

Decision Notice

Delegated Decision

Decision No:	DD11
Subject:	TENANCY MANAGEMENT POLICY: MINOR AMENDMENTS TO EXISTING POLICY
Date of Decision	8 August 2022
Notification Date:	10 August 2022
Implementation Date:	10 August 2022
Decision taken by:	Mike Davis, Strategic Director (Corporate Resources)
Delegated Authority:	Cabinet Decision CAB 13 of 5 July 2021: ‘That the Strategic Director (Corporate Resources) be authorised, in consultation with the Portfolio Holder for Housing and Health, to make future minor amendments to the strategy and policy as required.’
Decision Type:	Executive Non-Key Decision
Call-In to Apply?	No (<i>Call-in does not apply to non-Key Officer Decisions</i>)
Classification:	Unrestricted
Reason for the Decision:	To make necessary minor amendments to the policy to improve clarity of policy objective and facilitate operational activity.
Decision:	To adopt the Tenancy Management Policy with minor amendments as detailed in this notice.

1. Summary

- 1.1 At its 5 July 2021 meeting, Cabinet agreed to adopt subject to consultation a revised Tenancy Strategy and Tenancy Management policy.
- 1.2 A recent operational issue has highlighted that section 5.4 and section 8 of the Tenancy Management Policy require minor clarification to give effect to the policy intention.
- 1.3 The minor amendments highlighted in red in the Tenancy Management Policy attached at appendix 1 reflect the need to clarify the circumstances in which: the Council will/will not agree to the conversion or assignment of a tenancy from a jointly held to solely held one and the right reserved by the Council, in accordance with the terms of the tenancy agreement, to consider on occasion a new offer of tenancy to household members who do not have the statutory right to succeed to the tenancy. The Strategic Director (Corporate Resources) in consultation with the Portfolio Holder for Housing and Health has delegated authority by virtue of the Cabinet decision taken on 5 July 2021 to make minor changes to the Tenancy Management Policy, should they be required in future.

2. Identification of Options

- 2.1 Option 1: Approve these minor changes to the Tenancy Management Policy.
- 2.2 Option 2: Not approve the minor changes to the Tenancy Management Policy.
- 3. **Evaluation of Options**
 - 3.1 Option 1 is the recommended option. The current Tenancy Management Policy requires minor redrafting to provide clarity in two important sections and to give effect to conditions in the tenancy agreement and policy objectives.
 - 3.2 Option 2 Not approve the minor amendment to the document. This is not the recommended option as the policy will continue to lack the necessary clarity to facilitate effective operational implementation.
- 4. **Any Conflicts of Interest Declared?**
 - 4.1 None.
- 5. **Resource Implications**
 - 5.1 The revisions to the Tenancy Management Policy will be delivered within existing resources in the Housing Revenue Account (HRA).
- 6. **Climate Change and Environmental Implications**
 - 6.1 There should be no environmental or climate change implications as a consequence of this decision being taken.
- 7. **Corporate Implications**
 - 13.1 Comment from the Director of Finance (linked to the MTFP) Accountancy has been consulted and has no further comments. (FP) 19/07/22
 - 13.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.
 - 13.3 Comment from the Equalities Officer: 'This report does not specifically highlight any equality implications. Members are reminded that in discharging their duties they are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/section/149>'
 - 13.4 Other Officers (as appropriate): None received.
- 8. **Supporting Information (as applicable)**
 - 8.1 See attached Appendix (All amendments are highlighted in red for ease of reference)