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## **RENEWAL, RECREATION AND HOUSING POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

**Meeting to be held on Tuesday 21 March 2023**

**Please see the attached appendices marked “to follow” on the agenda.**

**8b AFFORDABLE HOUSING - POLICY AND STRATEGY DOCUMENTS –  
APPENDICES 1 – 4 (Pages 3 - 64)**

***Copies of the documents referred to above can be obtained from  
<http://cds.bromley.gov.uk/>***

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**Bromley Resident Asset Management Strategy**  
**2023 - 2024**

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## 1.0 Introduction

### 1.1 Background

For the first time since 1992, Bromley is delivering a small portfolio of homes for social rent, for which it will retain landlord responsibility, with a development pipeline in place, and plans for further expansion over time.

In recognition of the need to directly oversee housing management within a highly regulated environment, it has been recognised that a robust and compliant approach to asset management is needed, encompassing operational management standards and controls, and to inform decision making as the portfolio grows, to ensure the ongoing sustainability of the HRA business plan.

### 1.2 Scope

This Asset Management Strategy sets out Bromley’s approach to the management of its social rented housing assets for which it has retained landlord responsibilities. It is an interim document, reflecting the fledgling nature of the portfolio and its and will be adopted as the Housing Revenue Account (HRA) Asset Management Strategy when it is established.

Necessarily, this is a high-level document, setting out the aspirations and the future course for managing these residential assets, supported by robust operational policies, processes and investment plans. The residential assets are:

Bromley Residential Assets			
Agreed Scheme	Address	Units	Configuration
Burnt Ash Lane Car Park	Kevin Fenton Mews	25	1 & 2-bedroom
Bushell Way	Chris Whitty Place	25	1 & 2-bedroom
Anerley Town Hall Car Park	George Grove	10	1 & 2-bedroom
York Rise	Orpington	35	1 & 2-bedroom

A list of the individual assets is set out in [Appendix 1](#).

### 1.3 Purpose

This strategy will set out the structures and processes necessary to ensure the long-term management of Bromley’s residential housing assets, through:

- a. **Strategic alignment:** Meeting corporate objectives of investing in affordable homes, and in supporting health and wellbeing, and improved environmental performance goals.
- b. **Customer focus:** Ensuring the quality of homes and service provided meet the reasonable expectations of residents, through engagement and co-production.
- c. **Quality standards:** Setting and delivering benchmark standards for key resident facing services such as repairs and lettings.
- d. **Proactive intervention:** Adopting active asset management techniques to deliver timely programmes of investment that maintain asset condition and performance.

- e. **Compliance focus and risk awareness:** Providing assurance at all times of regulatory compliance and in mitigating operating environment and supply chain risks.
- f. **Whole-life decision making:** Maintaining homes at agreed standards for the life of the HRA business plan, whilst ensuring sustainable levels of investment.
- g. **Impact driven:** Measuring the impact of providing high quality affordable homes on lives and communities, and in evolving the strategy through insight and continuous learning.

## 2.0 Strategic Context

### 2.1 Bromley context

- 2.1.1 Bromley is experiencing severe affordable housing pressures, and although the borough has managed to deliver slightly above its target for new homes in recent years, demand for affordable housing dramatically outstrips supply, driven by high house prices and increasing rents. Homelessness applications are also increasing, and the need for affordable homes, particularly those at a social rent, is growing all the time.
- 2.1.2 Bromley has relatively low levels of social housing compared with other London boroughs, with 14% of all available housing against a London average of 23%. The numbers of homeless households have increased, with over 1,500 households living in temporary accommodation.
- 2.1.3 Many of the sites identified in Bromley for residential development are small, and suitable only for developments of ten or less units and these schemes do not meet the threshold for a developer contribution towards affordable housing.
- 2.1.4 The **Bromley Corporate Strategy (2021-31)** sets out a number of housing related priorities:
  - a. Deliver 1,000 new affordable quality homes.
  - b. Ensure the housing targets we have set in the Local Plan are met.
  - c. Ensure that the housing needs and aspirations of more vulnerable people.
  - d. Implement a Homelessness strategy.
  - e. Reduce the use of temporary accommodation.
  - f. Enable people to have a greater stake in their local community.
- 2.1.5 The **Bromley Local Plan (2020-35)** seeks to ensure that there will be an appropriate supply of homes to meet the varied needs and incomes of the local population, which responds to changing demographics, in particular as the population. It mandates the Council to make provision for a minimum average of 641 additional homes per annum over the ten-year plan period and where possible over the fifteen-year plan period.
- 2.1.6 The **Bromley Housing Strategy (2019-29)** identifies four key priorities for us to address housing need in Bromley:
  - a. Increasing the number of homes in Bromley.
  - b. Better quality, more affordable homes.
  - c. Prevent and tackle homelessness.
  - d. Support vulnerable people.
- 2.1.7 The Strategy support the building of a minimum of 10,645 new homes in Bromley between 2015 and 2030, subject to the new London Plan. This figure includes 1,000 new homes on Council-owned land or acquired sites, ensuring the mix of size meets need. It promotes:

- The use of innovative and modern construction methods such as off-site construction, to speed up development, whilst maintaining high standards.
- The review of Council buildings to explore where there is potential for refurbishment or adding to existing floor space to provide additional residential units and bring forward proposals for schemes to do this.
- Assessment of the potential to not only build homes on Council-owned sites, but to manage the homes, ensuring high quality dwellings, security of tenure and excellent tenancy management standards.

## 2.2 Operating Environment Context

- 2.2.1 This strategy has had to be cognisant of an unprecedented amount of legislative and regulatory change that, when fully outlined and implemented, will have a material impact on the resource we deploy on managing the asset base. The Regulatory environment for social housing is undergoing a significant upshift in the levels of expectation and scrutiny of placed on landlords, which is and will continue to necessitate a wholesale refocusing of management priorities and resource allocation.
- 2.2.2 The **Charter for Social Housing Residents (2020)** defines a commitment to raising the standard of social housing and meet the aspirations of residents, and the services they should be able to expect from their landlord. Specifically, to:
- Be safe and to have a good quality home and neighbourhood, all kept in good repair and complaint.
  - Have their voice heard, through engagement and scrutiny, to be treated with respect, and have complaints dealt with promptly and fairly with swift redress when needed.
  - Be supported to access a ladder of home rental or ownership opportunities.
  - Know how their landlord is performing, how it spends its money, and how they can hold it to account, and to feel empowered to ask questions within a culture of transparency.
- 2.2.3 The **Fire Safety Bill (2021)** will introduce regulation to protect anyone sharing a communal entrance or space (defined as two or more domestic premises), through rolling fire risk assessments and remedial action programmes. Housing managers will be required to identify fire hazards including to doors and windows that may have become compromised over time. Managers must identify residents who would find it particularly difficult to evacuate in the event of fire and maintain Risk Assessments that set-out the response in the event of fire, and to review assessments annually to ensure nothing has changed.
- 2.2.4 The **Building Safety Bill (2021)** will place significant new duties on those who procure, plan, manage and undertake building work, with safety considered at every stage of a building's lifetime, ensuring that residents are safe and feel safe, with regulatory powers to act against landlords who are found to be underperforming.
- 2.2.5 A strengthened **Housing Ombudsman Scheme** and **Complaint Handling Code (2020)**, set out clear expectations for landlords on handling housing complaints, backed by a new power to issue a complaint handling failure order where there is non-compliance. Landlords are expected to self-assess against the Code to ensure that their complaint handling process is accessible, consistent and enables the timely progression of complaints on behalf of tenants.
- 2.2.6 The strategy will be reviewed annually and updated as needed to meet the requirements of all future legislation and regulation as applied.

### 3.0 Delivering Asset Management Priorities

3.1 The primary aim of this Residential HRA Asset Management Strategy is to ensure the growing portfolio of homes for which Bromley retains direct landlord responsibility is managed and maintained to a high standard, that it is compliant with legislation and regulation, anticipates and adapts to changes in the operating environment, and directs sufficient investment to sustain the portfolio. The strategy provides the structure that will allow informed decisions to be made about asset management and investment priorities. The primary objectives of the strategy are set out in this section.

#### **Customer insight and engagement**

3.2 The aspirations of stakeholders and residents are a key part of the strategy and how we implement it. Listening to, and engaging with, current and future residents will be an essential part of successfully delivering this strategy and ensuring the sustainability of the HRA business plan.

3.3 We will support both formal and informal engagement channels that will enable residents to take part in and influence the decision-making processes at strategic, operational and neighbourhood levels.

#### **Landlord Health and Safety Compliance and Building Safety**

3.4 Bromley is committed to ensuring the safety of all residents and visitors and will ensure its residential assets meet all applicable health and safety requirements and provide a safe and secure environment.

3.5 We will maintain a high level of investment in the safety of our assets over the lifetime of the strategy and ensure all of our assets are compliant at all times.

3.6 We are putting in place the necessary governance and scrutiny processes to protect residents, with clear ownership and accountability structures for health and safety and compliance with consumer standards.

3.7 Appropriate performance indicators covering repairs, safety, complaints, and service management will be monitored through the governance structure.

3.8 We have the required level of technical skills and competency in place to provide operational scrutiny and compliance assurance.

3.9 Where applicable we have robust processes to identify and manage the risks commensurate with:

- **Asbestos:** An Asbestos Management Plan will set out how we identify and manage asbestos in the properties we manage, and all asbestos related activities are carried out in accordance with the management plan and the Control of Asbestos Regulations 2012.
- **Water hygiene:** We will undertake Legionella and Water Hygiene risk assessments across our stock and will remove legacy risks from buildings when identified. Water

hygiene risk assessments and vacant property management processes will ensure risks are mitigated in any void property or building.

- **Gas safety:** We will ensure the safety of tenants in all homes that contain a gas supply to meet our legal obligations.
- **Electrical safety:** Inspections and associated repairs of the fixed wiring installations will be undertaken at defined periods of time based on age and condition.
- **Fire safety:** In accordance with the Regulatory Reform (Fire Safety) Order 2005, fire risk assessments will be in place for all relevant assets. Assessments will be reviewed on an annual basis and any remedial work undertaken promptly. We also conduct regular checks of the common parts of flats, blocks, and activity that is monitored is recorded to ensure the safety of residents

## Repairs

- 3.10 We will publish a repairs charter and standard to ensure residents are clear regarding the scope of repairs they are entitled to, and the quality of service they should expect. We will make it easy for them to provide feedback and register complaints relating to the service.
- 3.11 We will undertake periodic inspections of homes to ensure the condition is being maintained, and to identify and proactively fix problems that may cause longer term issues.
- 3.12 We plan to deliver an appropriate balance of reactive repairs and planned investment, and to ensure this is aligned with our understanding of stock condition and asset sustainability.
- 3.13 We will use customer satisfaction and performance benchmarking to optimise the effectiveness and efficiency of the repairs service.
- 3.14 We will monitor our supply chain to deliver the most cost-effective repairs service.
- 3.15 We will use repairs data to inform investment planning through a Stock Condition Database.
- 3.16 All repairs and maintenance issues will be considered in the context of Tenant damage and potential building Insurance concerns. The Provider will refer all repairs to the Housing Product Owner, who in turn will seek internal advice from the Housing Asset Owner, where an issue or repair:
  - Affects multiple properties.
  - Is a repeat issues or repair.
  - Affects the structure or fabric of the building.
  - Is a latent defect.

## Void turnaround

- 3.17 We will publish a New Home (Lettable) Standard to inform new tenants of the quality of home they can expect.
- 3.18 We will endeavour to turnaround empty homes as quickly as possible, returning it to the lettable standard.
- 3.19 We will use a void period to assess the ongoing viability of a property, to assess investment needs, to ensure best use is made of the asset.

### **Adaptations**

- 3.20 We recognise our social responsibility to support vulnerable and disabled residents to remain independent in their home and will allocate resources for the provision of minor works, such as handrails, through to major adaptations such as adapted bathrooms or property alterations.
- 3.21 We will however ensure that our approach to adaptations remains sustainable and viable and makes best use of our stock by ensuring that properties are allocated appropriately, that investment is made into only sustainable adaptations, and that value for money is achieved.

### **Decarbonisation**

- 3.22 Bromley is committed to achieving nationally agreed targets to achieve net zero emissions by 2027 and to achieve an Energy Performance Certificate (EPC) standard of in all home of band C. To meet these targets, we will develop a short, medium, and long-term plan for energy efficiency, which adopt widely available and cost-effective solutions, whilst avoiding unsustainable re-work. The approach to achieving net zero emissions will be guided by the 2029 Net Zero Carbon Strategy (2020), the Net Zero Action Plan (2020).

### **Technology, systems, and data**

- 3.23 We will invest in asset management systems that enable us to record, model and plan the most efficient and cost-effective maintenance and investment programmes. This will enable us to effectively manage and monitor the performance, quality, and investment requirements of our residential assets.
- 3.24 We will invest in property-based monitoring and control technology to optimise running costs and to identify components at risk of failure, enabling a more predictive form of property maintenance that would allow us to monitor asset performance remotely and more cost effectively.

### **Commissioning, compliance, and regulatory control**

- 3.25 Bromley will operate a mixed market approach to the delivery of housing management, repairs, maintenance, and stock investment works, to optimise the levels of skills and competencies within the service, to deliver excellent customer service and value for money.
- 3.26 Each element and stage of works design, development, delivery will be scrutinised for compliance, to ensure that only those competent to do so, and with the right skills, are commissioned to deliver work, ensuring residents are safe, and our assets protected.
- 3.27 Bromley will procure asset management related services in compliance with Council's procurement rules and Financial regulations.

### **Ensuring value for money**

- 3.28 Achieving value for money is central to our approach to asset management. To maintain a sustainable HRA business plan, we must therefore demonstrate a full and comprehensive understanding of the financial performance of the residential assets we own and the cost to manage and sustain them.

- 3.29 Financial scrutiny will be central to investment planning activity. All investment decisions will be reviewed prior to commitment and analysed once completed to ensure the desired outcomes have been achieved. Business Planning Controls will be used to validate and assess the value and effectiveness of investment decisions.

#### **Structure, oversight, and resources**

- 3.30 In becoming a landlord, Bromley has reviewed its organisational and operating structure to ensure a proper alignment in the delivery, review, and management of housing services, in particular, in its approach to activities related to responsive and planned work. This includes the structure needed to provide oversight and delivery of asset management.

### **4.0 Asset Valuation Methodology**

- 4.1 Bromley will value its residential asset portfolio on the basis of the Existing Use Value for Social Housing (EUV SH). This valuation is determined by RICS and set out in the Red Book (2019).
- 4.2 EUV SH is designed to provide a hypothetical market value for a social housing asset if it were sold to either a mortgagee in possession, or to a Registered Provider, on the strict assumptions that the dwelling would continue to be let at affordable rents in perpetuity, would be managed in accordance with RSH requirements, and that any void properties would be re-let and not sold with vacant possession.
- 4.3 The established methodology for calculating EUV SH is a discounted cashflow, which reflects multiple variables affecting the letting, management and operation of social housing, and to model these out transparently over the long term.
- 4.4 The valuation reached reflects the constraints of the regulated environment, including the levels of rent at which a dwelling may be let, which must remain affordable. Therefore, values are considerably lower than Market Value with vacant possession (MV-VP). In Bromley, EUV SH may typically be as low as 20% of MV-VP).

### **5.0 Investment Planning**

- 5.1 We will adopt a holistic approach to investment planning, informed by a clear understanding of:
- Our assets and how they are performing.
  - Current and emerging regulatory standards
  - The standards and aspirations that Bromley has for the quality and management of its homes.
  - Whole-life cost projections and future investment goals.
- 5.2 **Insight:** We will maintain comprehensive data sets regarding the condition and performance of our residential assets. This will enable us to measure performance against standards, ensure regulatory compliance, undertake benchmarking against industry standards and peer providers, and to hold supply chain partners to account.

- 5.3 **Investment framework:** We will invest in our homes to ensure they are well maintained, warm, safe, and attractive to residents, and to manage them within available resources. An investment framework and plan will respond to current and emerging priorities to:
- a. Ensure homes and shared spaces meet statutory regulations and regulatory requirements.
  - b. Ensure homes meet Decent Homes and energy efficiency standards, and the ongoing needs of Bromley residents.
  - c. Deliver Corporate Strategy objectives in delivering additional affordable homes, whilst making best use of existing assets.
  - d. Optimise responsive repairs, planned and cyclical maintenance costs.
- 5.4 **Investment plan:** Stock performance and condition data measured against the standards at which our homes will be maintained, will determine the indicative investment needs of these homes, from which an investment plan can be built, reflecting standard component replacement lifecycles.
- 5.5 **Asset Performance:** We will build a dynamic Asset Performance Model to inform iterative investment scenario planning, based on a robust understanding of component replacement and cost per property needs, and accounting for emerging standards.
- 5.6 **Business plan affordability:** Capital investment needs will be modelled over a 30-year period to understand the cost of replacing building components (boiler, roofs, kitchens etc.) in accordance with industry lifecycle models and our own Asset Performance Model and Stock Condition Survey, which will be fully refreshed on a five-year cycle. We will continue to analyse capacity to ensure the ongoing sustainability, and to realise potential opportunities to deliver increased investment over the life of the Business Plan.
- 5.7 **Value for money:** We will manage and invest in our assets in a planned and prudential manner, through asset performance evaluation that maximises return on assets, and through inspections and quality control, to ensure outturn costs match our budgets. These costs will in turn be benchmark against other providers.
- 5.8 **Delivery:** We will commission, and client manage partnership arrangements for delivering repairs and maintenance services, and providing technical expertise, to ensure we provide assurance of regulatory compliance, deliver to our standards, and provide value for money.

## 6.0 Funding the Strategy

- 6.1 A 30 Year Residential Assets HRA Business Plan will be prepared to provide the necessary maintenance regimes to maintain the stock to a good standard and to keep residents safe. The Residential Assets HRA Business Plan will need to make full provision for the priorities outlined in this strategy, with in particular, investment needs established to:
- Maintain homes at the proposed Decent Homes Plus and Building Safety Standards.
  - Be fully Carbon neutral by 2050.

## 7.0 Performance Management

- 7.1 Monitoring of delivery progress and outcomes realisation of this strategy will be achieved through a set of Key Performance Indicators (KPIs) which will include:
- Compliance with landlord health and safety, regulatory and statutory standards.
  - Maintaining homes at the current Decent Homes standard, or other applicable standard.
  - Setting and adhering to planned works investment and timescales.
  - Meeting carbon emissions and EPC reduction milestones and targets.
  - Delivering overall growth in the NPV of the residential asset HRA portfolio.
  - Undertake option appraisals within agreed timescales.

## 8.0 Internal Controls

- 8.1 A set of internal controls will provide assurance that the Residential HRA Asset Management Strategy is being delivered:
- **Stock condition survey:** costs assumptions within the Stock Condition Survey will be reviewed regularly against sector benchmarks and against repairs and maintenance spend. The Stock Condition Survey will drive annual investment planning verification.
  - **Investment plans:** A planned investment programme with clear and robust contract management arrangements will be prepared, with robust performance measures and monitoring in place. Assurance reporting and testing will ensure rolling landlord health and safety compliance.
  - **Procurement:** Robust procurement plans, and processes will ensure that value-for-money is achieved in the management of the portfolio and validated through benchmarking and third-party validation.
  - **Responsive repairs:** Detailed contract controls and performance measures are in place to oversee the efficient and effective delivery of repairs and maintenance services, with customer satisfaction surveys used to provide assurance in the quality of the service delivered.
  - **Asset performance evaluation:** The Asset Performance Model will inform future reinvestment, investment, procurement, and options appraisals.
  - **Asset Management Strategy:** The Asset Management Strategy will be maintained as part of ongoing capacity modelling and corporate planning processes.

## 9.0 Management of Risk

- 9.1 In directly managing social housing assets, as a landlord, Bromley is assuming a new set of asset management related risks that must be fully evaluated and correctly mitigated to avoid future financial loss and reputational damage. These include:
- Building and fire safety compliance.
  - Gas safety compliance.
  - Delivery partner performance and supply chain pressures.
  - Decarbonisation.
  - Sustainable investment plans.

- 9.2 A systematic approach to managing asset-related risks will be adopted, with a regular review of impact and probability of specific risks materialising, and an evaluation of the control arrangements that are in place for managing and minimising current and emerging risks. Residential asset management risks will be recorded on the Corporate Risk Register, and mitigation actions will be reviewed and tracked through governance processes.

## 10.0 Responsibility and Review

- 10.1 Responsibility for the delivery and oversight of this strategy will sit with three clearly defined roles:
- a. **Management Provider:** Taking day-to-day responsibility for the delivery of core asset management services (responsive repairs, void management, landlord health and safety compliance checks), including responsibility for customer care. These services will be provided through a management agreement with the chosen provider.
  - b. **Housing Product Owner:** Taking day-to-day responsibility for the management and oversight of the services delivered by the Management Provider, acting as the first point of escalation within Bromley for the Provider and customers, and will be responsible for seeking and providing assurance that the services provided are in accordance with the terms of the management agreement.
  - c. **Asset Product Owner:** Taking responsibility for the delivery and oversight of the Asset Management Strategy, in setting asset management standards, defining maintenance schedules and budgets, and managing capital works programmes, and to seek and provide reassurance of compliance with the asset management strategy.
- 10.2 A complete breakdown of asset management roles and responsibilities is provided in **Appendix 2.**
- 10.3 The strategy will be formally monitored on a regular basis as part of existing governance arrangements and will benefit from the meaningful involvement of customers at key stages in its development and delivery.

## Appendix 1: Schedule of Residential Assets

Scheme	Property	Property Type	Beds	Wheelchair Accessible	Rent Level
Burnt Ash Lane Car Park	1 Kevin Fenton Mews	Duplex Apartment	2		LAR
Burnt Ash Lane Car Park	2 Kevin Fenton Mews	Duplex Apartment	2		LAR
Burnt Ash Lane Car Park	3 Kevin Fenton Mews	Duplex Apartment	2		LAR
Burnt Ash Lane Car Park	4 Kevin Fenton Mews	Duplex Apartment	2		LAR
Burnt Ash Lane Car Park	5 Kevin Fenton Mews	Duplex Apartment	2		LAR
Burnt Ash Lane Car Park	6 Kevin Fenton Mews	Duplex Apartment	2		LAR
Burnt Ash Lane Car Park	7 Kevin Fenton Mews	Duplex Apartment	2		LAR
Burnt Ash Lane Car Park	8 Kevin Fenton Mews	Single Storey Apartment	2	Y	LAR
Burnt Ash Lane Car Park	9 Kevin Fenton Mews	Single Storey Apartment	2	Y	LAR
Burnt Ash Lane Car Park	10 Kevin Fenton Mews	Single Storey Apartment	2	Y	LAR
Burnt Ash Lane Car Park	11 Kevin Fenton Mews	Single Storey Apartment	2	Y	LAR
Burnt Ash Lane Car Park	12 Kevin Fenton Mews	Single Storey Apartment	2	Y	LAR
Burnt Ash Lane Car Park	13 Kevin Fenton Mews	Single Storey Apartment	2	Y	LAR
Burnt Ash Lane Car Park	14 Kevin Fenton Mews	Duplex Apartment	1		LAR
Burnt Ash Lane Car Park	15 Kevin Fenton Mews	Duplex Apartment	1		LAR
Burnt Ash Lane Car Park	16 Kevin Fenton Mews	Duplex Apartment	1		LAR
Burnt Ash Lane Car Park	17 Kevin Fenton Mews	Duplex Apartment	1		LAR
Burnt Ash Lane Car Park	18 Kevin Fenton Mews	Duplex Apartment	1		LAR

Scheme	Property	Property Type	Beds	Wheelchair Accessible	Rent Level
Burnt Ash Lane Car Park	19 Kevin Fenton Mews	Duplex Apartment	1		LAR
Burnt Ash Lane Car Park	20 Kevin Fenton Mews	Duplex Apartment	1		LAR
Burnt Ash Lane Car Park	21 Kevin Fenton Mews	Duplex Apartment	1		LAR
Burnt Ash Lane Car Park	22 Kevin Fenton Mews	Duplex Apartment	1		LAR
Burnt Ash Lane Car Park	23 Kevin Fenton Mews	Duplex Apartment	1		LAR
Burnt Ash Lane Car Park	24 Kevin Fenton Mews	Duplex Apartment	2		LAR
Burnt Ash Lane Car Park	25 Kevin Fenton Mews	Duplex Apartment	2		LAR
Bushell Way	1 Chris Whitty Place	Single Storey Apartment	1		LAR
Bushell Way	2 Chris Whitty Place	Single Storey Apartment	2	Y	LAR
Bushell Way	3 Chris Whitty Place	Single Storey Apartment	2		LAR
Bushell Way	4 Chris Whitty Place	Single Storey Apartment	2		LAR
Bushell Way	5 Chris Whitty Place	Single Storey Apartment	2		LAR
Bushell Way	6 Chris Whitty Place	Single Storey Apartment	1		LAR
Bushell Way	7 Chris Whitty Place	Single Storey Apartment	2		LAR
Bushell Way	8 Chris Whitty Place	Single Storey Apartment	2		LAR
Bushell Way	9 Chris Whitty Place	Single Storey Apartment	2		LAR
Bushell Way	10 Chris Whitty Place	Single Storey Apartment	1		LAR
Bushell Way	11 Chris Whitty Place	Single Storey Apartment	1		LAR
Bushell Way	12 Chris Whitty Place	Single Storey Apartment	2	Y	LAR
Bushell Way	13 Chris Whitty Place	Single Storey Apartment	2		LAR

Scheme	Property	Property Type	Beds	Wheelchair Accessible	Rent Level
Bushell Way	14 Chris Whitty Place	Single Storey Apartment	2		LAR
Bushell Way	15 Chris Whitty Place	Single Storey Apartment	2		LAR
Bushell Way	16 Chris Whitty Place	Single Storey Apartment	1		LAR
Bushell Way	17 Chris Whitty Place	Single Storey Apartment	2		LAR
Bushell Way	18 Chris Whitty Place	Single Storey Apartment	2		LAR
Bushell Way	19 Chris Whitty Place	Single Storey Apartment	2		LAR
Bushell Way	20 Chris Whitty Place	Single Storey Apartment	1		LAR
Bushell Way	21 Chris Whitty Place	Single Storey Apartment	1		LAR
Bushell Way	22 Chris Whitty Place	Single Storey Apartment	2	Y	LAR
Bushell Way	23 Chris Whitty Place	Single Storey Apartment	2		LAR
Bushell Way	24 Chris Whitty Place	Single Storey Apartment	2		LAR
Bushell Way	25 Chris Whitty Place	Single Storey Apartment	1		LAR
Anerley Town Hall Car Park	1 George Grove	Single Storey Apartment	1	Y	LAR
Anerley Town Hall Car Park	2 George Grove	Duplex Apartment	2		LAR
Anerley Town Hall Car Park	3 George Grove	Duplex Apartment	2		LAR
Anerley Town Hall Car Park	4 George Grove	Single Storey Apartment	1		LAR
Anerley Town Hall Car Park	5 George Grove	Duplex Apartment	2		LAR
Anerley Town Hall Car Park	6 George Grove	Single Storey Apartment	1		LAR
Anerley Town Hall Car Park	7 George Grove	Duplex Apartment	2		LAR
Anerley Town Hall Car Park	8 George Grove	Duplex Apartment	2		LAR

Scheme	Property	Property Type	Beds	Wheelchair Accessible	Rent Level
Anerley Town Hall Car Park	9 George Grove	Single Storey Apartment	1		LAR
Anerley Town Hall Car Park	10 George Grove	Duplex Apartment	2		LAR
York Rise	1 Platinum Jubilee Close, Orpington	Ground Floor Apartment			
York Rise	2 Platinum Jubilee Close, Orpington	First Floor Apartment			
York Rise	3 Platinum Jubilee Close, Orpington	First Floor Apartment			
York Rise	4 Platinum Jubilee Close, Orpington	Ground Floor Apartment			
York Rise	5 Platinum Jubilee Close, Orpington	Ground Floor Apartment			
York Rise	6 Platinum Jubilee Close, Orpington	First Floor Apartment			
York Rise	7 Platinum Jubilee Close, Orpington	First Floor Apartment			
York Rise	8 Platinum Jubilee Close, Orpington	Ground Floor Apartment			
York Rise	9 Platinum Jubilee Close, Orpington	Ground Floor Apartment			
York Rise	10 Platinum Jubilee Close, Orpington	First Floor Apartment			
York Rise	11 Platinum Jubilee Close, Orpington	First Floor Apartment			
York Rise	12 Platinum Jubilee Close, Orpington	Ground Floor Apartment			
York Rise	13 Platinum Jubilee Close, Orpington	Ground Floor Apartment			
York Rise	14 Platinum Jubilee Close, Orpington	First Floor Apartment			
York Rise	15 Platinum Jubilee Close, Orpington	First Floor Apartment			
York Rise	16 Platinum Jubilee Close, Orpington	Ground Floor Apartment			
York Rise	17 Platinum Jubilee Close, Orpington	Ground Floor Apartment			
York Rise	18 Platinum Jubilee Close, Orpington	First Floor Apartment			

Scheme	Property	Property Type	Beds	Wheelchair Accessible	Rent Level
York Rise	19 Platinum Jubilee Close, Orpington	First Floor Apartment			
York Rise	20 Platinum Jubilee Close, Orpington	Ground Floor Apartment			
York Rise	21 Platinum Jubilee Close, Orpington	Ground Floor Apartment			
York Rise	22 Platinum Jubilee Close, Orpington	Ground Floor Apartment			
York Rise	23 Platinum Jubilee Close, Orpington	Ground Floor Apartment			
York Rise	24 Platinum Jubilee Close, Orpington	First Floor Apartment			
York Rise	25 Platinum Jubilee Close, Orpington	First Floor Apartment			
York Rise	26 Platinum Jubilee Close, Orpington	First Floor Apartment			
York Rise	27 Platinum Jubilee Close, Orpington	First Floor Apartment			
York Rise	28 Platinum Jubilee Close, Orpington	Second Floor Apartment			
York Rise	29 Platinum Jubilee Close, Orpington	Second Floor Apartment			
York Rise	30 Platinum Jubilee Close, Orpington	Second Floor Apartment			
York Rise	31 Platinum Jubilee Close, Orpington	Second Floor Apartment			
York Rise	32 Platinum Jubilee Close, Orpington	Third Floor Apartment			
York Rise	33 Platinum Jubilee Close, Orpington	Third Floor Apartment			
York Rise	34 Platinum Jubilee Close, Orpington	Third Floor Apartment			
York Rise	35 Platinum Jubilee Close, Orpington	Third Floor Apartment			
LBB owned/PIL	45 St. Pauls Wood Hill, Orpington	House	2		LHA
LBB owned/PIL	80 Sandpiper Way, Orpington	House	2		LHA
LBB owned/PIL	88 Petersham Drive, Orpington	House	2		LHA

Scheme	Property	Property Type	Beds	Wheelchair Accessible	Rent Level
LBB owned/PIL	87 Sandpiper Way, Orpington	House	2		LHA
LBB owned/PIL	107 Petersham Drive, Orpington	House	2		LHA
LBB owned/PIL	59 Rafford Way, Bromley	House	3		Formula



## Appendix 2: Asset Management Roles and Responsibilities

Responsibility	Responsible Role
<b>Asset Management Strategy</b>	
Review and update of the Asset Management Strategy	Asset Product Owner
Tracking and reporting of Asset Management Strategy outcomes	Asset Product Owner
Asset management policy maintenance and compliance reporting	Asset Product Owner
Asset Management Strategy Business Plan management	Asset Product Owner
<b>Landlord Health and Safety</b>	
Landlord health and safety plans and schedule oversight	Asset Product Owner
Landlord health and safety plans and schedule arrangements	Housing Product Owner
Landlord Health and Safety compliance check delivery: <ul style="list-style-type: none"> <li>▪ Fire safety</li> <li>▪ Building safety</li> <li>▪ Gas safety</li> <li>▪ Electrical safety</li> <li>▪ Water hygiene safety</li> <li>▪ Lifts safety</li> <li>▪ Asbestos safety</li> </ul>	Management Provider
Landlord Health and Safety compliance follow-up works	Management Provider
Landlord Health and Safety quality and compliance assurance	Housing Product Owner
Landlord Health and Safety quality and compliance Reassurance	Asset Product Owner
<b>Void Management</b>	
Voids standard and budget setting	Asset Product Owner
Void management (pre void checks, repairs, presentation)	Management Provider
Void management quality and customer satisfaction assurance	Housing Product Owner
Active Asset Management investment appraisal	Asset Product Owner
Reinvestment and disposal appraisal	Asset Product Owner



<b>Responsibility</b>	<b>Responsible Role</b>
<b>Responsive Repairs (including communal)</b>	
Repairs standard and budget setting	Asset Product Owner
Repairs authorisation: Up to £1,000	Management Provider
Repairs authorisation: Up to £2,000 (two quotes required)	Management Provider
Repairs authorisation: > £2,000	Housing Product Owner
Repairs delivery (customer care, scheduling, delivery, after-care)	Management Provider
Repairs quality and customer satisfaction assurance	Housing Product Owner
Repairs quality re-assurance	Asset Product Owner
<b>Maintenance and Cyclical Works</b>	
Maintenance and cyclical works standard and budget setting	Asset Product Owner
Annual maintenance and cyclical works plans and rolling schedules	Asset Product Owner
Maintenance and cyclical works delivery (including customer care)	Management Provider
Maintenance quality and customer satisfaction assurance	Housing Product Owner
Maintenance quality re-assurance	Asset Product Owner
<b>Capital Works</b>	
Capital works standards and budget setting	Asset Product Owner
Capital Works annual plans and rolling schedules	Asset Product Owner
Capital works delivery and oversight (including customer care)	Asset Product Owner
Capital works quality and customer satisfaction assurance	Asset Product Owner
Capital works quality re-assurance	Asset Product Owner



THE LONDON BOROUGH

**Rent and Service Charge Setting Policy**

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## **1.0 Introduction**

### **1.1 Rents**

This policy outlines the approach taken by the Council to rent setting in respect of residential units owned by London Borough of Bromley. The policy covers:

- Initial rent setting for all new build schemes
- Annual rent reviews of all units with a rental element
- Relet rent setting for all units with a rental element.

The Council sets the rents for Bromley owned properties. These properties are managed under contract by an agent who are tasked with the collection of the rent charged and arrears management.

### **1.2 Service Charges**

The setting of service charges is delegated to the managing agent on the basis that that they are set in line with the National Federation of Housing Service Charge Guidance and that all service charges are validated by the Council prior to charging. These service charges are fixed and, every effort is made to set them accurately based on the costs incurred in the previous year. We do not account for any surplus or deficit in the current year.

### **1.3 Income Recovery**

The recovery of rents and service charges is delegated under a management agreement to Pinnacle.

### **1.4 Scope of the Policy**

This policy applies to:

- All officers involved in the setting and/or validation of rents.
- All officers involved in the validation of service charges set by a managing agent operating on behalf of the Council.
- The Executive involved in the approval of rents.

## **2.0 Aim of the Policy**

We aim to:

- Set rents in accordance with the legislative and regulatory requirements together with the adoption of nationwide good practice.
- Meet our commitments to the terms and conditions of our tenancy agreements.
- Provide transparency and accountability.
- Deal with errors in rent setting quickly and efficiently and in line with regulation.
- Understand and mitigate where necessary, the impact of rents we set in relation to our financial planning, budgeting and affordability to our tenants.

### 3.0 Legislation Framework

In developing this policy; the Council has followed and fully considered the following housing legislation, regulations, and statutory guidance:

- Data Protection Act 2018 and [UK GDPR]
- Equality Act 2010
- Housing Act 1985, 1988 and 2004
- Rent Act 1977
- Latest Mayor's Housing Covenant (Relevant Authority).
- Regulator of Social Housing Rent Standard 2020
- Policy Statement on Rents for Social Housing February 2019 MHCLG
- The Capital Funding Guide
- Landlord and Tenant Act 1985 and 1987
- Housing and Regeneration Act 2008
- Traveller Site Management Good Practice Guide (Published by Communities and Local Government July 2009)

The Rent Standard (2020) applies to social housing dwellings in England. The following properties are exempt from the rent standard:

- a. Shared ownership low-cost rental accommodation
- b. Intermediate rent accommodation
- c. Specialised supported housing but not sheltered or extra care
- d. Relevant local authority accommodation
- e. Student accommodation
- f. Private Finance Initiative (PFI) social housing
- g. Temporary social housing
- h. Care homes.
- i. High-income social tenancies (HIST)

Where a dwelling requires the rent to be set in accordance with the Rent Standard, the Council complies, and we recognise the risk of non-compliance is increased if we:

- Fail to take account of changing law, regulation or government policy within our policies and procedures.
- Incorrectly treat a property as exempt or excepted from elements of the rent standard or any other relevant law or regulation
- Incorrectly categorise a property within the categories of tenure recognised by the rent standard
- Incorrectly convert a property from one category of tenure to another
- Incorrectly calculate or apply rent calculations
- Contravene the Landlord and Tenant Act 1985 by incorrectly calculating or applying a service charge
- Introduce new, bespoke rental products with rents that do not comply with the requirements of relevant law or regulation
- Have poor quality underlying data.

## **4.0 Performance and Compliance Monitoring**

### **4.1 Compliance**

- a. Rents for new build schemes are set by the Head of Finance, Adult Social Care, Health & Housing. Regeneration officers ensure those rents are compliant and are in accordance with the way the development is funded (i.e., Homes England and Local Authority agreements).
- b. The Head of Finance, Adult Social Care, Health & Housing sets the annual rents and provides the rebased rent when a property is relet.
- c. All rents are validated by the Head of Finance, Adult Social Care, Health & Housing.
- d. The Senior Management Team will sign off annual rents and refer them to the Executive Committee for approval.
- e. The Senior Management Team will review affordability undertake appropriate consultation in order to make a recommendation to the Executive Committee on rent flexibilities.
- f. The Executive Committee will approve annual rents.
- g. Rents will be set in accordance with the rent standard or regulation applicable to units exempt from the rent standard and the terms and conditions of our tenancy agreements and the prescribed notice periods. Where these are not explicit, industry standards will be adopted in a manner consistent with the aims and objectives of this policy.
- h. Areas of non-compliance will be investigated under our rents non-compliance process.
- i. Rent setting is subject to periodic internal audit and delivery should be in line with industry practice.

### **4.2 Monitoring and Review**

The rent setting policy will be reviewed annually during the annual rent setting process. This is to ensure the prevailing legislation and regulation is adhered to. Where a change is considered an impact assessment will be undertaken, if the change is considered to be minor with no significant impact to individuals or communities, then it may be approved by senior management within the Council. Major changes will require approval by the Executive with statutory consultation prior to the main decision with all known stakeholders.

## 5.0 Rent Regimes

Our responsibility currently is:

- a. The ownership of permanent social housing for the purpose of discharging our homeless duty and housing people from the housing register. These units are subject to secure tenancy agreements none of which have been issued prior to 1989 and they are therefore not subject to fair rent protection. The handover of these units commenced in 2022. They funded under the affordable rent programme as London Affordable Rents.
- b. We currently own a small number of properties for the sole purpose of providing temporary social housing' in line with homeless legislation as stated in the Housing Act 1996.
- c. We own a small number of properties which were previously used as tied accommodation for caretakers. As these units become vacant or the employment ceases, we will set the rents on social rents (formula rents) with 1999 valuations.
- d. The Council has a number of Gypsy and Travellers sites which are rented in accordance with the Mobile Homes Act 1983.

## 5.1 London Affordable Rents

London Affordable Rents (LAR) were introduced by the Greater London Authority (GLA) for the 2016-21 funding period. This is a benchmark rent, set by the GLA and based on the 2015/16 formula rent caps inflated by CPI +1%. There is a different LAR set for each bedroom size. The GLA publish a LAR each April. Whilst still an affordable rent product, the GLA recognises that LAR rents are exclusive of service charges.

- ✓ Initial Rent: GLA published LAR rate by bedroom size.
- ✓ Annual Rent Review: We will increase by CPI +1.0% until this cap is reviewed by central government in 2025.
- ✓ Relet Rent: All incoming tenants will be charged the published GLA LAR rate by bedroom size.

## 5.2 Temporary Social Housing Rents

In this policy statement, 'temporary social housing' means low-cost rental accommodation made available to a person who is homeless (within the meaning of the Housing Act 1996) either:

- a. by a private registered provider under an assured shorthold tenancy agreement or a licence where:
  - a local authority has nominated that person as a tenant of the accommodation on a temporary basis
  - that local authority owes a duty under Part 7 of the Housing Act 1996 to that person
  - the registered provider holds the social housing on a lease or a licence which has a term of more than two years and fewer than 30 years or holds the social housing on a lease with a term of 30 years or greater, or holds the freehold title to the social housing, and acquired the social housing without public assistance.
- b. by a local authority under a licence where:
  - that local authority owes a duty under Part 7 of the Housing Act 1996 to that person
  - the accommodation provided is accommodation to which the account held pursuant to section 74(1) of the Local Government and Housing Act 1989 (duty to keep Housing Revenue Account) does not relate
  - the local authority holds the social housing on a lease or a licence which has a term of more than two years and fewer than 30 years.

The units the Council has as temporary social housing are covered under 5.2 (b).

- ✓ Initial Rent: Set at 90% of the 2011 London Housing Allowance.
- ✓ Annual Rent Review: There is no annual increase.
- ✓ Relet Rent: Set at 90% of the 2011 London Housing Allowance.

## 5.3 Social Rents

Units subject to a social rent be set according to the formula rent calculation in Policy Statement for Social Housing, February 2019. Each year the government publishes a rent cap. If the rent cap is lower than the formula rent it is charged instead. The Council will not exceed published rent caps.

The Council is not permitted to convert a social rent to another rent product without prior agreement from the funding agent if the unit is being developed or from the regulator if the unit is in management. The decision to convert must be made by the Executive.

The rent standard allows rent flexibility provided there is a rationale for doing so which takes the local market context and affordability into account. Rent flexibilities will be agreed annually and the following will be considered:

- Analysis of arrears levels in the scheme.
- Rent levels at alternative accommodation in the local area
- Appropriate consultation with residents.
- Annual feedback from the managing agent.
- Overall economic conditions and affordability.

The table below shows the permitted rent flexibility under the rent standard.

Unit Type	Rent Flexibility
All units (except supported)	Formula Rent + 5%
Supported units (including extra care and sheltered)	Formula Rent + 10%

The housing department is not currently responsible for any extra care units.

- ✓ **Initial Rent:** New builds subject to social rents will be calculated on a formula rent plus a 5% rent flexibility. The rent charged will be formula rent plus the 5% rent flexibility or the capped rent whichever is the lower.
- ✓ **Annual Rent Review:** The annual increase will be including any rent flexibility.
- ✓ **Relet Rent:** All incoming tenants will be charged the formula rent plus the 5% rent flexibility or the capped rent whichever is the lower.

#### 5.4 Gypsy and Travellers Plot Rents

The Council sets the core rents for its sites in conjunction with the Gypsy and Traveller Site Management Good Practice Guide (Published by Communities and Local Government July 2009). In fixing rent levels, account should be taken of fairness for what is offered, particularly in the light of the average rent applied by the landlord for other social housing it provides, affordability and the cost of managing and maintaining the site.

Under the Mobile Homes Act 1983 rent should be reviewed annually on the review date, Landlords need to consider certain factors in proposing changes to rents, and there is a general presumption that rents should not change by more than any percentage increase or decrease in the retail price index since the last review date.

## 6.0 Managed Units

We do not currently manage units on behalf of another landlord. In the event that this changes, the rents would be set by the landlord and charged by the Council in accordance with a management agreement. Service charges would be set by the Council and the recovery of all charges would very likely be delegated to the Council under the management agreement.

## 7.0 Application of the Policy

This policy is implemented through the following processes:

- Initial rent setting process for new build schemes
- Annual rent setting process for schemes in management. The annual rent setting timetable is set out in [Appendix 1](#).
- Relet rent setting process for units that are being let after a void period
- Rent non-compliance process where a rent is set in error.

## 8.0 Equality and Diversity

This policy will be implemented in accordance with equality legislation and our Equalities Policy, ensuring that we will not discriminate against any resident on grounds of their protected characteristics. We will address any special communication requirements in order to ensure all our customers have equal access to the information they need to meet their obligations. The policy itself, has been tested under an Equality Impact Assessment (EIA) to ensure it is compliant with legislation.

## 9.0 Data Protection

This policy will operate in accordance with the principles of the Data Protection Act 2018, General Date Protection Regulations UK and our Data Protection & Confidentiality Policy. Documents relating to rent setting will be retained and disposed of in line with our Retention & Disposal Policy.

## 10.0 Training

We will ensure that the managing agent, officers and members involved in setting, validating or approving rents have the required skills and knowledge. Officers, members where necessary our agents, will receive induction, vocational training and refreshers during their employment with the Council.

## 11.0 Related Documents

- *Rent Standard April 2020*
- *Policy Statement on Rents for Social Housing February 2019*
- *Retention & Disposal Policy August 2021*
- *Data Protection & Confidentiality Policy May 2021*
- *Information Governance Policy May 2021*
- *Corporate Information Security Policy May 2021*
- *Equalities Policy March 2021*

## Appendix 1

### Annual Rent Setting Timetable

The table below represents the annual timetable, the detail is captured in the annual rent setting process.

Month	Action
September	<ul style="list-style-type: none"> <li>Revise policy</li> </ul>
October	<ul style="list-style-type: none"> <li>September CPI published <a href="http://www.ons.gov.uk">www.ons.gov.uk</a> used to uplift the rent annually</li> <li>Sign off revised policy</li> <li>Validate stock list by regime</li> <li>Rent calculations</li> <li>Managing agent service charge schedule</li> </ul>
November	<ul style="list-style-type: none"> <li>Validate rents</li> <li>Validate service charges</li> <li>Agree rent flexibility for social rents</li> <li>Sign off by heads of service</li> </ul>
December	<ul style="list-style-type: none"> <li>Executive approve revised policy.</li> <li>Executive approve rents and rent flexibilities</li> </ul>
January	<ul style="list-style-type: none"> <li>Finalise rents</li> <li>Release rent schedule to managing agent</li> </ul>
February	<ul style="list-style-type: none"> <li>Managing agent serves notice no later than 1<sup>st</sup> Monday in March</li> </ul>
March	<ul style="list-style-type: none"> <li>28-day consultation period for tenants no late</li> <li>Finalise rents and service charges</li> <li>Upload to the housing management system</li> <li>Validate upload</li> </ul>
April	<ul style="list-style-type: none"> <li>New rents and service charges LIVE from 1<sup>st</sup> Monday in April</li> </ul>



**Bromley Tenancy Strategy**  
**2023 - 2028**

Version 3

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Primary Policy Area: Housing	Version	Created	Author	Review	Executive Approved
Tenancy Strategy 2023 - 2028	1.1	March 2023	Rachel Khan	March 2028	

## 1.0 Introduction

- 1.1 The Localism Act 2011 places an obligation on the London Borough of Bromley to have a tenancy strategy which is drafted in consultation with the housing providers. It sets our expectations of all social landlords operating in the borough and provides guidance on our preferred approach to tenure and affordability with specific consideration on:
- the types of tenancies they will grant
  - the circumstances under which different types of tenancies will be granted
  - when they grant fixed-term tenancies, the length of the fixed term and whether they grant a further tenancy when the fixed term expires.
- 1.2 We value the rights of households some of whom are in the direst need, to be housed in the most suitable accommodation, and to receive the right kind of support in a tenancy which is aimed at providing them with a home which will promote their health and wellbeing. We value the need to listen to our tenants when identifying the support required and the delivery of housing services and we also value the need to identify and deliver sustainable long term housing solutions.
- 1.3 The Social Housing Green Paper, published in 2018, proposed a new deal for social housing. In November 2020. The Government published its White Paper, The Charter for Social Housing Residents, which affirms social rented homes as places where residents can put down roots and build communities.
- 1.4 We want those allocated social housing to see their homes as genuine places to settle, not as temporary welfare provision. Residents should have control over their lives and homes as this can help to build thriving, cohesive communities. Offering lifetime tenancies at social rent levels best supports this in most cases.

## 2.0 Strategic Context

- 2.1 The current tenancy strategy 2013 – 2015 is now due for renewal. Bromley has recently developed some residential properties and there are more planned. Whilst the primary aim for these units is to alleviate the pressures in temporary accommodation, the units also allow the Council to rehouse people from the housing register.
- 2.2 The corporate strategy, “making Bromley even better” sets out five ambitions to be delivered jointly with partner agencies, which dovetail with the tenancy strategy which are:
- a. For children and young people to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
  - b. For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
  - c. For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
  - d. For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.

Primary Policy Area: Housing	Version	Created	Author	Review	Executive Approved
Tenancy Strategy 2023 - 2028	1.1	March 2023	Rachel Khan	March 2028	

- e. To manage our resources well, providing value for money, and efficient and effective services for Bromley’s residents.
- 2.2 The purpose of the Housing Strategy 2019 – 2029 is to set out what the Council plans to do over the next ten years to address housing pressures in the borough, and provide good quality housing for its residents, both now and in the future. It sits within a suite of corporate strategies which set out the Council’s aspirations and plans for Bromley over the coming years and identifies four key priorities:
- Ensure financial independence and sustainability;
  - Invest in our businesses and people;
  - Ambitious for all our children and young people;
  - Enhance our clean and green borough.
- 2.3 The Homelessness Strategy 2018-2023 which is due for renewal in the next 12 months highlights the following needs:
- a. **Early identification and prevention of homelessness;** support people wherever possible before crisis and provide excellent services to those at point of crisis to prevent homelessness or assist them to secure alternative sustainable accommodation.
  - b. **Achieve positive outcomes for our young people;** preventing youth homelessness and ensuring young people are supported to make a positive transition into adulthood.
  - c. **Increase the supply of accommodation;** explore all available housing options to prevent homelessness and identify more affordable and sustainable long-term accommodation to reduce stays in temporary accommodation.
  - d. **Achieve positive outcomes by improving health and wellbeing and breaking the cycle of homelessness;** ensure services are accessible, person-centred and equip people with the skills and resilience to sustain accommodation and avoid repeat homelessness.
- 2.4 We are currently reviewing our current allocation scheme over the next 12 months to reflect the best in industry practice, to work collaboratively with social landlords and to assist Bromley residents with the best housing solution for their needs.
- 2.5 The Council’s January 2019 Local Plan sets out the planning policies, site allocations and land designations Borough-wide and is the central document in the Borough’s Development Plan. It forms part of a suite of development plan documents which comprise of the Bromley Town Centre Area Action Plan, and Supplementary Planning Documents; currently Planning Obligations and Affordable Housing and the London Plan (2016). The London Plan forms part of the Development Plan for each of the London local planning authorities. The Council uses these plans to set out its agenda for the development of residential housing which targets the areas identified in the plan as requiring regeneration. **The Local Plan is now being reviewed.**

Primary Policy Area: Housing	Version	Created	Author	Review	Executive Approved
Tenancy Strategy 2023 - 2028	1.1	March 2023	Rachel Khan	March 2028	

2.6 The challenge in London is how to provide decent, affordable housing. London’s housing shortage has been caused by the failure, over decades, to build the new homes the city’s growing economy needs. The effects of the housing shortage now reach into every aspect of Londoners’ lives. The London Housing Strategy sets out the Mayor’s vision and policies for London and the proposals to make it happen. The Mayor is calling on all organisations that have a part to play in addressing London’s housing crisis and the vision and priorities are:

- building homes for Londoners;
- delivering genuinely affordable homes;
- high quality homes and inclusive neighbourhoods;
- a fairer deal for private renters and leaseholders;
- tackling homelessness and helping rough sleepers.

2.7 In introducing this tenancy strategy we aim to:

- Work with social landlords to meet the housing needs of our residents; the provision of support in order to sustain tenancies and where needs change, offer a flexible service designed to accommodate those changes.
- To support communities to thrive through the creation of sustainable social housing offers.
- Assist affordable housing developers to understand what the council requires of social landlords who own, let and manage stock.
- Ensure that the supply of housing is genuinely affordable and built to a good standard which meets the needs of local residents, specifically those on low incomes, ensuring the supply will be linked to the aims set out in the housing strategy in response to climate concerns and net zero.
- Provide a clear development mandate across the borough, specifically with areas subjected to local plans.

### 3.0 Demographic profile of the Borough

3.1 Bromley is the largest London borough by area, covering 59 square miles. Over half the borough is open countryside, much of which is Metropolitan Green Belt land. Bromley has relatively low levels of deprivation – it is the 4th least deprived of the 33 London boroughs.

3.2 We are the 8th most populous London borough. There are approximately 331,000 residents living in an estimated 141,000 households.

3.3 22% of our population is aged 18 and under - some 71,000 young people. We have the largest population of older people of all London boroughs - 18% of the current population is aged 65 and over (58,700 people) and 15% of our residents are retired, which is approximately double the London average of 7%.

Primary Policy Area: Housing	Version	Created	Author	Review	Executive Approved
Tenancy Strategy 2023 - 2028	1.1	March 2023	Rachel Khan	March 2028	

- 3.4 The proportion of working age residents (18 to 65 years) will remain fairly stable over the next twenty years, at approximately 60% of the total population (200,500 people).
- 3.5 20% of Bromley's population is made up of different minority ethnic groups. 29% of the borough's current children and young people population are from minority ethnic groups. Bromley has one of the highest populations of settled travellers in the UK.
- 3.6 Bromley's employment rate of 78% is the 7th highest of the 21 Outer London Boroughs. 165,000 of our residents are economically active with 80,000 commuting outside the borough for work and 109,200 employed within the borough.
- 3.7 The average property price in Bromley postcode area is £561k, the median price is £480k. The average price increased by £10.8k (2%) over the last twelve months. The price of an established property is £568k. The price of a newly built property is £448k. Most properties were sold in the £500k-£750k and £300k-£400k price ranges. The table below compares the average price in Bromley with England and Wales; with prices in Bromley around 40% more expensive than the average price for England and Wales.

**September 2021 - August 2022**

Price	Bromley postcode area	England and Wales
<i>Average</i>	£568K	£340K
<i>Median</i>	£490K	£259K

- 3.8 The average Bromley salary is £34,601 which equates to an average weekly income of £665 per week with the South East as a region being £807 which shows that many in Bromley earn 31% lower than others in the region but when compared to the average for the UK which is also £655, they earn 1% more. Purchasing a property on these weekly averages will prove problematic for many residents in the borough.

#### **4.0 Discharge of Homelessness Duty**

- 4.1 Since the introduction of the Localism Act 2011, local authorities can discharge their homelessness duties through an offer of suitable accommodation in the private rented sector. Where properties of a suitable standard can be found at the right cost, Bromley will undertake a suitability check and if successful, will make an offer of private sector accommodation in line with the Homelessness Code of Guidance for Local Authorities and the Homelessness (Suitability of Accommodation) (England) Order 2012.

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- 4.2 We are working to understand the numbers of private sector landlords in Bromley in order to secure a supply of good quality properties. Where budgets allow, we offer incentives and grants to private sector landlords to help them improve their properties and maintain them to safe standards appropriate for letting. We seek to establish affordable rents within the private sector with capping at the Local Housing Allowance.
- 4.3 We work together in partnership with registered providers in the borough to discharge our homeless duty in both council and register provider stock. We recognise that with the vast amount of social housing belonging to registered providers that it is important to continue to raise the profile of the homeless in the borough. We also recognise that with ever increasing levels of financial hardship experienced by households, that homeless prevention has to be a primary aim, and this necessitates the strengthening of the partnership between the Council and social landlords.

## 5.0 Granting of Tenancies

### 5.1 Rights and Responsibilities

All tenants need to make informed choices about their housing options. We will work with our registered providers to make the process of offering tenancies is as clear and transparent as possible. All registered providers understand the need to explain the rights and responsibilities of a tenancy when signing up new tenants.

### 5.2 License to Occupy

Tenants in our temporary accommodation are signed up on non-secure tenancies, usually a licence to occupy. The home is not permanent and only available to the household whilst the Council assesses their duty under the Homelessness legislation and/or before making them a permanent offer of accommodation.

### 5.3 Introductory or Starter Tenancies

Starter or Introductory tenancies are usually offered to someone who has never held a social tenancy or someone who requires support during the initial period of their tenancy. The initial period is for 12 months, after which it will convert to a lifetime tenancy unless a Notice of Extension has been served extending it for a further 6 months. This may be done where the tenant would benefit from further support or intensive management.

### 5.4 Lifetime Tenancies

- 5.4.1 With the need to have sustainable communities and the welfare of our residents a primary aim, we prefer the offer of lifetime tenancies to tenants who have successfully completed a starter or

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introductory tenancy or a tenant transferring from another social housing tenancy. This will take the form of an assured or secure tenancy.

- 5.4.2 Social housing tenants with lifetime tenancies that were issued before 01 April 2012, and who have remained social housing tenants, have their security of tenure protected by law. The Localism Act 2011 s.154 and regulatory framework for social housing require all landlords to offer lifetime tenancies when these tenants move to another social rented home. This includes mutual exchanges, transfers, or moves as a result of major works or regeneration. Where a social housing tenant has been given a lifetime tenancy on or after 01 April 2012, and they swap their home with a social housing tenant who has a fixed term tenancy, they will lose their lifetime tenancy.
- 5.4.3 The Domestic Abuse Act 2021 requires in cases of domestic abuse, that landlords issue new lifetime tenancies, where a tenant previously had a lifetime tenancy. We expect this to be undertaken by their own landlord. but where this is not possible or they need emergency rehousing requiring assessment under the homelessness legislation, we would expect their permanent offer to be a lifetime tenancy.
- 5.4.4 We expect lifetime tenancies to be issued to vulnerable tenants with long term support or care needs. This may include the following:
  - those with enduring mental health needs;
  - those with a learning disability;
  - some types of physical disability;
  - older people in supported accommodation;
  - older people moving into specialist, sheltered or extra care housing, particularly those giving up a larger home and a lifetime tenancy;
  - those needing specialist care.

## 5.5 Flexible Tenancies

- 5.5.1 We promote the use of flexible tenancies only in the following circumstances:
  - Where a flexible tenancy is attached to specific homelessness funding.
  - Where the household would benefit from a sustained period of support longer than an introductory period.
  - We support the use of fixed term tenancies in properties that have been purpose built or substantially adapted for disabled occupants. Such adaptations can be expensive, and it is important that adapted homes are made available and let to those who need them.
- 5.5.2 Where flexible tenancies are used, these should be for a minimum of 5 years, unless a funded scheme places a specific period on the tenancy. The Regulator of Social Housing expects that fixed term tenancies should be for a minimum of five years or no later than the 19th birthday of the oldest child wherever sooner.
- 5.5.3 Social landlords who issue flexible tenancies must have a policy supported by an equalities impact assessment, stating clearly under what circumstances they will be granted.

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- 5.5.4 Fixed term tenancies which are less than five years are used exceptionally in some of the following cases:
- for short term supported housing designated as move-on;
  - where it is linked to employment or educational opportunities such key worker accommodation, where the renewal of tenancies should take place at the renewal of an employment contract subject to suitability of the accommodation.

5.5.5 The renewal process must be made clear to a tenant when the tenancy commences, and they should receive notice no later than 6 months before the tenancy is due to end where the landlord is not going to renew the tenancy. The reasons should be explained clearly together with an alternative housing solution plan; one of the avenues being, a referral to the Council in line with the provision made by the Homelessness Reduction Act 2017.

- 5.5.6 Exceptional circumstances where a tenancy is not renewed may include:
- where a tenant wishes to end their own tenancy
  - where the home has been adapted but those adaptations are no longer required, and the home would meet the needs of another household on the housing register
  - where the behaviour of the tenant is prohibitive, and the landlord has exhausted all measures to provide tenancy support.

## 5.6 Reviews and Appeals

5.6.1 All tenancies should be visited as part of a rolling programme in order to ensure the property is occupied by the household on the tenancy agreement, that the premises are being used lawfully and that it is being maintained in accordance with the tenancy conditions.

5.6.2 All new tenants should receive a settling in visit within the first few weeks of the tenancy.

5.6.3 Introductory tenants should have formal reviews at 3,6,9 months of their tenancies to ensure they are managing their tenancy and support provided to assist them complete the initial 12 months successfully.

5.6.4 All flexible tenancies should be reviewed at 9 months prior to the end of the tenancy.

5.6.4 All social landlords should have a clear tenancy appeals process which is explained to tenants where decisions are being made in relation to their tenancy and the landlord must invest in the resources to undertake these effectively. With introductory and flexible tenancies there is a statutory requirement to allow appeals in the following circumstances:

- Where an introductory tenancy is extended a further 6 months
- Where possession proceedings are commenced for an introductory tenancy
- Where a flexible tenancy is not going to be renewed.

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## 6.0 Tenancy Sustainment

- 6.1 We are committed to helping tenants to maintain their tenancy in both temporary accommodation, private rented and council accommodation. The council's tenancy management policy sets our remit in relation to tenancy sustainment, and we have the same expectation of our landlords in relation to:
- a range of targeted visits during the lifespan of a tenancy
  - rehousing where financial hardship would lead to tenancy failure
  - a support service, covering a range of advice and assistance
  - tenant orientated employment opportunities
  - tackling anti-social behaviour through a range of measures
  - making it easier for tenants to manage their own homes.
- 6.2 The aim whether delivered by the Council or one of its partner landlords, is to provide the right aid at the right time and at times this may be bespoke to a household. Tenants who have been allocated a general needs property may need supported housing and this will be assessed as one of the measures.
- 6.3 Where a tenancy is failing but has not yet met the threshold for eviction, we may consider a safe surrender agreement if rehousing is the only way to assist the tenant and the landlord has exhausted all other ways to keep them safely in their home. The agreement would be between the landlord, the homeless service and the tenant who surrenders their tenancy on a voluntarily basis thereby allowing the Council to pick them up under a prevention duty rather than an intentionally homeless.
- 6.4 Safe surrender agreements and possession of a property should be a last resort and every effort should be made to sustain the tenancy where possible. We recognise that may not be possible where the housing needs of the individual may be complex and not suited to the accommodation. We will work with registered landlords and private landlords to find a way to keep tenants in their home and where this is not possible to identify a satisfactory solution.
- 6.5 Where domestic abuse is identified, a solution that looks at the best outcome for the survivors including children will be sought. Where relocation of the perpetrator would provide the best remedy, this may be considered as an option on a case-by-case basis.

## 7.0 Succession

- 7.1 Legislation has a provision for statutory succession rights for secure and assured tenants. There is one right to succeed. The law does not grant a further succession right if the successor then dies.
- 7.2 Historically, there were significant differences between the succession rights of assured and secure tenants. The Localism Act 2011 introduced changes to harmonise succession between

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the two, however there remains significant differences, the Localism Act changes affect tenancies granted from April 2012 onwards, but not those granted before that date.

- 7.3 Some landlords offer more generous succession rights than the statutory legal minimum, allowing tenancy rights to be passed on a second time or to be conferred in circumstances when the tenant would not normally qualify for a statutory succession. The rights may be contractual, i.e. written into their tenancy agreement or discretionary and assessed on a case-by-case basis.
- 7.4 The Tenancy Standard governed by the Regulator of Social Housing, requires social landlords to have a policy on succession.

## 8.0 Tenant Mobility

- 8.1 We need family sized accommodation and recognise the need for all social landlords to provide incentives and assistance to tenants who wish to move to a smaller property. They should be encouraged to join the housing register and their application will be awarded a priority that reflects the demand for larger properties.
- 8.2 Residents who claim benefits in under occupied units are subject to the Spare Room Subsidy (also known as bedroom tax), which can have a negative impact, making affordability an issue and having a detrimental effect on health and wellbeing. Anyone who is a permanent part of the household but not living with them at the time of the application will be taken into account before moving them to a smaller property.
- 8.3 Residents who need adaptations, where their property is unsuitable for the required works will require the landlord to consider all possible ways to meet that need. Where this is not possible, they may join the housing register and will be awarded the relevant priority. Where the Council can assist with grant to allow the tenant to remain in their home, this will be explored.
- 8.4 It is important for tenants who wish to move for employment, or for support and welfare reasons, to be able to do so easily. Applicants on the housing register wishing to transfer for these reasons will be awarded suitable priority and will be considered under our local connection rules.
- 8.5 Social landlords should enable suitable moves to support the recruitment and retention of essential key workers, health and support workers in the borough where this becomes a borough priority.

## 9.0 Home Ownership

- 9.1 We will make every effort to promote the opportunities for low-cost home ownership for residents in the borough. This will involve working with the registered providers who have such

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stock and where we are approached for rehousing, applicants will be signposted to these landlords as a viable housing solution.

- 9.2 Tenants who are eligible will be able to purchase their home from their landlord through the Right to Buy and Preserved Right to Buy schemes, provided the property they reside in does not hold an exemption. Social landlords are expected to keep the Council informed of any purchases through these schemes.
- 9.3 As part of our working relationship with registered providers, we ask that the following properties be exempt from purchase:
- properties in locations, where there is a shortage of properties by type and or size;
  - designated accommodation for older people; where this accommodation is in short supply;
  - specialist or supported housing;
  - disabled adapted properties secured through planning obligations;
  - shared accommodation.

## 10.0 Social Housing in the Borough

- 10.1 We can demonstrate through a series of ward maps the properties density for council stock, registered providers, private sector rented and owner occupier.
- 10.2 We will be inserting a heat map of current Bromley owned stock including anything near completion.
- 10.3 We will be inserting a heat map that shows RP stock in the borough.
- 10.4 We will be inserting a heat map that shows PRS stock in the borough
- 10.5 Need a heat map that shows owner occupation in the borough
- 10.6 We will work with our landlords and community-led housing developers to maximise the opportunities to deliver affordable properties including social rented properties and will seek to leverage funding through Homes England and the GLA to support this where scheme viability is an issue. The priority, driven by the severe affordability issues in areas within our borough, is to protect and increase the supply of social housing in Bromley alongside the provision of other affordable housing options.
- 10.7 We are compiling data on schemes in development by type, number and tenure mix.
- 10.8 We also recognise that our registered providers may have to dispose of stock where it is not cost effective to maintain it to the Decent Homes Standard, or it is hard to let, either because of the type of accommodation or area in which it is located. Where this becomes necessary,

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particularly where a property has been given in trust, or where Bromley or Homes England have invested in the property, the full gain (less any transaction and ancillary costs) from disposal should be reinvested back into the borough.

- 10.9 Social housing may be repurposed where disposal is not the most effective solutions, and the Council will work with the relevant landlord to obtain the best possible outcome. The partnership between the Council and landlord ensures that adequate notice is given of any proposed disposal, thereby allowing the Council to consider the variety of options available to it. To avoid property disposals as a result of poor property standards, we expect all social landlords to maintain their property portfolios to the Decent Homes Standard or equivalent or higher standard. This will also promote the benefits of better health and wellbeing.
- 10.10 There is growing evidence that by joining up planning for housing with planning for health and wellbeing, significant benefits both to individuals and communities can be seen, helping people to thrive. This is one of the Council's priorities, and our commitment together with social landlords is to:
- Deliver social homes to the Decent Homes Standard or higher.
  - Build genuinely affordable places to live where residents can settle and develop a commitment to their local community.

## 11.0 Affordability Statement

- 11.1 The government promotes work to reduce dependency on benefits, so it is important that rent levels in Bromley are affordable and do not deter the tenant from entering employment. The table below shows the average weekly rents by type and bedsize:

Landlord Type	1 bed	2 bed	3 bed	4 bed
Council	Tbc	Tbc	Tbc	Tbc
Registered Provider	Tbc	Tbc	Tbc	Tbc
Private Rented	£312	£485	£577	£600

We are working on collecting data on Council and PRS rents. Then a short statement will be compiled

- 11.2 New tenants are unlikely to have sufficient savings to secure a deposit or pay rent in advance. We ask that registered providers reflect the payment of rent in advance at sign up in their policies and have a flexible payment approach to allow the tenant to build the sufficient level of credit over time.
- 11.3 Our housing strategy sets out the delivery aims for an affordable housing programme that has the right mix of social housing products and sets out the measures that we employ to achieve

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the desired outcomes. We recognise a coordinated approach with registered providers is essential to deliver those outcomes.

- 11.4 We have to consider scheme viability and the cost to the tenant overall in terms of rent and service charge when considering the rent level. However a social rent comparison will be undertaken when undertaking scheme appraisals to ensure the most affordable rent products are considered.
- 11.5 Over the next 18 months we will be working with our planning section to develop an affordability model.
- 11.6 With property prices high in the borough, first time buyers often seek a low-cost home ownership route to get on the property ladder. **We are working on collecting data on rents for shared ownership and the average % equity owned. This may disprove this statement in which case it will be altered.**

## 12.1 Delivery and Impact of this Strategy

- 12.1 The Council and the social landlords operating within the borough will jointly own the strategy. We will produce a delivery plan with our partners, using the aims and the actions identified within the strategy. We have a shared commitment across our key partners and stakeholders to support the delivery of this strategy, as the achievement of our vision is dependent upon their contribution. The Executive will have oversight of the implementation of the strategy and will monitor and review progress.
- 12.2 Under the Equality Act 2010 and in particular section 149 of the Public Sector Equality Duty, Councils are required to give due regard to eliminate discrimination, advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not, when exercising a public function such as a landlord. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. This strategy complies with the Council's Equalities Policy March 2021 which sets out our commitments to ensuring in equality in service delivery. An equalities impact assessment was undertaken, before the strategy was adopted.
- 12.3 This strategy will be reviewed every 5 years – unless legislation, business or sector developments require otherwise – to ensure that it continues to meet the stated objectives and takes account of good practice developments. We aim to mitigate any risk associated with the delivery of this strategy and its implementation by landlord tenancy policies through discussion and negotiation.
- 12.4 The delivery of this strategy will be monitored as follows:
  - Discussions with residents of the borough
  - Discussions with social landlords on its effectiveness.
  - Tenancy sustainment reviews by social landlords.

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- Feedback from the private rented sector.
- Reviews by the **Executive and RR&H**.

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## 1.0 Introduction

### 1.1 Aim of the Policy

This aim of this Tenancy Management Policy is to set out how the Council manages tenancies in Bromley owned properties from the point at which a tenancy is granted, through to the point at which it ends. Bromley owned properties are managed by an agent under agreement. The Council has delegated the management of tenancies to the agent who acts on their behalf.

### 1.2 The Legal Framework

In developing this policy; the Council has followed and fully considered the following housing legislation, regulations, and statutory guidance:

- The Housing Act 1985, 1988 and 1996
- Localism Act 2011 (England)
- The Housing Act 1996, Part 7 as amended by the Homelessness Reduction Act 2017
- Equality Act 2010.
- Data Protection Act 2018 and contained within the General Data Protection Regulation 2018 (GDPR).
- Regulatory framework for England April 2012
- Defective Premises Act 1972
- Home Loss Payments (Prescribed Amounts) (England) Regulations 2008
- Land Compensation Act 1973
- Landlord and Tenant Act 1985 and 1987
- Human Rights Act 1998
- The Civil Partnerships Act 2004
- Health and Safety at Work Act 1974
- The Gas Safety (Installation & Use) Regulations 1998
- BS 7671 IEE Wiring Regulations
- Control of Asbestos at Work Regulation 2002
- Regulator of Social Housing Compliance.
- Anti-social Behaviour, Crime and Policing Act 2014

### 1.3 Application of the Policy

This policy will be implemented through a suite of delivery processes designed to provide compliance with regulation, legislation and good practice: The key decisions will be made by the Council with the administration processed by the Council's management agent.

### 1.4 Court appointed Deputy

Where a tenant has someone appointed by a Court to make decisions on their behalf relating to their finances, property, health or personal care, we will, on sight of the legal paperwork, work with them to ensure all key decisions in relation to their tenancy are made by the Court appointed Deputy.

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## 1.5 Data Protection

The Council will ensure personal information of all tenants (new, existing and deleted) is:

- Stored lawfully
- Processed in a fair and transparent manner
- Collected for specific, explicit and legitimate for the purpose
- The data will be kept up to date and held only until it is no longer required.
- Shared only with other organisations for legitimate processing, the prevention of fraud or with the person's explicit consent.
- All tenancy records will be held intact for a full 6 years post tenancy end in line with good practice guidance on document retention. They will then be anonymised and/or disposed in line with the Council Retention and Disposal Policy August 2021. [URL needed.](#)

A tenant's express consent is obtained to deliver a tenancy management service during the completion of the sign-up process. The Council has a Privacy Notice which can be located at: [URL needed.](#)

## 1.6 Equalities, Access and Monitoring

The Council is committed to ensuring that the policy is non-discriminatory and that all tenants are able to access the service, taking into account any vulnerability or other specific needs, and also the needs of different groups protected by the Equality Act 2010; the Human Rights Act 1998; and for Children, Section 11 of the Children Act. To identify the needs of our tenants, a new tenant questionnaire is completed at sign up and it contains specific questions relating to vulnerability, ethnic origin, sexual orientation, disability and other relevant criteria. The information obtained will be used to monitor the impact of the policy on minority and specific needs groups and to evidence the need for amendments, as may be required.

Under the Equality Act 2010 and in particular section 149 of the Public Sector Equality Duty, the Council is required to give due regard to eliminate discrimination, advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not, when exercising a public function such as a landlord. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. This policy complies with the Council's Equalities Policy March 2021. This policy was subjected to an Equalities Impact Assessment (EiA) before it was adopted.

We reserve the right to change this policy in order to meet changes in regulation, legislation and housing good management practice. All changes will be subject to an Equality Impact Assessment. Where the change is considered to be minor it will be approved by senior management. If the change is major, approval will be by the Executive following statutory consultation with all known stakeholders.

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## 2.0 Tenancy Commencement

### 2.1 Housing Applicants

We operate a housing register in which applicants are awarded priority based on reasonable preference and priority need. Council tenancies are awarded to applicants on the housing register.

### 2.2 Tenancy Start Date

A tenancy can only commence once a tenancy agreement has been signed by both the tenant and the Council or an agent acting on their behalf. Tenancies start on a Monday following tenancy agreement sign up.

### 2.3 New Tenant Visits

All new tenants will receive a settling in visit between **6 and 8 weeks** of their tenancy start date. This is to ensure the tenant has moved in, is managing in the property, identify any support needs and compliance with the terms and conditions of their tenancy agreement.

### 2.4 Rent and Service Charge

Tenants are expected to pay their rent in accordance with the terms and conditions of their tenancy agreement. Incoming tenants are notified of the rent and service charge of a property prior to sign up. Existing tenants have an annual rent review and are given 28 days' notice before the new rent can be charged. Any changes in circumstances which will have an impact on rent payment must be conveyed to the Council. This includes any extended or repeated periods of absence from the property.

### 2.5 Household Composition

The details of who lives with the tenant, i.e. household composition are gathered when make a housing application and again at sign up. If anything changes, a tenant must notify the Council. The household composition must be suitable for the property and the Council will not knowingly allow properties to be overcrowded or under occupied. Where a tenant has someone move out, they must inform the Council. If they wish someone to live with them, they must first seek the Council's permission. We will check the household composition when we audit the property and anyone living in the property without consent may be asked to leave.

### 2.6 Tenancy Management Information

At sign up, it is important to gauge whether the tenant is able to live independently or whether they will need additional support. It is equally important to understand the preferred method of communication, therefore we will collect and store securely, the following:

- Whether they prefer to be called, messaged, emailed or formally written to.
- Their preferred language.
- Any specific requirements to ensure service accessibility
- Details of support workers and advocates.
- Known medical or mental health conditions.

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- Known history of violence.

### 3.0 The Tenancy Agreement

#### 3.1 Sole or Joint Tenancies

Tenancies will be issued in the name of the nominee(s) and transferee(s) on the housing application. If it is a joint application, then the tenancy will be joint and if it is sole, the tenancy will be sole. Joint tenancies will not be permitted for anyone other than a spouse or partner.

#### 3.2 Granting of Tenancies

A tenancy determination is undertaken during the allocation of a property. We grant the following tenancies:

**Introductory Tenancy:** If the tenant has not previously held a social tenancy, or where we feel the tenant needs support in the first year of their tenancy. Introductory tenancies convert to a secure tenancy after 12 months provided a Notice of extension has not been served.

**Secure Tenancy:** If the tenant is already on a lifetime tenancy (secure or assured).

**Flexible Tenancy:** A short-term tenancy of a fixed period will be granted where the Council needs to make best of stock in larger or adapted properties. Where a flexible tenancy is going to be issued the appropriate Notice will be served informing the tenant that the tenancy will be a flexible one.

**Licence:** Tenants in temporary accommodation will be granted a licence to occupy. This will also be used where a tenant has to be moved temporarily out of their home.

#### 3.3 Tenancy Conditions

The tenancy agreement confers rights and responsibilities to both tenant and landlord. The exact nature of these depend on the tenancy type. The right to assign, succeed a tenancy or buy may be restricted for instance. A tenancy may only be ended by serving the appropriate notices. Variation of a tenancy is only by consent of both parties.

#### 3.4 Tenancy Reviews

A tenancy may reviewed as required:

- A tenancy would benefit from some support to sustain it. This may be short term or for longer periods of time if the tenant is vulnerable.
- Tenancy enforcement is needed.
- Formal reviews are required as part of the statutory process around introductory tenancies. A notice is required if the introductory period is to be extended for a further 6 months where the Council feels the tenant has failed to meet the conditions of their tenancy but has not met the threshold for possession.

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- d. Formal reviews are required as part of the statutory process around flexible tenancies. This will take place 9 months before the tenancy is due to end. At 6 months before the tenancy is due to end, the tenant must be served with a Notice to confirm whether a further tenancy will be granted. If not, the tenant must be sign posted or referred to alternative accommodation where the tenant is not at fault.

### 3.5 Tenancy Appeals

Where a tenant disagrees with a decision made in accordance in relation to their tenancy, they may request an appeal within 14 days. For decisions in relation to introductory tenancies and flexible tenancies, an appeal is a statutory requirement.

### 3.6 Right to Buy

Under the Right to Buy scheme, a tenant may only apply to buy their council home if:

- a. it's their only or main home;
- b. it's self-contained;
- c. they are a secure tenant;
- d. they have lived in a public sector property for 5 years or more - for example a council, housing association or NHS trust

For details of the scheme please see the government website on Right to Buy.

### 3.7 Right to Transfer

The Right to Transfer under Section 34A of the Housing Act 1985 is the right that all Council Tenants have to come together as a neighbourhood, form a not-for-profit organisation and request to take ownership and control of their own homes. For details of the scheme please see the government website on the Right to Transfer.

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## 4.0 Tenancy Changes

### 4.1 Sole to Joint

We will allow a sole tenant to add their spouse, civil partner or partner to the tenancy where there is evidence of an ongoing relationship. Joint tenancies will not be permitted between parent and child or siblings. A new tenancy will be granted with both partners named on the tenancy. This brings the former tenancy to an end and the sole tenant must be made aware of this prior to termination. Where the new joint tenant has never held a social tenancy, the new tenancy will be introductory.

### 4.2 Joint to Sole

If a joint tenant wishes to remove their joint tenant from the tenancy, i.e. joint to sole, there are legal implications as a landlord cannot be seen to collude in a breach of rights. Therefore the tenant must do one of the following:

- a. Get the departing joint tenant to assign the tenancy to the remaining tenant.
- b. Obtain a court order to transfer the tenancy.
- c. If there are extenuating circumstances, provide us with details. In cases of domestic abuse, we may award a new tenancy, however the tenant will be required to surrender their existing tenancy.

### 4.3 Assignments

An assignment can only take place via a deed of assignment and/or a Court order. There are three main types:

Type	Description
Assignment by mutual exchange	Where two tenants wish to exchange properties, the tenant must obtain permission of the Council. The tenancy must contain the right to assign. As a landlord we cannot withhold permission unreasonable and where we do so it must be in line with the condition set out in schedule 3 of the housing legislation.
Judicial Assignment	Where a Court Order is obtained transferring the tenancy to a named person. If the transfer is due to divorce proceedings a deed of assignment supplied by the remaining party's solicitor is required in addition to the court order.
Assignment to a Potential Successor	If a tenant wishes to transfer their tenancy onto someone while they are alive this is called a living succession or assignment to a potential successor. The same statutory requirements must be met as if the tenant had died. The landlord is obliged to provide the tenant with their change of rights, should they assign their tenancy.

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#### 4.4 Successions

A succession can only take place if a tenant dies, and someone who is a permanent household exercises their right to succeed. There are five main types:

Type	Description
Survivorship succession	This is the automatic and immediate transfer of the tenancy to the remaining tenant following the death of the joint tenant. This is a statutory right which is protected in law irrespective of the tenancy type.
Statutory succession	This is the transfer of a sole tenancy to the tenant's partner or other family member following the death of a tenant. For tenancies that predate April 2012 and the Localism Act 2011, the family members who are entitled to succeed are listed in s113 of the Housing Act 1985. They must prove they lived with the deceased during the 12 months immediately before their death. Where there is more than one qualifying member, we would usually expect the family to decide who that would be, although we may make the decision, if necessary, under the s89(2)b of the legislation. Tenancies after April 2012 and the Localism Act, the statutory succession rule stipulates that only a spouse or partner may succeed unless the landlord has conferred a further right in the term of the tenancy agreement.
Contractual Succession	The transfer of a sole tenancy to a qualifying individual following the death of tenant where the landlord has provided enhanced succession rights in the tenancy agreement. Some service tenancies may have a contractual provision on succession.
Devolution by will or intestacy	This is where the tenancy is passed by a sole tenant to a designated individual through their will, or to their next of kin through intestacy. The claimant must meet the succession criteria. Devolution will not transfer the security of tenure of a secure tenancy so there can be no further successions.
Discretionary Succession	This is the grant of a new tenancy to an individual following the death of a sole tenant where there is no right to succeed but where we will consider a discretionary succession due to their circumstances. This can be applied to any of our tenancy types.

#### 4.5 Succession & Best use of stock

Where the accommodation is larger than is reasonably required by a successor who did not previously hold the tenancy or adapted, and the successor has no use for the adaptations, we may seek possession of the property under Ground 15A. We will serve a notice, no earlier than six months, and no later than twelve months, after the original tenant's death. The tenant will be required to complete an application form to allow them to be rehoused into suitable accommodation. We may only apply for legal possession 10 months or more after the original tenant's death. But we will do everything possible to find them suitable accommodation before attending Court application.

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## 5.0 Decants

### 5.1 Reason for Decants

There are occasions when a tenant may have to be relocated from their homes for one of the following reasons:

- a. Major repairs or improvements that cannot be conducted with the tenant in occupation.
- b. Modernisation programmes.
- c. Sale or demolition.
- d. Emergency (e.g. fire, flood) rendering the property uninhabitable.

### 5.2 Permanent Decants

With a permanent decant, the household moves permanently and is rehoused. They will be allocated a property to suit their household size and need in accordance with the Council's Allocation Policy. Where the property they move to belongs to another social landlord, we will advise the tenant of any implications to their tenancy rights, especially if this is likely to change. Where the decant is part of a regeneration programme, the tenant you may be given the right to return to a suitable property, and this will be agreed with the tenant in advance.

### 5.3 Temporary Decants

With a temporary decant, the household moves out temporarily whilst the work is done. On completion of the works, they return to their home. The tenant continues pay the rent in their principle home as the tenancy remains intact and they will have no legal right to the temporary property. They will sign license to occupy in the temporary property. Every effort will be made to find them a suitable temporary property. If it is smaller, temporary storage of their personal belongings may be considered. If they can stay with friends or family, this will be considered first. The tenant may request to remain in their temporary property this will be considered on a case-by-case basis. If granted it will be treated as a permanent decant however no homeless payment will be granted as their original home was made available for return.

### 5.4 Refusal to Move

Every consideration will be given to a tenant where they either refuse to move out of their home; or refuse to return to their home after a temporary decant. However, we have the right to take legal action to repossess the property. This may be possession, injunction or a warrant of entry depending on whether the decant is permanent or temporary.

### 5.5 Supporting the Move

We understand the need to move can cause disruption and anxiety. We are committed to ensuring that this process runs as smoothly and sympathetically as possible. You will be prepared at length in order to assist the move. Financial and practical assistance will be offered, and a support package agreed in advance.

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## 5.6 Homeloss Payments

Homeloss payments are governed by the Land Compensation Act 1973 and the amount payable is fixed by statute. The payments are intended to compensate for the upheaval and personal upset involved in an involuntary move. Money owed to the Council will be deducted from the payment. Payments are made within 3 months of relocation and will only be paid to secure tenants who have held their tenancy for one year or longer as stipulated by the government eligibility rules. Homeloss payments apply to permanent decants only.

## 5.7 Disturbance Payments

Disturbance payments will be made to meet any reasonable moving expenses. These will be agreed in advance. Disturbance payments are paid to permanent decants once and for temporary decants each time they move.

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## 6.0 Tenancy Sustainment

### 6.1 Sustaining Tenancies

We are committed to helping a tenant to sustain their tenancy and offer a variety of ways to support them to achieve this. This may vary and the list below is just some of the examples:

- a range of targeted visits during the lifespan of a tenancy
- rehousing to prevent continued financial hardship
- a dedicated support service, covering a range of advice and assistance
- tenant orientated employment projects
- using all our powers to tackle anti-social behaviour
- welfare and debt advice to assist with the payment of rent.

### 6.2 Vulnerable Residents

Many of our residents are vulnerable. This may vary from someone with learning difficulties to someone with issues around mental health, or from someone with a visual impairment to someone who is bed bound. We work with all our vulnerable residents and with their permission, their advocates, supporters, family members and health agencies to ensure they are able to live happily in their homes, and when and if they need to move on to alternative accommodation, we will work with them to make the transition as smooth as possible.

### 6.3 Supporting the Tenant

We will ensure housing applicants with the need for specific property adaptations or mobility access are identified as part of the assessment process to ensure suitable properties are made available to them during the allocation process. Tenant who find they need aids and adaptations will be assessed by an Occupational Therapist in Adult Social Care to see what they need in order to continue to manage in their home and where this is not possible, we will assist them with their rehousing requirements. As people age or are perhaps diagnosed with physical, mental or medical conditions where there housing is having an impact, they will be assessed for medical priority and where necessary rehoused to suitable accommodation.

### 6.4 Failing Tenancies

If a tenant is struggling and they identify this themselves and seek assistance, we will explore all avenues to assist them to remain in their home. Where the tenancy is failing but has not yet met the threshold for eviction, and moving is the only way to assist them, we may consider a management transfer. On the rare occasions where this is not possible, we will consider a safe surrender agreement which allows them to end their tenancy on the guarantee that the Council will rehouse them under a homelessness prevention duty, but these will be as a last resort.

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## 7.0 Tenancy Enforcement

### 7.1 Tenancy Audits

We will visit each property at regular intervals to check the occupants of the property, provide support and inspect the property. This is usually an unannounced visit in order to determine whether the people living there match our records. As the landlord, we are legally obliged to know who is living in our properties at all times, and if an illegal occupant is identified, to take the appropriate remedial action.

### 7.2 Tenancy Fraud

We are committed to tackling fraud at all levels. We recognise the importance of multi-agency working and use a number of key methods for prevention including; using data analysis, working with our partners, sharing information as appropriate and credit reference agency.

### 7.3 Demotion of a Secure Tenancy

Legislation allows for the demotion of secure tenancies where security of tenure is suspended by a Demotion Order issued by a court. It is used where a tenant persists in breaching the terms of their agreement but does not immediately meet the threshold for possession or where we feel that a period of demotion may assist the tenant in complying with the terms and conditions of their tenancy. It requires substantial evidencing in much the same way as we would need to do if it were processing a case for possession. We undertake consistent and sometimes protracted periods of monitoring as a prerequisite to place before a judge when applying for a Demotion Order.

#### 7.4.1 Legal Action and Possession

As a landlord we may have to take legal action against tenant. This may take the form of an injunction, prohibition order or as a last resort possession of the home. We cannot simply enter the property; we may only do with a Court order or a warrant following legal action. We will do everything possible to work with the tenant before this happens, including:

- a. Dealing with all complaints.
- b. Practical arrangements to clear rent arrears.
- c. Assistance from our housing support service.
- d. We will take early and preventative action where possible.
- e. We will safeguard vulnerable residents when considering action.

Tenants evicted by us are treated as intentionally homeless under the homeless legislation. They may find it difficult to be considered for rehousing and we would urge the tenant to work with us before this happens.

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## 7.5 Anti – Social Behaviour

Anti-Social Behaviour (ASB) can include a wide range of nuisances, disorder and crimes which affects people's lives on a daily basis. It can feel and look different in every area and to every victim. What might be considered anti-social by one person, might be considered acceptable to another. The Home Office describes ASB as, 'any aggressive, intimidating or destructive activity that damages or destroys another person's quality of life'.

As a Council we are committed to working with our tenants and our partners to address all forms of ASB. Our [ASB Policy](#) located at: [URL required](#) lays out our approach to tackling this behaviour, and we will work with the police and other agencies to safeguard victims and take the necessary action against perpetrators.

## 7.6 Domestic Abuse

Domestic abuse can be defined as: 'Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 and over who are, or have been, intimate partners or family members regardless of gender and sexuality. The abuse can encompass but is not limited to psychological, physical, sexual, financial, emotional'

For details of our approach to both survivors and perpetrators of domestic abuse, please see our [Domestic Abuse Policy](#). [URL required](#)

## 7.7 Pets

Our tenancy agreements are clear on whether a tenant may keep a pet in their property. Permission of the Council is required in order to keep a pet and a decision will be made taking into account the property, the type of animal and the tenant's circumstances.

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## 8.0 End of a Tenancy

### 8.1 Tenancy End Reason

Tenancies end for a variety of reasons:

- The tenant surrenders their tenancy
- The tenant transfers to another property
- The sole tenant dies
- The sole tenant moves into residential care or a hospice
- An eviction
- The property is abandoned

In all cases, a notice is served either by the tenant or the landlord. The tenancy agreement contains a section on ending a tenancy. We may only serve notice under one of the grounds for possession or serve a notice to quit where the tenancy has been rendered insecure.

### 8.2 Tenancy End Date

In most cases the tenancy ends the Sunday after the keys have been returned. If entry must be forced, the tenancy will end the Sunday after. If the keys have not been returned and the notice period expires, a use and occupation will be charged.

### 8.3 Pre-Termination Visits

Tenants who are transferring to another property may receive a pre-termination visit if we have not recently inspected the property. This is to ensure the tenant has not damaged the property. Any damage identified will require rectification by the tenant. If they fail to do so, we will repair it and recharge the cost to the tenant. In some cases where the damage is extensive, we may prevent the tenant from moving to another council property.

### 8.4 Belongings left in the Property

A tenant is expected to clear their belongings before they return the keys. If the tenant leaves belongings behind, we may serve a notice under the Interference with Goods) Act 1977. This allows us to remove and/or dispose of these belongings. The cost of doing so may be recharged to the tenant.

### 8.5 Empty Property Management

The Council has an obligation to ensure that empty properties are identified, repaired and relet as soon as possible to those with housing needs with minimal void loss and security and repair costs.

### 8.6 Former Tenant Debt

We will make every effort to recover all rent arrears prior to the end of a tenancy. However once the tenancy has ended, any arrears and recharges will be dealt with as former tenant debt.

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