Important Information About Your Tenancy Agreement

Dear Tenant,

Consultation – proposed variation to your tenancy agreement

Section 103 and 105 Housing Act 1985: landlord's preliminary notice of variation of tenancy terms

We Are Reviewing Your Tenancy Agreement
Somerset Council and Homes in Somerset are reviewing the tenancy agreement for council homes across Somerset.

We want the agreement to be up to date, fair and easy to understand, meet current legal and regulatory requirements, and support good landlord services.

The Council inherited different tenancy agreements from the former arrangements in place under Somerset West and Taunton Council and Sedgemoor District Council (managed by Homes in Somerset). We are proposing one tenancy agreement to establish a consistent Somerset wide approach across all the homes we are responsible for. The review has been informed by legal developments and regulatory expectations. A single tenancy agreement will help us treat tenants fairly and apply our policies consistently wherever you live.

The review will also update the agreement to reflect how services are delivered today.

The proposed changes are set out in the enclosed proposed tenancy agreement and summary of changes document. The summary identifies the terms that the Council proposes to add, remove or amend and explains how these changes would affect tenants. Examples of areas that we have reviewed include:

- Tenant and landlord rights and responsibilities.
- Access for repairs, safety inspections and compliance checks.
- Looking after homes and communal areas.
- Service standards and landlord duties.
- Rent and service charge arrangements.
- Consistent weekly rent payments throughout the year, without offering payment holidays over the Christmas period, so rent is charged on the same basis across Somerset.

The review is mainly about making services more consistent, using clearer wording and bringing the agreement up to date.

No final decisions have been made. We want to hear from our tenants before any decision is taken and all consultation responses will be carefully considered before any final decisions are made.

Why Are We Consulting?
As your landlord, Somerset Council must consult you about proposed housing management changes that may substantially affect secure tenants.

Under **Section 105 of the Housing Act 1985**, the Council must:

- Tell tenants what is proposed and how it may affect them.
- Give tenants a reasonable opportunity to comment.
- Consider all feedback before making a final decision.

Because of this, we are asking for your views now before any final decisions are made.

Secure Tenants: Preliminary Notice under Section 103 of the Housing Act 1985
The Council is also notifying secure periodic tenants that it is considering changes to tenancy terms. This letter is, therefore, a preliminary notice under section 103 of the Housing Act 1985. The Council intends, subject to considering the responses received during this consultation and making a final decision, to serve secure periodic tenants with a formal notice of variation to introduce the proposed tenancy terms.

The section 103 preliminary notice applies only if you hold a secure periodic tenancy. Under **Section 103 of the Housing Act 1985**, the Council must tell tenants about proposed changes and give them an opportunity to comment before making a final decision.

After the consultation, Somerset Council will consider all feedback before deciding whether to make any changes.

If, after considering the consultation responses, the Council decides to proceed with the proposed changes, secure periodic tenants will be sent a formal Notice of Variation. That notice will identify the final variations that will be made to the tenancy, along with the date on which those new clauses will take effect.

Introductory tenants of Somerset Council
We are consulting all affected tenants before deciding whether to make the proposed changes. We would like to hear your views, including

anything you think we should change or consider before reaching a final decision.

Your current introductory tenancy agreement does not allow us to make these changes automatically. At this stage, we are only asking for your comments. We are not asking you to agree to the revised terms as part of this consultation.

Once the consultation has closed, we will consider all the responses before making a final decision. We will then write to you again to explain the outcome.

If your introductory tenancy becomes a secure tenancy, we will consult you again before seeking to make any changes to your tenancy under the legal process that applies to secure tenancies. We will take account of the views you provide during this consultation as part of that future consultation, and you will also have a further opportunity to comment.

What Is Not Changing
We understand that you may be concerned about how a new agreement could affect your rights.

This review will not remove or reduce the core legal rights of existing tenants.

Your tenancy type and legal rights, given by legislation, will not change because of this review. For example:

- Secure tenants will remain secure tenants, and introductory tenants will remain introductory tenants.
- Rights relating to succession, repair, housing condition and security of tenure will remain.
- Your legal rights to consultation, information and complaints will remain.
- Existing lifetime tenancies will remain lifetime tenancies, unless you already have a different tenancy type.

After the consultation, Somerset Council will consider all feedback before deciding whether to make any changes.

If, after considering the consultation responses, the Council decides to proceed with the proposed changes, secure periodic tenants will be sent a formal Notice of Variation. That notice will identify the final variations that will be made to the tenancy, along with the date on which those new clauses will take effect.

How Long Is the Consultation Open?

The consultation will run from:
Monday 9th November 2026
to
Sunday 3rd January 2027
All responses must be received by **Midnight on the 3rd January 2027**

How Can You Give Us Your Views?

We want as many tenants as possible to take part.

You can provide feedback in the following ways:

Online

The most straightforward way to respond to the consultation is through the Council's Consultation Portal: www.somerset.gov.uk/tenancy-agreement-review
Or through scanning the QR Code:

Drop-in Spaces

Paper copies of the surveys and all of the supporting documents will be available at Somerset libraries and completed copies can be passed to library staff who will submit these or can be posted to Homes in Somerset, Bridgwater House, King Square, Bridgwater, Somerset, TA6 3AR

By Email

customer.services@homesinsomerset.org

Telephone

0800 585 360 or 01278 552400 (charged at your standard network rate).

If you need this information in large print, easy read, audio or another language, please contact us.

What Will Happen to Your Feedback?

After the consultation closes, Somerset Council will consider all feedback and any changes required to the proposed tenancy agreement. We will publish a summary of the consultation responses.

A consultation report will be written summarising the tenant feedback and how this has been considered and reflected in the final proposed tenancy agreement.

A decision will then be taken in February 2027 by the Somerset Council Executive lead member for Communities, Environment and Climate Change to approve the new tenancy agreement. This decision will be published on the Council's website.

If the decision is to vary the terms of the tenancy agreement, we will write to tenants before the end of February 2027 with a notice of variation, with the aim of introducing the new agreement in April 2027.

No decision will be made until your feedback has been considered.

We will publish a summary after the consultation.

Further Information
The proposed agreement, a summary of the changes, a detailed document listing of every clause changed and frequently asked questions are available at: **https://www.homesinsomerset.org/have-your-say-on-the-proposed-new-tenancy-agreement/**

If you have any questions about this consultation, please contact us:customer.services@homesinsomerset.org
Thank you for sharing your views. Your feedback will help shape the future tenancy agreement for council tenants across Somerset.

Yours sincerely,

S.G.Lewis.

Head of Housing
Homes in Somerset

Please Note

We have not included a copy of your current terms of tenancy which are available on our website at: **https://www.homesinsomerset.org/have-your-say-on-the-proposed-new-tenancy-agreement/**
If you would like a free paper copy of the proposed agreement, the detailed comparison or your current terms of tenancy, please telephone us on 0800 585 360 or 01278 552400 (to be charged at your standard network rate). We can also provide the documents in an accessible format or another language on request.