to take control of, and improve, their circumstances. In turn, this can lead the tenant to better manage their accommodation, sustain rent payments, and reduce the risk of becoming homeless through loss of tenancy. The housing provider is more assured of a regular rental income and their property being looked after. We also know that by investing in tenants, social housing providers are investing in the wider community by creating environments in which their tenants will thrive.

The council encourage social housing providers to operate effective tenancy management services, for example:

- welfare visits during the lifespan of a tenancy, or as and when a needed
- assistance with rehousing where financial hardship would lead to tenancy failure if left unmanaged
- timely financial advice, looking at budgeting, managing debt, and income maximization (including benefit entitlement), especially where a tenant is falling into arrears and may be at risk of losing their home in the future if action is not taken
- tenant wellbeing services (working with tenants on issues such as mental health)
- tailored support, for young people living independently for the first time for example, as this can increase their chances of successfully sustaining the tenancy

- providing or signposting tenants towards organisations that can help them gain skills that would assist them in seeking employment, education or training (such as computer literacy, CV writing)
- working in partnership with appropriate local authorities, the police and other relevant organisations to deter and tackle anti-social behaviour (ASB) and hate incidents, liaising with tenants, the council and elected members where necessary
- a proactive approach to the maintenance, standard and condition of properties, in line requirements of the Regulator for Social Housing. A timely approach to dealing with complaints of disrepair and properties in a poor condition (such as damp and mould growth), liaising with tenants, the council and elected members where necessary
- access to funds for groups/organisations working in and supporting the wider community

Following the work undertaken by a scrutiny panel to explore options to improve the work between the council and social housing providers operating in the borough with the aim of securing a positive outcome for residents, the council's cabinet resolved at its meeting on 4 September 2024 to ask social housing providers to:

- provide a breakdown of tenant satisfaction measures at a boroughwide level on request
- participate in local partnership and councillor activity convened by the council to address matters that relate directly to their stock and tenants
- include local councillors within their engagement activity with tenants

9.0 Renewing or ending a tenancy

Where social housing providers have taken the decision to issue flexible tenancies, the council expects reviews at the end of a fixed term or assured shorthold tenancy to be carried out in accordance with the appropriate legislation and statutory guidance and that where a new tenancy is not offered, social housing providers should provide advice and assistance as needed to enable tenants to find suitable alternative accommodation, liaising with the council where appropriate.

It is expected that a tenancy be renewed following a review unless there has been a significant change in circumstances, or a serious and/or sustained breach of tenancy has occurred. Examples of instances where the council considers a new tenancy might not be offered include:

- **Where there is significant under-occupation** - Where a tenant is significantly under occupying a property, the social housing provider should give adequate notice to the tenant and council of their intention to end the tenancy so that they may be assessed to join the housing register. A tenant wishing to downsize should, if they wish and can afford to do so, be allowed to continue to have a spare bedroom in their new home. This balances the need to make best use of housing stock and help ensure tenants can afford their rent, whilst granting some flexibility and encouraging households to downsize, freeing up much needed larger housing.
- **Where there are issues regarding the suitability of property** - Where a property would better suit the needs of another household, for example properties that have been substantially adapted to meet the needs of a disabled person who no longer lives there, we will support a move to more suitable accommodation.
- **Where the tenant's financial circumstances have significantly improved** – This could include the tenant being able to afford market or shared ownership housing. However, it is recommended that the offer of a tenancy not be solely linked to household income as it may create a disincentive to work.
- **Where the tenant has not conducted their tenancy in an acceptable way or where circumstances have led to the issuing of legal action against the tenant** – This might be due to serious and/or sustained antisocial behaviour or arrears for example.

In assessing whether to end or issue a new tenancy, providers should take into account the tenants personal circumstances and whether there are any extenuating circumstances that may impact the decision. Whilst it is regarded as appropriate for providers to determine their own tests and judge the suitability of a property for the existing tenant at the end of a fixed term or assured shorthold tenancy, it is expected that they will set out these tests in their Tenancy Policy and in accordance with the RSH consumer standards. Social housing providers must be mindful of the need to be consistent and equitable in how reviews are undertaken, ensuring that their Tenancy Policies are properly applied.

10.0 Commitment to refer

Through the Homelessness Reduction Act 2017 twelve named public bodies have a 'duty to refer' a person [with their consent] to a local authority if they are homeless or threatened with homelessness. Social housing providers are not bound by this duty, but over 200 have signed up to the 'commitment to refer'.

The commitment to refer is a voluntary commitment that a social housing provider will refer an individual or household to a local housing authority if they are homeless or threatened with homelessness, thereby supporting the aims of the Homelessness Reduction Act 2017. The council expects all social housing providers to sign up and adhere to the commitment to refer, in order to maximize the opportunity to tackle and prevent homelessness in Crawley.

11.0 Consultation

This tenancy strategy was developed in consultation with councillors and social housing providers who have social housing stock in Crawley, including the Council's own landlord function. The feedback from the consultation process has been integrated into the strategy.

12.0 Monitoring and review

The council will monitor the Tenancy Strategy throughout its operational lifetime. Where there are legislative changes or statutory guidance that prescribe necessary or mandatory actions, the council will revise the Tenancy Strategy in line with its new obligations.