

EXECUTIVE DECISION RECORD

REF No 378.21.

A1 Service Area	Environment and Housing
A2 Title	Refresh of the Tenancy Strategy
A3 Decision Taken By	Deputy Leader/ Chief Officer
A4 Chief Officer	Please print name: Sal Khan Please sign name: Approval by email 261121
A5 Leader / Deputy Leader	Please print name: Cllr R. Faulkner Please sign name: Approval by email 251121
A6 Date of Decision	26 th November 2021

Confidentiality

A7 Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?	No
A7.1 If yes, please state relevant paragraph from Schedule 12A LGA 1972.	NA

Scrutiny

A8 Which Scrutiny Committee should this decision be submitted to?

Scrutiny (Audit & Value for Money Council Services) Committee

Scrutiny (Community Regeneration, Environment and Health and Well Being) Committee ✓

B1 What is the Decision?	To adopt the refreshed Tenancy Strategy attached as Appendix 2. The refresh simply brings up to date the references to background documents, rather than modifying the strategy itself, Appendix 1 shows the tracked changes.
B2 What are the reasons for the Decision?	<ul style="list-style-type: none"> • To comply with the Localism Act 2011.¹ • To maintain the Council’s strategy on how to ensure the best use of social housing in the Borough. • To bring up the elements of the strategy that refer to past background documents. • The decision supports the original decision to adopt the strategy (EDR no. 157/12) and to continue with the strategy (EDR no. 652/16).
B3 What are the contributions to Corporate Priorities?	Environment and Health and Wellbeing
B4 What are the Human Rights considerations?	There are no Human Rights issues arising from this decision.

Financial Implications

B5 What are the financial implications?	There are no financial issues arising from this decision.
--	---

Revenue	2021/22	2022/23	2023/24

Capital	2021/22	2022/23	2023/24

The finance section has been approved by the following member of the Financial Management Unit:	Please print name: Anya Murray Please sign name: Approval by email 191121
---	---

Policy Framework

¹ <https://www.legislation.gov.uk/ukpga/2011/20/part/7/chapter/2/crossheading/tenancy-strategies/enacted>

B6 Is the Decision wholly in accordance with the Council's policy framework?	Yes
B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B6.2 Has it got the appropriate approvals under those provisions?	Yes
B7 Is the Decision wholly in accordance with the Council's budget?	Yes
B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B7.2 Has it got the appropriate approvals under those provisions?	Yes

Equalities Implications

B8 What are the Equalities implications:
B8.1 Positive (Opportunities/Benefits): <ul style="list-style-type: none">• Is expected to release family accommodation for younger people.• Is expected to release adapted accommodation which older people are more likely to need.• Is expected to release adapted accommodation for disabled applicants.• Disabled tenants may be enabled/have to move into an adapted home at the end of a fixed term tenancy instead of having their current home adapted.
B8.2 Negative (Threats): <ul style="list-style-type: none">• Tenants' under-occupying may be those whose children have left home and so who are of an older age group.• A high proportion of tenants who no longer need adaptations may be older.• Younger people are more likely to experience rising income.
B8.3 The subject of this decision is not a policy, strategy, function or service that is new or being revised.
B8.4 The equality impact assessment identified the following actions to be carried out: NA

Risk Assessment

B9 What are the Risk Assessment implications:
B9.1 Positive (Opportunities/Benefits): <ul style="list-style-type: none">• Comply with our strategic housing obligations.• If housing associations follow the strategy it:<ul style="list-style-type: none">• Is expected to release homes for those in need• Will ensure that social housing is occupied by those who need it• Will deliver helpful advice to social tenants and encourage them to consider their housing options• Will provide new social tenants with clarity and reassurance about renewal of tenancies• Will safeguard the stability of communities• The strategy is not in conflict with the decisions already taken by some housing associations to offer fixed term tenancies
B9.2 Negative (Threats):

B9 What are the Risk Assessment implications:

- Housing associations may decide not to follow the strategy, and during the life of the current strategy this has been the case.
- If housing associations follow the strategy:
 - New social tenants will not enjoy the same security of tenure as existing social tenants
 - Some new social tenants will need to move when their fixed term tenancies come to an end
 - Some new social tenants might decide not to improve their economic circumstances in order to ensure they keep their social housing

B9.3 The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

Legal Considerations

B10 What are the Legal Considerations:

B10.1 The main legal issues arising from this decision are as follows:

- The strategy complies with the requirements of the Localism Act 2011 to prepare a Tenancy Strategy and to keep its provisions under review.

This section has been approved by the following member of the Legal Team

Please print name: Caroline Elwood

Please sign name: [Approval by email 201121](#)

Sustainability Implications

B11 What are the Sustainability implications:
B11.1 The proposal would not result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures). The positive/negative impacts are set out below (please refer to guidance notes).
B11.2 Positive (Opportunities/Benefits): NA
B11.3 Negative (Threats): NA

Health & Safety Implications

B12 What are the Health & Safety implications:
B12.1 A Risk Assessment has not been carried out and entered into Safety Media for all significant hazards and risks because there are no significant hazards or risks arising from this decision.
B12.2 Any financial implications to mitigate against these hazards and risks are considered above.
B12.3
B12.3.1 Positive (Benefits): NA
B12.3.2 Negative (Threats): NA

Key Decision

B13 Is this a Key Decision? No

Note: A Key Executive Decision is one where:

1. **REVENUE** – Any contract or proposal with an annual payment or saving of more than £100,000
2. **CAPITAL** – Any capital project with a value in excess of £150,000
3. A decision which significantly affects communities living or working in an area comprising two or more wards.

B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would <u>seriously</u> prejudice the public interest?	NA
B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?	NA

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to andrea.davies@eaststaffsbc.gov.uk