

# Southampton City Council Tenancy Strategy 2020 – 2025



**Southampton City Council  
Tenancy Strategy  
2020 - 2025**

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## 1. Purpose and aims

- 1.1. The aim of this strategy is to set out Southampton's vision for the way Registered Providers of social housing in the city will let their properties to meet the needs of the city's residents. Southampton City Council is also a provider of social housing so this strategy also applies to the council, and the Landlord Tenancy Policy links to this document and sets out how the council has regard to the strategy in exercising its housing management functions.
- 1.2. Tenancy Strategy relates to lettings of all social and affordable rented properties to include adapted, sheltered and extra-care housing. It does not cover lettings to hostels, temporary accommodation or other forms of supported housing and does not apply to leasehold tenants.
- 1.3. The objectives of this strategy and the provision of affordable and social housing in Southampton are:
  - To use the city's social and affordable housing stock to its best effect to meet the needs of local residents.
  - To maximise the opportunity for Southampton residents to access a range of housing options suitable for their needs.
  - To support and sustain tenancies, and avoid homelessness wherever possible.
- 1.4. Housing is about more than bricks and mortar. Housing helps to define neighbourhoods and communities, supports the health and wellbeing of residents, and provides a foundation for individuals and families to achieve a high quality of life.
- 1.5. We recognise that there is far more demand for social housing than current supply can meet and that social housing providers in the city will look to a range of housing options in response to this. We will support measures to tackle tenancy fraud and to introduce innovative arrangements which make best use of scarce resources. We also encourage our housing partners, wherever possible, to provide accommodation which is both stable and secure and contributes to creating sustainable communities.

## 2. Legal context

- 2.1. The Localism Act 2011 places duties on local authorities to develop and publish a strategy ("Tenancy Strategy") setting out how social housing in its area is let and managed including:
  - the kinds of tenancies they grant,
  - the circumstances in which they will grant a tenancy of a particular kind,
  - where they grant tenancies for a term certain, the lengths of the terms, and;
  - the circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.
- 2.2. In developing this policy the relevant legislation and codes of guidance have been considered, in particular:
  - Housing Act 1985
  - The Housing Act 1996
  - Homelessness Act 2002
  - Housing Act 2004
  - Allocation of Housing and Homelessness (eligibility) (England) Regulations 2006 (as amended)

- Regulations made by the Secretary of State sets out persons who may be eligible despite being a person from abroad subject to immigration control
- Localism Act 2011 (as amended)
- The Housing and Planning Act 2016
- The Homelessness Reduction Act 2017
- The Homes (Fitness for Human Habitation) Act 2018
- The Housing (Assessment of Accommodation Needs) (Meaning of Gypsies and Travellers) (England) Regulations 2006 (Statutory Instrument: 2006 No. 3190)
- The Equality Act 2010
- Human Rights Act 1998
- Housing & Regeneration Act 2008
- Secure Tenancies (Victims of Domestic Abuse) Act 2018

2.3. This Tenancy Strategy complements Southampton's Housing and Homelessness Reduction Strategies. The council will have due regard for this strategy in the development and application of its housing policies, including but not limited to the following:

- Landlord Tenancy Policy (appendix A in this document)
- Allocations Policy (Lettings)
- Homelessness Prevention Strategy
- Housing Strategy

### 3. Tenancy types

3.1. Tenancy types will vary depending on whether the landlord is the council, a registered Provider or a landlord within the private rented sector. Tenancy types include:

- Introductory/probationary/starter tenancies
- Secure/Assured tenancies (Lifetime Tenancies)
- Secure Flexible tenancies (fixed term tenancies)
- Assured Shorthold tenancies (fixed term tenancies)
- Shared ownership tenancies
- Other tenancy types as allowed by law

3.2. As a social landlord, Southampton City Council will continue to use mainly secure, lifetime tenancies. We consider that these will provide the best environment for families to thrive and become part of a sustainable community. We encourage other Registered Providers also to use the most secure form of tenancy available to them wherever possible in order to create settled homes for families to live in. However, we do recognise that in some special circumstances the use of fixed term (flexible) tenancies might be appropriate.

3.3. The council will use Introductory Tenancies to new tenants moving into social housing for the first time. Following this, it is expected that the vast majority of tenants will become secure tenants. Where a tenancy is not managed properly by the tenant during the introductory period the council may seek to end it during that term or to extend the period of the introductory tenancy. Other Registered Providers may also consider using Introductory or 'Starter' Tenancies in this way, in order to deliver a consistent approach across the city.

3.4. We support the use of fixed term tenancies in 'special' circumstances such as (but not exclusive to) regeneration schemes, special family arrangements and short term

arrangements to make best use of available properties and meet the needs of residents. We will undertake periodic reviews of fixed term tenancies, at which we will provide information and advice about housing options and help tenants to plan ahead for the end of their tenancy term.

- 3.5. Occasionally, the council or Registered Providers may decide to implement a Special Lettings Scheme. This is most frequently done when a newly built or refurbished scheme is being let but can happen at any time if the landlord deems it necessary in order to make sure that the scheme operates effectively as a good place to live.
- 3.6. Special Lettings may also apply to individual properties where there have been significant management problems previously. In this case the landlord may choose to make a “sensitive letting” by imposing additional qualifying criteria for applicants to make sure that similar problems do not arise through the re-letting of the property.
- 3.7. It is important to protect the tenure rights of victims of domestic abuse. Registered Providers should act in line with current legislation in relation to accommodating victims of domestic abuse and ensure that, when re-housing a tenant with an existing secure tenure who needs to move, or has recently moved from their social home to escape domestic abuse, an equivalent tenancy is granted for their new home. This will ensure that victims will not fear losing security of tenure and will provide stability and security in their new home. Southampton City Council already operates in this way and Registered Providers are encouraged to review and amend their existing policies and procedures to incorporate this requirement.

## 4. Tenancy length

- 4.1. As a social landlord, Southampton City Council will continue to use mainly secure, lifetime tenancies and 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.
- 4.2. Where fixed term tenancies are used the tenancy must be granted for a minimum of two years. The choice of tenancy term should be based on both individual needs and the characteristics of particular housing schemes. For example, we would expect Registered Providers to take into account needs such as consistency of schooling, employment, training, regeneration, family stability and community sustainability. Southampton City Council encourages Registered Providers to offer security of tenure for longer than two years.

## 5. Fixed Term tenancies

- 5.1. Southampton City Council will make use of fixed term tenancies in certain circumstances as detailed in the Southampton City Council Landlord Tenancy Policy and registered Providers may choose to offer this type of tenancy.
- 5.2. The majority of fixed term tenancies should be renewed by Registered Providers at review stage/end of the initial agreement period. Where fixed term tenancies are used, Registered Providers are encouraged consider housing need when deciding whether to review a tenancy. Similarly, we would expect them to consider using criteria intended to increase their ability to make best use of stock.

## 6. Affordable Rent and other affordable housing options

- 6.1. The council encourages Registered Providers and developers to consider a range of affordable housing options including Affordable Rent and shared ownership.
- 6.2. Affordable Housing includes social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market. Affordable housing should:
  - Meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices.
  - Include provision for the home to remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision’.
- 6.3. Affordable Housing includes properties let under the ‘Affordable Rent’ model, at up to 80% of market rent. Southampton City Council will ensure that Homes England processes are complied with when building new affordable homes, and will expect any Registered Provider offering Affordable Rent properties in the city to comply with relevant guidance and legislation.
- 6.4. Southampton City Council encourages Social Rent as a default position, but will also make use of Affordable Rent and other Affordable Housing options including Shared Ownership to ensure that housing applicants and existing social housing tenants have access to a wider range of models and tenures to meet a range of needs.
- 6.5. The council will only make use of Affordable Rent as an alternative to the default Social Rent after careful consideration, on a scheme by scheme basis, of the impact on the Housing Register as well as Local housing Allowance rates and affordability. The council will expect Registered Providers developing schemes using Affordable Rent in the city to demonstrate similar consideration of the affordability of the homes in that scheme for local residents.
- 6.6. The use and numbers of Affordable Rent and shared ownership properties should be made in alignment with the council’s Local Plan.

## 7. The Housing Register

- 7.1. Southampton City Council will retain a single housing list combining both transfer and housing register applicants. This extends to partner registered providers so that the letting of all social housing in the city is used consistently to best effect to meet housing need and avoids the necessity for individuals to make multiple applications.
- 7.2. In order to maximise the availability of social housing for housing register applicants, we will continue to utilise existing nomination arrangements with registered providers in the city, being mindful of the need for homes to be let in a timely manner.

## 8. Further information

- 8.1. More information about policies and procedures is available on the councils website at <https://www.southampton.gov.uk/>

## 9. Governance

9.1. This document will be reviewed after 5 years, or more frequently as required by changes to local need and/ or national legislation.

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