

**Tenancy Strategy/Policy
Informal Consultation 2011 Outcomes**

Consultation Question	Summary of Responses Responded overall - 254	General Comments from Responders	Harrow Response
<i>Where do you live now?</i>	<p>Responded - 209</p> <p>27% of those who took part in the consultation events were Council tenants. Across Harrow as a whole, the proportion of households who are Council tenants is 5.2%. A high number of council tenants have responded due to the location of the consultation events which included road shows on many of Harrow's council owned housing estates. 7% of responders were housing association tenants.</p> <p>The private rented sector response at 20% of the total is representative of the level seen across Harrow. 30% of responders were private owners and 4% were leaseholders which is somewhat below the proportion of homeowners across the borough (around 70%). Again this is likely due to the targeted locations of the road show event.</p> <p>The remainder of the respondents were living with family and friends (11%) or in temporary private rent (1%).</p>		<p>The consultation approach has meant that we have had responses from residents living in a wide range of tenures. This includes households who are currently not living in social housing and who are therefore most affected by the proposed changes relating to rent levels and type of tenancy.</p>

<p><i>Do you think we need more affordable housing for rent, especially family housing (3 bedrooms or more)?</i></p>	<p>Responded – 229</p> <p>87% of those who answered said that yes, Harrow does in their view need more affordable housing for rent.</p> <p>Many people were worried about the lack of larger affordable properties and the long wait for such properties especially on the council’s housing waiting list.</p> <p>Waiting times for larger 3 bed properties in Harrow can be as long as 6-12 years depending on the applicant’s circumstances and the availability of larger homes and many of those who responded were aware of the length of time they may have to wait for a suitably sized property.</p> <p>Within the age groups, 91% of the 65+ group said yes to this question while 81-82% of 25-54 year olds also said yes to this question.</p> <p>Across all tenures, 70% or more of responders replied yes to this question.</p>	<p><i>“As long as they are affordable for working people”</i></p> <p><i>“(Yes)...provides a better alternative to the private rented sector”</i></p> <p><i>“I am currently in temporary accommodation (and have been for the last 10 years). I would hope to be re-housed permanently sometime in the future.”</i></p>	<p>Households from all tenures recognise the importance of having affordable housing for rent and this supports housing policies in the Core Strategy as well as options included in the Housing Changes Review.</p>
<p><i>There is limited funding to support new affordable housing development. If we want to continue</i></p>	<p>Responded – 124</p> <p>The response to this question was less clear cut. There was less support for developing new affordable housing at higher rent levels overall (26%) and most people favoured a hybrid approach of increasing rents by a small amount to</p>	<p><i>“Social rent levels might be increased in line with comparables in the private rented sector which might make increase fairer</i></p>	<p>We will undertake further work with housing associations to assess how much rents can be increased whilst ensuring affordability. There will be further consultation before recommendation is finalised.</p>

<p>building affordable housing there are some options to consider. Which option do you support?</p>	<p>ensure affordability (37%).</p> <p>36% of people who answered favoured building at current rent levels.</p> <p>Responses also depended on who you asked as can be seen from the equalities analysis e.g. existing Council tenants were less likely to agree to an increase in rents and more likely to suggest that we should continue building at current rent levels whilst those in the private rented and owner occupier tenures held the opposite opinion.</p>	<p>overall.”</p> <p><i>“Any rent increases should depend on household income changes.”</i></p> <p><i>“Rents should be increased for those who can afford it so long as the increased rent goes towards new affordable housing.”</i></p> <p><i>“Higher rents – the margin has to be felt by individuals.”</i></p>	
<p>The government is allowing councils to offer fixed term tenancies, generally 5 years (or 2 years in exceptional circumstances). Would it be fair to offer shorter</p>	<p>Responded – 210</p> <p>69% said that they agreed that it would be fair if Harrow offered shorter term tenancies. 20% of respondents were of the opinion that this would not be fair in any situation.</p> <p>Many people also pointed out that reviews at the end of tenancies would have to be undertaken fairly to ensure community stability and that options which allowed people to stay in their homes such as</p>	<p><i>“Yes it would be fair to review tenancies periodically but it also depends on the individual circumstances of the household.”</i></p> <p><i>“There needs to be stability for young people.”</i></p>	<p>This option is proposed to be taken forward subject to further impact assessment. Agreed that the Review process needs to ensure that the specific needs of households is taken into account and is open and transparent. There will be further consultation before recommendation is finalised.</p>

<p>tenancies to new tenants in Harrow so that we have more tenancies to go round?</p>	<p>charging higher rents where appropriate might be fair.</p> <p>When split by tenure, those currently in temporary accommodation were least supportive of these proposals, followed by council tenants while private renters were most supportive. 60% of responders across each of the other tenures were supportive of these proposals</p>	<p><i>“Look at the income of the family. Those working should be in a position to keep their employment should they be asked to move.”</i></p> <p><i>“...memories, accomplishments, rebuilding families, building a life for some, might not be a good idea to cause upheaval in certain circumstances.”</i></p>	
<p>8. Should some groups (like older people or people with disabilities) whose circumstances are not likely to change always be offered much longer or lifetime tenancies?</p>	<p>Responded – 214</p> <p>87% of those who responded to this question said that Harrow should continue to offer longer tenancies to certain groups such as older people and those with disabilities. Many people suggested that vulnerable groups including disabled and the elderly should be excluded from fixed term tenancies.</p> <p>Council tenants were most supportive of this proposal and the age groups 55-64 and 65+ were unsurprisingly the most</p>	<p><i>“Yes, especially those with disabilities.”</i></p> <p><i>“Yes, always in these circumstances.”</i></p> <p><i>“10-20 years and then reassess.”</i></p> <p><i>“No, review for all cases as needs change over</i></p>	<p>Noted and will be incorporated in actions outlined above.</p>

	<p>supportive age groups with 57 out of 58 people in these groups responding with a 'yes'. Over 65% of responders in each of the other tenures replied yes to this question.</p>	<p><i>time.”</i></p> <p><i>“Yes, but each case on its own merits.”</i></p> <p><i>“Yes and this could mean moving to different addresses depending on changing needs.”</i></p> <p><i>“Yes if they are Harrow based residents.”</i></p>	
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Summary of Formal Consultation Outcomes (Consultation period 9 May 2012 – 5 July 2012 and 1 October – 26 November 2012) and proposed amendments

Consultation Question	Summary of Responses	Comments from Responders	Harrow Response
	<p>Responded overall – 106 questionnaires received at 5/7/12 and 30 groups represented at the Voluntary Sector Forum 10/5/12.</p> <p>Comments from TLRCF 26 September 2012.</p> <p>HA responses received from Catalyst, Network, Apna Ghar and Metropolitan.</p> <p>Harrow Law Centre (HLC), colleagues from Children Services and the GLA also responded (The Mayor is a statutory consultee)</p>	<p>HLC commented that “In our view the consultation is flawed. The Local Authority has already decided that its default position will be that all tenancies, with only very limited exceptions, will be fixed term. This stance</p>	<p>It is disappointing to note that some of Harrow’s key HA partners have not responded (and equally that some failed to consult Harrow on their own Tenancy Policies) and they will be chased for a response.</p> <p>We do not accept the assertion that the consultation is flawed. In the initial consultation, carried out in summer/autumn 2011, Harrow residents were asked whether they supported the</p>

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	<p>The GLA states it “ is satisfied that the proposals in your draft Tenancy Strategy would given Registered Providers the flexibility they need in order to meet their contractual commitments”. The Mayor welcomes and shares our commitment to tackling underoccupation in order to meet the needs of larger households.</p> <p>The Mayor would like reassurance that</p>	<p>actually precludes a full consultation on whether the Council should adopt the legislative provisions of allocating fixed term tenancies at all and as such the Local Authority may be opening up the possibility of a legal challenge”</p>	<p>introduction of fixed term tenancies or not, in the context of the small supply of affordable housing in Harrow. 69% of the respondents did support the introduction of fixed term tenancies for new tenants and this has informed the development of the final Tenancy Strategy.</p> <p>The draft Strategy has been amended to reflect the Mayor’s comment with regard to the <i>Housingmoves</i> scheme</p>

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	<p>the policies relating to social tenant movers set out in section 4 would also apply where households are seeking to move through the <i>housingmoves</i> scheme in which Harrow is participating.</p>		
<p>1. Do you agree with Option 1 that lifetime tenancies should be offered to the specified new tenants and fixed term tenancies to everyone else OR Option 2 that most new tenancies would be fixed term but there would be automatic renewal in some circumstances?</p>	<p>48% of the respondents agreed with Option 2, 34% with Option 1 and 18% were not sure. The Voluntary Sector Forum thought that Option 1 was the simplest and considers the needs of the vulnerable but that Option 2 would be administratively easier to run. Careleavers should also be offered life time tenancies or automatic renewal as the uncertainty of a fixed term tenancy may increase vulnerability for this priority need group.</p> <p>HA responses – All agree with option 2.</p> <p>HLC response: No difference between the 2 options.</p> <p>The GLA prefer option 1 “because it more clearly articulates our shared aim of providing security and certainty for vulnerable households”</p>		<p>CareLeavers have been added to the specified groups to be given fixed term flexible tenancies with automatic renewal.</p> <p>Taking into account the low supply of social housing in Harrow (10% compared to London average of 24%) we have decided that Option 2 is the one that will ensure it is targeted</p>

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			<p>at those who are most in need whilst providing security and certainty for vulnerable households. For example we do have evidence that over time household composition changes as children move out or family relationships break down meaning that some social rented homes that are specially adapted or purpose built for people with disabilities are no longer being occupied by people with disabilities.</p>
<p>2. Do you agree that a minimum 5 year fixed term tenancy is reasonable?</p>	<p>61% of respondents agreed that a 5 year fixed term tenancy is reasonable, 33% said no and 5% were not sure. The Voluntary Sector Forum agreed that 5 years is reasonable and felt that 5 years is an optimum tenancy length for households to take of the property.</p> <p>HA responses: Not renewing tenancies</p>	<p>“2 year tenancy should be a minimum. Council housing should be a stepping stone to assist, not there for a lifetime generation after generation. Residents should actively be encouraged to find</p>	<p>Consultation responses support a minimum 5 year tenancy.</p>

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	<p>due to household income may be a disincentive to tenants wishing to better themselves.</p> <p>HLC do not agree with fixed term tenancies on the basis that security of tenure provides a settled home and lifestyle. Danger of creation of ghettos filled with vulnerable, poor, marginalised people as people who made improvements to their lives (e.g. career) are moved out. Housing supply will not change under the new proposals.</p> <p>TLRCF 26 September 2012 :</p> <ul style="list-style-type: none"> - The review at the end of a fixed term tenancy would discourage people from improving themselves; - a fixed term tenancy might help discourage anti social behaviour and promote better behaviour; - it was important to look after the most vulnerable people and there was a limited number of properties available; - A fixed term tenancy of five years was generous 	<p>housing”</p> <p>“yes, it will give more options to people to actually look for better purpose of life and take responsibility”</p> <p>“Planning school applications, childcare, relationships etc are impossible if you do not know where you will live beyond 5 yrs”</p>	

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<p>Are there any other exceptional circumstances in which a 2 year tenancy might be appropriate eg awaiting a cash settlement which when received would enable the applicant to find suitable accommodation in the private sector?</p>	<p>Most people agreed that a 2 year tenancy is an absolute minimum.</p> <p>HA response: Exceptional circumstances may include serious household arrears, ASB, poor property upkeep, serious breach of tenancy conditions.</p>		<p>We do not believe it appropriate to include these as exceptional circumstances. These should be dealt with as part of normal tenancy management procedures and should be taken into account in deciding whether to renew a tenancy or not.</p>
<p>3. Are there any other circumstances in which a discretionary succession should be considered?</p>	<p>There should be discretionary succession to vulnerable dependents eg someone who is older, has disabilities especially where the property has been adapted to meet these needs. The Voluntary Sector Forum thought that carers should have discretionary succession if they are living with the person they are caring for. If the carer cannot be considered for discretionary succession, then they should be supported to find alternative accommodation.</p> <p>HA responses: Suggested criteria for succession is narrow.</p> <p>HLC response: Discretion should be</p>	<p>“Yes. I believe discretionary succession should be granted to vulnerable dependents.”</p> <p>“if the tenant is older and less able”</p> <p>“No. Individual merit. Each case should be looked at and a decision made”</p>	<p>The strategy as drafted would allow for a family member who has lived in the household for at least 5 years to succeed to the tenancy if it is the right size and the family member cannot afford either shared ownership or private rent. If the property is too big for the family member then they would be asked to move to suitably sized housing. This would cover the situation of an older and/or vulnerable family member provided</p>

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	<p>extended to non-statutory successors e.g. carers who gave up accommodation to care for a tenant for a minimum of 12 months.</p> <p>TLRCF 26 September 2012 :</p> <p>- there were concerns that, in some instances the Council was not informed when a tenant passed away and the carer continued to reside in the property</p>		<p>they have lived in the property for at least 5 years. In our experience the occupancy has usually been for longer than 5 years in the case of an elderly parent and older child.</p> <p>The Strategy has been amended to take account of full time carers who may not have been family members, provided they are not employed in this role.</p> <p>Tenancy Audits, Fraud investigations and the fixed term tenancy reviews will pick up the issues highlighted by TLRCF.</p>
4. Is there anything else that should be considered when deciding whether to	The principles to be taken into account when reviewing tenancies were generally agreed. Strong responses were received with regard to keeping	“If they are in rent / council tax arrears, noisy neighbour, property kept in acceptable condition. If	The Strategy has been amended to include community contribution in the review process,

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renew a tenancy?	<p>up to date with rent payments, keeping the property in an acceptable condition and not committing anti social behaviour or criminal activity. Other consideration suggested and not currently included in the draft strategy were local community contribution.</p> <p>HA responses: Renewal should include connection to area and family needs e.g. education.</p> <p>HLC response: Admin burden and costs would increase and an intrusion into tenant affairs. Employment instability will affect review. "There may be little incentive for a tenant with a fixed term tenancy to invest in their community"</p> <p>GLA: "The Mayor believes, that when allocating social housing, boroughs could seek to give some additional priority to people who make an active and positive contribution to their community eg – through employment or volunteering – and who may also face barriers to accessing suitable housing in other tenures. It might be</p>	<p>children turn 18 and are employed they should be included in the rent re what is due"</p> <p>"Good behaviour and co-operation with the landlord and other tenants. Contribution to the local area such as joining tenants committees etc"</p> <p>"how the tenant has managed the flat or house, payment of rent and also if there has been a complaint about the tenant"</p> <p>"Yes current income, I know a lot of people on very good salaries who are still in council properties which is very unfair, they can easily afford to privately rent."</p> <p>"People should have the</p>	<p>although this would not override for example the need to move people who are living in properties that are now too big for their needs.</p> <p>We believe that the review process can be a positive one for both the tenant and the Council to consider housing aspirations for example to home ownership as well as provide advice and assistance with regard to employment or training options.</p> <p>The Strategy has been amended to take account of community contribution in the review process.</p>

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<p>Do you agree with the proposed income and savings cap?</p>	<p>appropriate to take this into account when determining whether a tenancy is renewed or not, as well as the factors set out in section 7.</p> <p>45% agreed with the proposed income and savings cap, 26% did not and 30% were not sure. The Voluntary sector forum thought that the income cap was reasonable and the savings cap could be considered generous.</p> <p>HA response: The income affordability figures will need monitoring both in the rental and purchase sector, as prices continue to rise faster than income in this region.</p>	<p>need to feel secure in their homes and not have to worry about moving when being placed in a semi permanent property, but I still feel like something needs to be done about families that have no intention of self development, working, volunteering, or supporting the area.</p> <p>“Once people earn over 26k, they should find their own accommodation. If they still cannot afford to move then at least downsize their accommodation or make them share with people who do need this accommodation.”</p> <p>“The maximum income limits do not take account of past debts, previous commitments and local</p>	<p>We have revised and reduced the proposed income limits taking account of local incomes and tax changes. They will be the same as that proposed for the new allocation scheme and will be subject to further consultation before a final decision is made. We are also proposing to increase the assets/savings cap to</p>

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<p>Would it be appropriate to renew tenancies for households who could afford to move provided they still needed the same size of property and increase the rent up</p>	<p>Disability benefits should not be included within the calculation of gross income.</p> <p>GLA: Note the income limit and comment that it will need to be kept under constant review so that it takes account of the relative affordability of other housing options in Harrow, particularly the Mayor's FIRST STEPS programme.</p> <p>41% agreed with this proposal, 42% did not and 16% were not sure</p>	<p>house prices. Any two parent family earning a household income of £45,000 pa could not afford to buy a home in Pinner and therefore both parents working would only create a situation where they were worse off than someone who chose to stay at home while their partner worked so their rent remained the same. Where is the incentive to get off benefits if you have to worry that you may earn "too much" to try to save for an improved future. "</p>	<p>£24k which will also be subject to further consultation.</p> <p>Accepted and strategy has been amended to make this clear.</p> <p>The draft strategy already proposes an annual review which will include review of the income limit and this can be done in line with the Mayors own review of income criteria for the FIRST STEPS programme (which in our experience is done at the most annually).</p> <p>This could be administratively complicated to administer and may result in larger properties continuing to be underoccupied and</p>

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to the maximum Affordable Rents set out in our guidance?			in view of the unclear support is not included in the final strategy.
5. Do you agree with our approach to advice and assistance if a tenancy is not to be renewed?	<p>65% agreed with our approach to advice and assistance, 13% did not and 21% were not sure. Advocacy services should be offered to support CareLeavers during the tenancy review process if they are to receive fixed term tenancies.</p> <p>HA response: Reasonable approach.</p>		<p>The consultation responses support our proposed approach to advice and assistance. The offer of advocacy service to CareLeavers or any other vulnerable groups has been included in the Strategy.</p>
6. Do you agree with our approach to Affordable Rents?	<p>65% agree with our approach to Affordable Rents, 21% did not and 13% were not sure.</p> <p>HA responses: Approach to affordable rents is fair. HA approach is within the parameters suggested.</p> <p>HLC response: Homeless households in homes at affordable rents will act as a disincentive to households from going into employment.</p> <p>GLA: Expects boroughs to maximise the delivery of Affordable Housing</p>		<p>The consultation responses support our proposed approach to Affordable Rents</p> <p>Harrow has undertaken a lot of detailed analysis together with local HAs</p>

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	through their planning and housing policies and does not accept this can be achieved by setting specific rent caps in local planning policies or tenancy strategies.		to determine the level of rents that can support a viable affordable development programme and are affordable to families in the highest priority housing need, especially larger families. The wording of the strategy has been amended to make clear the rent levels are intended as guidance rather than absolute caps.		
7. Do you have any comments on the Equalities Impact Assessment (EqIA)?	<p>There is no reference to CareLeavers in the EqIA and it should be amended to consider their specific issues.</p> <p>HLC response: Para 12 of the EqIA identifies the disproportionate impact on the disabled and vulnerable. In all the strategy neither promotes/improves equality.</p>		The EqIA has been amended to take this comment on board. Other points raised in respect of CareLeavers have been taken into account above.		
Equalities:					
Age Groups	<table border="1" data-bbox="663 1302 1207 1331"> <tr> <td data-bbox="663 1302 936 1331">16-24</td> <td data-bbox="940 1302 1207 1331">8%</td> </tr> </table>	16-24	8%		
16-24	8%				

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	<table border="1"> <tr> <td>25-34</td> <td>19%</td> </tr> <tr> <td>35-44</td> <td>27%</td> </tr> <tr> <td>45-54</td> <td>28%</td> </tr> <tr> <td>55-64</td> <td>13%</td> </tr> <tr> <td>65+</td> <td>3%</td> </tr> </table>	25-34	19%	35-44	27%	45-54	28%	55-64	13%	65+	3%		
25-34	19%												
35-44	27%												
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55-64	13%												
65+	3%												
Disabilities	<table border="1"> <tr> <td>Yes</td> <td>20%</td> </tr> <tr> <td>No</td> <td>80%</td> </tr> </table>	Yes	20%	No	80%								
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No	80%												
Gender	<table border="1"> <tr> <td>Male</td> <td>39%</td> </tr> <tr> <td>Female</td> <td>58%</td> </tr> <tr> <td>Prefer not to state</td> <td>3%</td> </tr> </table>	Male	39%	Female	58%	Prefer not to state	3%						
Male	39%												
Female	58%												
Prefer not to state	3%												
Tenure													
Ethnicity	Asian or Asian British - Afghan	2											
	Asian or Asian British - Indian	13											
	Asian or Asian British - Pakistani	2											
	Asian or Asian British - Sri Lankan Tamil	4											
	Black or Black British - Caribbean	6											
	Black or Black British - Ghanaian	2											
	Black or Black British - Any other Black	2											

Consultation Question	Summary of Responses	Comments from Responders	Harrow Response
	background		
	Mixed - White & African	1	
	Mixed - White & Caribbean	1	
	Mixed - Any other Mixed background	1	
	Other Ethnic Group - Arab	3	
	Other Ethnic Group - Iranian	1	
	Other Ethnic Group - Any other ethnic group	2	
	White - British	31	
	White - Irish	4	
	White - Polish	2	
	White - Romanian	2	
	White - Any other White background	2	
	Prefer not to state ethnic group	10	