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**Our reference:** LRJ  
**Your reference:**  
**Date:** 3 May 2012

To all Members of the Council

Dear Councillor

A meeting of the CABINET will be held on Tuesday 15 May 2012 at 7.00 pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford to consider the following items of business.

Yours sincerely

Head of Corporate Services

## **AGENDA**

1. Apologies for absence
2. Declarations of Interest
3. Minutes of the Meeting held on Tuesday 17 April 2012 (previously circulated).

### ***Key Decisions***

None.

### ***Non Key Decisions***

4. Community Right to Challenge – Scrutiny Arrangements  
The report of the Head of Corporate Services is attached (pages 1 - 4).
5. Draft Tenancy Strategy and Affordable Rents  
The report of the Head of Community Shaping is attached (pages 5 - 11).

### ***Budget and Policy Framework Items***

None.

### ***Matters referred from Scrutiny***

None.

## Membership

Chairman: Councillor J N Clarke,  
Vice-Chairman: Councillor J A Cranswick,  
D G Bell, J E Fearon, D J Mason, Mrs J A Smith

<b>Meeting Room Guidance</b>
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**MINUTES  
OF THE MEETING OF THE  
CABINET  
TUESDAY 17 APRIL 2012**

Held At 7.00pm In The Council Chamber, Civic Centre, Pavilion Road, West Bridgford

**PRESENT:**

Councillors J N Clarke (Chairman), D G Bell, J A Cranswick, J E Fearon, D J Mason, Mrs J A Smith

**ALSO IN ATTENDANCE:**

Councillors S J Boote, R M Jones, A MacInnes, G R Mallender

**OFFICERS PRESENT:**

A Graham	Chief Executive
C McGraw	Head of Community Shaping
P Randle	Deputy Chief Executive (PR)
L Reid Jones	Democratic Services Manager
D Swaine	Head of Corporate Services

**APOLOGIES FOR ABSENCE:**

There were no apologies for absence

**52. Declarations of Interest**

There were none declared.

**53. Minutes**

The minutes of the meeting held on Tuesday 14 February 2012 were approved as a correct record and signed by the Chairman.

**54. Interim Report of the Community Facilities Member Group**

Councillor Cranswick presented a report detailing the work of the Community Facilities Member Group which had been reviewing the Council's community halls, sports pitches and parks, Rushcliffe Country Park and Sports Development. This was with a view to identifying areas where efficiencies could be achieved and identifying in-house and alternative service delivery options. The Group had proposed a number of initiatives, highlighted in table 1 of the report, which could be applied to the in-house service, changing the way the service was provided. By reference to the report he reminded Members that a saving of £40,000 per annum was targeted for this review within the Council's four year plan. Furthermore the review had identified initiatives that could generate potential gross savings ranging from £76,000 up to £136,000 per annum in a full financial year. Councillor Cranswick explained that table 2 of the report outlined options supported by the Group which were in the development phase, and Appendix 1 contained options which the Group had not supported.

In reference to item 3 in table 1 in the report regarding the removal of preferential rates for the playgroup at West Bridgford Community Hall, Councillor Clarke stated it was important that sufficient dialogue took place with users before a decision was made.

Councillor Cranswick explained that the playgroup used one room in the Hall for a limited period each day, but stored their equipment in the hall for the remainder of the time. Furthermore it was difficult to rent the rest of the accommodation whilst the playgroup was running because of a number of issues including safeguarding children and noise levels. Whilst he was not suggesting that the playgroup be charged the rent for the whole building he stated that it was important to take a pragmatic view to resolve the situation.

In response to a question from Councillor Bell the Head of Community Shaping confirmed that the playgroup had paid staff and that officers had carried out an initial bench marking exercise with other providers in the area in order to market test the rental rates.

Councillor Fearon asked whether it was possible to sound proof the room in the longer term to address the noise issue. In response the Chief Executive commented that there were wider issues such as OFSTED requirements and safeguarding matters to take into account, and therefore this went beyond the issue of noise reduction measures.

In relation to item 8 in table 1 of the report regarding the removal and sale of carp and other native fish Councillor Clarke sought an assurance that the Council had the appropriate licences to achieve this. In response the Head of Community Shaping confirmed that this was the case and that carp had been sold from the lake for a period of time, and that the money had been re-invested and had assisted with the costs of the fencing around the lake and play equipment in the play area. The Deputy Chief Executive (PR) added that the Environment Agency had been consulted and were of the view that it was positive to move the fish out to create space for the remaining fish.

RESOLVED that the initiatives in Table 1 of the report be approved.

#### 55. **Equality Scheme 2012 - 2014**

Councillor Mason presented the Equality Scheme 2012 – 2014, which the Council was legally required to implement through the provisions of the Equality Act 2010. By referring to the report she explained that the Equality Act 2010 brought together several pieces of equality legislation into one single act, incorporating the nine protected characteristics and simplified the whole principal of equality. She stated that the Equality Scheme set out what had been achieved and what the Council was planning to do up until 2014 in relation to equalities. She highlighted that the proposed objectives linked to the Corporate Strategy through the Council's Four Year Plan. She informed Cabinet that the Community Cohesion Network had been consulted on the draft Equality Scheme, and that once agreed the final document would be posted on the Council's website and in libraries.

Councillor Mason proposed amendments to the objectives as set out at page 24 of the Scheme so that they were reflective of the Council's commitment both to residents and staff. As such the amended objectives would read:

*To find out who our customers are, what they want and how they are treated we will:*

- *Monitor the demographic make-up of our residents and our workforce*
- *Consult customers and staff where appropriate*
- *Carry out equality impact assessments as part of our 4-year plan.*

Cabinet welcomed the Equality Scheme and Councillor Fearon stated that it contained important information which all councillors would find useful.

RESOLVED that the Equality Scheme 2012 – 2014 be approved, subject to the words 'and our workforce' being added to objective 1 and 'and staff' to objective 2 on page 24 of the Strategy.

**56. Service Level Agreement – Rushcliffe Community and Voluntary Service and Rural Community Action Nottinghamshire**

Councillor Cranswick presented the Council's proposed single Service Level Agreement (SLA) with Rushcliffe Community and Voluntary Service (RCVS) and Rural Community Action Nottinghamshire (RCAN) for 2012 – 2015. He reminded Cabinet that the SLA had been agreed in principle and had been presented to Cabinet in January. By referring to the report, in particular Schedules A to D, he drew Cabinet's attention to the revised SLA which now contained the activities and outcomes expected of RCVS and RCAN. Furthermore the two organisations would now be responsible for distributing funding amongst themselves. He said that Schedule D now contained an adequate representation of the requirements in relation to evaluation and monitoring, and payment. Councillor Cranswick pointed out a number of minor amendments to be incorporated in the Schedules as follows:

- Schedule B, service 1 (2), last bullet point: amend 'photocopies' to 'photocopier' (page 46)
- Schedule B, service 4 (2), third bullet point: delete 'enable', replace with 'have', delete 'to be' (page 47)
- Schedule C, service 2, above bullet points: add 'Demonstrate that'
- Schedule C, service 5, bullet point 8: add 'RCVS' before 'website'.

In response to a question from Councillor Cranswick, the Head of Community Shaping confirmed that a formal tenancy agreement was in place alongside the SLA documentation.

Councillor Clarke stated that the SLA now clearly demonstrated what the Council could expect from the organisations and this was welcomed.

Councillor Mrs Smith informed Cabinet that the SLA had been presented to the Community Development Scrutiny Group on a number of occasions and had also previously been considered by Cabinet. She drew Cabinet's attention to Schedule D which required RCVS/RCAN to provide activity monitoring reports

with evidence of outcomes to the Council four times per year. It also required six-monthly meetings with key officers and the Cabinet Portfolio holders for Finance and Community Services, and annual scrutiny by the Partnership Delivery Group.

Councillor Fearon welcomed the revised and much improved document and questioned what happened if the organisations did not deliver on the SLA. Councillor Cranswick informed Cabinet that if this was the case then ultimately the funding could be withdrawn.

Councillor Bell stated he was pleased to see the evidence required in Schedule C, in return for the Council's investment.

RESOLVED that the Service Level Agreement for Rushcliffe Community and Voluntary Service and Rural Community Action Nottinghamshire be approved, subject to the necessary amendments being made to Schedules B and C.

The meeting closed at 7.25 p.m.

CHAIRMAN

## **REPORT OF THE HEAD OF CORPORATE SERVICES**

### **CABINET PORTFOLIO HOLDER – COUNCILLOR MRS J A SMITH**

#### **Summary**

This report outlines details of the ‘Community Right to Challenge’ (CRTC) as set out within the Localism Act 2011. It also sets out proposals for the matter to be considered by the Council’s Community Development Group, in order that the Group recommends to Cabinet for approval a process for administering the CRTC.

#### **Recommendation**

It is RECOMMENDED that Cabinet:

- a) considers the information within the report outlining the ‘Community Right to Challenge’ process, and
- b) determines how the matter could be considered further by the Council’s Community Development Group in line with the proposed terms of reference attached as an appendix to the report.

#### **Background**

1. The Localism Act 2011 contains within it provisions relating to the Community Right to Challenge (CRTC). Under these provisions a broad range of alternative service providers will be able to submit an expression of interest to run a service, or part of a service, provided by the Council. The Council must consider any such expressions of interest and where it accepts them, run a procurement exercise for the service. The challenging organisation and other interested parties could take part in this procurement exercise, however, the challenger may not be successful.
2. The CTRC applies to services which are provided by, or on behalf of, the Council. It does not apply to functions of the Council. The general distinction between a function and a service is that a function is a duty or power that requires decision making by the Council, whereas a service does not. For example, decisions on planning applications are a function, but waste collection is a service.
3. The Act sets out the bodies that are eligible to submit an expression of interest as follows:
  - a voluntary or community body
  - a body of persons or a trust which is established for charitable purposes only

- a Parish Council
  - two or more employees of the Council
4. A 'voluntary body' means a body, other than a public or local authority, the activities of which are not carried on for profit. The fact that a body's activities generate a surplus does not prevent it from being a voluntary body so long as the surplus is used for the purposes of those activities or invested in the community. A 'community body' means a body that carries on activities primarily for the benefit of the community.
  5. The Council can specify a period during which expressions of interest may be submitted either for all services, or for particular services. This is designed to limit the burden on the Council by enabling the process for submissions to align with any service commissioning cycles or the expiry of contracts for services provided by another provider on behalf of the Council. If the Council was to adopt a specific period when expressions could be submitted then it may refuse to consider any expression of interest submitted outside of that time. However if periods are not specified then expressions of interest may be submitted at any time.
  6. An expression of interest must include specific information in order to initiate a challenge. Once an expression of interest is submitted the Council must determine if it accepts or rejects it and it must do so within a set time frame. If the Council rejects an expression of interest it must publish the reasons for its decision. There are number of grounds for rejection as set out in the Act.
  7. If the Council accepts an expression of interest then it must carry out a procurement exercise in which the body submitting the expression can bid alongside others. This means that the body who triggered the procurement exercise may not eventually be a provider of that service. The Council must specify minimum and maximum periods of time that must elapse between the date of its decision to accept an expression of interest and the date on which the procurement exercise will begin.
  8. The Council can also accept an expression of interest with modification and if doing so it must publish it reasons and carry out a procurement exercise. The option to accept with modification requires the body submitting the expression of interest to agree the modification. This option is not aimed at enabling wholesale change to an expression of interest, but may enable minor changes to be made to enable the Council to accept it.
  9. The carrying out of a procurement exercise should be appropriate to the nature and value of the contract. So in some cases the Council will have to follow the procedures for advertising, tendering and awarding contracts as set out in the relevant regulations.
  10. As detailed in the report the Community Right to Challenge will require the Council to develop and implement a process by which it can consider and determine any expressions of interest. In the development of this process consideration will have to be given to determining if there should be a specific period in which expressions can be submitted, who they should be submitted to and also who is involved in the consideration and evaluation.
  11. At the time of writing this report regulations have not been published by the Department for Communities and Local Government (DCLG). However, the



outline process for Community Right to Challenge was set out in the consultation document and policy statement previously published by DCLG. It is not anticipated that any further guidance or regulations provided by the DCLG will deviate significantly from the policy statement previously issued and therefore this sets out guidance which should be of assistance.

12. At its meeting in January 2012 the Community Development Group considered a report setting out an overview of provisions within the Localism Act 2011. The Group determined that Community Right to Challenge was a matter it would wish to look at further at an appropriate time. In order to ensure the Council has in place a process to deal with such challenges Cabinet could refer the matter to the Community Development Group for consideration, with a view to the Group then recommending a process to Cabinet for approval.
13. Attached as an **appendix** to this report are some proposed terms of reference to assist the Community Development Group in its consideration of the Community Right to Challenge process. If Cabinet believes that the matter should be referred to scrutiny then these terms of reference could be used by the Group in order to inform its consideration of the issue.

#### **Financial Comments**

None directly arising from this report.

#### **Section 17 Crime and Disorder Act**

None directly arising from this report.

#### **Diversity**

None directly arising from this report

#### **Background Papers Available for Inspection: Nil**

Report to Community Development Group – 16 January 2012 - 'Localism Act 2011'

Localism Act 2011

DCLG Policy Statement Community Right to Challenge – September 2011

## Community Right to Challenge

### Cabinet referral to the Community Development Group

These proposed terms of reference are intended to inform the Group's consideration of the issue.

This is in order that the Group is able to make informed recommendations to Cabinet setting out a proposed process to facilitate the Community Right to Challenge.

#### *Terms of reference*

*That the Community Development Group considers the Community Right to Challenge in order to make recommendations to Cabinet setting out a proposed process*

*In doing so the Group gives regard to:*

- *the relevant provisions within the Localism Act 2011 and the DCLG Policy Statement 'Community Right to Challenge – September 2011*
- *the DCLG regulations when published*
- *if there should be a specific period when expressions could be submitted*
- *what information should be included in an expression of interest*
- *who expressions should be submitted to and how and who should determine validity*
- *the development of mechanisms for acceptance, modification or rejection of expressions of interest and the time scale for determination*
- *the timescale for determination of expressions and the minimum and maximum time frames*
- *the minimum and maximum timescale for undertaking a procurement exercise if an expression of interest is accepted*

## **REPORT OF THE HEAD OF COMMUNITY SHAPING**

### **CABINET PORTFOLIO HOLDER – COUNCILLOR D G BELL**

#### **Summary**

1. The Localism Act 2011 gives Registered Providers (registered social landlords) of social housing much greater flexibility to determine the length of tenancy that they offer to new tenants and introduces a requirement for all Councils to develop a Tenancy Strategy.
2. At the meeting of the Community Development Group, held on 26 March 2012, consideration was given to the report on the proposed social housing reforms to be introduced through the Localism Act and the tenancy options available to Registered Providers.
3. Members of the Community Development Group were consulted on the development of the Council's Tenancy Strategy which forms the basis of this report and provided their endorsement of the report to Cabinet.

#### **Recommendation**

It is RECOMMENDED that Cabinet approve:

- a) the draft Tenancy Strategy
- b) the introduction of the Affordable Rent model.

#### **Background**

4. The Government's plans for radical reform of the social housing system were set out in 'Local Decisions: a Fairer Future for Social Housing' (published November 2010). It set out the Government's 5 key objectives for social housing reform, which enable localism, promote fairness and focus social housing on those most in need in a way that enables them to use it as a springboard to opportunity.

#### **Tenancy Strategy**

5. The Localism Act places a duty on all Councils to publish a Tenancy Strategy within twelve months of the Act being brought into force. The Tenancy Strategy must set out the Council's expectations for Registered Providers operating within their areas in relation to:
  - The type of tenancy the Registered Providers will grant

- If granting fixed term (flexible) tenancies, the lengths of those terms e.g. 2 or 5 years
- Under what circumstances the Registered Providers will grant tenancies of a particular type e.g. lifetime tenancies to vulnerable groups
- The circumstances in which a tenancy may or may not be reissued at the end of the fixed term e.g. under-occupancy.

6. The tenancy options available to Registered Providers of social housing include:

<b>Current Tenancy Options</b>	<b>New Tenancy Options</b>	<b>Main Tenancy Features</b>
Assured tenancy (Registered Provider)	Assured tenancy	'Lifetime' tenancy. Tenancy rights of existing tenants protected. Registered Provider cannot grant a new tenancy with any less security where the tenant chooses to move to another social rented home.
	Fixed term assured shorthold	Flexible tenancy for a minimum term of 2 years in addition to any probationary tenancy. Can only be granted to new tenants Registered Provider will have to carry out a review of the tenancy 6 months prior to expiry
Secure tenancy (Council)	Secure tenancy	'Lifetime' tenancy Tenancy rights of existing tenants protected. Council cannot grant a new tenancy with any less security where the tenant chooses to move to another social rented home.
	Flexible tenancy	Fixed term secure tenancy for a minimum term of 2 years in addition to any probationary tenancy. General similar rights to secure tenants, but only one succession to partner/spouse (not to any other family member) Can only be granted to new tenants Council will have to carry out a review of the tenancy 6 months prior to expiry.
Any of the above tenancies can be used with Affordable Rent model		Where a maximum rent of 80% (including service charges) can be applied. Registered Providers/Councils will have to carry out a review of the tenancy 6 months prior to expiry.

7. Councils are also required to consult with all Registered Providers operating in their area in developing their Tenancy Strategy. In anticipation of the requirements of the Localism Act, the Council has been working closely with Registered Providers with stock in the Borough to develop the Council's Tenancy Strategy and inform their Tenancy Policies.

8. It is intended that the Council's Tenancy Strategy provides only a broad framework to which Registered Providers must have regard. Many of the Registered Providers operate nationally or regionally across many Council areas and it is quite possible many types of Council will want to adopt different approaches to their own Tenancy Strategies.

9. A copy of the Council's draft Tenancy Strategy can be found in **Appendix 1**.

### **Affordable Rent Model**

10. A new Affordable Rent model will be offered by Registered Providers to some new tenants of social housing in the Borough from 2012/13. Affordable Rent will be used on fixed term tenancies at a rent higher than social rent with landlords able to set rents at 80% of market rents. This will enable landlords to raise funds to build more affordable housing for those who need it.
11. There are two aspects to the implementation of Affordable Rents, the delivery of new affordable housing and the application of rent increases on re-lets of existing stock. The difference between the existing rent and the new rent is intended to be pooled as a resource for new development.
12. There is no direct advantage to the Council through the increase of rents as the funding raised by the increased rents or the disposal of stock cannot be ring-fenced for re-investment in the Borough. A Registered Provider can choose to invest wherever their priorities for development/growth maybe.
13. Metropolitan Housing Partnership (Spirita), the main Registered Provider, is taking a cautious approach to the number of affordable rent properties converted in the Borough. The Council will have no right to veto conversions.

### **Consultation**

14. The draft Tenancy Strategy is a result of on-going involvement and consultation with Registered Providers. A four week public consultation has been undertaken and relevant comments have been incorporated into the document. The consultation closed on 30 April 2012.

### **Conclusion**

15. The report has outlined the future options available for providers of social housing in granting tenancies to new tenants and the need for a Tenancy Strategy to be developed.
16. The changes for Councils will come into effect when the relevant parts of the Localism Act are enacted. The changes for Registered Providers can be implemented under Regulatory Orders so can come into effect immediately. All Registered Providers in Rushcliffe must have regard to the Council's position within a Tenancy Strategy.
17. The final draft Tenancy Strategy is now presented to Cabinet for approval.

**Financial Comments**

There are no financial implications for this report.

**Section 17 Crime and Disorder Act**

There are no crime and disorder implications for this report.

**Diversity**

The Council will be working closely with Registered Providers to ensure the Tenancy Strategy and Tenancy Policies incorporate equality and diversity throughout. A full Equality Impact Assessment will be carried out before the final strategy is published.

**Background Papers Available for Inspection:**

Community Development Group, 26 March 2012, Draft Tenancy Strategy and Affordable Rents

Community Development Group, 21 November 2011, Introduction to Flexible Tenancies and Affordable Rent

## **Rushcliffe Borough Council Draft Tenancy Strategy for Consultation**

Section 150 of the Localism Act 2011 requires all local housing authorities to adopt a tenancy strategy to set out the matters to which Registered Providers of Social Housing should have regard when they decide what tenancies to offer new tenants of social housing.

This document sets out the Council's interim position, which is subject to further discussion and development, and consultation with local councillors, stakeholders and the public. This is a strategy to guide future lettings of social housing, whether let at Affordable Rent or social housing target rents. It does not affect the tenancy rights of existing tenants.

As the Council does not own any housing stock, it cannot set out what type of tenancy a person will be offered in every circumstance, or how reviews will be carried out at the end of a fixed term tenancy. This is covered by the tenancy policy that every Registered Provider is required to publish.

If you are not sure about the type of tenancy you will be offered, or what will happen at the end of that tenancy, or if you think you have been treated unfairly, you should consult the tenancy policy published by the individual Registered Provider.

### **1. Preferred type of tenancy**

Rushcliffe Borough Council encourages Registered Providers to offer one year introductory tenancies, followed by five year fixed term tenancies to all new tenants in Rushcliffe with the exception of:

1. Where the property is designated as supported housing which is designed to be let for a limited time (e.g. homeless or "move-on" accommodation). This is because five years is too long a tenancy to be appropriate for this type of accommodation – we expect clients to move on to independent accommodation much sooner than this.
2. Where the prospective tenant who is allocated the property in accordance with the Allocations Policy falls into one of the following categories of people:
  - A person aged 55 or over
  - A person who is vulnerable as result of mental illness, learning disabilities, physical disability
  - A person who is vulnerable due to other special reason (i. e. chronically illness, Aids/HIV related illnesses or other reason that the housing association may identify).

We encourage Registered Providers to either continue to offer assured tenancies to the people identified in point 2 above, or to offer a fixed term tenancy with the expectation that it will be renewed after five years without the need for a formal assessment.

The reasoning for this is that vulnerable clients who fall into the above groups are more likely to require the long security of social housing without uncertainty as to the

future, and because the prospect of having to move in five years' time could be a concern that affects their ability to settle in their new home and sustain their tenancy.

The Council does not encourage Registered Providers to offer tenancies for fixed terms of less than five years. Five years is a reasonable period in which people's circumstances can change – their household composition may be different; they may have improved their employment circumstances and they may be able to access other housing options. Given the disruption and costs involved with moving house, the Council does not believe the statutory minimum tenancy of two years is sufficient for this.

The Council expects Registered Providers using the Homesearch Choice Based Lettings scheme to state clearly in the advertisement for each property the type of tenancy they would plan to offer to a new tenant, and the length of term if it is a fixed term tenancy.

## **2. Reviews**

At the end of the five year fixed term, we encourage Registered Providers to review the tenant's circumstances and look at whether the household still requires the size of accommodation that was allocated to them.

If that size of accommodation is still required, we expect the presumption should be that their tenancy should be renewed for another five years.

If the household is now under-occupying their property, or if the property has adaptations that are not being used, we would expect the housing association to give the household advice and assistance to move to a suitable property; either a smaller social rented property, or a private rented property if it appears the household could afford this.

If a vulnerable person is under-occupying their property, and they are not likely to need that size of accommodation in the future, we would expect the Registered Provider to assess their individual circumstances. It may be appropriate to help them to downsize within the social rented sector. We would not expect a person in this situation to have to move into the private rented sector unless they wish to, because many vulnerable people will value the security of social housing and reassurance they will not have to move on a regular basis, as described above.

As a guideline, we would expect the Registered Provider to demonstrate that at least three private rented properties are available for the household to occupy within a five mile radius, which they could reasonably afford given their income and circumstances. This is only an indicative distance, and each Registered Provider will make a decision on what is appropriate.

Alternatively, we would encourage Registered Providers to look at ways that tenants could remain in their existing homes, perhaps by allowing them to purchase an equity share in their home. This could support mixed income and mixed tenure communities, which have proven and measurable benefits to residents, and allow the proceeds of equity sales to be reinvested into new affordable homes.



### 3. Rationale

The rationale for adopting this policy position is as follows:

Social housing is a very scarce resource in Rushcliffe, with far more demand than supply. There are 3998 social properties in the Borough, of which 1432 (36%) are properties for older people. There are around 250 re-lettings in an average year – a turnover of 6% – but 1132 active applicants on the housing register.

There is a high degree of under-occupation in the social housing stock, with many tenants not strictly requiring the size of property that they occupy. This is partly because the lack of two bedroom houses in Rushcliffe means that families with one child can sometimes only be rehoused reasonably quickly by letting them a three bedroom house.

Encouraging a test for under-occupation before the tenancy is renewed is a long-term policy, which will not bear fruit until at least 2017. Over time, however, it will free up much-needed family accommodation, and create the expectation among new tenants that these scarce properties are only available while the family size justifies them, rather than being “homes for life”.

Although the Council has given consideration to supporting a financial means test on whether the tenancy was renewed, evidence suggests that given the financial position of people moving into social housing, the economic situation, the labour market and very high rents in the local private sector, this would have limited benefits in making more social stock available. Conversely, financial means testing would impose an administrative burden on the housing providers that had to carry it out, which would divert staffing resources from housing management, community development and other activities of mutual importance to housing providers and the Council.

Further, to be used fairly, a means test after five years would have to be matched by a means test at the point of entry into social housing for every applicant to ensure tenants whose tenancy was not renewed were not replaced by people on a higher income than themselves. This means testing would be added to the administration of the housing register, which the Council does, and would either increase staffing costs considerably, or divert existing staff from other duties such as preventing homelessness, and impact on performance in those areas.

Finally, there is already a correlation between pockets of relative deprivation and worklessness in Rushcliffe and levels of social housing, principally in Cotgrave. This situation would not be improved by requiring working households who have achieved middling incomes to move out of social housing and be replaced workless tenants who have passed the means test.

Five miles has been selected as an indicative distance because virtually all parts of the borough are within five miles of at least one of West Bridgford, Ruddington, East Leake, Keyworth, Cotgrave, Radcliffe on Trent or Bingham, where the majority of rented properties will be available. Five miles from West Bridgford covers most of urban Greater Nottingham, which reflects the council's expectation that people should be prepared to move across local authority boundaries to locate housing that is affordable and suitable for them.