

Enfield Council

Tenancy Policy 2026



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1. Introduction

- 1.1. The Localism Act 2011 placed a statutory duty on Local Authorities to produce a Tenancy Strategy which sets out its approach for social and affordable housing landlords relating to:
 - the kinds of tenancies they grant,
 - the circumstances in which they will grant a tenancy of a certain kind,
 - the lengths of the tenancy; and
 - the circumstances in which another tenancy is granted when an existing one expires.
- 1.2. This policy applies to Enfield Council's own housing stock in its capacity as a landlord. It is underpinned by our overarching Tenancy Strategy which provides guidance for all providers of social housing in the Borough in developing policies for their own housing stock.

2. Policy objectives

- 2.1. This policy aims to ensure fairness and outlines how Enfield Council manages its tenancies.
- 2.2. It sets out a clear framework for the management of tenancies, ensuring compliance with relevant legislative and regulatory requirements as well as recognised best practice.
- 2.3. The policy explains how Enfield Council, as a landlord, meets its obligations as set out by the Regulator of Social Housing's Tenancy Standard

3. Legislative framework

- 3.1. This Tenancy Policy is set within the legislative framework provided by:
 - The Regulator of Social Housing: Tenancy Standard
 - Housing Act 1985, 1988, 1996 as amended
 - Protection from Eviction Act 1977
 - Localism Act 2011
 - Prevention of Social Housing Fraud Act 2013
 - The Secure Tenancies (Victims of Domestic abuse Act 2018)
 - The Equality Act 2010

4. Related Enfield documents

4.1. This Tenancy Policy is set within Enfield Council' policy framework provided by:

- Enfield's Homelessness and Rough Sleeping Strategy
- Enfield's Housing and Growth Strategy 2025 - 2030
- Enfield's Tenancy Strategy 2026
- Enfield's Housing Allocation Scheme
- Enfield's Rent Setting Policy

5. Types of tenancies

5.1. The types of tenancies we offer are set out below:

Introductory tenancies

- 5.2. In most cases, new Council tenants will be offered a 12-month introductory tenancy, unless they were previously a secure tenant of a local authority or an assured tenant of a Registered Provider.
- 5.3. Introductory tenancies will remain in place for a one-year trial period, starting from the date the tenancy began or the date the tenant first became entitled to possession—whichever is later. If there is a breach of tenancy conditions during this period, the introductory, probationary, or starter tenancy may be extended by six months. All tenancy conditions are clearly set out in the Tenancy Agreement.
- 5.4. If the tenant has met all the conditions of their introductory tenancy by the end of the trial period, they should immediately be granted a lifetime or fixed-term tenancy depending on their circumstances.

Lifetime tenancies

- 5.5. The Council's preference is for lifetime tenancies wherever they are suitable.
- 5.6. Circumstances where a fixed-term tenancy may be more appropriate are set out below.

Fixed-term tenancies

- 5.7. There are certain circumstances where fixed-term tenancies are favoured. This is to enable the Council to make the best use of its housing stock. Ten year fixed-term tenancies will be allocated for homes with three or more bedrooms and specially adapted properties¹ unless there are reasons for exception.
- 5.8. A fixed-term tenancy will be allocated following consideration of household needs. Exceptions will be considered where the household's need for the property is enduring and where granting a lifetime tenancy would be justified by individual circumstances. This may include households with a child or adult with lifelong care or support needs, significant disability or health-related housing requirements, safeguarding concerns, or where a young child's need for stability is a key consideration. Decisions around exceptions will be made on a case-by case basis by the Housing Director (Residents) taking account of evidence of need, property suitability and the Council's duty to make best use of its housing stock. Fixed-term tenancies will not apply to transfer applicants from Enfield or any other areas (including 'decant' cases) who are existing secure tenants. Where they are re-housed, they will be granted the same tenancy type as their existing tenancy.
- 5.9. A fixed-term tenancy contains many features of a Lifetime tenancy. The main difference is that a Lifetime tenancy can only be ended by the landlord if a court order is granted, and the court considers that it would be reasonable to grant possession. With a Fixed Term tenancy, the court must award the landlord possession.
- 5.10. Fixed-term tenancies **do not apply** if the tenant or a member of their household has been a victim of domestic abuse and the new tenancy is granted in connection with that abuse. This is in accordance with the Secure Tenancies (Victims of Domestic Abuse) Act 2018.
- 5.11. Tenants on fixed-term tenancies are not eligible to apply for a mutual exchange as mutual exchanges can only proceed where the tenancy terms of both parties are compatible.

Assured Periodic Tenancies

- 5.12. The new Renters Rights Act 2026 abolishes Assured Shorthold Tenancies (AST) which typically lasted 6 to 12 months.

¹ Properties qualifying as 'specially adapted' would have significant and permanent adaptations, made in addition to the building regulations 'accessible and adaptable' standard for new properties.

- 5.13. Under the new rules all ASTs will transition to Assured Periodic Tenancies with no fixed end dates. These tenancies will roll over monthly until the tenant chooses to leave or the landlord has reason to end the tenancy.
- 5.14. As a public authority, Enfield Council does not offer ASTs to its tenants and will not offer Assured Periodic Tenancies. However, Assured Shorthold Tenancies have been provided by Housing Gateway². These converted to Assured Periodic Tenancies on 1st May 2026.

Demoted tenancies

- 5.15. A secure tenancy can be demoted to a 12-month introductory tenancy if the tenant has engaged in housing-related anti-social behaviour—such as vandalism, causing nuisance to neighbours, noise disturbance, or using the property for unlawful purposes.
- 5.16. At the end of the 12-month period, if the tenant has complied with the court order their tenancy will automatically revert to a Lifetime tenancy. If they have not complied with the order, the Council will serve a four-week notice stating that it has made a decision to seek possession of the property and obtain a possession order to evict the demoted tenant.
- 5.17. A demoted tenant will have the opportunity to appeal the decision to seek to evict and the Council will review the decision if requested. If the outcome review upholds the decision to seek possession of the property, the Council can apply to the Court for a possession order and end the demoted tenancy. If the review finds the Council should not uphold the decision to seek possession, the tenancy will revert to a Lifetime tenancy.
- 5.18. The Council will not demote a tenancy more than once. If a tenant whose tenancy has previously been demoted but reverted back to a Lifetime tenancy then engages in anti-social behaviour again, the Council will take steps to end the tenancy.

Temporary tenancy – Licence Agreement

- 5.19. A small number of Council homes may require major works. A decant to temporary accommodation will be offered if it is considered unsafe for a household to remain at home during the work in the context of the nature and duration of the works and the household make up, including vulnerability.
- 5.20. The tenant(s) will be offered a temporary tenancy or licence agreement for the duration of the works. When works are completed, the tenant(s) will be served with Notice to end the Licence agreement, return to their Council home, and continue their Lifetime tenancy or Fixed term tenancy. The

² [Housing Gateway](#)

main tenancy/rent account should continue to avoid any break in their main tenancy (Lifetime or Fixed-term).

Non-secure meanwhile tenancy

- 5.21. The council uses meanwhile accommodation on regeneration sites for temporary accommodation purposes. These are flats that have been vacated by tenants or leaseholders as part of the decant process in preparation for the development of new homes.
- 5.22. They are non-secure lettings and meanwhile use to accommodate households being assessed or accepted under Part VII of the Housing Act.
- 5.23. The Council will consider other types of letting as they arise, whether through changes introduced by the Government or through local policies, such as key worker schemes.

6. Support when a tenancy is ended

- 6.1. The Council will support tenants to maintain their tenancies wherever possible. However, in certain circumstances the Council may need to take action to end a tenancy.
- 6.2. Possession may be sought where:
 - The tenant has breached the tenancy conditions
 - The tenancy has been obtained unlawfully
- 6.3. In these circumstances, the Council will provide advice and signpost to relevant support and guidance.

7. Appealing a fixed-term tenancy

- 7.1. Applicants may request a review of an offer of a flexible tenancy. Applicants must be given a minimum of 21 days from receipt of the notice confirming the proposed tenancy length in which to request a review.
- 7.2. The review will assess whether the decision regarding the proposed tenancy length is consistent with the Council's Tenancy Strategy and the landlord's Tenancy Policy.
- 7.3. The Fixed Term Tenancies (Review Procedures) Regulations 2012 set out the statutory process for reviewing decisions relating to fixed-term tenancies. Reviews may only be requested in the following circumstances:
- 7.4. Where the applicant seeks to challenge the length of tenancy offered on the basis that it does not comply with the Tenancy Policy; and
- 7.5. Where, at the end of a fixed-term tenancy, the tenant is not offered a further tenancy.
- 7.6. Any other tenancy-related matters, such as repairs, will be addressed through the Council's Complaints Procedure.

8. Tenancy review

- 8.1. The Council will undertake a review of all flexible tenancies in advance of the tenancy end date. The review process, including timescales, will be carried out in accordance with statutory requirements and will consider the individual circumstances of the tenant and their household.
- 8.2. In determining whether to grant a further tenancy, the Council will have regard to:
 - The tenant's engagement in employment, education and training during the term of the tenancy; and
 - The tenant's contribution to the local community within the London Borough of Enfield.
- 8.3. Tenants are expected to inform the Council of any support needs and any existing engagement with Council services or other statutory or voluntary agencies, so that these can be appropriately considered as part of the review.
- 8.4. Where relevant, tenants will be required to provide consent for information to be shared between services for the purpose of the tenancy review.
- 8.5. The Council will:
 - Have due regard to any disability or vulnerability affecting the tenant or members of their household;
 - Work in partnership with Children's Services, Adult Social Care and other relevant statutory or voluntary agencies where appropriate; and
 - Ensure that reasonable adjustments are made in line with the Equality Act 2010, including the provision of advocacy where required.
- 8.6. There may be circumstances where it would be unreasonable to expect a tenant to move at the end of a fixed-term tenancy. These may include, but are not limited to:
 - Where the tenant or a member of the household is terminally ill;
 - Where the tenant is a care leaver and continues to receive support from Adult Social Care; or
 - Where the tenant is participating in a recognised support or intervention programme, such as a Family Intervention Project.

- 8.7. Each tenancy review will be based on the individual merits of the case and will take into account any changes in the tenant's circumstances during the tenancy period.
- 8.8. A further tenancy will not normally be granted where one or more of the following apply:
- The household's income is sufficient to meet their housing needs in the private sector, and they do not qualify for reasonable preference under the Housing Allocation Scheme;
 - The household has savings or assets above the threshold set out in the Housing Allocation Scheme and does not qualify for reasonable preference;
 - A member of the household has been convicted of criminal activity in or in the vicinity of the property during the tenancy;
 - There has been a breach of tenancy conditions, including anti-social behaviour or significant rent arrears;
 - The property is under-occupied;
 - The property is overcrowded in accordance with the Housing Allocation Scheme;
 - The property has been adapted for a household member with a disability who no longer resides in the property; or
 - The tenancy was granted on the basis of fostering arrangements which are no longer in place.
- 8.9. Where the Council decides not to grant a further tenancy, written notice will be issued giving a minimum of two months' notice that possession is required. This notice will be served in accordance with statutory requirements and prior to the expiry of the tenancy term.
- 8.10. Where a tenancy is not renewed, the Council will provide appropriate advice and support to the tenant regarding their housing options, either directly or through referral to relevant services.
- 8.11. Where the Council renews a tenancy, these should generally be for the same period that they were originally granted.
- 8.12. The Council will maintain a clear process for reviewing decisions relating to the renewal of fixed-term tenancies. Tenants will be entitled to request a review of a renewal decision within 21 days of receiving written notification. Any review will assess whether the decision has been made in accordance with the Council's Tenancy Strategy and this Tenancy Policy.

9. Successions

- 9.1. In the event of a tenant's death, the tenancy may transfer to an eligible qualifying person in accordance with statutory succession rights. This is known as a succession. Where no eligible person wishes, or is entitled, to succeed to the tenancy, the Council will take steps to end the tenancy by serving a Notice to Quit.
- 9.2. The provisions of the Localism Act 2011 amended succession rights for tenancies created on or after 1 April 2012. For tenancies granted prior to this date, the previous succession provisions will continue to apply.
- 9.3. Where a joint tenant dies, the surviving joint tenant will automatically become the sole tenant and will be treated as the successor for the purposes of legislation. Where no valid succession arises, the Council will seek possession of the property within a reasonable period and, in any case, no later than six months.
- 9.4. For all new lifetime and fixed-term tenancies, there is a statutory right to one succession. This right is limited to a spouse, civil partner, or partner, and does not result in the creation of a new tenancy.
- 9.5. Where a fixed-term tenancy is succeeded to, the succession will apply only for the remainder of the existing term. The tenancy will be subject to a full review in accordance with this Policy at the end of the fixed term.

Eligibility for succession

- 9.6. Under s.87 of the Housing Act 1985, a tenancy that started **before** April 2012 can be succeeded by the deceased tenant's:
 - husband/wife
 - civil partner
 - unmarried partner
 - grandfather/grandmother
 - father/mother
 - brother/sister
 - uncle/aunt
 - nephew/niece
 - son/daughter
 - stepson/stepdaughter
 - adopted child
 - grandson/granddaughter
- 9.7. Under s.86A of the Housing Act 1985 and s.160 of the Localism Act 2011, the following can succeed a tenancy that started **on or after** April 2012:
 - husband/wife
 - civil partner (registered under the Civil Partnership Act 2004)

- family members under the age of 18 can succeed to a tenancy. In such cases, a trustee would need to be agreed to hold the tenancy in trust for the child.
- 9.8. To qualify for succession, the applicant must be an eligible person as set out above. The deceased tenant must have occupied the property as their only or principal home for a continuous period of at least 12 months immediately prior to their death. The successor must also have occupied the property as their only or principal home during this period and, where applicable, have been married to or in a civil partnership with the deceased tenant.
 - 9.9. The Council will refuse an application for succession where the applicant is unable to provide satisfactory evidence to establish their eligibility, including proof of their relationship to the deceased tenant and their residency at the property.
 - 9.10. A tenancy may only be succeeded once. No further statutory succession will be permitted where a succession has already occurred.
 - 9.11. Succession will not be granted where the deceased tenant had permanently vacated the property prior to their death, including where they had been admitted to hospital or residential care on a long-term basis.
 - 9.12. Where more than one eligible person applies to succeed and there is no surviving joint tenant, priority will be given to the tenant's spouse or civil partner. Where there is no qualifying spouse or civil partner, eligible family members will be expected to agree who will succeed. In the absence of agreement, the Council will determine the successor, taking into account the respective housing needs of the applicants.

Applying for a succession

- 9.13. An individual seeking to succeed to a tenancy must submit a completed 'Request for Succession' application form and provide appropriate evidence to demonstrate eligibility. This will include, but is not limited to, proof of relationship to the deceased tenant and evidence of residency at the property.
- 9.14. The Council will notify the applicant in writing of the outcome of their application. Where an application is successful, arrangements will be made to formalise the tenancy and establish the rent account.
- 9.15. Where an application is unsuccessful, the Council will take steps to recover possession of the property, including the service of a Notice to Quit. Any remaining household members will be required to vacate the property.

Discretionary (non-statutory) Succession Rights

- 9.16. Where there is no statutory right to succeed to an Enfield Council tenancy and moving the successor would cause exceptional hardship, the Council's Housing Team may request a new tenancy to be granted at the discretion of the appropriate Housing Panel. This is known as a discretionary or non-statutory succession.
- 9.17. Where children are involved and have no statutory succession rights, Council officers will work with Children's Services to ensure the best possible outcome for the household.
- 9.18. The circumstances in which discretion may be applied are set out in the Council's Housing Allocation Scheme (Appendix D, Part 5).
- 9.19. Discretionary succession will not normally be granted where this would result in under-occupation of the property, or where the property has been adapted and those adaptations are no longer required.
- 9.20. In such cases, the Council may offer suitable alternative accommodation that better meets the applicant's housing needs.
- 9.21. All requests for discretionary succession will be considered by the Housing Options Transfer Panel, which will determine whether a discretionary tenancy should be offered.

No right to succeed

- 9.22. Where there is no statutory right to succeed and no eligibility for a new tenancy under the Council's policy (including discretionary succession), any remaining occupants will be regarded as unauthorised occupants.
- 9.23. In these circumstances, the Council will, within 10 working days of being notified of the tenant's death, serve a Notice to Quit (NTQ) on the Public Trustee and take steps to recover possession of the property.

10. Delegated authority

- 10.1. Delegated authority is reserved to the Head of Housing Management to approve changes on a discretionary and exceptional basis, in accordance with the provisions set out below.

Changing a sole tenancy to a joint tenancy

- 10.2. Where assignment is not possible or appropriate, the Council may, at its discretion, grant a new joint tenancy to replace an existing sole tenancy. In exercising this discretion, the Council will not assume any additional housing liability.

Changing a joint tenancy to a sole tenancy

- 10.3. In exceptional circumstances, where one joint tenant has permanently left the property, the remaining tenant must notify the Council. Where the tenancy position has not been resolved after a period of 24 months, or where the absent tenant has not made contact, the remaining tenant may apply for a replacement sole tenancy.
- 10.4. In such cases, the remaining tenant will be required to serve a Notice to Quit, bringing the existing tenancy to an end for all parties. The Council may then grant a replacement tenancy at its discretion, subject to there being no breaches of tenancy conditions, including anti-social behaviour or domestic abuse.

Supporting victims of domestic abuse

- 10.5. The Secure Tenancies (Victims of Domestic Abuse) Act 2018 ensures that where a lifetime tenant is granted a new tenancy by a local authority as a result of domestic abuse, their lifetime security of tenure is preserved.
- 10.6. Where a victim of domestic abuse is a joint tenant and wishes to remain in the property, the Council may take legal action to end the tenancy and seek possession against the perpetrator.
- 10.7. In such circumstances, the Council may grant a new sole tenancy to the victim. Where the previous tenancy was a joint lifetime tenancy, the replacement tenancy will also be granted on a lifetime basis.

11. Vulnerabilities and tenancy sustainment

- 11.1. This policy reinforces the Council's commitment to promoting equality and ensuring that all procedures are delivered fairly, with no unlawful discrimination, in accordance with the Equality Act 2010.
- 11.2. The council will make every effort to support tenants to sustain their tenancies, including working closely with support workers and, where appropriate, assisting tenants with financial and debt advice.
- 11.3. The Council recognises that tenants may become vulnerable at any stage of their tenancy due to a range of factors, including ill health, age, or financial circumstances. The Council will maintain policies, procedures and records to identify residents who may be vulnerable and ensure they are signposted and supported to access appropriate services.
- 11.4. Frontline staff and contractors will be appropriately trained to identify and respond to vulnerability. This will include prioritising early intervention,

adopting a person-centred approach, and delivering services with sensitivity and empathy.

- 11.5. The Council will only seek to end a tenancy as a last resort. This action will be considered only where all appropriate interventions and support have been offered and have not resulted in a resolution.
- 11.6. Where possession proceedings are initiated, the Council will continue to offer support to the tenant. Throughout the process, tenants will be clearly informed and advised of their legal rights.

12. Appeals and complaints

- 12.1. All decisions relating to the type of tenancy offered by the Council and the duration of that tenancy are subject to the right of appeal.
- 12.2. Applicants must submit any appeal within 28 days of receiving written notification of the decision.
- 12.3. The officer responsible for making the original decision will prepare and present the case to the Exceptional Housing Panel for consideration.
- 12.4. Any complaints relating to Enfield Council's tenancy management or the implementation of this policy will be dealt with in accordance with the Council's complaints procedure.

13. Monitoring and review

- 13.1. This policy will be monitored on an ongoing basis alongside the Tenancy Strategy to support continuous learning, the sharing of best practice and service improvement.
- 13.2. The policy will be formally reviewed every three years, unless legislative, regulatory or operational changes require an earlier review.