

STROUD DISTRICT COUNCIL

HOUSING COMMITTEE

19 SEPTEMBER 2023

Report Title	Revision of the Introductory and Secure Tenancy Agreement Conditions			
Purpose of Report	To update members of the proposed changes to the Tenancy Agreement terms & conditions and to seek authority to issue a formal notice to tenants			
Decision(s)	The Committee RESOLVES to: a) Agree that the attached Tenancy Agreement Conditions be released to tenants for formal consultation and delegation given to the Chair of Housing and the Strategic Head of Housing to adopt the definitive version after consultation b) to accept the updated Tenancy Conditions			
Consultation and Feedback	Formal consultation to take place with tenants through a formal notice of intent. Consultation has taken place with Tenants Voice Representatives			
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Options	None.			
Background Papers	None.			
Appendices	Appendix A - Tenancy Agreement Conditions Appendix B - EIA			
Implications (Further details at the end of the report)	Financial	Legal	Equality	Environmental
	Yes	Yes	Yes	No

1. INTRODUCTION / BACKGROUND

- 1.1 The Tenancy Agreement conditions were last updated in 2019. It is good practice to review the Tenancy Agreement on a regular basis to ensure that it remains legal and relevant to how tenancies are managed.
- 1.2 Section 103 of the Housing Act 1985 requires social landlords to serve a formal notice of intent to change the terms of a Tenancy Agreement.
- 1.3 The Tenancy Agreement is a contract between tenants and the Council, detailing the roles and responsibilities of both parties.
- 1.4 The Tenancy Agreement sets out tenant responsibilities without ambiguity and supports Officers in taking effective and timely action when addressing tenancy breaches.

2. MAIN POINTS

2.1 The key changes to the Introductory & Secure Tenancy Agreement conditions are highlighted below and are shaded in the revised Tenancy Agreement conditions:

2.2 Glossary

2.3 Sheltered Housing has been changed to Independent Living.

3. CONDITIONS

3.1 The wording of Sheltered Housing has been changed to Independent Living throughout the document in line with the changes in the Independent Living Strategy.

3.2 Information sharing has been removed as advice from One Legal is that this needs to be a standalone document.

4. RENT

4.1 Subsection 3.3 (page 6) Services & Service Charges. This is a new addition to the Conditions in line with the Service Charge Policy.

5. REPAIRS

5.1 Subsection 4.6.4 (page7) The addition of tenant responsibilities if a property should become uninhabitable through flood or fire.

6. PROPERTY

6.1 Subsection 5.1.4 (page 9) addition confirming that lofts should not be used for storage.

6.2 Subsection 5.1.4 (page 9) addition confirming that permission is required for video doorbells and CCTV and conditions to be adhered to.

6.3 Subsection 5.1.5(page 9) updated tenant responsibilities regarding installation and running of radon equipment.

6.4 Subsection 5.3.1 (page 10) amended the position regarding shared communal hallways and gardens that must be kept clear and tidy. Personal items such as sheds, trampolines etc are prohibited.

7. BEHAVIOUR

7.1 Subsection 6.11 (page 11) tenant responsibilities regarding their own behaviour and behaviour of their visitors towards Stroud District Council staff.

8. VARIATION TO TENANCY AGREEMENT

8.1 Subsection 7.3.1 (page 14) Confirmation that the tenancy conditions can be varied in accordance with the 1985 Housing Act.

8.2 Subsection 7.3.2 (page 14) addition to advice tenants that should they apply for a transfer through the homeseekerplus portal their current home needs to be in a good condition, or the offer could be withdrawn.

9. CONCLUSION

The existing Tenancy Agreements & Conditions have been in place since 2019. These have required a review, in accordance with best practice and to support the delivery of the Service Charge Policy. The review is to ensure the terms and conditions remain legal, relevant and reduce the risk of legal challenge.

10. IMPLICATIONS

10.1 Financial Implications

There are no financial implication arising directly from this report.
Any expenditure arising will be met through established budgets.

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10.2 Legal Implications

The report above sets out details of significant implications in paragraph 3.2

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10.3 Equality Implications

An EIA has been conducted by Officers in relation to the decision made in this report and can be found at appendix B.

10.4 Environmental Implications

There are no significant implications within this category.