



**St Albans City and District Council
Tenancy Strategy 2025 - 2030**

Revised January 2025

Strategy last reviewed and authorised	February 2020
Strategy reviewed	January 2025
Strategy review due	January 2030

1. Introduction

St Albans City and District Council is committed to combating the climate emergency, delivering more social housing, and promoting equality, inclusion, and fairness. The Council has a statutory duty under the Localism Act 2011 to produce a Tenancy Strategy and keep it under review.

The strategy applies to all homes owned and managed by the Council's Housing Department. Additionally, we aim to work closely with Housing Associations (Registered Providers) that own and manage properties in the district, and they must co-operate with this strategy when setting their tenancy policies. Details of our approach to allocating homes is covered in the Housing Allocations Policy.

This strategy will:

- Outline different types of tenancies used by the Council
- Outline the approach to social and affordable rents
- Outline our approach to working with local Registered Providers to make sure that all our residents have access to affordable, safe housing

The Social Housing (Regulation) Act 2023 requires Registered Providers (RPs) to publish clear and accessible policies that outline their approach to tenancy management, including interventions to sustain tenancies, prevent unnecessary evictions, and tackle tenancy fraud. RPs should refer to this Tenancy Strategy to help ensure that their policies are proportionate to housing in the area and assist the Council to meet its aims in meeting housing need.

2. Purpose of the Strategy

The strategy gives details of the Council's policy on the letting of all properties including those at "social rent and affordable rent" levels. It sets out the policy on the use of tenancy types that will be offered including introductory tenancies. Further detail can be found in our Tenancy Policy.

This strategy applies to the Council's management of its housing stock and the Council expects RPs to consider the aims of this strategy when developing their own policies and plans for developing and managing affordable housing in the St Albans District Council area.

For those developing new affordable homes, the Tenancy Strategy may be referred to in Section 106 Agreements. (These are legal agreements made between local authorities and developers, they are attached to a planning permission and set out what a developer must do to make a development acceptable in planning terms examples include the provision of affordable housing, financial contributions to local schools/libraries and play areas.)

The Strategy will help the Council to:

- Make best use of its housing stock and that owned and managed by partner providers.
- Prevent homelessness and to make sure housing is available to those in the greatest need. The latest Homelessness Strategy and Action Plan Update can be found here:
<https://www.stalbans.gov.uk/sites/default/files/attachments/SADC%20-%20Homelessness%20Strategy%202022-25.pdf>
- Support the Council's corporate priorities in particular to deliver more social housing and promote equality, inclusion, and fairness.
- Offer tenancies which meet our aims and deal with the needs of the individual household.
- Fulfill the Council's duties under Part VII of the Housing Act 1995 as amended by the Localism Act to help people who are homeless and in priority need.

The strategy should be read alongside the Council's Tenancy Policy, Housing Allocation and Homelessness Strategy and relevant legislation.

This strategy aims to provide a clear explanation of the Council's requirements and expectations for the allocation and management of housing within its area. It does not affect or replace any existing agreements. However, it should be referred to when policies and agreements between the Council and RPs are reviewed. It will be referred to when the development of new affordable housing in the area is considered. Where there is a planning policy requirement for the new development to provide affordable homes, the Council expects 100% nomination rights for all new rented homes, and no less than 75% nomination rights for the relets of these homes.

In the case of intermediate rented homes this will be determined through negotiation between the Council, the RP, and any other relevant parties.

We have consulted organisations representing current and future tenants, and partner organisations providing social housing across the district.

3. National and local context

Access to housing is a significant problem within the district and this is reflected in the level of affordability, making it one of the most expensive places to live in the country.

St Albans City and District Council's Corporate Plan for 2024-2029 makes the delivery of more social housing one of its four key priorities and that the Council aims to increase the quantity and quality of social housing in the district.

A Regulation 19 Consultation was undertaken for a new Local Plan (LP) in September 2024. Submission took place in December 2024 and adoption is anticipated during 2026.

There are 63,407 households (C Tax January 2025) in the district and the most common housing tenure is owner occupied (70.9%). The remainder is split between private sector rented (16.3%) and a social rent property (12.2%) [Office of National Statistics Census 2021.]

The Council manages approximately 4,899 rented properties and Housing Associations manage a further 2,875 rented or shared ownership properties.

There is high demand for affordable housing in the district. In January 2025 there were 662 households on the list, waiting for suitable housing by SADC or its partner organisations. Of these 308 are home seekers, including homeless households (not currently a Council or Housing Association tenant in the district) and 314 are existing Council or Housing Association tenants needing to transfer to another home.

There were 70 Homeless acceptances in 2023/24 and so far this year (April to November 24) there have been 116 acceptances.

4. Ensuring equality of access to housing services

The Council is committed to ensuring equality of opportunity and access to services. In order to do this, we take the following steps.

- Make sure information is available in a variety of formats and languages and is given either in person or through written information.
- Make sure that people whose first language is not English or who have problems reading, writing, and understanding English are not put at a

disadvantage when we provide services.

- Make sure that people who have difficulty accessing and understanding complex information have support in applying for housing and managing a tenancy
- Make sure that all staff are aware of current issues related to equality of opportunity and access to services and apply this in their work.
- Check how we provide services and who we provide them to, making sure we do not discriminate against specific groups of people.
- Adapt properties where tenants or members of their family are physically disabled.

Rented social housing owned by the Council and partner RPs are allocated through the Council's choice-based lettings scheme - St Albans Home Choice. Accepted homeless households are given one direct offer of accommodation.

5. Registered Providers (RPs) of Social Housing

These were formally known as Registered Social Landlords or Housing Associations. They do not have to follow this strategy, but Section 150 of the Localism Act requires that they must have regard to this strategy when preparing their tenancy policies. In accordance with Tenancy Standard within the Social Housing Regulation Act 2023, we would expect RPs to give strong consideration to this strategies content to ensure consistency in meeting social housing needs in the district.

There are currently 5 major RPs working within the district, these are Settle, Peabody, Hightown, Paradigm Housing Group and Watford Community Housing Trust. They can set their own conditions for offering tenancies, including the type of tenancy offered and what is considered when renewing or ending it.

They can also set their own rents in accordance with the Rent Standard set out by Regulator of Social Housing and decide which properties will have different rent levels. There are two types of rent level: Affordable Rent and Social Rent. RPs may only set Affordable Rents if they have signed an agreement with the Government and use any extra money funded by Homes England to build new housing.

Details of other RPs managing and developing property within the district, including their tenancy policies, can be obtained from the Council or RP concerned.

6. Types of Council Tenancy offered by St Albans City and District Council

As part of the Localism Act 2011 Local Authorities were given the opportunity to offer flexible tenancies. The Council introduced these, but it has since stopped offering flexible tenancies.

The Council have not issued any flexible tenancies since January 2021. Instead, secure tenancies are offered to new tenants (following satisfactory completion of a 12-month Introductory Tenancy) and existing Council tenants with a flexible tenancy are offered a secure tenancy.

Flexible tenancies were introduced primarily to assist the Council reduce under occupation; other measures including the introduction of the Bedroom Tax and the redevelopment/refurbishment of the Council's sheltered housing stock mean that this is no longer a reason for using flexible tenancies. There are also significant additional costs and staff time required to manage flexible tenancies including carrying out reviews and maintaining records and the number of flexible tenancies ended by the Council was very small. They do not offer residents the same level of stability in their home and the Council made the decision to stop issuing them in 2020. A significant number of housing organisations are now moving away from using flexible tenancies. None of the 5 RP's listed above in section 5 are issuing flexible fixed-term tenancies to new tenants in their general needs or sheltered accommodation, except in special circumstances, for instance where a site is due to be redeveloped.

Types of tenancy issued by SADC:

- Secure tenancy - a lifetime tenancy enabling tenants to live in their home for the rest of their lives unless they break the tenancy conditions.
- Introductory tenancy - for all new council tenants and lasting 12 months. After this period providing legal action for possession has not been started, or an extension has not been granted, a secure tenancy will be offered.
- Demoted Tenancy - is a reduced level of tenancy. It removes a number of tenancy rights and reduces tenancy security. Tenancy demotion is used when there is a breach of tenancy conditions, usually anti-social behaviour.
- Licence for Temporary Accommodation – residents have reduced rights and do not have exclusive possession of the home. These are

granted on a temporary basis for homeless applicants or tenants temporarily displaced from their homes.

Further detail about each tenancy type can be found in our Tenancy Policy. The Standard Terms and conditions of these are in our 'Tenancy Agreement'.

7. Types of tenancy offered by Registered Providers

RPs can offer a range of tenancies:

- Starter tenancies – may be offered to new tenants. These usually last 12 months and are like a 'trial' period. After 12 months tenants become either an assured or fixed term tenant unless the RP has either started action to evict the tenant or extended the starter tenancy.
- Assured tenancy – this normally allows tenants to live in in their home for the rest of their lives.
- Fixed-term tenancy - usually lasting for at least 5 years (your landlord will decide whether it's renewed).

Landlords must publish details of the circumstances under which a fixed term tenancy will not be renewed. Details of each landlord's tenancy policy can be obtained via the landlord.

In the final year of the fixed term tenancy, the tenant's circumstances will be looked at against the agreed criteria and the landlord will decide whether or not the tenancy will be renewed.

The RP has a duty to provide advice to tenants when a fixed term tenancy is ended. The Council's Housing Options Advisors will give advice on:

- Low-cost home ownership options
- Intermediate rented properties
- Private rented accommodation

They can also help tenants get advice from other organisations, for example money advice and tenancy rights from Citizens Advice or Shelter.

If a fixed term tenancy is to be ended by the RP, then the Council's Strategic Housing Service must be informed at least 6 months before the tenancy is due to end, at the same time as the tenant is formally notified.

8. How do fixed term tenancies affect mutual exchanges?

If a tenant with a lifetime tenancy (Council or RP) that commenced before April 1st 2012 wishes to exchange with a fixed term tenant (Council or RP) each will surrender their tenancy and be granted a new tenancy in their property. The lifetime tenant will be granted another lifetime tenancy, the fixed term tenant will either be granted a new fixed term tenancy or a lifetime tenancy, depending on the policy of the landlord. The Council will grant lifetime tenancy in these circumstances. Exchanges between two lifetime tenants or two fixed-term tenants will involve each tenant assigning their tenancy to the other tenant.

A tenant moving into a property which has been adapted for disabilities will need to demonstrate they need those adaptations. This should be confirmed by an Occupational Therapy Assessment.

9. Succession and assignment

Succession occurs when an existing tenant dies, and a member of their household takes over their tenancy. There is only one right of succession on a tenancy. Where a person obtains a tenancy through succession, there is no further right for that tenancy to be passed on if the successor tenant dies or wishes to move out.

In cases of a joint tenancy, when one of the joint tenants dies and the tenancy is put into the name of the remaining tenant, this is counted as a succession. The surviving joint tenant may not assign or step aside to allow another family member to succeed.

A tenant has the right to assign their tenancy to a potential successor, but this can only happen once. Where there is a spouse or partner, the tenancy can only be assigned to them. In the case of joint tenants, the tenancy can only be assigned to the other joint tenant.

The Localism Act has changed rights to succession for council tenants. For tenancies starting after 1st April 2012 the only statutory right of succession is for a spouse, civil partner or a person living with the tenant as if they are a spouse or civil partner. The Act grants a power to social landlords to allow further successions. The Council has decided to allow family members (as defined in Section 13 of the Housing Act 1985) to succeed where there is no statutory successor provided that family member would not be under-occupying or otherwise excluded from the Council's housing register. The Council will not be using its discretion to award further successions.

If the tenancy commenced after 1st April 2012 but the tenant's original Council or RP tenancy commenced before 1st April 2012 and has been continuous then the above provisions will not apply.

Where a family member is in occupation of a property following the death of the tenant and there has already been a succession to that tenancy, that person would need to seek alternative accommodation. This could include applying for housing in their own right and their application would be considered in accordance with the Council's Allocation Policy.

If a family member has a right to succeed to a lifetime tenancy but the property is too large for their household, the Council will offer alternative housing that matches their housing need. In these cases the Council will offer the successor a lifetime tenancy. It should be noted that Ground 16 of the Housing Act 1985 has been amended by Section 162 of the Localism Act 2011. This gives the Council 12 months from the date at which they were advised of the tenant's death to find suitable alternative accommodation for a non-spouse successor or take possession action.

If a family member is entitled to the assignment of the tenancy as a potential successor they will be asked to move to a smaller property, if the property they are occupying would exceed their housing requirements had the original tenant died or moved out.

If the successor or assignee is 'succeeding' to a flexible tenancy then they will be granted a lifetime tenancy. If the property is assessed as too large for their needs (in accordance with the allocation policy) then the successor/assignee will be obliged to move to smaller accommodation and granted a lifetime tenancy there.

Where there has previously been a succession and the successor dies or gives up the tenancy, any remaining occupants will need to seek alternative accommodation and consider applying to the Council for housing. Their application for housing will be considered in accordance with the Council's housing allocations policy.

Please also refer to SADC's Succession Policy and information on our website: <https://www.stalbans.gov.uk/succession-tenancy>

The Council encourages Housing Associations to adopt a similar approach to ensure the most effective use of social housing in the St Albans District area.

10. The Choice Based Lettings Scheme

Housing is advertised for letting using the St Albans Home Choice and adverts will show the type of tenancy being offered. An exception to this is for homeless acceptance cases who, if offered a council or RP home, are given a direct offer of accommodation.

All housing applicants will be told when a tenancy is offered what type of tenancy is being offered.

Further detail about eligibility for housing and how homes are allocated can be found on our website and in our published Housing Allocations Policy.

<https://www.stalbans.gov.uk/finding-home>

11. Social and Affordable Rents

The government introduced Affordable Rent to help increase the money available to build more homes.

Affordable rent can be set at up to 80% of current market rent levels in the district. This rent level is higher than the social rent levels in both Council and RP properties but will be below private sector rents. Any extra income generated by using Affordable rent should be used by the landlord to build more affordable homes.

Affordable rents can only be charged on new build properties and on a proportion of re-let properties. Other properties will still be let at Social Rent levels.

The Council remains committed to letting properties at Social Rent levels.

The Council notes the government's permission to allow councils to introduce Affordable Rent levels for new homes built by the council. If the only way a development can go ahead (be financially viable) was to have an affordable rent level, rent levels will be set in line with or less than Local Housing Allowance levels. The Council will seek to obtain grant funding from Homes England wherever possible to maintain Social Rent levels on new developments.

12. Considerations by landlords utilising Affordable Rents

The Council asks registered providers to take the following into consideration when setting Affordable Rents.

- I. Affordable rents should be set at a level which does not exceed a Universal Credit cap. This is to avoid households having to subsidise their rent from their basic living allowance. The Council does not want the rent level including service charges to exceed the Local Housing Allowance

level and be unaffordable for tenants who are dependent upon benefits.

- II. When assessing expressions of interest for redevelopment on Council owned land by registered providers or where the Council's support is requested, we will give preference to schemes where any proposed development offers properties at Social Rent. If Affordable Rents are to be used, we would prefer these not to exceed 60% of open market rental values and/or the Local Housing Allowance. Registered Providers and private developers will be made aware of this and requested to take this into account when redeveloping in the district.
- III. If the property is let with extensive disability adaptations (i.e. costing more than £3,000) and is suitable for a disabled person, it should not be let at an Affordable Rent and should be prioritised for an applicant who requires those adaptations.
- IV. It is up to the landlord to ensure it complies with any legal requirements arising from its agreement with the Homes England on Affordable Rents.
- V. Where Affordable Rents are used within the district, the funds raised should be prioritised for the development of new housing within the district which meet the Council's strategic housing needs. Currently the Council's aspirations are to deliver predominantly family sized homes to meet the local needs and demographics within the district.

RPs may wish to convert some homes from social tenancies to Affordable Rent tenancies when the properties become available for re-letting. This can help supplement revenue to meet the cost of new development but also means an increase in housing costs which could be a problem for those families on very low incomes, especially if they need larger homes. RPs should avoid converting larger social rented homes to Affordable Rent and also the smallest of homes (bedsits and studio apartments for single people), because of the greater financial impact this would have on these households.

RPs should have due regard to the Council's evidence and understanding of affordability issues if they wish to convert properties from social rents to affordable rents and we expect RPs to have an open dialogue with us if they wish to do this.

13. Letting of Affordable Rent properties

We expect that Affordable Rent properties will be let in accordance with the landlord's tenancy policy and when they are advertised through the Choice Based Letting scheme, they will clearly indicate the level of rent and service charges.

RPs may have their own affordability criteria and undertake an affordability check on applicants prior to offering a tenancy. If the RP identifies that the applicant's income is not sufficient for them to be able to afford the property they are being considered for, applicants will not be offered the tenancy.