

Birmingham City Council Strategic Tenancy Policy

Section One: Introduction

The Localism Act 2011 received Royal Assent on 15th November 2011. The Act implements the Government's wider localism agenda and introduces a series of housing reforms.

Section 150 of the Localism Act imposes a duty upon all local authorities to prepare and publish a Strategic Tenancy Policy. This Strategic Tenancy Policy sets the broad objectives to be taken into consideration by all Registered Providers¹ when formulating individual policies relating to;

- a) *the kinds of tenancies that are granted to new tenants,*
- b) *the lengths of fixed term tenancies*
- c) *the circumstances in which a tenancy of a particular kind is granted,*
- d) *the exceptional circumstances in which tenancies are granted for less than two years.*
- e) *the circumstances in which tenancies may or may not be reissued at the end of a fixed term.*

and

- f) *the advice and assistance given*

The Birmingham Strategic Tenancy Policy identifies the Council objectives to which Registered Providers operating within Birmingham should have regard whilst developing respective landlord tenancy policies. It sets out the City

Section Two: The Local Context

Housing Supply and Demand

Social housing represents 25% of the total 424,000 homes within Birmingham. The tables below show social housing by property type and size².

Property Type	
House	46%
Flat	45%
Bungalow	5%
Other	4%

Bedroom Size	
1	34%
2	31%
3	31%
4+	4%

The population of Birmingham is reported as 1,036,900³, of which 65% are of working age. With such a large population within a single urban authority Birmingham accordingly records considerable levels of presenting housing need.

In November 2011 there were over 25,000 households requesting social housing, of which;

- 38% require one bedroom accommodation
- 33% require two bedroom accommodation
- 18% require three bedroom accommodation
- 7% require four bedroom accommodation
- 3 % require five bedroom accommodation or larger.

5,200 new tenancies were granted across Council owned homes during the financial year 2010-2011, of which:

63% were flats	42% were one bedroomed
24% were houses	35% were 2 bedroomed
7% were bungalows	22% were 3 bedroomed
6% were other property types	1% were four or more bedroomed

Within Birmingham there is an historic and persistent disparity between the availability of stock and demand for accommodation, which is particularly prominent in regards to larger properties. It is therefore essential that providers ensure that the best use is made of this scarce resource in meeting both the short and long term needs of the city.

² CHP Decent Homes Survey (2011)/HSSA 2011

³ Office of National Statistics mid-year population estimate (2010)

Section Three: The Strategic Context

Tenancy Policies should be developed within the context of Birmingham City Council's overarching objectives for housing. Identified within the Birmingham City Council Plan

The Homelessness Strategy⁷
The Corporate Parenting Pledge

Where a Registered Provider seeks to use Introductory/Probationary/Starter Tenancies they should be entered into for a period not in excess of 12 months, or a maximum of 18 months where reasons for extending the probationary period have been given and where the tenant has had the opportunity to request a review.

Upon successful completion of the probationary period tenants should graduate on to a lifetime or fixed term tenancy as set out within the Landlords Tenancy Policy.

In establishing the terms associated with fixed term tenancies Registered Providers should consider the needs of individual households and the sustainability of local communities.

When considering the efficient use of housing stock Registered Providers should bear particular reference to tackling under-occupation. Registered Providers may wish to consider tailoring the lengths of their tenancies to enable a review to occur when the property is likely to become under-occupied.

Registered Providers may also wish to consider adopting different tenancy lengths to enable the needs of defined vulnerable groups to be appropriately met. Such groups could include children in need and vulnerable adults.

To reflect the desire to use fixed term tenancies to promote best use of stock through tackling under-occupation it is considered that household size should form a key component of the tenancy review process.

Tenancy Reviews

It is considered that the majority of fixed term tenancies will be renewed upon review by providers unless the household's circumstances have materially altered.

Any decision not to renew a fixed term tenancy should only be made where significant alteration has taken place and should consider the impact on:

- Tackling worklessness and promoting financial inclusion.

- Addressing overcrowding and under-occupation

- The prevention and alleviation of homelessness

- Duty's and obligations regarding children in need

- The purpose of the accommodation and any subsequent changes since the commencement of tenancy.

- The needs of individual households and any subsequent changes since the commencement of tenancy.

- The sustainability of the community

- The efficient use of housing stock

- Children in need and any subsequent changes since the commencement of tenancy.

Providers should have regard to Council objectives related to tackling worklessness and creating balanced, sustainable communities when considering the economic circumstances of households.

Decisions not to renew tenancies on economic grounds should not compromise the Council's broader strategic framework.

Tenancy reviews should be conducted no later than 6 months prior to the end of the fixed term period.

Housing Advice

Where a fixed term tenancy is not renewed each Registered Provider must ensure appropriate housing advice is provided. Such advice should be clearly defined and published in each individual landlord tenancy policy. All reasonable steps should be taken to ensure that appropriate advice in regards to alternative housing options is provided in order to prevent statutory homelessness.

Landlord Tenancy Policies

Every Registered Provider of social housing within the city is required to develop and publish a tenancy policy which should seek to have regard to the principles defined in this Strategic Tenancy Policy

These individual tenancy policies can be viewed [*format to be agreed*].

Review Arrangements

This policy document is compliant with all relevant regulation at the time of publication.

This Strategic Tenancy Policy document will be formally reviewed periodically.

It can also be reviewed at intervals where:

there are amendments to relevant legislation or regulations to which this document must adhere

The review process will be conducted by Birmingham City Council, in consultation with relevant Registered Providers and service users.