

Committee(s): Housing Committee	Date: 12 September 2022
Subject: Approval of Succession Policy	Wards Affected: All
Report of: Steve Summers, Strategic Director	Public
Report Author/s: Name: Angela Abbott, Corporate Manager (Housing Needs and Delivery) Telephone: 01277 312500 E-mail: angela.abbott@brentwood.gov.uk	For Decision

Summary

This report presents the Succession Policy (2022-2027) to the Committee for approval.

The policy provides a clear framework for when considering applications for Statutory succession of tenancy in accordance with the Housing Act 1985 and the amendments in the Localism Act 2011 and where a Statutory Succession has already taken place consideration under the Local Policy to ensure that the Council is transparent in its processes and procedures.

Recommendation(s)

Members are asked to:

R1. To approve the Succession policy included in Appendix A.

Main Report

Introduction and Background

1. The Succession Policy sets out how the Council's Housing Service approach to consideration for a qualifying person to take over a secure tenancy on the death of a current tenant.
2. For tenancies that started before April 2012 in accordance with the Housing Act 1985, a remaining cohabitee or a relative who had previously resided with the tenant may be eligible to succeed to a tenancy subject to meeting the qualifying criteria and that there had not been a previous succession of tenancy.
3. For tenancies that started after the 1st April 2012 following amendments under the Localism Act 2011, qualifying persons are limited to the married or civil

partner of a tenant or those living with a tenant as if they were a married or civil partner.

4. Where a Statutory Succession has already taken place, there will be no further rights for a Statutory Succession of tenancy. Further consideration will be given under the Council's 'Local Policy' to consider the granting of a new tenancy which is limited to a Civil Partner, Spouse or child of the deceased tenant subject to meeting the required 10 year residency criteria. Each case will be considered on its own merits with no obligation upon the Council to offer a new tenancy.
5. If the granting of a new Introductory tenancy is approved under the Council's Local Policy an offer of accommodation will be made in accordance with the Council's Allocations Policy which may not be the current property.
6. If agreed, the policy (and the associated procedure) will be published on the Council's website.

Reasons for Recommendation

7. To ensure that the Housing Department has a policy covering the way that applications for Succession are managed and how tenants/applicants will be treated.

Consultation

8. Consultations have taken place with the appropriate staff within the Council. The Tenant Talkback group have been consulted on the content of the policy because this reflects the legislation in place, and the policy has been created to seek authorisation from members for the implementation of this.

References to Corporate Plan

9. Drive continuous improvement of our housing services.
10. Continue a service improvement programme to ensure our services are delivered efficiently.

Implications

Financial Implications

Name/Title: Jacqueline Van Mellaerts, Director of Corporate Resources
Tel/Email: 01277 312500/jacqueline.vanmellaerts@brentwood.gov.uk

11. There are no direct financial implications arising from this report

Legal Implications

Name & Title: Claire Mayhew, Corporate Manager (Democratic Services) & Deputy Monitoring Officer

Tel & Email: 01277 312500 /claire.mayhew@brentwood.gov.uk

12. The Council will allow one succession in the lifetime of a secure tenancy as laid out in the Housing Act 1985.

13. This Policy also reflects the amendments in the Localism Act 2012 stated within the report.

Economic Implications

Name/Title: Phil Drane, Director Place

Tel/Email: 01277 312500/philip.drane@brentwood.gov.uk

14. There are no direct implications arising from this report.

Background Papers

None

Appendices to this report

- Appendix A: Succession Policy