



**NORWICH**  
City Council

**Committee name:** Cabinet

**Committee date:** 13/11/2024

**Report title:** Tenancy Strategy and Tenancy Policy revisions

**Portfolio:** Councillor Jones, cabinet member for housing.

**Report from:** Tenancy and Income Services Manager

**Wards:** All wards

## **OPEN PUBLIC ITEM**

### **Purpose**

To amend the Council's Tenancy Strategy and Tenancy Policy to include Affordable rents as an option for a supplementary tenancy type.

### **Recommendation:**

It is recommended that Cabinet approves the Tenancy Strategy attached as Appendix 1a and the Tenancy Policy attached as Appendix 1b to this report. .

### **Policy framework**

The council has five corporate priorities, which are:

An open and modern council

A prosperous Norwich

A fairer Norwich

A climate responsive Norwich

A future-proof Norwich

This report meets the corporate priorities; An open and modern council, a prosperous Norwich, a fairer Norwich, a climate responsive Norwich and a future proof Norwich.

## **Report details**

1. The purpose of the report is to:
2. Update the Council's strategy and policy on the type of tenancies that could be offered to future tenants to ensure that there is a broad a range of offers as possible.
3. Currently the Council's Tenancy Strategy and Tenancy Policy only allow it to offer Introductory and Secure tenancies. The proposed revision to the Strategy and Policy enables the Council to add Affordable rents to this suite of tenancies. Councils are required to prepare a Tenancy Strategy which relates to social landlords (registered providers) and for stock holding authorities, the Tenancy Policy is for the council to implement.
4. It is common that housing developments have specific funding arrangements with regards to affordable homes and with these new build properties, usually there is a reduced cost to utilities of between 10-15%. As such, the Council needs flexibility to offer a different range of future tenancies to ensure that funding can be accessed.

## **Tenancy policy and Tenancy Strategy**

5. The revised Tenancy Strategy is attached at Appendix 1a and the Tenancy Policy at appendix 1b. The only addition to the existing Strategy and Policy is that Norwich City Council is recommending the addition of affordable rents to the existing range of tenancies. Since 2012, there has been a requirement now under the Regulator for Social Housing for all social landlords to publish a tenancy policy.
6. No existing tenants will be impacted by this change, the change will only affect future tenants. Before changing conditions of tenancy (other than those regarding rent or payments in respect of services/facilities provided by the Council or in respect of rates), local authority landlords must consult all their tenants by serving a preliminary notice. Comments received must be considered before then serving a notice of variation that formally implements the changes, this will be served to all tenants once Cabinet approval has been obtained. The Get Talking Norwich site will be updated with the outcome of the consultation and social media campaigns will be used, TLC magazine and other newsletters will also include updates as well as news stories on Council websites.

## **Consultation**

7. Prior to making this recommendation to amend the strategy and policy, the Council carried out a four-week consultation with residents, tenants, and registered providers.
8. Consideration was given to what is a reasonable method to notify tenants: A full set of detailed information, consultation documents, and survey questions were available on our website - Get Talking Norwich. This was promoted via direct emails to 11,000 tenants. The Tenancy strategy used Get Talking Norwich for consultation, and registered providers were consulted directly via email (which is required in the regulations).

9. The survey asked residents “To what extent do you agree with our plans to safeguard a way to continue to provide council homes for future generations by introducing affordable rent?”
10. There were 206 responses and details are shown in appendix 2. Tenants were offered the opportunity to receive hard copies, and a few residents opted for this.
11. As part of the consultation the Council reassured residents / respondents at the beginning of the consultation pack, that **“Please be aware, if you are already a council tenant on a social rent your tenancy will remain unchanged.”** Despite this, many residents responded from the position of concern for their current tenancy.
12. Respondents were asked to “Please explain your answer”, there were four clear themes (Appendix 3) from these responses:
  - Financial - The highest area of concern raised by the respondents was financial. Which reflected the fact that some people were concerned that it would impact their current tenancy, which it would not.
  - More communication - The second most frequent concern was for better communication and provide more details of how the affordable properties would be assessed.
  - Better quality of Social Housing and repairs service -other areas of concern were with regards to “better quality Social housing and repairs service”
  - Fairness - 4% of respondents queried if this change would be “fair”.
13. 49% of respondents were specifically worried around the financial issues if they were to be asked to make additional payments, again reflecting the misconception that it would impact existing tenants. (see Appendix 3)
14. Registered providers within the Norwich district have been consulted and no concerns or amendments were suggested.

## **Implications**

### **Financial and resources**

Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council’s stated priorities, as set out in its Community-led plan “We are Norwich” and budget.

15. All rental income from council housing will be re-invested into the Housing Revenue Account (HRA) to maintain and build properties.

### **Legal**

16. Nplaw, who provide the Council with legal guidance, have assisted with the development of this document, and have reviewed this report’s recommendation to approve the documents.

## Statutory considerations

<b>Consideration</b>	<b>Details of any implications and proposed measures to address:</b>
Equality and diversity	There are no equality or diversity implications with adding affordable rents. The rent levels for the affordable housing will be set within the Local Housing Allowance cap for Norwich. We have consulted with the Financial Inclusion Teams and there is no one identifiable household who will be unduly affected by this change in rent setting.
Health, social and economic impact	There are no foreseen issues with adding the affordable rents tenure to the council's existing housing register applicants. Benefit and Income modelling shows that aligning the rent charge to be within the LHA cap causes no immediate economic impact.
Crime and disorder	No change to current Tenancy Agreement already agreed.
Children and adults safeguarding	There is no change to the current safeguarding policy and the council's approach to safeguarding and occupants.
Environmental impact	None

## Risk management

Risk	Consequence	Controls required
Failure to implement the actions necessary to deliver affordable housing to our tenancy offer.	If the option of offering affordable housing to future tenants is not agreed, the ability to maintain our housing stock and ambitious development plans may be compromised.	Oversight for delivery will lie with the Portfolio Holders and the Executive Director. The council's senior leadership team and elected Members will be appraised of progress regularly.
Failure to publish a tenancy policy that meets standards expected from the social housing regulator and is updated after each new consultation.	Scrutiny from the social housing regulator.	Publish and review the policy every 3-5 years to ensure it is current and meetings requirements.
Failure to publish the update to Norwich's tenancy strategy.	The Council would be in breach of the Localism Act 2011.	Publish and review the strategy every 3-5 years to ensure it is current and meeting requirements.

## Reasons for the decision/recommendation

17. It is recommended that Cabinet approve the Tenancy Strategy at Appendix 1a and the Tenancy Policy at Appendix 1b.
18. The Council recognises that developer viability will factor in setting rent levels. We want to ensure that all developers can provide appropriate levels of Affordable Housing. However, the Council also wants to ensure that Affordable Housing is as affordable as possible for local people. For those on low incomes, local housing options are scarce, with a reliance on social housing for rent. The Council recognises that the cost of running a home may also be relevant when assessing affordability and that high levels of energy efficiency and reduced utility bills may partly offset higher rents. In light of this, our Tenancy Strategy requires that Affordable Rents, including service charges, be capped at Local Housing Allowance rates.

## Appendices

Appendix 1a Tenancy Strategy

Appendix 1b Tenancy Policy

Appendix 2 Consultation results

Appendix 3 Summary of observations

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# TENANCY STRATEGY

Norwich City Council (revised November 2024)

# Introduction

Norwich City Council is a local authority housing provider. We have more than 18,000 homes across the city, of which 14,050 are available for let and 3,300 are leasehold.

In the 10 years since we published our last Tenancy Strategy, the national housing landscape has changed. Rising homelessness, high rents in private housing, the Grenfell fire tragedy, Covid, and the cost of living, are just some of the issues driving social housing reform. We have evolved our strategy with these changing times, but our stance on lifetime (secure) tenancies remains the same. We grant secure tenancies, after tenants successfully complete an introductory tenancy.

We want our 14,050 secure tenants to live well and thrive in their homes and local community. The Tenancy Strategy explains what we expect from Registered Providers of social housing, and what we expect for tenants, including:

- the types of tenancies that will be granted.
- the length of fixed-term tenancies when these are granted.
- the circumstances under which a particular type of tenancy will be granted.
- the process for reviewing tenancies.

This strategy will contribute to mixed and balanced communities, with individuals and families settled in decent homes that they value, with advice and support delivered by people who care. It complements our overriding aims and priorities identified in our community-led plan for 2024-29 [We Are Norwich](#).

**Beth Jones**

Portfolio Holder for housing and community safety

**Louise Rawsthorne**

Chief Executive, Norwich City Council



# 1. Tenancy Strategy background

- 1.1 There have been many changes in the national housing landscape since Norwich City Council published its previous Tenancy Strategy on 24 January 2013 in accordance with section 150 of the Localism Act 2011. The tenancy strategy must be kept under review. But, in this latest update, we have not changed our position on offering lifetime tenancies. This strategy helps to inform registered providers of our expectations regarding social housing provision and expectations for social housing tenants.
- 1.2 The use of flexible tenancies in social housing originated from the Localism Act 2011, which came into force on 1 April 2012. This tenancy is derived from the government's view that social housing tenants should not benefit from greater tenancy security than tenants in the private sector. The Housing and Planning Act 2016 developed the definition of flexible tenancies with the intention of phasing out the award of lifetime tenancies for new social tenants. Social tenants were only to be offered fixed-term tenancies. But, with the proviso that landlords could offer tenancies lasting up to the 19th birthday of the youngest occupant. This would have affected new and existing tenants who moved home (with a few exceptions).
- 1.3 These provisions were not implemented as the national climate regarding social housing changed dramatically following the fire at Grenfell Tower, London, in 2017. In ["A New Deal for Social Housing" 2018](#), the government stated it would not implement compulsory fixed-term tenancies. This corresponds with proposals requiring landlords in the private sector to offer longer tenancies and to prohibit "no fault" evictions of private sector tenants. The recent impact of temporary constraints on eviction during the pandemic, and rising energy prices on the cost of living have been contributory factors.
- 1.4 The [Secure Tenancies \(Victims of Domestic Abuse\) Act 2018](#) and the [Domestic Abuse Act \(2021\)](#) recognised that, where a secure (lifetime) tenant was offered a new tenancy when moving due to domestic abuse, they should retain their existing security of tenure, and not be offered a fixed-term tenancy.
- 1.5 The social housing sector was subject to a compulsory 1% rent reduction for four years from April 2016 to March 2020. This affected many areas of social housing including regeneration and planned improvement programmes.
- 1.6 Universal Credit (UC) has been rolled out across the whole of the UK and is now the primary state benefit for those of working age on a low income or out of work. The impact of these requirements on rent arrears or on social landlords' income collection, particularly following yearly rent increases, will be monitored.

1.7 In the [Social Housing Regulation Bill](#), the government sets out what every social housing resident should be able to expect on:

- safety
- landlord performance
- complaints
- being treated with respect
- having their voice heard
- the quality of their home and neighbourhood
- access to home ownership.

This tenancy strategy supports the practices we will use when awarding housing for lifetime secure tenants, and to new tenants where introductory tenancies will apply.

## 2. Objectives (local context)

- 2.1. This strategy complements our five aims and five themes within [We are Norwich – A community-led plan for 2024-29](#) and the [Norwich 2040 City Vision](#).
- 2.2. We want our strategy to contribute to the continuation of mixed and balanced communities and prevent the unnecessary cycle for resettling families and individuals who are well placed in their current homes.
- 2.3. Our aim for our 14,050 secure tenants is to see families and individuals live well while contributing to their future, education, and wellbeing inside the home and local community.

## 3. Tenancy Strategy overview

- 3.1. We recognise that we may have limited influence over decisions by other social landlords operating within Norwich, many of whom operate across several local authority areas. The changes in national outlook have led some social landlords to withdraw from offering fixed-term tenancies and to return to only offering lifetime tenancies.

We expect social landlords to have regard to this Tenancy Strategy so that tenants and applicants across the borough understand the types of tenancy available.

3.2. The [Localism Act 2011](#) requires every Council to publish a Tenancy Strategy which contains provisions on expectations for all social landlords in the local area in relation to:

- the types of tenancies that will be granted.
- the length of fixed-term tenancies when these are granted.
- the circumstances under which a particular type of tenancy will be granted.
- the process for reviewing tenancies at the end of the fixed term, and the circumstances under which a tenancy may or may not be renewed either in the same property, or in a different property.
- All social landlords are required to set out the way in which a tenant or prospective tenant may seek a review of:
  - the length of the fixed term
  - the type of tenancy offered.
  - a decision not to grant another tenancy on the expiry of the fixed term.

## 4. Strategy (expectations)

4.1. We expect all social housing providers to produce a Tenancy Policy which addresses the items listed in 3.2. We have set out our strategy on these matters, and expect social housing providers to consider the contents of this strategy in the following ways:

### a. What type of tenancies will be granted?

We expect that social landlords will offer either fixed-term tenancies or lifetime time tenancies (secure or assured). These tenancies may be preceded by a 12-month introductory or probationary tenancy.

### b. If fixed-term tenancies are offered, how long will they last?

Although permissible by law, we do not support the granting flexible fixed-term tenancies of less than five years. We would expect that in most instances, fixed-term tenancies, where awarded, will be for a five-year period or longer, or up to the 19th birthday of the youngest occupant if longer than five years.

### c. Under what circumstances will a particular tenancy be granted?

- Where social landlords offer an introductory or probationary tenancy, it should be available to all new social housing tenants.
- Existing social housing tenants should retain their security of tenure or other tenancy rights after a move to a different social housing tenancy, where there

is no break in tenancy.

- Social landlords may want to offer a fixed-term tenancy to existing or new tenants moving to a new build affordable rent property.
- Social landlords may want to offer a mix of fixed-term and lifetime tenancies, depending on various circumstances.

Examples of people who may be granted a lifetime tenancy are:

- people over pension age
- people with an enduring physical or mental health disability

Examples of people who may be granted a fixed term tenancy are:

- tenants moving to certain types of property.
- tenants moving to certain size of accommodation.

#### d. What process will be used for reviewing tenancies at the end of the fixed term?

Social landlords must have a clear policy for reviewing a tenancy before the end of the fixed term. This should include details of any financial limits that may prevent the award of a further tenancy. It should state how a landlord will decide if a property still meets the household's needs.

- The tenancy review should primarily be an opportunity for both landlord and tenant to consider if the current home meets the tenant's needs now and in the future.
- Where a review is carried out with a vulnerable tenant, we expect social landlords to take all practical steps to make sure the tenant can fully participate in the review hearing.
- We would expect the review to take place at least 9 months before the tenancy is due to end. This is to allow enough time for a tenant to find alternative housing if the tenancy is not renewed, and alternative accommodation is not provided.

#### e. Under what circumstances will a tenancy not be renewed in the same property or in a different property?

Social landlords must have a clear policy for reviewing a tenancy before the end of the fixed-term and this should include:

- details of any financial limits that will prevent the award of a further tenancy.
- how a landlord will decide if a property continues to meet a household's needs
- any other matters that may be considered.

We aim to prevent homelessness where possible and expect landlords to offer financially realistic housing options to people in need. It would be counter-productive for landlords not to renew tenancies, unless they have carried out a thorough review including proactively offering tenants advice and assistance to find alternative accommodation.

## f. Affordable Rent

Government policy allows Registered Providers (RPs) nationally to charge 'Affordable Rent' which must not exceed 80% of gross market rent (inclusive of service charges) where certain conditions apply. Generally, Affordable Rent will be higher than Social Rents and tend to be used by social landlords to generate additional funds to support the funding of new affordable homes for the area.

We do not believe we have a role in determining the rents set by independent RPs. However, we understand the importance of ensuring that affordable housing is kept affordable across the area for our residents. It is important to us that social housing continues to provide for households and residents who cannot afford housing at a market rate.

We expect all RPs to adhere to the following in relation to Affordable Rent:

1. Set out a clear policy on Affordable Rent in their own Tenancy Policy including whether or not they intend to allocate Affordable Rent housing stock, and if so, the circumstances in which they intend to do so.
2. Consider and give regard to the affordability of its housing to existing and future tenants.
3. Comply with all and any policy or guidance issued by Homes England or Central Government in regard to Affordable Rent, including caps on rent.
4. Monitor and analyse all and any impact of their Affordable Rent charging regime and share this information with the council and other stakeholders the findings of these activities annually. The council will review this information and update its Tenancy Strategy accordingly, if necessary.
5. Consult with the council before converting any existing housing stock to Affordable Rent housing stock.
6. Have due regard to requirements set out in section 106 agreements relating to Affordable Rent.
7. Ensure that any Affordable Rent housing stock is advertised clearly as such to residents to ensure fairness and transparency.

## 4.2. Preventing homelessness

Although it is clear in [the Localism Act 2011](#) that the landlord is responsible for providing advice and assistance, we can provide a comprehensive service locally to all applicants for affordable housing. This includes advice and assistance with finding suitable private rented accommodation. Further details on [housing and homelessness are on our website](#).

As we retain the statutory responsibility to provide housing for homeless households in priority need, we want to make sure there is a robust approach to providing advice and assistance where a tenancy is not renewed.

We would ask all social landlords in Norwich to:

- notify us when a tenancy will not be renewed, and the agreed alternative housing arrangements.
- provide details of the advice and assistance provided, if not using our advice and assistance service which is our preferred option.

4.3. All social landlords are required to set out the way a tenant or prospective tenant may seek a review of:

- the length of the fixed term
- the type of tenancy offered.
- a decision not to grant another tenancy on the expiry of the fixed term.

4.4. We expect social landlords to make sure tenancy policies contain the following information:

- Who to make a request to and how, and the timescales to do it
- How review panels will work
- Timescales for administering reviews.

This information must be accessible and widely publicised, such as on websites, and be available on request.

## 5. Tenancy sustainment

Norwich City Council has various services which provide targeted interventions support and Independent Living Teams. We work in partnership with agencies, third sector and voluntary organisations, NHS, and independent commissioning boards to increase tenants' capacity to sustain their tenancies.

Register providers are expected to consider and provide tenants throughout their tenure, advice, guidance, or support in relation to:

- regular tenancy reviews and visits
- identifying support for mobility and adaptations
- challenging times and life events - referrals and housing staff working with specialist care and support agencies to identify the best support available for short term interventions.
- experiencing hardship and needing welfare support – each person is impacted in different ways and timely advice and support must be available at the earliest point, rather than during times of crisis.
- maintaining housing land and the local environment – long term needs of a household and everyday livelihood within their surroundings
- safety inside their home and in communal areas.

## 6. The Tenant Standard

The [Regulatory Framework for Social Housing in England from April 2012](#) sets out the specific standards that Registered Providers (RPs) must meet. It takes account of the amendments made because of the Localism Act 2011.

The Tenant Standard requires RPs to let their homes in a transparent and efficient way, and to take account of the housing needs and aspirations of tenants and potential tenants.

They must demonstrate how their lettings:

- make the best use of available housing.
- are compatible with the purpose of the housing.
- contribute to local authorities' strategic housing function and sustainable communities.

Registered Providers are also expected to cooperate with local authorities' strategic housing function, and their duty to meet identified local housing needs. This includes assistance with local authorities' homelessness duties, and through meeting obligations in nomination agreements. As we own and manage our own housing stock, we review our own tenancy policy.

## 7. Complaints

All social landlords must set out the way in which a tenant or prospective tenant can escalate a complaint if they are dissatisfied with the response. This should include information on:

- Internal complaints' procedure
- Housing Ombudsman
- Judicial Review
- Where to seek independent legal advice

The [Social Housing Regulation Bill](#) sets out what every social housing resident should be able to expect in relation to complaints.

The expectation is that social housing tenants will have their complaints dealt with promptly and fairly, with access to an ombudsman who will give them swift and fair redress when needed. Further guidance has been issued by the Regulator of Social Housing when considering complaints.

## 8. Consultation

We are required to consult and will follow an eight-week consultation exercise allowing observations from:

- Secure tenants and introductory tenants
- Registered Providers of social housing
- Residents of the City of Norwich
- Agencies supporting tenants and working with the Council.

## 9. Equality

We consulted a range of stakeholders during the development of this Tenancy Strategy and completed an Equality Impact Assessment.



# Tenancy Policy (revised November 2024)

This tenancy policy sets out how Norwich City Council will manage tenancies within our owned housing stock. It covers granting, use of tenancy conditions relevant to introductory and secure tenancies, and any associated support and enforcement tools.

The policy is applicable to tenants of Norwich City Council. The Government introduced the requirement for all social landlords to publish a tenancy policy within Localism Act 2011.

## Contents

<a href="#">Tenancy Policy</a> .....	18
<a href="#">1. Tenancies</a> .....	19
<a href="#">2. Tenancy breaches</a> .....	22
<a href="#">3. Rents and service charges</a> .....	22
<a href="#">4. Housing exchange</a> .....	23
<a href="#">5. Tenancy reviews and visits</a> .....	23
<a href="#">6. Succession rights</a> .....	25
<a href="#">7. Tenancy support and sustainment</a> .....	27
<a href="#">8. Tenancy fraud</a> .....	30
<a href="#">9. Policy review</a> .....	32
<a href="#">10. Useful links</a> .....	32

# 1. Tenancies

Local authorities will normally only grant secure tenancies. We operate all tenancies according to statutory criteria. In general, security of tenure legislation does not allow councils to tailor a tenancy to an individual's needs outside of the statutory criteria.

## Introductory tenancy

If you're not already a secure tenant with us, or another council, we will offer you an introductory tenancy. This tenancy normally lasts 12 months, but we can extend it. After you complete it, if everything has gone well, we will offer you a secure tenancy.



Stick to the rules of your introductory tenancy agreement. Your tenancy is not secure, so you have fewer rights, and can lose your home if you break the agreement. As an introductory tenant, you cannot buy your home under Right to Buy or exchange it with other tenants.

## Secure tenancy

A secure tenancy means you have the right to stay in your home for your lifetime if you stick to the rules of your tenancy agreement. You can rent out a room, buy your home through [Right to Buy](#), and exchange your home with other tenants. You can also improve your home, with permission, and transfer your tenancy in some circumstances.

## Fixed term tenancies

A fixed term tenancy is a secure tenancy for two years or more. We do not offer fixed term tenancies. Our introductory tenancy leads to a secure tenancy after 12 months, except if we extend the time.

## Licence agreement

If we carry out extensive repairs or make improvements to your home, we may need to move you into another property while we do the work. We will provide a licence agreement, which gives consent for you to temporarily live in the property.



You do not have the same protection in a property under a licence agreement as you do in your secure tenancy home. This is because we are using it to house you temporarily. It is important to stick to the rules of your licence agreement, or you could lose the property.

## Demoted tenancy

A court may end a secure tenancy and replace it with a demoted tenancy if a tenant is in court for anti-social behaviour. A demoted tenancy can last 12 months or longer. Like the introductory tenancy, it is not secure, and you would have fewer rights. It is an alternative to a suspended possession order.

## Joint tenancies

We can grant all tenancies to joint tenants on the basis you are:

- both eligible for housing as defined by legislation,
- married or civil partners,
- living together, and can prove you have done so for at least 12 months, or
- in a mutually supportive and established relationship.

We do not normally grant a joint tenancy to a person who can succeed the tenancy, such as a mother and daughter. Agreeing to this would reduce our ability to make the best use of our council homes in the future. When deciding whether to grant joint tenancies, we act consistently and in accordance with this policy.

- 1.1 When a joint tenant serves the council with a notice to quit:
- 1.2 Where there is a joint tenancy and a notice to quit is submitted by either tenant, the tenancy will end for all of the tenants after four clear weeks (in other words, at the end of the four-week period starting on the Monday after the council receive the notice). Whilst the council can offer advice about Home Options and rehousing, a decision made about serving a notice to quit on the council is a decision for the tenant alone and if they are uncertain whether to give notice or not then the council recommends, they seek independent legal advice.
- 1.3 Please note that once a notice to quit has been served it cannot be withdrawn. In the event that the tenant/joint tenants decide they want to remain after serving a notice to quit, it will be a matter for the council's discretion, in accordance with its allocation policy, whether a new tenancy will be granted.
- 1.4 **What happens to the remaining joint tenant**
- 1.5 The Council has the discretion whether to offer a tenancy in the same property or a new property. The property must be deemed suitable in accordance with our Allocations policy and the Council will consider whether the terms of the tenancy agreement have been observed correctly.

- 1.6 **When the Council permits the remaining tenant to stay in the same property**
- 1.7 If the terms of the tenancy agreement have been kept to and the property is suitable for their housing needs, the council can decide to allocate the property back to the remaining tenant and the remaining tenant will be invited to sign a new tenancy agreement.
- 1.8 **When the Council seeks alternative property for the remaining tenant**
- 1.9 If the tenancy agreement has not been kept to, or the property is too big for their housing needs, then the council will not offer a new sole tenancy to the remaining occupant.
- 1.10 The council are entitled to a 'use and occupation' charge, which is equivalent to the rent, while an alternative is property can be found. The council may defer its right to possession for a limited period to allow the remaining occupant to seek alternative accommodation or to pay any use and occupation charge arrears. This may preclude a direct let from being considered (in accordance with the council's allocation policy).
- 1.11 In such circumstances, the remaining occupant will make a Home Options application and place bids on suitable properties. The council will offer advice and support where required through the Home Options scheme.
- 1.12 If this advice is not followed and a move is not achieved within 3 months, the council will commence possession proceedings to recover possession of the property so that it may be re-let in accordance with the council's allocation policy.

## Length of tenancy

A secure tenancy usually carries on for life. In legal terms, a secure tenancy is a weekly tenancy, if the rent is paid weekly. The week begins first thing on Monday and ends midnight on Sunday. Your tenancy starts on the date on your original tenancy sign-up sheet.

## Ending a tenancy

You can end your tenancy by giving us Notice to Quit. If there is no security of tenure, we can end your tenancy by giving you Notice to Quit.

Normally, we will only end your tenancy if you break the agreement or if you die.

A court can end your tenancy, and in exceptional circumstances only, we can agree to you surrendering it

## 2. Tenancy breaches

If you breach (break) your tenancy agreement, we will ask you to put things right. In many circumstances we will engage support services to help households remedy breaches.

Remember that you are also responsible for the behaviours of any occupants of your household, including visitors.

If problems persist, we will use a variety of methods to remedy the breaches such as:

- Verbal and written warning
- Notices
- Suspended possessions orders
- Injunctions
- Closure orders
- Demoted tenancy
- Court warrant

Note: this is not an exhaustive list.

If the breach continues or you do not engage, we will go to court to seek possession of the property.

## 3. Rents and service charges

Rents and service charges

We charge social or affordable rent across our tenancies. Rent levels are based on the value of the property and average earnings in Norfolk. Rents are set in line with the Policy Statement on Rents for Social Housing, the Rent Standard and any other guidance released by the Regulator of Social Housing.

### Social Rent

Under government guidelines a 'target rent' is calculated, and rents are adjusted yearly until they reach the 'target rent'.

During your tenancy, rents are raised in line with the Rents Standard, which is the government criteria for setting social and affordable housing rents. This is usually within 1% of inflation, although for 2023/24 this was capped to 7%. During a financial crisis, Government may cap rents to a certain level. We may decide to set a different rate, but not above the capped level. We give notice of the rent raise before the new financial year, which starts in April.

You may need to pay service charges for some communal items. This can include charges for window cleaning, premises management, landlords' supply of electricity, grounds maintenance, and caretaking.

Some homes benefit from a communal district heating supply. Such costs are

passed on within the weekly service charges, although a new government scheme known as Heat Metering and Billing has introduced direct billing to individual residents in certain heat networks. Individual water rates are passed on and paid weekly, and added separately so you can pay these directly.

Rents for “Passivhaus” properties are set at 5% above ‘formula rent’ in accordance with the Rents Standard. This helps to pay the extra cost of developing energy efficient homes. It also reflects the savings you get from lower energy bills.

### Affordable Rent

Government policy allows Registered Providers (RPs) nationally to charge ‘Affordable Rent’ which must not exceed 80% of gross market rent (inclusive of service charges) where certain conditions apply. The rent setting for Affordable rents will be aligned to be within the Local Housing Allowance cap.

For existing affordable rent tenants, the rent may not be increased by more than CPI + 1% in a year, subject to such weekly rents not increasing by more than 7% in any year for a rent period that begins in the 12 months from 1 April 2023 to 31 March 2024.

The council is committed to ensuring that rents are as affordable as possible to its tenants. Therefore, it will set ‘Affordable Rent’ in line with Government guidance and by taking into account the type of property being rented. This means that the council may exercise its discretion when setting ‘Affordable Rent’ for certain types of properties.

### Conversion of Types of Rent

Once a property is set at Social Rent, the council cannot convert the property to an Affordable Rent property, unless agreement is in place with Homes England or the Secretary of State, as appropriate. Conversions can only take place once the property is vacant. However, from time to time, the council may, on review of its Housing Stock and the housing demands of the area, convert properties from Affordable Rent properties to Social Rent properties.

## 4. Housing exchange

If you’re a secure tenant, you can exchange your home with another council or housing association tenant. This is sometimes called a mutual exchange. To exchange your council home, [register on the house exchange website](http://www.houseexchange.org.uk) (www.houseexchange.org.uk).

When you find a tenant to swap homes with, you must write to us to ask for permission to exchange. We will confirm if the exchange can go ahead within 42 days.

Sometimes, there are conditions that you may need to fulfil before we allow an exchange. Your rent account must be up to date, and if there is any damage or unauthorised alterations to the property, you would need to put this right.

We will inspect your home before any exchange and arrange to test the electricity supply and fittings to make sure they are safe.

There are circumstances where an exchange may not be allowed, for example if:

- you, or the other tenant, has a Notice Seeking Possession or a court order against you.
- the exchange would mean that one or both homes would be overcrowded or under occupied.
- the property has been adapted for special needs or the elderly, and the tenants you want to exchange with do not have those needs.
- Where certain repairs are the landlord's responsibility then these may need to be completed before the assignment can take place.

## 5. Tenancy reviews and visits

### Tenancy appraisals

If you are an introductory tenant, you must allow us to visit you at home to do appraisals. You will have up to three visits in the first year of your tenancy. We will assess how well you're keeping to the rules of your tenancy, how you're coping and looking after your home, and if you're paying rent regularly.

If there are problems, we will talk to you about what you can do to put things right. We may also extend your introductory tenancy beyond 12 months.

### Settling in visits

If you're a secure tenant, we will normally come to your home to do a settling in visit four to six weeks after you move in.

### General and programmed visits

There will be times when we need visit you at home to inspect your property, verify your tenancy, identify support needs, and carry out repairs or improvements. Some of these visits will be programmed and we will tell you in advance about them.

We are committed to making sure our council homes are safe and in good repair, and you have help and support to manage your tenancy and live well.

During our visit we will:

- identify any support needs you may have
- signpost and direct you to other services
- update records with any changes to a household
- arrange repairs that are our responsibility
- verify who lives in the property against the tenancy agreement.

You must be present for the visit and allow us into your home. You should be aware that we can gain entry to your home by serving notices and pursuing court action.

In some cases, for convenience, we may choose to conduct digital viewings to allow any of the above to take place. This will include the requirement to see live video call footage of yourself and the property to assess its condition, verify your identity and confirm you are using the property in accordance with the terms of the tenancy agreement.

## 6. Succession rights

The general rule for succession, which means taking over a property, is you cannot pass your tenancy on to other people.

There are some exceptions to the general rule, and we will allow succession if:

- A joint tenant dies during the tenancy, and the tenancy can continue for the remaining tenant.
- A sole tenant dies during their tenancy and:
  - specified members of their family occupy the home as their main residence
  - they have resided (lived) with the tenant for at least 12 months prior to death?
  - the tenant was not a joint tenant originally nor somebody to whom a tenancy had been passed on to already.

The tenancy can pass to one of the family members if the tenancy was granted to the deceased tenant before 1 April 2012.

If you no longer need the home, we must re-let it in line with our allocation policy.

### Succession rights for tenancies before 1 April 2012

Secure tenancies, and the right of succession, did not exist before 3 October 1980. You can pass a tenancy on to a family member, but only once. Specified family members that can apply for succession, must have lived in the property as their only home for at least 12 months.

Specified family members are:

- |                 |                |          |
|-----------------|----------------|----------|
| • Aunt          | • Grandchild   | • Niece  |
| • Brother       | • Grandparent  | • Parent |
| • Child         | • Half brother | • Sister |
| • Civil partner | • Half sister  | • Spouse |
| • Cohabitee     | • Nephew       | • Uncle  |



## Succession rights for tenancies from 1 April 2012

If your tenancy started on or after 1 April 2012, only your spouse, civil partner or cohabitee have succession rights to the tenancy if you die. They must be living with you at the time of death.

Cohabitee means one of a couple who are living together as if married or a civil partner as set out in the list below:

- Civil Partner
- Cohabitee
- Husband
- Spouse
- Wife

## Under occupying homes by successor

Social housing is in high demand, so we cannot allow tenants to under occupy homes that are suitable for larger households. We know this will be a difficult time, and we will support and help you to apply for Home Options to find a smaller home.

If you are not a spouse or civil partner of the deceased tenant, and the property is bigger than you need, we may serve notice under the Housing Act 1985, Section 83. You would need to move out of the property within 6 months, or possession proceedings would start. We will offer support and help you to apply for Home Options so you can bid on smaller properties.

## Occupants with no succession rights

If you do not have the right to take over the tenancy (succession), you will need to leave the property. We would serve a notice to quit to the deceased tenant's representative, and this normally gives you 4 weeks' notice to leave. But, if you meet our criteria for council housing, we will help you find another home.

In exceptional circumstances, we will allow you to stay in the property while you apply for Home Options and bid on suitable properties. You will pay a 'use and occupation' charge equivalent to the rent. You would need to move home within 3 months, or we start possession proceedings to recover and relet the property.

## 7. Tenancy support and sustainment

We are committed to helping you to successfully manage your tenancy.

Our Independent Living service provides advice, support, and guidance for more complex and vulnerable households.

### Sheltered housing

We provide sheltered housing for people aged 60 and above. You have the usual rights of a secure tenancy, but your home is not eligible for Right to Buy.

The accommodation is designed for independent living for older people, and many have shared communal lounges, laundry rooms, gardens, and courtyards. You will incur additional weekly charges for:

- Sheltered support.
- Communal upkeep and maintenance
- Care Alarm (Telecare) service
- District heating and hot water.

We will signpost you to external agencies who can provide additional support, for example, Age UK, Social Services, the Citizens Advice, Financial Inclusion Consortium, and other partners.

### Specialist support team

We know that some tenants have multiple and complex needs, and this can increase the likelihood of difficulties with your tenancy. We help around 250 tenants, families, and individuals in this situation every year.

Our principal role is to support you in situations that make you more vulnerable. This helps to increase your ability to manage a healthy tenancy for the long term and reduce the risk of eviction and abandonment.

We aim to build your resilience, wellbeing, and ability to solve issues to bring about lasting change to help retain and manage your tenancy.

Referrals to this team are made by Norwich City Council staff.

### Safe and Habitable Homes

We have a grant funded service called Safe and Habitable Homes working with St Martins to support mental health and hoarding casework.

## Interact

We have a grant funded service called Interact help people whose wellbeing is suffering as a result of something linked to their housing circumstances. People eligible for the scheme are referred by an organisation or medical professional, via our website [Healthy homes referral form | Instructions \(norwich.gov.uk\)](#). The service is a partnership between Norwich City Council, Voluntary Norfolk, One Norwich Practices, Age UK Norwich and Norfolk Citizens Advice Bureau.

## Budgeting and money advice service

We have a free and confidential team to help you if you fall into rent arrears and debt. We can help you to manage your weekly income and outgoings, to make sure your priority debts are paid.

Contact our Income Officers on 0344 980 3333, or email [budgetingandmoneyadvice@norwich.gov.uk](mailto:budgetingandmoneyadvice@norwich.gov.uk)

You can fill in a referral form on our website: [Housing, budgeting and money advice | Norwich City Council](#).

## Home improvements and disabled adaptations

If you are disabled, we can help you and your family to improve your home and garden to make it easier to get around. This may include aids and adaptations such as grab rails, ramps, stair lifts or a walk-in shower. We work closely with you and an occupational therapist to find the most appropriate solutions for you and your home.

You can fill in a referral form on our website: [Healthy homes referral form | Instructions \(norwich.gov.uk\)](#).

## Care alarm services

We provide an alarm service with 24-hours and year-round monitoring and response for anyone who feels unsafe or at risk in the community.

This independent service can be particularly useful for people who are elderly, disabled, or experiencing domestic abuse, racial harassment, or neighbourhood nuisance. [Community Alarm Service | Community Alarm Service | Norwich City Council](#).

## Domestic Abuse

Norwich City Council are committed to supporting survivors of domestic abuse and work in partnership with other organisations such as the Police and Norfolk Integrated Domestic Abuse Service (NIDAS). The council will look to increase survivors' safety, housing security and hold perpetrators to account for their harm in accordance with our domestic abuse policy

## Anti-social behaviour

We take anti-social behaviour seriously and recognise that, if allowed to persist, it can have a significant impact on your quality of life. Resolving anti-social behaviour requires a multi-agency approach. We work with statutory and voluntary sector agencies to problem solve and provide solutions.

Prevention is an essential part of our approach to dealing with antisocial behaviour. We will seek to develop support measures which prevent and deter the underlying causes of anti-social behaviour.

We will utilise support-based interventions to help you maintain your tenancy. If this is not successful or the perpetrators do not engage, we will use enforcement measures.

We want you to feel empowered to address anti-social behaviour, and there are tools available you can use:

- Further information is available on our website [Antisocial behaviour \(ASB\) | Norwich City Council](#).
- Dear [Neighbour Cards](#) - download letter templates on our website
- [Mediation service](#) – a confidential service to help resolve behaviour problems between tenants.

We take Hate Crime incidents seriously and work closely with the Police and other partners in relation to this criminal behaviour. A hate crime is one that constitutes a criminal offence and further information is available here [Hate crimes and incidents | Hate crimes and incidents | Norwich City Council](#).

## Nuisance

We are committed to developing and maintaining sustainable communities and expect a reasonable level of tolerance between neighbours. Complaints which are not a breach of tenancy like staring, pulling faces, malicious gossip, one-off parties, or social gatherings are not investigated as anti-social behaviour.

## Health and safety checks

Occasionally, we will need access to your home to make sure that it is safe and habitable. We will write to you or phone you to tell you why we, or our contractors, need to visit and when. Most visits will be to carry out repairs, maintenance, or safety checks, this includes:

- Annual gas safety checks and remedial works
- Electrical safety checks and remedial works
- Smoke and alarms detector checks
- Leaks and water ingress (into parts of the building, or other flats).

If you do not respond to our requests to visit, we will issue a notice to seek entry and apply to the courts to gain access. This costs time and money, and we may have to recharge the costs to you. Alternatively, if it is an emergency then we will make reasonable endeavours to contact you to provide us with access, however we may force entry otherwise.

## 8. Tenancy fraud

Our tenancy fraud policy defines what we consider housing fraud, what we will do to prevent it, and what actions we will take when we find it. This is part of our corporate anti-fraud policy, which underpins our corporate anti-fraud and corruption strategy.

### Commitment

Our policy on tenancy fraud states our commitment to tackling housing fraud. It details the measures we take to prevent fraud, and the actions we take to make sure our homes are only occupied by people who have the legal right to live there.

We use the following measures:

- Partnership – we will work in partnership to tackle reports of tenancy fraud with other Council departments and external agencies.
- Communication – where appropriate, we will publicise cases of tenancy fraud.
- Prevention – we identify opportunities to prevent tenancy fraud.
- Enforcement – we take enforcement action to stop tenancy fraud and to make sure social housing is used for its intended purpose.
- Performance – we look at ways to continually improve our performance on tackling tenancy fraud.

## Prevention

We know the importance of different departments and agencies working together to tackle housing fraud.

We use several key methods when trying to prevent housing fraud, including:

- The use of data analytics and credit reference agency checks to prevent fraud.
- Working closely with other partners and sharing information appropriately.
- Carrying out rigorous checks at registration and allocation stage including photographic ID.
- The introduction of photographing new tenants at sign up to eliminate ID abuse and misrepresentation.
- Making sure new tenants are fully aware of their responsibilities under the tenancy agreement.
- Carrying out appraisals visits for all new introductory tenancies.
- Actively investigating all reports and complaints of tenancy fraud to establish the facts and act where appropriate. A fraud reporting form is available on our website.
- Publicising national fraud hotlines as part of specific fraud drives.
- Investigating refusals to allow us to enter the property, for example, to carry out gas safety checks, essential repairs, or general access visits.
- Publicising cases of proven tenancy fraud.
- Continually reviewing and implementing best practice.

## Principles and standards

We apply a variety of principles and standards when dealing with tenancy fraud problems. But the most important thing is to recover properties to make sure social housing is used for its intended purpose.

We follow these principles and standards:

1. We will respond promptly to reports of tenancy fraud.
2. All reports of tenancy fraud will be taken seriously and clearly documented with an accurate record of contacts, investigations and actions taken.
3. All appropriate investigations will be conducted professionally and to the required level of thoroughness and detail to establish relevant facts and find a solution.

4. The complainants' identity is confidential unless they agree to have it disclosed. If this affects the type of action that we are able to take, we will discuss it with the person concerned.
5. All persons who are the subject of an investigation into suspected housing tenancy fraud will be always treated fairly and courteously.
6. We will consider publicising cases of proven tenancy fraud.
7. We will treat each case as being unique and deal with it based on the circumstances of that case. Action taken will be proportionate and appropriate.

## Tackling fraud

We investigate all reports or possible fraudulent abuse with our partners, where appropriate, based on our principles and standards.

We have zero tolerance policy towards fraudulent activities.

## 9. Policy review

The tenancy policy will be reviewed every three to five years. Where there are proposed changes to the policy, we will seek approval from portfolio holder and cabinet as necessary.

As a public body, we are required to have due regard to the public sector equality duty under Section 149 of the Equality Act 2010. This includes the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

When developing new policies or making material changes to existing policies, we will carry out Equality Impact Assessments (EqIAs) to make sure we meet our public sector equality duty.

## 10. Useful links

Tenancy Strategy

[Tenancy agreement](#)

[Allocations Policy](#)

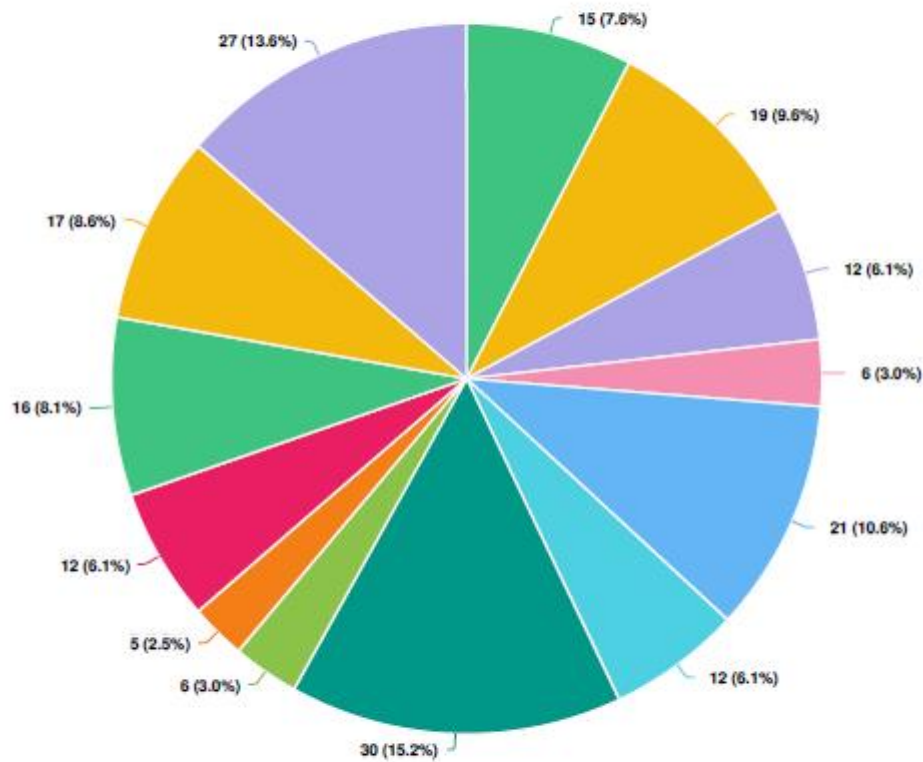
[Norwich City Council website - housing](#)

## Appendix 2 Consultation Results

2a: Residents of 13 Wards responded to the consultation document.

Get Talking Norwich : Summary Report for 23 December 2021 to 03 October 2024

What is your ward?



### Question options

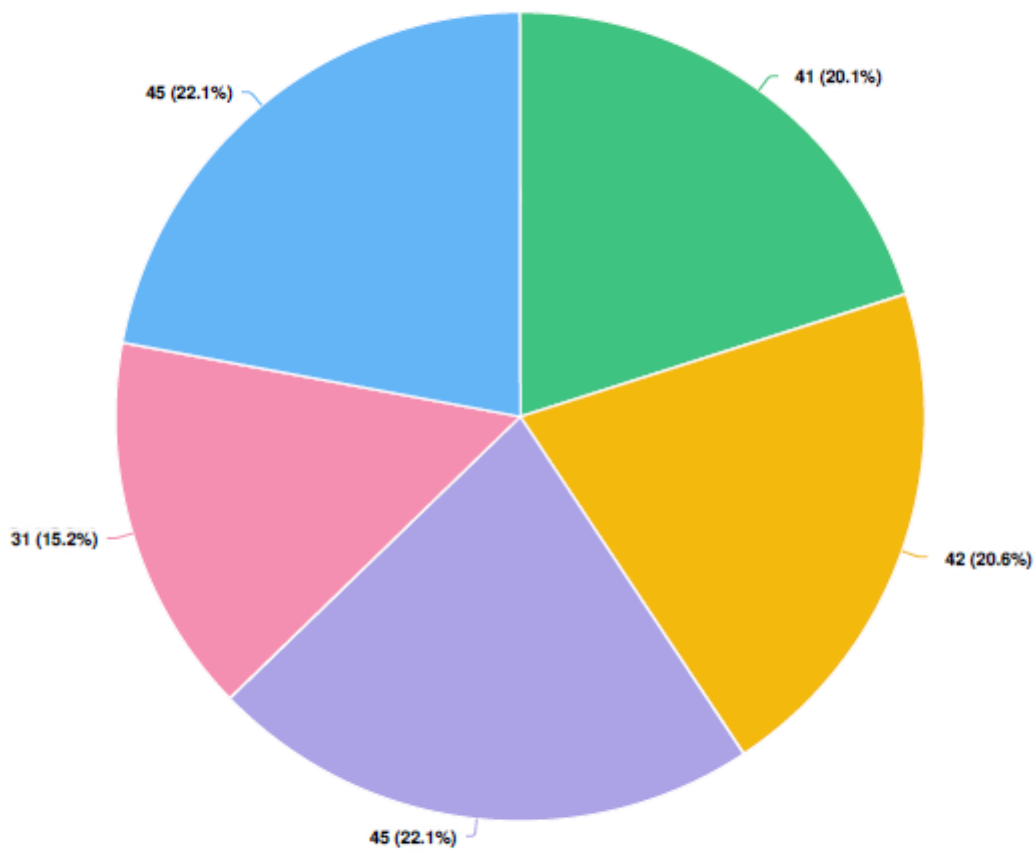
Bowthorpe Calton Grove Crome Eaton Lakenham Mancroft Mile Cross Nelson  
Sewell Thrope Hamlet Town Close University Wensum



2b: Responses to survey question.

Survey : Survey Report for 23 December 2021 to 03 October 2024

**Q4** | To what extent do you agree with our plans to safeguard a way to continue to provide council homes for future generations by introducing affordable rent?



**Question options**

● I strongly agree ● I agree ● Unsure ● I disagree ● I strongly disagree

**Appendix 3- Summary of Observations- consultation.**

	<b>Theme</b>	<b>Summary of responses</b>	<b>Norwich City Council response</b>
<b>To what extent do you agree with our plans to safeguard a way to continue to provide council homes for future generations.</b>	Finances	Not everyone can afford private renting, it's vital to the councils and people of Norwich to get an affordable home	The Council is not proposing to introduce private rent. We have aligned the rent setting for these new affordable homes with the LHA Cap. We have consulted with our Financial Inclusion team, and modelled details of current market rents, current average wages and additional benefit caps. This means that the widest set of applicants can apply and afford this rent level. Additionally newer properties with modern heating systems are considered to be 10-15% more energy efficient compared to our current housing stock.
		Just not sure people will be able to afford to pay more. When already struggling with increased bills.	
	Clearer communications	More houses at affordable price is good idea but how will it work? Is it throughout banding or what? More information would be very helpful to have a clear idea	All properties, inclusive of those that are Affordable rents will be part of the Houme Options current bidding system. It will be shown clearly whether the property being advertised for is Affordable or Social Housing. The usual Council's usual decision-making route will be applied to determine which properties are to be offered as part of the affordable regime.
		I personally don't understand how it will be decided whether someone will pay social or affordable rent	

	Theme	Summary of responses	Norwich City Council response
<p><b>To what extent do you agree with our plans to safeguard a way to continue to provide council homes for future generations.</b></p>	<p>Better quality social housing and repairs service</p>	<p>There isn't enough council homes as it is - so hopefully by providing more would help the waiting times.</p>	<p>By offering both affordable and social housing, the Council will be able to continue to offer homes for rent.</p>
		<p>Taking care of stock already held would be a start</p>	<p>The introduction of affordable rent for select properties will allow the council to continue investing in the maintenance of existing homes while enabling the construction of additional housing to meet growing demand. Any additional rental income would also be reinvested to enhance the quality of current housing and develop new, energy-efficient homes.</p>
		<p>The council repair system has gone down hill</p>	

	Theme	Summary of responses	Norwich City Council response
<p><b>To what extent do you agree with our plans to safeguard a way to continue to provide council homes for future generations.</b></p>	<p>Fairness</p>	<p>With the current financial climate I'm unsure it will be fair.</p>	<p>All properties, inclusive of those that are Affordable rents will be part of the current bidding system, and after we have completed modelling calculations based on LHA Caps with the assistance of the Financial Inclusion team, the Council have ensured that all applicants can apply for both affordable and social housing. Affordability checks may be completed to better support future tenants..</p>
		<p>Affordable rent will be only affordable for high earners.</p>	<p>We have aligned the rent setting level for our affordable rent to be within the LHA Cap, ensuring that all applicants on the housing register can apply for either affordable or social rent.</p>