



<b>Full Council</b>	<b>Tuesday, 16 April 2019</b>	<b>Matter for Information and Decision</b>
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**Report Title:** **Housing Tenancy Agreement (April 2019)**

**Report Author(s):** **Steve Nash (Housing Services Manager)**

<b>Purpose of Report:</b>	This report gives Council the opportunity to consider a proposed replacement Housing Tenancy Agreement ("the new Agreement") for all of the Council's current and future tenants.
<b>Report Summary:</b>	The new Agreement has been produced by Officers and consulted upon.
<b>Recommendation(s):</b>	<b>That the deployment of the new proposed Housing Tenancy Agreement (as set out at Appendix 1 to this report) in accordance with the Housing Act 1985 be approved.</b>
<b>Responsible Strategic Director, Head of Service and Officer Contact(s):</b>	<p>Stephen Hinds (Director of Finance &amp; Transformation) (0116) 257 2681 <a href="mailto:stephen.hinds@oadby-wigston.gov.uk">stephen.hinds@oadby-wigston.gov.uk</a></p> <p>Adrian Thorpe (Head of Planning, Development and Regeneration) (0116) 257 2645 <a href="mailto:adrian.thorpe@oadby-wigston.gov.uk">adrian.thorpe@oadby-wigston.gov.uk</a></p> <p>Steve Nash (Housing Services Manager) (0116) 257 2662 <a href="mailto:steve.nash@oadby-wigston.gov.uk">steve.nash@oadby-wigston.gov.uk</a></p>
<b>Corporate Objectives:</b>	Building, Protecting and Empowering Communities (CO1) Providing Excellent Services (CO3)
<b>Vision and Values:</b>	"A Strong Borough Together" (Vision) Accountability (V1) Customer Focus (V5)
<b>Report Implications:-</b>	
Legal:	There are no implications arising from the report.
Financial:	There are no implications directly arising from the report.
Corporate Risk Management:	Reputation Damage (CR4) Regulatory Governance (CR6)
Equalities and Equalities Assessment (EA):	There are no implications arising from the report. Initial EA Screening (See Appendices)
Human Rights:	There are no implications arising from the report.
Health and Safety:	There are no implications arising from the report.
<b>Statutory Officers' Comments:-</b>	

Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	All Introductory and Secure Tenants were invited to comment.
<b>Background Papers:</b>	<a href="#">Housing Act 1985</a>
<b>Appendices:</b>	<ol style="list-style-type: none"> <li>1. Housing Tenancy Agreement Proposed Full Text (April 2019)</li> <li>2. Housing Tenancy Agreement Comparison Table (April 2019)</li> <li>3. Housing Tenancy Agreement Initial EA Screening (March 2019)</li> </ol>

## 1. New Housing Tenancy Agreement

1.1 The Service Delivery Committee approved a draft Tenancy Agreement for consultation in March 2018. The main changes contained within the new Agreement were:

- Introductory Tenancy; consequences of breaching the tenancy and discussion regarding extending tenancy/ending the tenancy;
- Rent; to pay rent monthly in advance if paying by standing order or Direct Debit;
- Use and occupation of property; the permission required and details needed for any potential lodger/s;
- Fire safety concerns; to support work being carried to keep tenants safe in flats and communal areas including issues around blocking and not restricting access and not removing doors i.e. kitchen doors;
- Environment; not to dump rubbish in communal areas. This supports our efforts to keep areas clear of rubbish;
- Environment; more details on ensuring gardens are maintained and dealing with any health and safety concerns;
- Pets; permission for pets required in flats and bungalows and the limit on how many pets allowed generally;
- Clarifying obligations in relation to repairs; permission to alter or improve the property; the principle of recharging for tenant damage, gaining access etc.; becoming responsible for non-standard items such as previous tenants improvements; and
- Anti-Social Behaviour; the extension of definitions to address new and emerging themes.

## 2. Consultation

2.1 Consultation was undertaken with all Introductory and Secure Tenants in December 2018.

2.2 All tenants received a hand delivered consultation pack which included a covering letter along with copies of the existing and proposed Agreements and a table of changes as attached at **Appendix 2**.

2.3 A webpage on the Council's website was set up covering Frequently Asked Questions and tenants were invited to contact the Housing Services Manager with comments.

2.4 No comments were received by the Housing Services Manager from tenants.

2.5 The only consultation response internally of note was from the Head of Law and Governance who requested the inclusion of wording around anti-social behaviour. The proposed new Agreement at **Appendix 1** has been amended to include the anti-social 'use' of illegal drugs and the specific mention of communal areas in addition to the actual home

and the general locality.

### **3. Next Stage**

- 3.1 Upon receipt of Council approval, the next stage in the process is to serve a notice of variation alongside a copy of the new Agreement on all Introductory and Secure Tenants.
- 3.2 After a 4 week period, the new tenancy will become effective without the need for tenants to sign or return any documentation.
- 3.3 Any tenant objecting to the new Agreement is able to give 4-weeks contractual notice to end their tenancy.