

NOTTINGHAM CITY HOMES

REPORT OF INTERIM HEAD OF STRATEGY & PARTNERSHIPS

THE BOARD
17 NOVEMBER 2007

INTRODUCTION OF THE REVISED TENANCY AGREEMENT - PROGRESS

1 SUMMARY

- 1.1 The purpose of this report is to provide the Board with a progress report on the introduction of a revised Tenancy Agreement and the procedure for the City Council to approve it.

2 RECOMMENDATIONS

It is recommended that Board:

- 2.1 Agree the Tenancy Agreement at Appendix 1.
- 2.2 Request that Nottingham City Council to approve the revised Tenancy Agreement.
- 2.3 Note the change in timetable to move the introduce of the new tenancy agreement from Monday 28th January to Monday 25th February 2008.

3 REPORT

3.1 Background

The current Tenancy Agreement has been in use since April 2003. It is recognised as good practice to review the terms and conditions on a regular basis to make sure they comply with legislation and best practice.

As part of the Tenancy and Estate Management Service Improvement Plan, Nottingham City Homes has, on behalf of Nottingham City Council, conducted public consultation with a view to introducing a new Tenancy Agreement by the end of January 2008.

3.2 Consultation

A consultation draft was written in collaboration with the City Council's Legal Services and was shared amongst stakeholders, including:

- Tenants
- Staff of Nottingham City Homes
- Nottingham City Council – the Elected Members, Housing, Community Protection, Neighbourhood Management
- Chief Executive for the Crime Drugs Partnership
- The Police
- The Board of Nottingham City Homes
- The Tenant Inspectors

- Tenant and Resident Associations
- The Chairs of the Area Panels and the Leaseholder Forum
- Nottingham Hostels Liaison Group

3.3 The formal consultation period for was 28 days from Monday, 13th August to Sunday, 9th September. The tenants received the consultation summary with the July/August edition of 'News from Nottingham City Homes'; all of the other stakeholders received their consultation draft versions by email or by Post Office distribution. A facility appeared on the website to make sure people could download the full version and comment or comment on-line. A public meeting was arranged for Tuesday, 4th September.

During consultation a number of people got in touch to say that the Newsletter and other papers were not being delivered in sufficient time to allow a full 28 days to consider the changes. As a result of this it was decided to extend the period of consultation to finish on Sunday 30th September.

The consultation was successful; stakeholders supported the new layout and the provision of improved information. The principle clause attracting stakeholder comment was a clause 3.14 which related particularly to the ownership of cats and dogs in houses. Stakeholder comments to the clauses are summarised in Appendix 2.

3.4 **Stakeholder responses**

Total number of responses, excluding telephone calls - 156

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| Tenants returning the summary agreement - | 71 [6 objecting to clause 3.14] |
| Tenants sending letters - | 23 [15 objecting to clause 3.14] |
| Stakeholders returning comments by email - | 38 [17 objecting to clause 3.14] |
| Contacts from other sources - | 24 [24 objections] - including RSPCA, Dogs Trust and Kennel Club. |

Number of telephone calls counted by Policy Team - 164

Most of those calls [130] were connected to clause 3.14 from tenants either opposing it directly, asking for it to be changed, or asking how it would directly effect them if/when it was introduced.

A petition against clause 3.14 was presented to the City Council in October.

3.5 **Media**

There was media coverage on radio, television and press between 22 August and 14th September focusing exclusively on clause 3.14 and the implications for tenants.

3.6 **Outcome of the Consultation**

As the majority of feedback from the public was about clause 3.14, the options following the consultation were to:

1. Use the present clause - this would be status quo
2. Use the clause in the consultation draft
3. Keep the principle of the draft clause but make changes to the number of pets

4. Apply new clause for new tenants only
5. Use the clause but allow a 'reasonable number' of dogs and cats per house, where the number takes account of the size of the house and the size and breed of the dog.

4 PROPOSAL

- 4.1 Stakeholders who commented on the proposals to limit the number of cats and dogs favoured applying no restrictions to pet ownership. However, there are some situations where it is reasonable to expect a responsible owner to limit the number of cats and dogs. It is therefore proposed to take option 3, as a compromise between the original clause in the draft and the option not to have a specified number of cats and dogs.

Clause 3.14 will allow a tenant to have up to two cats or dogs without written permission. Any more would need written permission.

- 4.2 The original timetable had as an implementation date for the new tenancy agreement, Monday, 28th January 2008. This would mean the Notice of Variation together with the new tenancy terms and conditions would have to be posted before Christmas to give the formal 28 days notice. On reflection the Notice and accompanying paperwork should not be posted at the same time as the Christmas mail, so it suggested that the timetable be put back by one month. This will allow the Notice to be posted in January and the new agreement to be in force Monday, 25th February 2008.
- 4.3 If Board agree this report then the Tenancy Agreement will be sent to Nottingham City Council for approval.

5 IMPLICATIONS FOR NOTTINGHAM CITY HOMES OBJECTIVES

- 5.1 It is recognised 'good practice' for tenancy conditions to be reviewed on a regular basis. A tenancy agreement setting out clear and comprehensive obligations for the landlord and the tenant will lead to improved tenancy management standards and service delivery is a key provision for an 'excellent' service. It is the core contract which enables staff to take an uncompromising stance towards any nuisance behaviour on our estates

6 VALUE FOR MONEY & EFFICIENCY ISSUES

- 6.1 An up to date and robust tenancy agreement will lead to improved tenancy management and efficiency within service

7 EQUALITY & DIVERSITY IMPLICATIONS

- 7.1 The tenancy agreement meets the current legislative requirements.

8 BACKGROUND MATERIAL AND PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

None.

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