

Meeting: Overview and Scrutiny Board/Cabinet

Date: 7 and 13 May 2025

Wards affected: All Wards

Report Title: Housing policies

When does the decision need to be implemented? May 2025

Cabinet Member Contact Details: Councillor Alan Tyerman, Cabinet Member for Housing and Finance, alan.tyerman@torbay.gov.uk

Director Contact Details: David Carter, Interim Director of Regeneration,

1. Purpose of Report

- 1.1. The report seeks approval to adopt the following housing policies as Council policies which is needed following the transfer of housing stock from TorVista:
- Tenancy Policy
 - Damp and Mould Policy
 - Complaints Policy
 - Lettings Policy
 - Tenant Involvement Policy
 - Rent arrears and debt recovery Policy
 - Right to Buy Policy
 - Minimum lettable Standard

2. Reason for Proposal and its benefits

- 2.1. The proposal in this report is to consider the various housing policies that will provide a robust governance framework around the management of the Councils housing stock following the transfer of housing from TorVista Homes to Torbay Council and make recommendations to the Cabinet.

3. Recommendation(s) / Proposed Decision

1. That the Overview and Scrutiny Board recommend to the Cabinet:

- 1.1 that the housing policies set out in Appendices 1 to 8 of the submitted report be adopted by Torbay Council, and the Director of Regeneration be given delegated authority, in consultation with the Cabinet Member for Housing and Finance, to review the policies and make changes as appropriate and in line with any changes to legislation.
- 1.2 that the general limitations within the Officer Scheme of Delegation in relation to property disposals does not apply in relation to the Right to Buy Policy and the Director of Finance be given delegated authority to dispose of property in accordance with the Right to Buy Policy.

4. Appendices

Appendix 1: Tenancy Policy
Appendix 2: Damp and Mould Policy
Appendix 3: Complaints Policy (housing)
Appendix 4: Lettings Policy
Appendix 5: Tenant Involvement & Empowerment Policy
Appendix 6: Rent arrears and debt recovery Policy
Appendix 7: Right to Buy Policy
Appendix 8: Minimum Lettable Standard

5. Background Documents

Housing Ombudsman Complaint Handling Code became statutory on 1 April 2024 meaning landlords are legally obliged to follow its requirements. The Complaints Policy (housing) has been updated to follow this Code. Any complaints relating to Temporary Accommodation will be dealt with under Torbay Council's Complaints Policy.

The Damp and Mould Policy has been reviewed to include the proposed changes set out by the Housing Ombudsman under Awaab's Law. The Government has announced that they will be implementing this law from October 2025. This policy also includes Torbay Council's Temporary Accommodation.

Right to Buy Policy has been completed following Government guidelines: [Right to Buy: buying your council home: Overview - GOV.UK](#)

Minimum Lettable Standard document has been compiled in line with the decent homes standard as set out by Government guidelines: [Decent Homes Standard: review - GOV.UK](#)

Supporting Information

6. Introduction

- 6.1 These policies, with the exception of the revised Lettings and Right to Buy policies, have previously been approved by TorVista Homes Board. They incorporate all legislative and compliance requirements and provide a robust and transparent Governance framework for the Councils housing stock.
- 6.2 Temporary Accommodation properties are now incorporated within the Damp and Mould Policy. The intention is, where applicable, for these policies to incorporate all of the Councils housing stock, including temporary accommodation. This will ensure consistency and work is underway to include these. In the meantime the temporary accommodation stock has their own procedures in place.

7. Options under consideration

- 7.1. Not applicable

8. Financial Opportunities and Implications

- 8.1. The Right to Buy policy is written in accordance with legislation. However, due to the prescriptive way in which a Right to Buy is carried out there is the potential that a disposal in this way could have a financial impact on the Council.

9. Legal Implications

- 9.1. All policies take account of guidance, legislation and compliance obligations as set out by the Regulator for Social Housing

10. Engagement and Consultation

- 10.1. Service departments have been engaged with in terms of the allocation of these properties and the ongoing maintenance arrangements.

11. Procurement Implications

- 11.1. Not applicable

12. Protecting our naturally inspiring Bay and tackling Climate Change

- 12.1. Not applicable

13. Associated Risks

- 13.1. The risks are mainly linked to the Council not having appropriate policies in place. This would create uncertainty and inconsistency at an operational level.

14. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<p>18 per cent of Torbay residents are under 18 years old.</p> <p>55 per cent of Torbay residents are aged between 18 to 64 years old.</p> <p>27 per cent of Torbay residents are aged 65 and older.</p>	<p>Safe, secure and affordable accommodation is vital to ensure wellbeing. This is key as people tend to experience increased fragility as they age.</p> <p>It is recognised that paying fees and charges may be difficult for some pensioners due to high levels of poverty within this demographic. Furthermore, some pensioners may difficulty accessing financial wellbeing information due to the societal shift to ‘digital first’ models of service delivery.</p> <p>Safe, secure and affordable accommodation is also important for children and young people to ensure that they can reach their potential.</p>	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>Information about charges and fees will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis</p>	<p>Pride in Place</p> <p>Rent Arrears and Debt Recovery policy promotes a payment culture, early intervention when arrears occur and signposting to relevant agency.</p>

			<p>which is provided by Torbay Council.</p> <p><u>Help with the cost of living - Torbay Council</u></p>	
Carers	<p>At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.</p>	<p>Safe, secure and affordable accommodation is vital to ensure wellbeing.</p> <p>It is recognised that paying fees and charges may be difficult for some carers due to higher levels of poverty within this demographic.</p> <p>However, it is recognised that people with caring responsibilities are more likely to experience financial hardship.</p>	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>Information about charges and fees will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council.</p> <p><u>Help with the cost of living - Torbay Council</u></p>	Pride in Place

Disability	<p>In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.</p>	<p>Safe, secure and affordable accommodation is vital to ensure wellbeing.</p> <p>It is recognised that people with disabilities and in particular learning disabilities face increased vulnerabilities when compared to the wider population.</p> <p>It is recognised that paying fees and charges may be difficult for some people with disabilities due to higher levels of poverty within this demographic.</p> <p>It is also recognised that those with some mental health conditions may find applying for financial support daunting.</p>	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>Information about charges and fees will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council.</p> <p><u>Help with the cost of living - Torbay Council</u></p>	Pride in Place
Gender reassignment	<p>In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth.</p>	<p>There is no differential impact anticipated.</p>	<p>Not applicable</p>	<p>Not applicable</p>

	This proportion is similar to the Southwest and is lower than England.			
Marriage and civil partnership	Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.	There is no differential impact.	Not applicable	Not applicable
Pregnancy and maternity	Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.	There is no differential impact.	Not applicable	Not applicable
Race	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst	It is recognised that people who are from black, Asian or minority ethnic backgrounds are more likely to experience financial hardship.	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>Information about charges and fees will be clearly communicated to</p>	

	the 20% most deprived areas in England.		<p>tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council, this includes links for benefit and finance advice, housing and homelessness.</p> <p><u>Help with the cost of living - Torbay Council</u></p>	
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	There is no differential impact.	Not applicable	Not applicable
Sex	51.3% of Torbay's population are female and 48.7% are male	It is recognised that families and households headed by females are more likely to experience financial hardship and be on lower income and thus, experience homelessness.	We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.	Pride in Place

			<p>Information about charges and fees will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council.</p> <p><u>Help with the cost of living - Torbay Council</u></p>	
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	There is no differential impact		Not applicable
Armed Forces Community	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay,	Veterans often suffer complex physical and/or mental medical conditions resulting from their service experiences.	We will work in a person centred and trauma informed manner alongside other Council departments to ensure	Pride in Place

	<p>5.9 per cent of the population have previously served in the UK armed forces.</p>	<p>Torbay Council is committed to working with Veterans under the Localism Act.</p>	<p>that individual needs are met.</p> <p>Information about charges and fees will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council. Help with the cost of living - Torbay Council.</p> <p><u>Help with the cost of living - Torbay Council</u></p> <p>We will also signpost to appropriate organisations providing support to the armed forces community.</p>	
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Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		Torbay Council set rents in accordance with the Rent Standard set by the Government. Rents are capped at the Local Housing Allowance rate.	That we take steps under this policy to support this.	Pride in Place
Public Health impacts (Including impacts on the general health of the population of Torbay)		There is no differential impact anticipated	Not applicable	Not applicable
Human Rights impacts		There is no differential impact anticipated	Not applicable	Not applicable
Child Friendly	Torbay Council is a Child Friendly Council, and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	There is no differential impact anticipated	Not applicable	Not applicable

15. Cumulative Council Impact

15.1. None

16. Cumulative Community Impacts

16.1. None