



Durham County Council

Draft Tenancy Strategy

2022 - 2027

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1. Introduction

- 1.1. The Tenancy Strategy provides a framework for tenancies provided by the Council and guides the individual tenancy policies adopted by Registered Providers operating in County Durham.

Legislative Framework

- 1.2. The Localism Act 2011 introduced flexible tenancies and required all local housing authorities in England to prepare and publish a Tenancy Strategy.
- 1.3. The Tenancy Strategy sits alongside the Housing Strategy, Homelessness Strategy, and the Durham Key Options Lettings Policy. In the context of meeting housing need, it sets out the matters to which the Council and Registered Providers will have regard to when preparing their policies relating to:
- The type of tenancies they grant.
 - The circumstances in which they will grant different types of tenancy.
 - The length of any fixed term tenancies.
 - The circumstances in which a further tenancy may be granted at the end of a fixed term tenancy.

Scope

- 1.4. The Tenancy Strategy applies to Social and Affordable Rent housing and does not cover non-rental forms of affordable housing or homes in the private rented sector.
- 1.5. The Tenancy Strategy could also apply to other intermediate affordable housing in appropriate circumstances that incorporate an element of rent via shared ownership models.

Consultation

- 1.6. The strategy has been prepared in line with Section 152 of the Localism Act in consultation with Registered Providers and other key stakeholders. Every Registered Provider has been sent a copy of the proposed strategy and given the opportunity to give their views for consideration before the Strategy was adopted.
- 1.7. The Strategy has also been informed by the Sustainable Communities Strategy, Strategic Housing Market Assessment, the Councils Housing and Homelessness Strategies and the operation of our Choice Based Lettings Scheme.
- 1.8. The Strategy will be published on the Councils website for anyone wishing to view it.

Aims and Objectives

- 1.9. The Tenancy Strategy is aimed at providing clarity on the Councils expectations when determining the types of tenancy offered by Registered Providers and in what circumstances particular tenancy options may be chosen.
- 1.10. The Council is aware that some Registered Providers work across several local authority areas and may be impacted upon by several tenancy strategies. The Council would expect that any policies adopted by Registered Providers are flexible enough to take account of specific issues and concerns within County Durham and its communities.

- 1.11. The overall objective of the Tenancy Strategy is to ensure that the types of tenancy offered best meet the housing need as it relates specifically to affordable housing for those who cannot access market housing either for rent or sale.
- 1.12. The Covid-19 pandemic has taken a significant toll on so many lives and never has it been more important to ensure that residents feel secure in their home, free from the threat of eviction and homelessness.
- 1.13. The Tenancy Strategy sets out a commitment to provide a range of tenancies to meet all housing needs, providing security of tenure and a safety net for those facing financial difficulties.
- 1.14. The Tenancy Strategy aims to:
 - Ensure wherever possible that people have the opportunity of a lifetime tenancy so they can remain in their home as long as it is suitable for them, whilst recognising that fixed term tenancies can also meet housing needs in specific circumstances.
 - Help people access suitable housing options which meet their needs and ensure there is flexibility where required to address the needs of vulnerable adults and care leavers.
 - Tackle under-occupation by giving people the opportunity to move to smaller accommodation if they find themselves in a property that is too big for their needs. This will help release larger properties for those that need them, including overcrowded households.
 - Where appropriate supporting people to remain in their homes by undertaking adaptations where resources permit.
 - Consider the role that “starter” tenancies can have in encouraging new tenants to follow the requirements of their tenancy agreement particularly in relation to rent payments and anti-social behaviour, with the prospect of obtaining a lifetime tenancy at the end of any “probationary” period.
 - Provide clear tenancy agreements that set out the obligations of the landlord and the expectations the tenant in simple terms, underpinned by comprehensive pre-tenancy advice and appropriate levels of tenancy support where required to avoid tenancy failure and homelessness.

2. National Context

- 2.1. The personal and financial cost of tenancy failure is significant.
- 2.2. The major changes arising from Welfare Reform since 2012 and the devastating economic impact of the Covid-19 Pandemic have made an affordable, secure home a greater priority than ever before.
- 2.3. There have also been changes in the way social housing is provided, managed, and paid for.
- 2.4. There is a need for a clear focus on increasing tenancy sustainability.
- 2.5. At a national level this includes:

Welfare Reform Act 2012: This brought about wide-ranging reforms to the welfare system including:

- The introduction of Universal Credit, bringing together a range of benefits into a single monthly payment with housing costs paid direct to working age tenants but is paid in arrears,
- A reduction in Local Housing Allowance (LHA) rates,
- Personal Independence Payments replacing Disability Living Allowance.
- Housing Benefit reductions for working age tenants under occupying their home.

Mobile Homes Act 2013: This relates primarily to the licensing and management of mobile home sites

Prevention of Social Housing Fraud Act 2013: As a public body the Council has a duty to prevent and detect fraud. Affordable housing is a scarce resource, and we must ensure that it is let fairly to applicants who are genuinely in need and entitled to that housing. Tenancy fraudsters can be prosecuted by local councils on behalf of housing associations under the Act. Convictions can result in a fine, imprisonment or both. The courts also have the power to make the tenant pay back any profits made from the fraud.

Welfare Reform and Work Act 2016: additional reforms including:

- A 1% rent reduction each year for four years for social housing tenants,
- Further lowering of the Benefit Cap,
- A four-year freeze on the main working age benefits
- Greater responsibility for claimants with young children to fulfil their work-related activities or face the possibility of sanctions.

The Allocation of Housing (Qualification Criteria for Right to Move)(England) Regulations 2015

Local authorities must not disqualify certain persons on the grounds that they do not have a local connection with the authority's district. Specifically, a local connection may not be applied to existing social tenants seeking to transfer from another local authority district in England who:

- have reasonable preference under section 166(3)(e) because of a need to move to the local authority's district to avoid hardship, and
- need to move because the tenant works in the district, or
- need to move to take up an offer of work

Housing and Planning Act 2016: changes to actively promote homeownership, including:

- The end of secure lifetime tenancies in local authority housing,
- Further changes to succession rules that restrict the right to succeed the tenancy to spouses and partners only,
- A voluntary extension of Right to Buy to housing association tenants.

Homelessness Reduction Act 2017: places greater emphasis on local authorities to prevent and relieve homelessness for all who homeless or threatened with homelessness within 56 days regardless of priority need.

White Paper: Fixing Our Broken Housing Market 2017: signalling the Government's intention to boost housing supply and create an efficient housing market to deliver housing outcomes that meet the needs and aspirations of all households by:

- Planning for the right homes in the right places,
- Building homes faster;
- Diversify the housing market; and
- Helping people now.

Planning for the Future - White Paper 2020: proposed reforms of the planning system to streamline and modernise the planning process, including:

- A digital-first planning process.
- A new focus on design and sustainability,
- Improve infrastructure delivery.
- Make more land available for the homes and development people and communities need.

Domestic Abuse Act 2021 - ensures that

- Where a local authority, for reasons connected with domestic abuse, grants a new secure tenancy to a social tenant who had or has a secure lifetime or assured tenancy (other than an assured shorthold tenancy) this must be a secure lifetime tenancy
- All eligible homeless victims of domestic abuse automatically have 'priority need' for homelessness assistance

The Immigration Act 2014 (part 3, chapter 1)

- Places a duty on a landlord (or a tenant taking in a lodger) to carry out a 'right to rent' check on each letting. Failure to comply can result in a civil penalty. It is also an offence punishable with up to five years in prison if the landlord (including a director, manager, or secretary) lets a property knowing or having reasonable cause to believe the applicant does not have the right to rent

3. Local Context

- 3.1. The Tenancy Strategy has taken account of the broader strategic themes and priorities developed across County Durham to help tackle the identified issues and achieve its vision for the future.

County Durham Vision 2035

- 3.2. The vision for County Durham presents a shared understanding of what the county will look like by 2035. It is the agreed vision of the public, private and voluntary sector bodies that make up the County Durham Partnership. It provides strategic direction to enable us to work together, removing organisational boundaries and co-delivering services for the benefit of residents.
- 3.3. Durham is a forward-thinking county with a strong sense of community. Our friendly people, fascinating history, and beautiful countryside from the dales to the coast are what makes our county great. We are passionate about building a

better future for all and forming a new relationship between the County Durham Partnership and everyone who lives in, works in, or visits our county.

- 3.4. Our vision is also intrinsically linked to our County Durham Plan which articulates in spatial terms, our vision for housing, jobs and the environment as well as the transport, health and school's infrastructure required to support it.
- 3.5. We want to work together with residents to target future action in the areas where it can be of most benefit. Achieving the vision is beyond the grasp of any one organisation. In times when resources are scarce, it is important to collaborate. History has taught us that the best outcomes are always achieved when we work together with communities to achieve our goals.
- 3.6. The County Durham vision has three strategic ambitions over the next 15 years.
 - More and better jobs
 - People live long and independent lives, and
 - Connected communities
- 3.7. We require a range and choice of housing which is accessible, well designed and meets our future needs including an appropriate level of affordable housing, a good standard of rented property and a range of housing options. Homes need to be energy efficient for increased comfort, reduce carbon emissions and reduce running costs.
- 3.8. Never has it been more important as we build our recovery plans from the Covid-19 that residents have a choice of housing tenure that provides the maximum level of security for those in housing need.

County Durham Housing Strategy

- 3.9. The Housing Strategy sets the housing delivery priorities for County Durham. It provides a strategic framework to inform actions and investment to result in positive housing outcomes in the County.
- 3.10. The Housing Strategy provides a comprehensive approach to tackling housing issues and coordinates the delivery of housing related activity. In this context the Strategy considers the existing housing stock, future housing needs, support requirements for people to promote independence in their own homes and access to suitable accommodation.
- 3.11. The Housing Strategy puts people first and articulates the council's delivery priorities and approach to housing issues.
- 3.12. The Housing Strategy will be delivered in partnership through the Housing Forum and the Housing Strategy Partnership Framework, but also in discussion with County Durham residents the private sector, and other agencies as appropriate. Appendix 1 shows a diagram of the Housing Strategy Partnership Framework.
- 3.13. In response to changing market and policy conditions, the Housing Strategy needs to be responsive and maintain an element of flexibility to respond positively to opportunities, market issues or changes in national policy.
- 3.14. The Housing Strategy is supported by a strategic action plan, which reflect the Partnership Framework and is subject to review annually.

The Housing Market in County Durham

- 3.15. The Localism Act made significant changes to the way local authorities allocate housing and deal with homeless cases. Local authorities now have the freedom to set their own eligibility criteria for housing in their areas, according to local needs and priorities. Those households who aren't eligible for social housing will be expected to pursue other housing options, rather than joining the social housing register.
- 3.16. Many households in County Durham lack their own housing or live in unsuitable housing and cannot afford to buy or rent suitable houses at market rates. These households need affordable housing. The Strategic Housing Market Assessment (SHMA) has undertaken an assessment of the need for affordable housing within County Durham and determined that there is a need to provide 836 additional affordable homes each year to 2035.
- 3.17. Durham's Key Options has around 10,000 people registered for social housing in the County. Applicants apply on a common housing register and are awarded a priority band based upon their housing need. This determines the relative priority of each applicant and to some extent their chances of making a successful "bid" on the lettings system. The system provides feedback to applicants so they can make informed decisions about the housing they apply for and their prospects of being successful.
- 3.18. The Lettings Policy is kept under regular review to ensure that it continues to be fit for purpose and enable those who are in the most in need to secure appropriate housing.
- 3.19. A proportion of the applicants included on the Housing Register already live in the social housing sector and would therefore free up another home if they moved. Durham Key Options also promotes and facilitates Homeswap services to make it easier for tenants to exchange homes.
- 3.20. There are wide variations in level of demand depending on property type, bedrooms, size, and geographical location.
- 3.21. A high percentage of applicants and tenants are already in receipt of benefit and / or have low incomes. We are now seeing severe economic impacts arising from the Covid-19 pandemic with increasing business failures, rising unemployment and a sharp rise in house prices resulting in even more acute difficulties for local people aspiring to access the private housing market.
- 3.22. Despite this we are still experiencing low demand for some types of social housing and in certain communities.
- 3.23. We know that a high turnover of properties can lead to an increase in the numbers of empty homes, and this can have a negative impact on community stability. We have witnessed this occurring in the private sector in former mining communities and are already seeking to establish a local licensing scheme to help tackle this.
- 3.24. Key Housing Indicators in County Durham:
 - There are 246,380 dwellings in County Durham (2019).
 - 79% of properties are houses, 13.6% are bungalows, 6.6% are flats / maisonettes, and 0.8% are other property types (e.g., caravans),

- 6% have one bedroom / bedsit, 35.2% have two bedrooms, 43.8% have three bedrooms and 15% have four or more bedrooms, 18.2% of properties were built before 1919, 16.2% were built between 1919 and 1944, 21.4% between 1945 and 1964, 22.7% between 1965 and 1984, 15.1% between 1985 and 2004 and 6.3% have been built since 2005; and
- 65.86% of properties are owner-occupied, 20.20% are affordable homes

4. Types of Tenancy

- 4.1. The Council will offer an introductory tenancy to all its new tenants, who were not immediately prior to their new Council tenancy either a secure tenant with another council or an assured tenant of another social housing provider, leading to a secure lifetime tenancy subject to the tenant meeting their tenancy conditions.
- 4.2. The Council believes this will encourage new tenants to take their responsibilities as a tenant seriously knowing that if they do so a lifetime secure tenancy will be provided after an initial probationary period of 12 months.
- 4.3. In appropriate circumstances an introductory tenancy may be extended by a further 6 months.

Tenancy Policy

- 4.4. All Registered Providers in County Durham should have regard to this strategy in developing their own tenancy policies.
- 4.5. The Registered Providers operating in County Durham are listed in Appendix 2.

Tenancy Types

- 4.6. There are a range of tenancy types available providing varying degrees of security for tenants whilst ensuring effective use of the social housing stock to meet local housing need. A summary of the differences between the various tenancy types is included at appendix 3.
- 4.7. The main tenancy types are:

a. Council Tenancies

- Introductory Tenancies (aka Probationary or Starter Tenancies)
- Secure Periodic Tenancies (Lifetime Tenancies)
- Fixed Term (Flexible) Tenancies (also a form of Secure Tenancy)
- Other tenancy types permitted by law see 4.10

b. Registered Providers (Housing Associations)

- Starter (Assured Shorthold) Tenancies (aka Probationary tenancies)
- Assured Periodic Tenancies (Lifetime Tenancies)
- Fixed-Term (Flexible) Tenancies
- Other tenancy types permitted by law

- 4.8. The Council provides introductory tenancies leading to secure periodic lifetime tenancies for most of its general need properties. This approach is also supported for Registered Providers who may provide Starter assured shorthold tenancies leading to assured periodic lifetime tenancies.

- 4.9. The Council recognises that alongside secure and assured periodic tenancies there may be some circumstances where the provision of a fixed term flexible tenancy is appropriate in response to help make best use of available housing.
- 4.10. Schedule 1 to the Housing Act 1985 sets out a range of tenancies that can be offered by the Council that aren't regarded as secure tenancies. The Council recognises that other tenancy / licence types can help to provide appropriate housing options for people in a range of circumstances:
- Long Leases for a period exceeding 21 years
 - Introductory Tenancies (including Demoted Tenancies)
 - Tenancies provided for employees for the better performance of their employment contract.
 - Land acquired for development but used for temporary housing.
 - A tenancy granted to a homeless household as part of any function under Part 7 of the Housing Act 1996 will not be secure. This could include accommodation provided by a local authority:
 - under the prevention or the relief duty
 - in discharge of interim duty
 - under main housing duty until it can be ended
 - pending referral to another authority
 - to give an intentionally homeless applicant reasonable opportunity to secure accommodation
 - under a duty to an applicant who has 'deliberately and unreasonably refused to cooperate' with the Council
 - The provision of temporary accommodation for asylum seekers with no recourse to public funds
 - Temporary accommodation for key workers not normally resident in the area
 - A tenancy which has been leased from a private landlord to a local authority for use as temporary accommodation
 - Family Intervention Tenancies may be offered where the tenant is likely to be evicted on the grounds of anti-social behaviour and to support the provision of behaviour support services. They may be terminated on notice without the need to prove any grounds for possession.
 - Temporary accommodation whilst works are being carried out at a previous address
 - Agricultural tenancies where the tenant is responsible for farming
 - A tenancy of a property that is part of premises licensed to sell alcohol for consumption on the premises will not be secure
 - Student Lettings
 - Business tenancies (including those with annexed accompanying housing accommodation)
 - Almshouse provided by a charity

- 4.11. The Council also has several other specific arrangements in place relating to:
- a. Gypsy and Roma Traveller sites covered by the Mobile Homes Act 2013 – this sets out the licence and management requirements appertaining to the Councils' 126 pitches.
 - b. County Durham Lettings Agency – the Council has a number of leased in or acquired properties that are then let on a short term non-secure tenancy basis to families and individuals with complex housing needs that require intensive housing management and in order to assist the Council in meeting its duties under the Homelessness Reduction Act 2017.
 - c. Crash Pads – Short term licence to occupy arrangements for up to 2 months may be used for people in need of emergency accommodation and also used in assisting the Council in meeting its duties under the Homelessness Reduction Act 2017.

Introductory Tenancies

- 4.12. This type of tenancy (also referred to as a probationary tenancy) can only be provided by a local authority for new tenancies where the Council has elected to adopt an introductory tenancy scheme. An introductory tenancy normally lasts 12 months and provides more limited rights than those afforded to a secure tenant.
- 4.13. Introductory tenancies can be extended by 6 months in certain circumstances e.g., where the conditions of tenancy haven't been fully complied with. After the introductory tenancy duration has ended, and possession proceedings have not been instigated within the introductory period, the tenancy would normally automatically become secure "lifetime" tenancies.

Starter (Assured Shorthold) Tenancies

- 4.14. This type of tenancy (also referred to as a probationary tenancy) are normally provided to new tenants of a Registered Provider and last for 12 months. A starter tenant, which is similar to a Council's Introductory Tenancy, has more limited rights than those afforded to an assured "lifetime" tenant.
- 4.15. Starter tenancies can be extended by 6 months in certain circumstances but after 12 months they would normally become an assured "lifetime" tenancy.

Secure "lifetime" Tenancies

- 4.16. Secure tenancies can only be offered by a Local Authority. Where the local authority has decided to introduce an introductory tenancy scheme the tenant must, unless immediately prior to their new Council tenancy they were either a secure tenant with another council or an assured tenant of another social housing provider, complete an initial 12-month probationary tenancy satisfactorily, before being granted a secure tenancy.
- 4.17. Secure tenants have an extended range of rights which are enshrined in law and they can remain in their home for as long as they wish. The Council can only secure possession of the property on certain specific grounds for possession. The Council would need to prove the ground for possession and the Court would have to be satisfied on the balance of probabilities that the ground had been proven and, in most circumstances, that it was reasonable to grant a possession order. In some instances, the granting of a possession order would be subject to suitable alternative accommodation being made available.

Assured Periodic Tenancies

- 4.18. Assured Periodic Tenancies which are offered by Registered Providers are like the secure tenancies offered by the Council in many respects. Assured periodic tenants do not have the same extent of rights enshrined in law that secure tenants do.
- 4.19. Like secure tenancies these are lifetime tenancies and are given to most tenants at the end of their starter tenancy. There are specific requirements to comply with if the Registered Provider wanted to recover possession of the home which they would only do for good reason. There are several mandatory and discretionary grounds for possession.

Fixed Term (Flexible) Tenancies

- 4.20. Flexible tenancies may be used in appropriate circumstances for homes that have either affordable rent or social rents applied to them.
- 4.21. Fixed Term or Flexible tenancies, which during their term are a form of assured tenancy or secure tenancy (respectively), may be offered by the Council or a Registered Provider.
- 4.22. Where fixed term tenancies are utilised, they should normally be provided for a minimum period of 5 years (following any probationary period) unless there are specific conditions attached to the provision of a specific home outside of the control of the Council or Registered Provider for example:
- Where the Council provides temporary accommodation to support rough sleepers and Government financial support has been provided for this, a flexible tenancy is provided for a fixed term period of two years. In exceptional circumstances this may be extended to three years depending on the needs of the individual. Consent is required from MHCLG and Homes England to extend such a tenancy beyond 3 years.
- 4.23. In exceptional circumstances Registered Providers may seek to operate fixed term tenancies for less than 5 years and where this is the case the reasons should be clearly stated within their tenancy policy.
- 4.24. Where fixed term tenancies are used to support the delivery of an affordable rents programme, consideration should be given to the geographical distribution to ensure that areas with high levels of tenancy turnover are not further destabilised as a result.
- 4.25. Registered Providers should consider the needs of individual households and the impact on local communities when developing the terms of any fixed term tenancies.
- 4.26. Specific consideration should be given to the needs of applicants and tenants who would fall into the reasonable preference groups as described in the Council's Lettings Policy.
- 4.27. Registered Providers may consider adopting different tenancy lengths to enable the needs of defined groups and other potential tenants to be appropriately met. Such groups could include:
- People with a poor tenancy history due to anti-social behaviour or significant rent arrears

- People moving into properties with four or more bedrooms (to alleviate problems of under occupation)
 - People who have potential to access owner occupation or market housing in the medium to longer term and/or
 - People occupying accommodation in high demand areas or where housing of a particular type is in short supply and where increased tenancy turnover will not adversely impact on the sustainability of communities.
- 4.28. Fixed term tenancies should not normally be granted to the following groups of people:
- Applicants or a member of the household who is vulnerable because of old age where one member of the household is over the age of 60
 - Applicants or a member of the household who is registered disabled (including people with learning difficulties)
 - Applicants or members of the household who are vulnerable because of enduring mental health conditions or other special reason

Fixed Term (Flexible) Tenancy Reviews

- 4.29. Most fixed term tenancies should be renewed at review stage by Registered Providers unless the household's circumstances have altered significantly. Tenancy reviews should be conducted no later than 6 months before the end of the fixed term tenancy period.
- 4.30. Where a fixed term tenancy is granted details of how the review process will be undertaken and the factors considered should be provided to tenants at the point of letting. Registered Providers should consider:
- Household Profile: changes to the household profile since the start of the tenancy for example overcrowding/under-occupancy.
 - Vulnerability: the age, disability, health or care needs and support requirements of the household.
 - Income and employment status: the affordability of alternative housing – for example, private rented accommodation and home ownership.
 - Availability of suitable alternative accommodation in the locality; taking account of any disruption to education, employment or training for household members, affordability, and condition of alternative housing.
 - Tenancy conduct: including consideration of tenancy breach, for example rent arrears and anti-social behaviour.
- 4.31. Where a fixed term tenancy is not renewed the Registered Provider must ensure that appropriate housing advice is provided at least 6 months before the end of the fixed term tenancy. The advice should be set out in Registered Provider Tenancy Policies. All reasonable steps should be taken to prevent homelessness and where appropriate those at risk of homelessness should be referred to the Council's Housing Solutions Team.
- 4.32. Tenancy Policies should set out the tenants' right to request a review of any decisions made about their tenancy.

Non-secure tenancies

- 4.33. The Council can create non-secure tenancies to deliver their homelessness duties under Part 7 of the Housing Act 1996 (paragraph 4, schedule 1, Housing Act 1985).
- 4.34. Local authority housing has long been used as temporary accommodation for homeless households owed the 'main' homelessness duty. Since the introduction of the Homelessness Reduction Act, local authorities can also offer their properties to those owed the 'relief duty' under powers to secure accommodation for people who are not owed the main duty.
- 4.35. This could include rough sleepers who do not have priority need or are considered intentionally homeless. For those who are not owed the main duty the LA has powers to both extend their relief duty beyond 56 days, and to secure accommodation as a reasonable step towards relieving homelessness.

Domestic Abuse Act 2021

- 4.36. The Domestic Abuse Act 2021 places a duty on local housing authorities in England to offer secure tenancies to lifetime secure tenants who are changing tenancy for reasons connected to domestic abuse.
- 4.37. Registered Providers must have regard to this legislation when producing or reviewing their Tenancy Policies.

Tenancies and Minors

- 4.38. A person under the age of 18 years cannot hold a legal tenancy. In these circumstances where accommodation is essential, the Council and Registered Providers will need to make special arrangements depending upon the individuals concerned, their age and the circumstances they have.

Demoted Tenancies

- 4.39. Demoted Tenancies were introduced in the Anti-Social Behaviour Act 2003, enabling housing providers to demote a tenancy to help manage and control the antisocial behaviour of a household
- 4.40. A demoted tenancy gives the tenant less rights and enables the Council or Registered Provider to recover possession more easily. The tenancy will normally remain demoted for a period of one year and will then revert to a periodic secure or assured tenancy. If there are any further breaches during the 12 months demotion, and the landlord issues possession proceedings, the tenancy will remain demoted until one of the events in subsection 143B (4) of the Anti-Social Behaviour Act 2003 occurs.

5. Equality Impact Assessment

- 5.1 Equality and inclusion are at the heart of Durham County Council's vision and core values. We recognise that inequality continues to affect different people and communities in different ways. We are committed to creating and sustaining a modern and supportive working environment for our employees and tackling the inequalities, prejudice and discrimination affecting the diverse communities which we serve.
- 5.2 The Equality Act 2010 sets out the personal characteristics that are protected by the law and the type of behaviour that is unlawful. The protected characteristics

under the Act relate to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation.

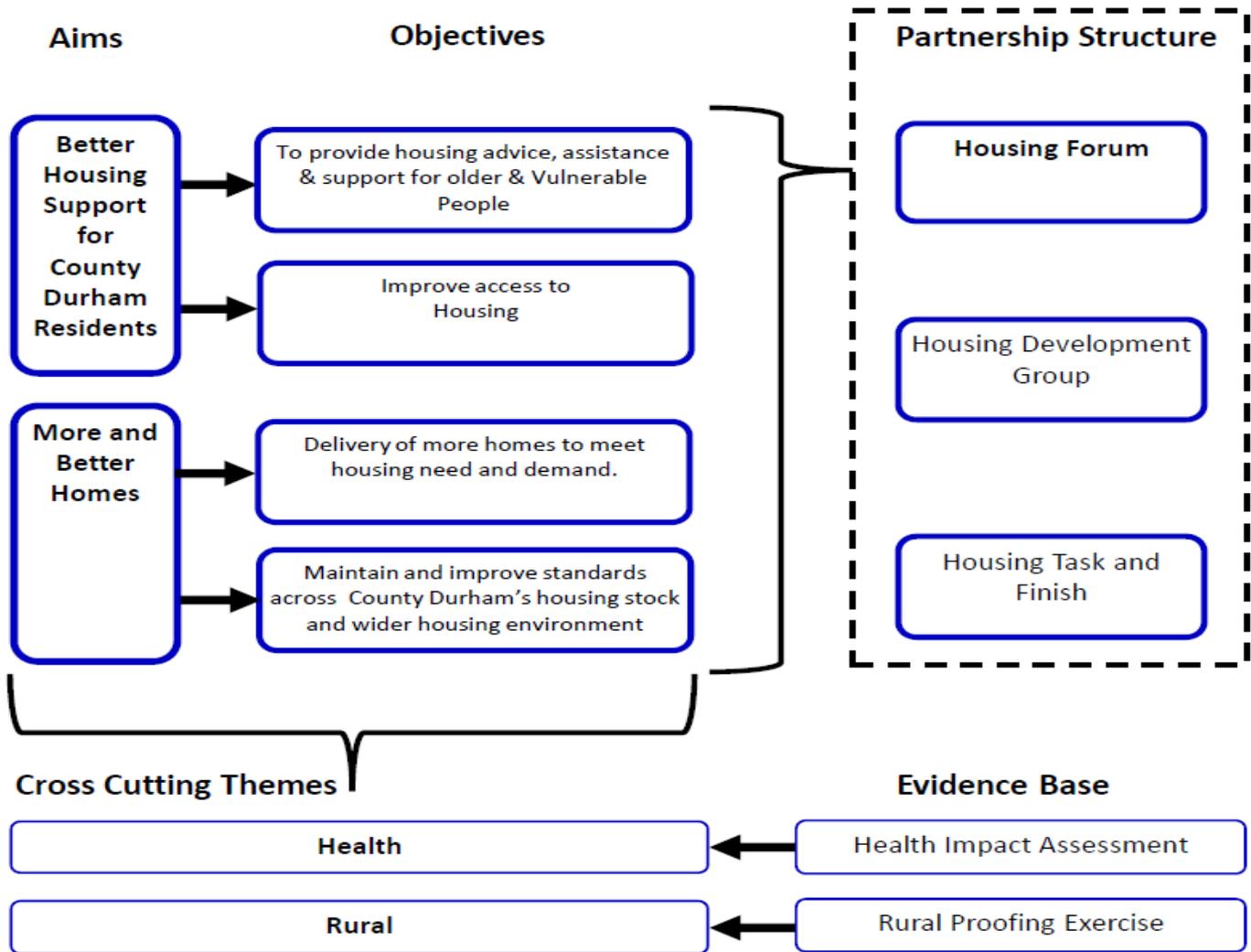
- 5.3 An Equality Impact Assessment was carried out to ensure the housing needs of all, including those with a protected characteristic are met.

6. Monitoring and Reviewing

- 6.1 Durham County Council will monitor the outcomes from the Tenancy Strategy on an annual basis and discuss any issues arising during its quarterly meetings with Registered Providers.
- 6.2 It is proposed that the County Council will use existing partnership groups with Registered Providers to facilitate and support the Council in its monitoring role and in reviewing the effectiveness of this strategy.

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Appendix 1.



Housing Strategy Partnership Framework

Appendix 2. List of Registered Providers

The list below shows the housing providers and Durham County Councils managing agents who operate within County Durham. They can be contacted for copies of their individual tenancy policies.

- Accent
- Anchor Hanover
- Believe Housing
- Bernicia
- Castles & Coasts
- DASH
- Dimensions
- Durham Aged Mineworkers' Homes Association
- Humankind
- Fair oak Housing Association
- Hellens Residential
- Home Group
- Housing21
- Jacob Wrights Almshouses (managed by Durham Aged Mineworkers' Homes)
- Jane Cameron's Old Peoples Charity (as part of Hanover)
- Johnnie Johnson Housing
- Karbon Homes
- Livin
- North Star Housing Group
- Places for People
- Railway Housing Association
- Riverside
- Salvation Army Housing Association (SAHA)
- Thirteen Group
- William Russell Bequest

Appendix 3 – Summary of Tenancy Rights

There are some differences in the types of tenancy offered depending on the type of Registered Provider you rent your home from and whether you are a new tenant or not

	Introductory Tenancies	Periodic Secure Tenancies	Fixed Term Secure Tenancies	Starter Tenancies	Assured Tenancies
Term	New council tenants for 12 Months but can be extended for 6 months. Providing tenancy conditions met and possession proceedings have not been commenced before the end of the term then a Periodic Secure tenancy will normally be granted	Providing you comply with your tenancy conditions you can normally live in your property for the rest of your life	Recommended term of 5 years could be shorter at the discretion of the Landlord	New housing association tenants for 12 Months after which an assured or fixed term tenancy will be granted unless possession proceedings have been commenced or the starter tenancy has been extended	Providing you comply with your tenancy conditions you can normally live in your property for the rest of your life
Rent	Social Rents based on a national formula set by Government. Rent. Rent increases subject to 4 weeks' notice and a limit of CPI plus 1% per annum. Newer homes may be set at affordable rent at 80% of the market rent.	Social Rents based on a national formula set by Government. Rent. Rent increases subject to 4 weeks' notice and a limit of CPI plus 1% per annum. Newer homes may be set at affordable rent at 80% of the market rent.	Social Rents based on a national formula set by Government. Rent. Rent increases subject to 4 weeks' notice and a limit of CPI plus 1% per annum. Newer homes may be set at affordable rent at 80% of the market rent.	Rent rates are regulated by Regulator for Social Housing and may be social rent or affordable rent in line with the Rent Standard. Newer homes may be set at affordable rent at 80% of the market rent.	Rent rates are regulated by Regulator for Social Housing and may be social rent or affordable rent in line with the Rent Standard. Newer homes may be set at affordable rent at 80% of the market rent
Right to Exchange	None	Statutory right to exchange tenancies. Can only be refused on certain grounds and	Statutory right to exchange tenancies. Can only be refused on certain grounds and	None	You can swap your home with another council or housing association tenant with

		can be approved subject to conditions	can be approved subject to conditions		the permission of your landlord
Right to Take in Lodgers	None	Statutory right to take in lodgers providing overcrowding doesn't occur	Statutory right to take in lodgers providing overcrowding doesn't occur	Assured tenants can take in a lodger with consent.	Assured tenants have the right to take in a lodger.
Right to Sublet	None	Statutory right to sublet part of the property providing overcrowding doesn't occur.	Statutory right to sublet part of the property providing overcrowding doesn't occur.	You may be able to sublet part of your home with consent from your landlord.	You may be able to sublet part of your home with consent from your landlord.
Right to Repair	Statutory Right to carry out certain specified repairs if they aren't completed within prescribed timescales. Compensation may be payable for ongoing delays.	Statutory Right to carry out certain specified repairs if they aren't completed within prescribed timescales. Compensation may be payable for ongoing delays.	Statutory Right to carry out certain specified repairs if they aren't completed within prescribed timescales. Compensation may be payable for ongoing delays.	You have a right to have certain repairs carried out within a reasonable timescale.	You have a right to have certain repairs carried out within a reasonable timescale.
Right to Consultation	Tenants consulted if Landlord is considering changing their landlord or changing the management arrangements of their homes.	Statutory right to be consulted on matters of housing management and views considered before changes are made.	Statutory right to be consulted on matters of housing management and views considered before changes are made.	Tenants consulted if Landlord is considering changing their landlord or changing the management arrangements of their homes.	Tenants consulted if Landlord is considering changing their landlord or changing the management arrangements of their homes.
Right to Buy	None, but length of tenancy as an introductory tenant counts towards qualification period and discount.	Statutory Right to Buy your home with discount after 3 years tenancy with some exceptions including those relating to special needs accommodation	Statutory Right to Buy your home with discount after 3 years tenancy with some exceptions including those relating to special needs accommodation		The Right to Acquire allows some housing association tenants to buy their home at a discount. You can apply to buy your housing association home if you've had a public sector landlord

					for 3 years. There are some exceptions
Right to Succession	One statutory right to succession of the secure tenancy. Alternative accommodation may be offered in limited circumstances.	One statutory right to succession of the secure tenancy. Alternative accommodation may be offered in limited circumstances.	One statutory right to succession of the secure tenancy. Alternative accommodation may be offered in limited circumstances.	Normally one statutory succession. Check terms of tenancy which may vary.	Normally one statutory succession. Check terms of tenancy which may vary.
Right to Improve	No statutory right but may be allowed to carry out small improvements with landlord's consent	Statutory right to carry out certain improvements. Consent can be withheld in certain circumstances of granted subject to conditions.	Statutory right to carry out certain improvements. Consent can be withheld in certain circumstances of granted subject to conditions.	No statutory right but may be allowed to carry out small improvements with landlord's consent	right to carry out certain improvements. Consent can be withheld in certain circumstances of granted subject to conditions.
Right to Compensation for Improvements	None	Statutory right to compensation for improvements the tenant has carried out in certain circumstances	Statutory right to compensation for improvements the tenant has carried out in certain circumstances	None	Right to compensation for improvements the tenant has carried out in certain circumstances