

# Cherwell District Council

## Executive

4 September 2023

### Tenants Charter

#### Report of Assistant Director – Wellbeing and Housing

This report is public

### Purpose of report

To consider and approve the Council's new Tenants Charter for the tenants that live within its rented stock portfolio.

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the new Tenants Charter. The Tenants Charter sets out a new service standard that all tenants can expect to receive from the Council whilst they are living within properties the Council manages.
- 1.2 To approve the planned publicity and promotion to ensure a raising of the standards of rented properties within the District, following the motion at the Council meeting on 17 July 2023 that called on the Executive to;
  - Reiterate the basic rights of tenants across Cherwell and the responsibilities of landlords.
  - Run a public awareness campaign of the Charter, encouraging tenants to be aware of their rights and where local sources of advice and support can be found.

#### 2.0 Introduction

- 2.1 The Council has a small mixed tenure stock portfolio of circa 180 properties.
- 2.2 The way social housing is regulated has changed a number of times over the past two decades. Following the Grenfell Tower Fire in 2017, HM Government set out bringing new Legislation forward following the questions raised as a result of the fire for everyone involved in social housing, with an aim of learning lessons. This is in the form of the Social Housing Regulation Act.

- 2.3 Reviewing the relationship that the Council has with the residents that live in its properties is therefore timely to ensure that the Council can comply with future legislation and to ensure that tenants are receiving quality services.
- 2.4 In addition to the Social Housing Regulation Act, there is additional legislation proposed for those renting privately. The Renters (Reform) Bill proposes a set of new standards within the private sector to reform the landlord and tenant relationship within the sector. Provisions within the Bill include a ban on Section 21 'no-fault' evictions, an improvement of standards of accommodation within the sector and give tenants stronger powers to challenge poor practice, such as arbitrary rent review.
- 2.5 The 6 February 2023 Executive approved the drafting of the new Tenants Charter following an Amendment to a Motion at the 19 December 2022 Council meeting, where the Executive was called to;
- Establish a Tenants Charter setting out minimum standards that the Council and that all Council tenants expect
  - To ask Officers to engage with registered social landlords and private landlords to seek improvements in standards, in line with those this Council will adopt.
  - To call on the government to bring forward the Private Renters Reform Bill, the promised ban on 'no fault' evictions and to commit to the national campaign of insulating poor homes
- 2.6 The 17 July 2023 a Full Council Motion called on the Executive to;
- Reiterate the basic rights of tenants across Cherwell and the responsibilities of landlords.
  - Run a public awareness campaign of the Charter, encouraging tenants to be aware of their rights and where local sources of advice and support can be found.

### **3.0 Report Details**

- 3.1 The Tenants Charter sets out, in broad themes and specific actions, what tenants can expect from Cherwell District Council as their landlord. The drafted Charter is within the Appendix 1 of the report.
- 3.2 A key area that the Tenants Charter has looked to address is the relationship between the tenant and the Council as their housing provider to ensure that issues raised are acted upon and feedback used effectively to improve services. Another key element of the Charter is ensuring that properties that are provided by the Council are free from hazards like damp and mould and compliant with relevant legislation on health and safety within residential property.
- 3.3 The Tenants Charter has been produced in consultation with residents, to reflect the concerns that they may have and understand what more the Council could do when

discharging its housing management functions, to improve services to residents. The consultation ran throughout June 2023. The Council received a positive response from residents and this and the headline results of the consultation are summarised within Appendix 2.

- 3.4 The Council is taking a leadership role within Cherwell in developing the Tenants Charter and has advised and is advising other registered providers of social housing of the completed Charter with a view to wider implementation across social housing in Cherwell of an equivalent set of standards for their tenants.
- 3.5 In addition to the Tenants Charter, but as part of this leadership role, the Council will also work to engage positively with private landlords operating in Cherwell to ensure that they are supported to meet their new obligations, to improve the relationship between landlord and tenant but also to hold them to account for poor practice, now and in the future, using our role and powers that we have with regards to enforcement.
- 3.6 The Overview and Scrutiny Committee on 1 August scrutinised the Council's draft charter and resolved the following
- Consideration of the language used in the Charter, ensuring the final draft is accessible to all tenants
  - Additional clarity on how residents can raise issues with the Council as their landlord
  - That the comments regarding the comprehensive communications plan to be presented to the Executive alongside the draft Charter be noted.

The report contains the communications plan, Appendix 3, and the draft Charter has been amended following Overview and Scrutiny, giving further consideration to the language used and including details of how tenants can raise a complaint.

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 The Council is committed to improving the standards of accommodation and the experience of tenants within the District, and the new Tenants Charter and its commitments provide a framework for ensuring this is realised and also assists the Council in its leadership role in driving improvements in standards.

## **5.0 Consultation**

- 5.1 Consultation was undertaken during June 2023 with our residents that live within our rented properties. The outcomes of this consultation are within Appendix 2.

## **6.0 Alternative Options and Reasons for Rejection**

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to bring forward a Tenants Charter

This option would be contrary to a Motion from Council and a previous Executive decision.

## 7.0 Implications

### Financial and Resource Implications

7.1 There are no direct financial implications identified. The work on the Tenants Charter can be completed within existing budget and resources.

Comments checked by: Alex Rycroft, Strategic Finance Business Partner – Technical and Transformation, [alex.rycroft@cherwell-dc.gov.uk](mailto:alex.rycroft@cherwell-dc.gov.uk) 01295 221541

### Legal Implications

7.2 There are currently no statutory requirements for those that provide social housing, like Cherwell District Council, to have a Tenants Charter. However, a Tenants Charter will provide tenants with a clear set of principles and service standards that they can expect from the Council.

Comments checked by: Shiraz Sheikh, Assistant Director – Law and Governance, [shiraz.sheikh@cherwell-dc.gov.uk](mailto:shiraz.sheikh@cherwell-dc.gov.uk), 01295 221651

### Risk Implications

7.3 There are no risk management issues arising directly from this report. Any arising risks will be managed through the service operational risk frameworks and escalated as and when necessary.

Comments checked by: Shona Ware, Assistant Director – Customer Focus, [shona.ware@cherwell.gov.uk](mailto:shona.ware@cherwell.gov.uk), 01295 221652

### Equalities and Inclusion Implications

7.4 The Tenants Charter does ensure that every Cherwell Council tenant has equal access to a safe and well maintained home.

Comments checked by: Shona Ware, Assistant Director – Customer Focus, [shona.ware@cherwell.gov.uk](mailto:shona.ware@cherwell.gov.uk), 01295 221652

## 8.0 Decision Information

**Key Decision** **Yes**

**Financial Threshold Met:** **No**

**Community Impact Threshold Met: Yes**

**Wards Affected**

All

**Links to Corporate Plan and Policy Framework**

A Tenants Charter would link to a key Business Plan priority of “Housing that meets your needs”

**Lead Councillor**

Councillor Nicholas Mawer, Portfolio Holder for Housing

**Document Information**

**Appendix number and title**

Appendix 1 – Tenants Charter – Draft

Appendix 2 – Summary of Tenants Charter consultation

Appendix 3 – Tenants Charter Communications Plan

**Background papers**

None

**Report Author and contact details**

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