

Housing Overview and Scrutiny Committee



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Monday, 22 January 2024 at 2.00 pm
Council Chamber - South Kesteven House, St. Peter's Hill,
Grantham. NG31 6PZ

Committee Members: Councillor Virginia Moran (Chairman)
Councillor Lee Steptoe (Vice-Chairman)

Councillor Matthew Bailey, Councillor Emma Baker, Councillor Anna Kelly,
Councillor Zoe Lane, Councillor Penny Milnes, Councillor Habibur Rahman and
Councillor Paul Wood

Agenda

This meeting can be watched as a live stream, or at a later date, [via the SKDC Public-I Channel](#)

- 1. Public Speaking**
The Council welcomes engagement from members of the public. To speak at this meeting please register no later than 24 hours prior to the date of the meeting via democracy@southkesteven.gov.uk
- 2. Apologies for absence**
- 3. Disclosure of Interest**
Members are asked to disclose any interests in matters for consideration at the meeting.
- 4. Minutes of the meeting held on 16 November 2023** (Pages 5 - 12)
- 5. Announcements or updates from the Leader of the Council, Cabinet Members or the Head of Paid Service**

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☎ 01476 406080

Karen Bradford, Chief Executive
www.southkesteven.gov.uk

6. **Private Sector Housing Houses of Multiple Occupation Licensing Policy** (Pages 13 - 27)
Committee to consider the Private Sector Housing Houses of Multiple Occupation Licensing Policy for submission and adoption at Cabinet.
7. **Housing Anti Social Behaviour Policy** (Pages 29 - 52)
The purpose of the report is to notify to the Housing Overview and Scrutiny Committee of the intention to take the Anti-Social Behaviour Policy to Cabinet.

The policy addresses how the Council will manage any anti-social behaviour of the occupants of Council owned housing stock.
8. **Estate and Tenancy Management Policies** (Pages 53 - 111)
The purpose of the report is to notify to the Housing Overview and Scrutiny Committee of the intention to take the Tenancy Management and Estate Management Policies to Cabinet.
9. **Regulatory Compliance Monitoring update** (Pages 113 - 119)
To update the Committee on actions to ensure regulatory compliance of the Council's social housing landlord function following the non-compliance notice issued by the Regulator of Social Housing.
10. **Total Housing Compliance Policy** (Pages 121 - 158)
To inform the Committee of the new Total Housing Compliance Policy, issue deferred from the last meeting of the Housing OSC.
11. **Update on the Social Housing Decarbonisation Fund wave 2.1** (Pages 159 - 164)
The report provides an update on the ongoing Social Housing Decarbonisation Fund project to upgrade South Kesteven District Council owned properties with energy efficiency measures.
12. **Corporate Plan Key Performance Indicators 2023/24 Mid-Year (Q2) Report** (Pages 165 - 168)
This Mid-Year update report outlines South Kesteven District Councils performance against the Corporate Plan Key Performance Indicators (KPIs) from April 2023- October 2023.
13. **Build and Acquisitions update** (Pages 169 - 175)
To provide the Committee an update on the Housing Revenue Account New Build programme including acquisitions.
14. **Earlesfield Programme update** (Pages 177 - 181)
To update the committee on the progress of the Earlesfield Project, providing an overview of the project position, completed works and projected timescales.
15. **Choice Based Lettings update** (Pages 183 - 186)
To update the Committee on the progress of the implementation of Choice Based Lettings allocations system.
16. **Work Programme 2023/24** (Pages 187 - 189)
17. **Any other business which the Chairman, by reason of special circumstances, decides is urgent**

Meeting of the Housing Overview and Scrutiny Committee



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Thursday, 16 November 2023, 2.00
pm

Committee Members present

Councillor Lee Steptoe (Vice-Chairman)
Councillor Emma Baker
Councillor Anna Kelly
Councillor Zoe Lane
Councillor Penny Milnes
Councillor Habibur Rahman
Councillor Jane Wood
Councillor Paul Wood
Councillor Tim Harrison

Other Members present

Councillor Matthew Bailey
Councillor Jane Kingman
Councillor Ian Selby

Cabinet Members

Councillor Richard Cleaver, Leader of the Council
Councillor Ashley Baxter, Deputy Leader
Councillor Phil Dilks, Cabinet Member Housing and Planning
Councillor Rhea Rayside, Cabinet Member People and Communities

Officers

Karen Bradford, Chief Executive
Debbie Roberts, Head of Corporate Projects, Policy and Performance
Jodie Archer, Head of Housing
Julie Martin, Head of Technical Services (Housing)
Sarah McQueen, Interim Head of Service (Housing Options)
James Welbourn, Democratic Services Manager and Deputy Monitoring Officer
Lucy Bonshor, Democratic Officer

28. Public Speaking

The Vice-Chairman informed the Committee that a question had been received but it had been rejected in accordance with the Overview and Scrutiny Procedure Rules specifically paragraphs b) and d).

29. Apologies for absence

An apology for absence had been received from the Chairman, Councillor Virginia Moran and she was being substituted by Councillor Tim Harrison.

30. Disclosure of Interest

None disclosed.

31. Minutes of the meeting held on 21 September 2023

The minutes of the meeting held on 21 September were proposed, seconded and **AGREED.**

32. Announcements or updates from the Leader of the Council, Cabinet Members or the Head of Paid Service

The Cabinet Member for Housing and Planning referred to the removal of the non-compliance notice by the Regulator and also that interviews had taken place for an interim Director of Housing, and an offer made and accepted.

The Chief Executive confirmed that the interim Director for Housing would be taking up their post in January 2024 and a permanent post would be advertised.

A question was asked in relation to the lift at Riverside and it was confirmed that the lift had been fixed and was now working.

33. Housing Regulatory Compliance Update

The Cabinet Member for Housing and Planning presented the report and reminded the Committee that the Council had referred itself to the Regulator in February 2021 when it was found that the Council was not meeting its legislative requirements in relation to gas safety, electrical testing, asbestos, fire risk assessments, lift inspections and smoke and CO alarms.

He paid tribute to the huge amount of work undertaken by the Housing Team and the regular meetings attended by the Chief Executive, Leader and Cabinet Member for Housing and Planning and the Regulator which had finally resulted in the Regulatory Non-Compliance Notice being lifted. Although there were still challenges ahead, he looked forward to continuing to work with the Housing Team to make improvements.

The comments were echoed by the Head of Technical Services who referred to the new Total Compliance Policy that provided a framework of compliance going forward. It was noted that the appendices appended to the report contained figures for September and the specific graphs contained July data.

The Vice-Chairman passed on the Chairman's thanks as well as his own for all the hard work that had been done by Officers on all levels, the Cabinet and Members both current and those within the previous administration who had worked together to get to the current position which should be celebrated, although there was no room for complacency.

Members echoed the comments made and congratulated the Officers for their hard work to reach the current position. Concern was expressed by some Members as it was felt that some areas were still struggling with meeting standards, specifically void properties. One Member, not on the Committee, made reference to the dreadful living conditions of residents in properties on Lumby's Terrace in Stamford and felt that there was still a very long way to go. It was stated that the Committee was not the forum to discuss individual cases.

Further discussion followed with the Housing team being congratulated on the work done to get to the current position. A question was asked in relation to changes in the base figures used within the appendices, to which the Head of Technical Services replied that due to natural movement such as Right to Buy Sales, these did change from month to month.

The Chief Executive made reference to the significant amount of work undertaken by the Housing team since the Council had self-referred itself to the Regulator in February 2021. The amount of work undertaken over the last two and half years should not be under estimated. She made reference to the stock checking, stock surveys undertaken, the new systems put in place, the new electronic systems put in place, the monitoring undertaken, responding to Covid emergencies and she couldn't under estimate the amount of work that had been undertaken. She was disappointed that voids had been raised as Members had been to a workshop on voids and knew the challenges that were faced with void properties. She stated that the Council had a fabulous Housing Team and a fabulous Repairs and Maintenance Team and the five new apprenticeships that had started between the ages of 16 and 17. She wanted to recognise the amazing work that had been achieved and the significant improvements made, the meetings that she had attended with the Regulator month on month which reflected these improvements. It was a key milestone which happened on the 25 October 2023 and should be celebrated.

The Vice-Chairman congratulated the Chief Executive and the Housing Team for all the work that they had done during the previous administration and over the last six months.

The Cabinet Member for Housing and Planning thanked the Chief Executive for the comments made, he acknowledged all the work done to date, but that there was still room for improvement. There had not been a previous Housing OSC in its own right to scrutinise the work done and there were still big challenges ahead. References were made to voids and repairs and that more work was required in these areas. He briefly touched on the state of Lumby's Terrace and acknowledged

that the houses were not in a good state. There were still long standing problems in certain areas but progress was being made.

The Leader of the Council amplified the comments made by the Chief Executive and the Cabinet Member for Housing and Planning. To get out of special measures required a high degree of attention and a high degree of commitment from both Officers and Members. That same level of detail and attention would be applied to both repairs and voids to address the backlogs in a systematic fashion. Compliance checks would still continue whilst this work took place.

34. Total Housing Compliance Policy

It was noted that as the Policy document was not included within the agenda pack it was proposed, seconded and **AGREED** to **DEFER** the item to the January meeting of the Committee.

The Cabinet Member for Housing and Planning supported the deferral from having a decision made at the Cabinet meeting in December 2023 to after the Housing OSC had looked at the Policy at their meeting in January 2024.

Decision

That the Total Housing Compliance Policy was DEFERRED to the next meeting of the Housing Overview and Scrutiny Committee in January 2024 and that the item would be taken off the agenda for the December Cabinet meeting.

35. Earlesfield Project Overview November 2023

The Vice-Chairman of the Committee, as one of the Ward Councillors for the Earlesfield Ward, acknowledged the “teething problems” when the project first started. However, now that the project was underway, it was making a big difference to the families that were having their homes refurbished and he placed on record his thanks to the Housing Team for all the work that they had done both in the previous administration and the current administration in respect of the project.

The Cabinet Member for Housing and Planning referred to the long standing problems with about 100+ of the houses on the Earlesfield Estate that had been built to a particular design in 1970s. It had been recognised by the previous administration that the problems needed to be addressed. The Cabinet Member had visited the site recently, together with the Chairman and Vice-Chairman of the Housing OSC and had been impressed with the quality of work being done and he felt that families were getting back brand new houses. Going forward, innovative house designs would be looked at in more detail to avoid such problems and costs in the future.

The Cabinet Member for Housing and Planning confirmed that 23 properties had been completed to date and it was hoped that 30 families would be able to return to their houses by Christmas. Whilst the work was being carried out on the houses, families had been moved to temporary accommodation. Mention was also made of the amount of choice that was given to tenants in respect of design and colour for both the kitchens and bathrooms.

The Chief Executive confirmed that there were 154 properties being refurbished on the Earlesfield Estate. The primary reason for the refurbishments was due to an asbestos survey which had been carried out in 2017 but had not been actioned. Legislative changes had meant a delay in completing the refurbishments as there had to be a period (two weeks) in between having the asbestos work assessed and allowing the contractors in to start the refurbishment work. Work was going well with the contractor on site, United Living and the Chief Executive stated that she was part of the project management team.

One Member raised the delays that had been documented at the start of the project and asked if it was now on course and whether there were any extra costs involved. The Vice-Chairman stated that he was on public record at the start of the project in respect of the delays but they had been rectified and the project was well underway. The Head of Technical Services stated that they had wanted the management of the asbestos part of the project to be robust and this management had delayed the project due to the required HSE testing which could not be done whilst the tenants were in situ. This was being worked through with the contractor on site, United Living and the programme was continuing. In relation to costs this was currently being discussed with the contractor and there would be transparency over this once these were known.

Members noted the update.

36. Housing Options Workshop feedback

The Vice-Chairman thanked the Interim Head of Service (Housing Options) for the workshop that had taken place on 24 October 2023 in respect of homelessness. Circulated with the report were the slides from the workshop together with a contact sheet for Housing Option Officers.

The Cabinet Member for Housing and Planning stated that the workshop had been informative and followed on from the first workshop on voids which had been educational and it was useful for Members to ask questions directly of the team. The next workshop planned was on repairs.

The Interim Head of Service (Housing Options) thanked Members for attending as it enabled the hard work that the team did to be showcased.

Other Members thanked Officers for the workshop and the information given, especially in relation to the right language to use when dealing with homelessness.

37. Housing Pipeline Update Report

The Cabinet Member for Housing and Planning stated that the report updated the Committee on the current new build position. Going forward a multifaceted approach would be taken. Reference was made to the loss of around 50 council houses a year through the Right to Buy scheme and it was how some of these houses could be replaced going forward.

The Head of Corporate Projects, Policy and Performance informed the Committee that the project for March had recently been to the Planning Committee and planning permission had been granted for the 21 units. Work was being progressed with expressions of interest with contractors for the necessary work.

Members noted the current position.

38. Choice Based Lettings

The Committee received an overview demonstration on how the Choice Based Lettings application worked through the Council's website by the Interim Head of Service (Housing Options). The system had gone live on 25 October 2023.

The presentation allowed the Committee to see what customers would see when accessing the website for a choice based lettings application. Access could also be done using a smartphone as well as a PC as most traffic through the website was carried out via a smartphone.

One of the key benefits of the choice based lettings was that the applicant had a much more active role in the allocation process. They could see the properties available, see properties that they could bid for and make informed choices about the properties and see where they were on the short list if they bid on a property. It was a more transparent process.

The Interim Head of Service (Housing Options) went through an application showing how simple the system was to navigate and that anything that needed to be completed was shown in purple and in red if it needed to be amended.

The pre assessment captured basic information and asked basic information such as whether there was a local connection. If there was no local connection then it was unlikely that they would qualify. It was noted that there would still be people behind the system but the software could help to manage people's expectations.

As the applications was progressed the Interim Head of Service (Housing Options) answered Members questions which covered banding, criteria, how long the bid process took, what was taken into account when those bidding had the same banding and the demonstration of need. Questions were asked about vulnerable tenants and those that were not able to access IT equipment. It was stated that these people would still be supported and the necessary mechanisms to help them

put in place. Further comments were made about allocations and banding to which the Interim Head of Service (Housing Options) replied.

The Cabinet Member for Housing and Planning thanked the Interim Head of Service (Housing Options) for the presentation and stated that their system was not new and was already used by most of the country. He urged those that had not applied to go on the housing register as part of the recent revalidated review to do so.

Reference was again made to the changes in the banding and Members were reminded to look at the new Housing Allocations Policy.

Further questions were asked in relation to alerts for properties to which the Interim Head of Service (Housing Options) replied.

Members thanked the Interim Head of Service (Housing Options) for her presentation and the team as a whole for the work put in to getting the Choice Based letting system on-line.

39. Work Programme 2023/24

The Vice-Chairman reminded the Committee that currently the Housing Team were without a director and that the agenda for the January meeting was full.

One Member asked if an item could be included on the Work programme in respect of the HRA Capital Programme refurbishment and improvement and the costs to date.

The Chief Executive advised that these finances came under the remit of the Finance and Economic Overview and Scrutiny Committee which would be reported to the next meeting at the end of November 2023.

It was confirmed that the Total Compliance Policies would be added to the Work programme for January.

A question was asked about the garage sites item on the Work programme. It was stated that work was being done to look at the derelict garage sites to see where development could take place that was the most cost effective. Reference was made to the new one bedroom flats project in Stamford on a former garage site and the cost of the project. Other locations were being looked at to see which sites were feasible.

40. Any other business which the Chairman, by reason of special circumstances, decides is urgent

Members were reminded that further workshops in respect of housing repairs would be confirmed in due course for dates in January 2024. A question was asked about

whether the voids workshop would be held again and it was stated that currently due to the workload within the Housing section this was not a priority.

The Cabinet Member for Housing and Planning stated that if Members wished to raise housing problems on behalf of their constituents, please could they use the following email: housingenquires@southkesteven.gov.uk

A comment was made about further heating issues at Riverside, Grantham and the Member was asked to speak to the Head of Technical Services outside of the meeting.

41. Close of meeting

The meeting was closed at 15:32.



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Housing Overview and Scrutiny Committee

22 January 2024

Report of Councillor Phil Dilks
Cabinet Member for Housing and
Planning

Private Sector Housing Houses of Multiple Occupation Licensing Policy

Report Author

Ayeisha Kirkham, Head of Service- Public Protection



ayeisha.kirkham@southkesteven.gov.uk

Purpose of Report

The Council is required to licence specified Houses of Multiple Occupation (HMO) under the Housing Act 2004. This has been a requirement since 2006 and is currently undertaken by the Private Sector Housing Team. There is no requirement to have a policy on the licensing of these HMO's, however the purpose of this report is to present a HMO Licensing Policy that is considered good practice and demonstrates how the Council performs this statutory requirement in a transparent and consistent manner.

Recommendations

That the Committee:

1. The Committee notes the proposed Private Sector Housing Houses of Multiple Occupation Licensing Policy is in line with best practice and will provide clear operational guidance.
2. The Committee recommends the Private Sector Housing Houses of Multiple Occupation Licensing Policy for submission and adoption at Cabinet.

Decision Information

Does the report contain any exempt or confidential information not for publication? No

What are the relevant corporate priorities? Housing that meets the needs of all residents

Which wards are impacted? All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There are no financial implications associated with the adoption of this policy, the income received from Multiple Occupation licences is included in the General Fund budget.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

Legal and Governance

- 1.2 There are no significant legal and governance arrangements arising from this report. The development and adoption is discretionary, but is considered good practice.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

Diversity and Inclusion

- 1.2 An equality impact assessment is not required as it does not adversely affect any protected characteristics.

Human Resources

- 1.3 No additional staffing is required as the function is already undertaken within the existing team structure.

2. Background to the Report

- 2.1 The Housing Act 2004 Part 2 places a statutory duty upon the Council to licence HMO's that meet the prescribed description under The Licensing of Houses of Multiple Occupation (Prescribed Description) (England) Order 2018. The Council carry out this function and has 56 properties that are currently licensed under this requirement.
- 2.2 The Private Sector Housing Licensing of Houses of Multiple Occupation Policy has been created to strengthen the current process by providing an overview as to how the Council undertakes this process and provides a clear, transparent, and consistent approach to the licensing requirements.
- 2.3 There is no legal requirement to produce and publish such a policy, but by having a policy it helps demonstrate best practice and adds strength to decision making in the licensing process that may be subject to appeals.
- 2.4 The policy covers the main areas around licensing of such properties, which are the Fit and Proper Person checks/criteria, suitability for multiple occupation, licensing length and clarifies the licensing of companies as the licence holder.

3. Key Considerations

- 3.1 The Private Sector Housing Licensing of Houses of Multiple Occupation Policy is a working document that assists the Private Sector Housing Team carry out the statutory function of licencing Houses of Multiple Occupation.
- 3.2 Currently the Private Sector Housing Enforcement policy briefly comments on the licensing process and this policy is designed to work in conjunction with the enforcement policy. It strengthens the Councils procedures and position in licensing such properties.

4. Other Options Considered

- 4.1 The other option considered is to not produce and publish the HMO licensing policy and strengthen the section within the Private Sector Housing Enforcement Policy.

5. Reasons for the Recommendations

- 5.1 HMO licensing is a key function that has a complex and detailed licensing process, currently the Private Sector Housing Enforcement Policy has a light touch consideration and leaves the council decisions open to being overturned during the appeal process if the applicant is dissatisfied with the decision as to whether to grant, refuse, vary or revoke a Licence.

- 5.2 The proposed Houses of Multiple Occupation licensing policy provides a document that is clear, and demonstrates consistent decision making that will greatly reduce the likelihood of successful appeals to decisions made by the Council.

6. Consultation

- 6.1 There is no statutory requirements for a consultation on the proposed Houses of Multiple Occupation Licensing Policy and no consultation is proposed. The policy is intended to be working reference document that pulls together the legislative requirements around the licensing and states how the Council applies it practically.

7. Appendices

- 7.1 Appendix A: Draft Houses of Multiple Occupation Licensing Policy.



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Private Sector Housing Licensing of Houses in Multiple Occupation Policy.

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1. INTRODUCTION

The main function of local government enforcement is to protect the public and the environment, promote health, safety and welfare and enhance the quality of life of all residents, workers and visitors to the District. This Policy sets out South Kesteven District Council's (SKDC) approach to the licensing of Houses of Multiple Occupation under Part 2 of the Housing Act 2004. In securing compliance with legal regulatory requirements, this policy aims to ensure that all actions will be undertaken in a fair, equitable and consistent manner.

2. SCOPE

This policy covers how SKDC will apply the relevant legislation to applications for licences for Houses of Multiple Occupation (HMO). For the context of this policy, a HMO is that as defined by the Housing Act 2004 and subsequent legislation relating to the description of licensable HMOs.

This policy covers the following aspects in relation to HMOs:

- Licensing under Part 2 of the Housing Act 2004;
- SKDC's approach to determine "fit and proper person" status;
- The fees and charges applicable to licensable HMOs;

Whenever the Private Sector Housing Team interact with clients or other stakeholders in relation to any of the above, or other relevant functions, they will do so clearly and with suitable regard to all relevant information relating to this specific function, including the reason for any intervention and any proposed future actions.

This policy is intended to provide information for officers, businesses, consumers and the public. It does not affect the discretion of SKDC to take legal proceedings where this is considered to be in the public interest. Any legislation requiring a specific published policy will be published in a separate document.

The overarching approach to enforcement by the Private Sector Housing Team is laid out in the Private Sector Housing Enforcement Policy 2018 and this policy is intended to be used in conjunction with that policy and the principles contained therein. It is not to be used as a stand-alone policy and regard must always be had to the Private Sector Housing Enforcement Policy 2018.

3. POLICY FRAMEWORK

The Legislative and Regulatory Reform Act 2006 requires regulators including SKDC to have regard to the Regulators' Code, published by the Department for Business Innovation and Skills Better Regulation Delivery Office. At the time of publication, this Code was available online at [Regulators' Code \(publishing.service.gov.uk\)](https://publishing.service.gov.uk) This policy and all associated documents have regard to this Code.

4. INFORMATION SHARING & DATA PROTECTION

If it is in the public interest, matters concerning non-compliance may be shared, where appropriate, with other enforcement agencies. This could include situations where there is a shared or complementary enforcement role with other agencies such as the Police, Fire & Rescue, Health & Safety Executive and other SKDC departments. Any such action will be undertaken in compliance with current data protection regulations.

Personal data will be collected, used, processed, stored, handled and retained in accordance with the provisions of the General Data Protection Regulations and the Data Protection Act 2018.

In accordance with s.232 Housing Act 2004, SKDC will maintain a register of all Licences granted under parts 2 and 3 which are in force. The register will be available for public inspection.

Other requests for information will be considered having regard to the Freedom of Information Act 2000 and current data protection regulations. All data held will be subject to our 'Retention and Disposal Policy'.

5. TRAINING AND AUTHORISATION

Only duly authorised officers may undertake enforcement duties in accordance with SKDC's scheme of delegation. Officers will only be authorised where their level of qualification, training and experience are considered acceptable. Newly appointed officers will also be assessed for competency and referred for training where necessary. Officers will also undergo any training necessary with regard to newly adopted legislation.

All officers are responsible for ensuring they have regard to relevant guidance documents and procedures.

6. ENFORCEMENT OPTIONS

Enforcement decisions shall be consistent, balanced, fair, proportionate and relate to common standards. In order to achieve and maintain consistency of enforcement, officers will have regard to official guidance, codes of practice and the general enforcement policy.

Factors to be considered in reaching an enforcement decision include;

- the seriousness of the offence;
- the past history of the offender;
- the confidence in management and the degree of wilfulness involved;
- the consequence of non-compliance;
- mandatory / discretionary duties;
- public interest / benefit.

There are a suite of HMO regulations under the Housing Act 2004, including management regulations. The management regulations cover all HMOs and place specific requirements on property managers in relation to management and safety of HMOs. Enforcement action for non-compliance with HMO regulations, in particular the HMO Management regulations will be considered in each case in accordance with this policy and the Private Sector Housing Enforcement Policy 2018.

7. LICENSING OF HOUSES IN MULTIPLE OCCUPATION (HMOS)

Part 2 of the Housing Act 2004 require certain HMOs to have a licence to operate. When an application is made, SKDC must either grant a licence to the applicant (or another person if both persons agree), or refuse to grant a licence¹.

In order for a licence to be granted the SKDC must be satisfied that the requirements of s.64(3) Housing Act 2004 are made.

All licences will come with conditions that the SKDC consider appropriate for regulating the management, use and occupation of the house and its condition and contents. All conditions must be complied with during the period of the licence.

A fee will be charged for all licence applications as detailed in the Private Sector Housing fees and charges.

Licences may be issued for up to a maximum of 5 years². SKDC will consider making a grant of a licence for 5 years from the date of decision to grant a licence. SKDC reserves the right to grant licences for less than 5 years when appropriate to do so.

Alternative licence lengths may be applicable in certain circumstances. When the proposed HMO property is subject to a lease, the length of the licence may be restricted to the length of the lease agreement if less than 5 years. Consideration to the type of lease and whether it is appropriate to restrict the licence length to the lease will be had, when determining the appropriate length of licence.

In addition, where a property is converted into HMO, this may need planning permission, and the planning status will need to be considered. Where planning permission has not been sought and it is required a licence may be granted for a short period of time to allow for planning to be gained prior to a 5 year licence being issued.

8. FIT AND PROPER PERSON

As part of the HMO licensing process SKDC is required to ensure that the proposed licence holders and those involved in the management are fit and proper persons³.

Part 2 of the Housing Act 2004 specifies that when deciding whether to grant a licence SKDC is required to look at whether the following conditions are met⁴:

- The proposed licence holder is a fit and proper person;
- The proposed manager is a fit and proper person;
- The proposed management arrangements are satisfactory.

If the above are deemed satisfactory and the property is suitable for the proposed maximum occupation; and there is no Banning Order in force, then the licence must be granted.

Upon receipt of a valid application and payment of the relevant fee, the application will be processed and checked to determine whether the above 3 conditions are met.

¹ Section 64(1) Housing Act 2004

² Section 68(4) Housing Act 2004

³ Section 66 Housing Act 2004

⁴ Section 64(3) Housing Act 2004

The person having 'control'⁵ in this context is that as defined in the Housing Act 2004.

When determining "fit and proper" each case will be determined on its own merits; and each specific offence, incident or issue will be considered in terms of its relevance to the holding of a licence or to management and will take into account the date and gravity of the offence, the risk of reoccurrence and any risk to tenants.

Therefore a conviction, caution, reprimand or warning will not necessarily mean that a HMO licence will be refused.

Where the proposed licence holder or proposed manager has made a declaration which may affect the suitability to be a HMO licence holder, or the information within the application is insufficient, SKDC may contact the applicant for further information or permission to make further enquiries. Where no other information is available or forthcoming, SKDC can refuse to grant the licence on grounds of insufficient evidence to satisfy the fit and proper requirement.

Where a Limited Company or Body Corporate applies for a licence in this context the company will be treated as "a person" for the fit and proper person and the licence may be issued to the company. In these circumstances it requires the appropriate person within the company such as a Director or person of sufficient position to be able to provide the relevant information on behalf of the company.

In these circumstances the person of sufficient position will be determined on a case by case basis as they are answering the fit and proper person declaration on behalf of the company to declare in effect that all persons employed by the company who will have direct involvement with the HMO to be licenced are fit and proper.

The application may be refused on the grounds that the applicant is not the person of sufficient position to apply on behalf of the company of Body Corporate.

9. FIT AND PROPER PERSON CRITERIA

In determining whether a person is a fit and proper person to be a licence holder or manager of a HMO, Section 66(2) Housing Act 2004) requires that the authority must have regard to any evidence which shows that the licence holder, manager or any person associated or formerly associated with them has:

- Committed any offences involving fraud or other dishonesty, or violence or drugs, or any offences listed in Schedule 3 to the Sexual Offences Act 2003,
- Practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connect with, the carrying on of any business:
- Contravened any provision of the law relating to housing or of landlord and tenant law
- Acted otherwise in accordance with any applicable code of practice approved under section 233.

When determining whether a person is fit and proper, SKDC will have regard to:

⁵ Section 263 Housing Act 2004

- any relevant convictions, cautions, reprimands or warnings in relation but not limited to offences listed in Appendix 1 to the policy.
- If involved in the management of the HMO, whether the person has the necessary experience and/or managerial skills and competence to manage the HMO in accordance with the satisfactory provisions and relevant legislation.
- The person is aware of, and sensitive to, the needs of all sections of society. This means that their property and arrangements are promoted and accessible to all, without discriminating on grounds of any characteristic protected under the Equality Act 2010 including race, colour, gender, religion, ethnic or national origin, disability (where appropriate) or sexual preference.

Consideration will also be had to whether the proposed licence holder resides within the UK. If resident outside of the UK, suitable management arrangements will need to be demonstrated within the UK.

SKDC may have regard to any other facts or matters which it considers to be relevant to the application.

A person subject to a Banning Order under section 16 of the Housing and Planning Act 2016 is not a fit and proper person whilst the order is in force.⁶

10. SUITABILITY FOR MULTIPLE OCCUPATION

When determining the suitability of properties for occupation as HMOs the authority will apply relevant statutory prescribed standards⁷ where possible in addition to having regard to its own amenity standards.

Current statutory standards exist in relation to minimum bedroom sizes for use by a number of persons and these have been incorporated into SKDC's own amenity standards.

The maximum number of occupants ultimately is determined by SKDC and will be based upon either the number requested within the application if the property standards permit this number, or alternatively SKDC will set the maximum based upon the provisions of facilities and the permissible maximum number of persons as specified within the SKDC's amenity standards.

11. INSPECTIONS

An officer will visit a property where a valid HMO application has been submitted prior to the licence being approved or refused for the purpose of:

- Determining whether the house is reasonably suitable for occupation by a particular number of households or persons; and
- Verifying that the management arrangements are satisfactory; and
- Identifying whether there are any category 1 or 2 hazards present which would require the council to use its Part 1 functions.

HMOs that are currently licensed will also be revisited to ensure compliance with conditions, if they are subject to complaint or if there is concern about management

⁶ Section 64(3)(aa) Housing Act 2004

⁷ Section 65 Housing Act 2004

standards at the property. If additional license conditions are required after an inspection of an HMO, the license may be varied to include such conditions.

12. FEES

As part of a valid application SKDC can set a fee payable to cover the costs in administering a licence. Without the applicable fee being paid any application is deemed incomplete and will not be processed.

The fees are set outside of this policy and reviewed periodically. The fees set in relation to the licensing of HMOs reflect the actual cost of this process.

The applicable fee for all applications is divided into two parts.

- Payment 1 – This is payable at the time of submitting the application and covers the costs of processing the application, checking the application and the fit and proper person checks.
- Payment 2 – This is payable once the inspection of the property has occurred and the authority has determined that the property is suitable for licensing in addition to the proposed licence holder/manager passing the fit and proper person check.

Additional fees and discounts can be applied where the fee structure has specified any such additional fees or discounts.

13. VARIATION AND REVOCATION

The Council may vary a licence with the agreement of the licence holder or if there has been a change in circumstances since the time when the licence was granted. Where a licence is varied by the Council, this will not incur a fee.

The Council may revoke a licence with the agreement of the licence holder, or it may do so if there is a serious breach of the conditions, or if it no longer considers the licence holder to be a fit and proper person. In determining whether to revoke a licence, the Council will have regard to provisions within the Act.

14. APPEALS AGAINST DECISIONS

An applicant may appeal a decision of the Council. Any appeal must be made within 28 days of the decision to the First Tier Tribunal (Residential Property). Any right of appeal against a decision will be communicated to the applicant in the decision letter.

15. COMPLAINTS

The Private Sector Housing Team will aim to provide effective, timely complaint responses in accordance with SKDC's Customer Feedback Process, Compliments, Comments & Complaints process.

If a customer is unhappy with any aspect of their dealings with the Private Sector Housing Team they should:

Contact the Private Sector Housing Team on 01476 406080 or write to

Private Sector Housing Team
South Kesteven District Council,

Council Offices,
The Picture House,
St Catherine's Road,
Grantham,
NG31 6TT

Or email EHS@Southkesteven.gov.uk where the complaint will be forwarded to the relevant person for a response.

Alternatively, or if a customer is not satisfied with the previous course of action, they may can make a formal complaint using the SKDC's official complaint form on the SKDC website.

If a customer is still not satisfied with the response they may complain to the Local Government Ombudsman if they feel they have been unfairly treated. A leaflet about this is available on request.

16. REVIEW

The Private Sector Housing Team is committed to improving the service it provides and welcomes feedback, both good and bad, from customers. If a customer has any comments on the policy or would like to discuss any matters relating HMO Licensing please ring 01476 406080, email ehs@southkesteven.gov.uk or write to the address given above.

This Policy will be reviewed periodically in the light of any significant changes in legislation, Codes of Practice, or other guidance.

HOUSES OF MULTIPLE OCCUPATION (HMO) POLICY

Appendix 1

List of relevant offences to consider as part of the “fit and proper” person criteria. This is divided into three categories based upon severity.

Category 1 offences A conviction /caution for these offences will usually result in the licence application being rejected.	
Offences and contraventions of the law relating to dishonesty:	Offences under the Fraud Act 2006 Benefit fraud Forgery Burglary Conspiracy to defraud Obtaining money or property by Deception Money laundering Blackmail Conspiracy to commit any of the above offences Criminal attempts in relation to the above offences
Offences and contraventions of the law relating to violence:	Murder Manslaughter Arson Malicious wounding (s20 Offences against the Person Act 1861) Possession of a firearm Possession of an offensive weapon Actual bodily harm (s47 Offences Against the Person Act 1861) Grievous bodily harm (s18 Offences Against the Person Act 1861) Robbery s.1 Riot s.2 Violent Disorder s.3 Affray Any racially aggravated offence (Crime and Disorder Act 1988) Conspiracy to commit the above offences Criminal attempts in relation to the above offences
Offences and contraventions of the law relating to drugs:	Importation of drugs Supply of drugs Possession with intent to supply drugs Conspiracy to commit the above offences
Offences and contraventions of the law relating to sex and indecency:	Any offence under Schedule 3 of the Sexual Offences Act 2003
Offences and contraventions of the law relating to Housing and Landlord and Tenant Law.	Protection from Harassment Act 1997 Protection from Eviction Act 1997 Any conviction for failure to comply with the licensing regime as set out in the Housing Act 2004 s95

	Provision of false or misleading information (s238 of Housing Act 2004) Obstruction (s241 of the Housing Act 2004) Failure to hold a relevant licence (s72 of the Housing Act 2004) Breach of Improvement Notices and Prohibition Orders (s35(6), s32(2)(b) of the Housing Act 2004) Housing and Planning Act 2016
Other offences	Human Trafficking
Category 2 offences A conviction/ caution for these offences will be viewed seriously and, following further investigation, could result in the licence application being rejected:	
Other offences and contraventions of the law relating to dishonesty:	Handling or receiving stolen goods Theft
Other offences and contraventions of the law relating to violence: -	Affray Assaulting a Police Officer
Category 3 offences A conviction, caution, reprimand or warning for these offences may also be taken into account and further information will be requested in order to determine the relevance of these offences. If deemed to be relevant or sufficiently severe, these offences could result in the licence application being rejected:	
Other offences and contraventions of the law relating to violence:	Common assault Criminal damage Obstruction of a Council Officer
All other offences relating to dishonesty, drugs, sexual offences and indecency, offences and contraventions of the law relating to Housing and Landlord and Tenant Law.	

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SOUTH
KESTEVEN
DISTRICT
COUNCIL



Housing Overview and Scrutiny Committee

22 January 2024

Report of Councillor Philip Dilks,
Cabinet Member for Planning and
Housing

South Kesteven District Council Anti-Social Behaviour Policy

Report Author

Jodie Archer, Head of Housing Services

 Jodie.archer@southkesteven.gov.uk

The purpose of the report is to notify to the Housing Overview and Scrutiny Committee of the intention to take the Anti-Social Behaviour Policy to Cabinet.

The policy addresses how the Council will manage any anti-social behaviour of the occupants of Council owned housing stock.

Recommendations

That the Committee:

- 1. Notes the contents of the report, policy and appendices**
- 2. Recommends any changes to the policy, if deemed necessary**
- 3. Recommends to Cabinet to approve the draft policy**

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Housing that meets the needs of all residents Healthy and strong communities
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance

- 1.1 Any financial implications associated with the implementation of this policy will need to be met from existing budgets.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

Legal and Governance

- 1.2 There are no legal implications arising from the development of this policy. All social housing landlords have a duty to have in place a published policy on Anti-Social Behaviour and which sets out how the Council will react to, and target reported instances of anti-social behaviour. Failure to implement a policy may constitute grounds of complaint.

Completed by: Mandy Braithwaite, Legal Executive

Is an Equality Impact Assessment required?

Yes, this will be undertaken prior to the policy being taken to Cabinet.

2. Background to the Report

- 2.1 Statute has existed for many years to tackle types of behaviour that could be deemed as "anti-social". The most recent being the ASB, Crime and Policing Act 2014.

- 2.2 The legal definition of anti-social behaviour as defined within the Anti-Social Behaviour, Crime and Policing Act (2014) is:
- (a) conduct that has caused, or is likely to cause, **harassment, alarm, or distress**, to any person,
 - (b) conduct capable of causing **nuisance or annoyance** to a person in relation to that person's occupation of residential premises, or
 - (c) (c) conduct capable of causing housing-related **nuisance or annoyance** to any person
- 2.3 The strategic aims of the policy are to:
- Tackle the causes and impact of anti-social behaviour;
 - Improve public perceptions and build confidence;
 - Provide support to victims and vulnerable people;
 - Detail the Council's approach to managing anti-social behaviour
- 2.4 The levels of anti-social behaviour for the South Kesteven area remain low in comparison to other areas. The number of cases managed by the local authority has fluctuated over the years. This policy is intended to reassure residents that South Kesteven District Council will continue to work with partners to make this District a safe place to live, work and visit.
- 2.5 Responsibility for dealing with anti-social behaviour is shared between a number of organisations and in particular the police, councils and social landlords. The Safer Lincolnshire Partnership (SLP) is a Lincolnshire wide multi-agency approach, recognising that no one organisation alone can deal with anti-social behaviour in isolation and therefore, partnership working is central to the approach required. They have identified ASB as being a county wide priority for the period 2022-2025. A county-wide ASB policy has also been adopted; this provides a framework for the way all partners and agencies in Lincolnshire respond to ASB.
- 2.6 The policy sets out how ASB can be reported and details the powers and tools used to tackle it.

3. Key Considerations

- 3.1 Key areas for Members to consider are whether they think the policy covers all matters they would expect to see in an Anti-Social Behaviour Policy.

4. Other Options Considered

- 4.1 The Council considered managing ASB in line with the Lincolnshire wide ASB policy only. However, the Regulator of Social Housing requires the Council to have a local ASB policy specific to the South Kesteven area.

5. Reasons for the Recommendations

- 5.1 It is recommended that the Housing OSC notes the contents of the report, policy and appendix, recommends any changes, if deemed necessary and recommends to Cabinet to approve the draft policy. The reason for this is so that the Council can demonstrate how it manages ASB in South Kesteven.

6. Consultation

6.1 The draft policy was;

- published on the Council's website both in the 'Current Consultations' and 'Tenancy Involvement' sections and was open for feedback over a two week period until the 20th December 2023.
- emailed directly to tenants who had responded to the Tenant Satisfaction Survey and commented regarding ASB issues. This was to c.90 people.
- emailed to members of our Readers Panel, who are tenants and expressed an interest in proof reading documents to check they are written in plain English, makes sense and presented well.

6.2 We have received four responses to the consultation. These are set out in Appendix 1. The responders comments mainly related to the implementation of the policy.

7. Background Papers

7.1 Not applicable

8. Appendices

8.1 Appendix 1 – Draft Policy

8.2 Appendix 2 - Consultation Responses

Anti-Social Behaviour Policy 2023

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1. Introduction

The objective of this policy is to promote the wellbeing, safety and health of South Kesteven's flourishing communities, supporting vulnerable people and promoting respect in reports of anti-social behaviour.

The strategic aims will be to:

- Tackle the causes and impact of anti-social behaviour;
- Improve public perceptions and build confidence;
- Provide support to victims and vulnerable people;
- Detail the Council's approach to managing anti-social behaviour

2. Background

Statute has existed for many years to tackle types of behaviour that could be deemed as "anti-social". For example, the Public Order Act (1986) and the Crime and Disorder Act (1998) which saw the beginning of the intense national drive to tackle anti-social behaviour in communities. The Act saw the creation of Community Safety Partnerships and introduced new civil orders to control the behaviour of persons aged ten years and above. Further legislation has followed, allowing amendments to the original act and introducing even more powers against perpetrators.

The Crime and Disorder Act 1998 was introduced in response to growing public concern about anti-social behaviour and places an obligation on Local Authorities and partner agencies, to ensure that we have all aspects of Community Safety embedded into our planning, policies and operational activities. The Crime and Disorder Act also introduced legislation which provided a variety of powers and tools to manage and enforce against persons causing anti-social behaviour.

Subsequent to the introduction of the Crime and Disorder Act, further legislation has been introduced, including the ASB, Crime and Policing Act 2014.

This Act is intended to grant simpler, more effective powers to tackle anti-social behaviour that provide better protection for victims and communities. This Act puts victims at the heart of the response to anti-social behaviour and gives professionals the flexibility they need to deal with any situation. There had been 19 powers available through the courts to the ASB teams and police, and these are now reduced to 6 powers.

This strategy sets out South Kesteven District Council's vision, priorities and activities in tackling the causes and impact of anti-social behaviour that are affecting the district, its residents, businesses and visitors.

3. The Policy

Definition of Anti-Social Behaviour (ASB)

The legal definition of anti-social behaviour as defined within the Anti-Social Behaviour, Crime and Policing Act (2014) is:

- (a) conduct that has caused, or is likely to cause, **harassment, alarm, or distress**, to any person,
- (b) conduct capable of causing **nuisance or annoyance** to a person in relation to that person's occupation of residential premises, or
- (c) (c) conduct capable of causing housing-related **nuisance or annoyance** to any person

Anti-social behaviour covers many types of behaviour that vary in nature and severity, many of which are open to interpretation. Thus what is considered anti-social by one person can be acceptable to another. Such a wide range of behaviour means that responsibility for dealing with anti-social behaviour is shared between a number of organisations and in particular the police, councils and social landlords.

It is recognised that even at the lowest levels anti-social behaviour can have a serious impact on those subjected to it. It can affect people's quality of life as well as the way people feel about their own safety, security and their community.

Early and efficient interventions in dealing with anti-social behaviour in a timely manner, delivering effective and sustainable solutions will reduce the commitment of resources as well as providing a high-quality service.

The Extent of Anti-Social Behaviour in South Kesteven

South Kesteven remains a low crime area when considered within a national context. However, wider concepts related to the fear of crime, perceptions and community engagement, participation and respect are areas that the Community Safety Partnership continue to work on.

The levels of anti-social behaviour for the South Kesteven area remain low in comparison to other areas. The number of cases managed by the local authority has fluctuated over the years. Police data sets are available through their website.

This policy is intended to reassure residents that South Kesteven District Council will continue to work with partners to make this District a safe place to live, work and visit.

Safer Lincolnshire Partnership

The Safer Lincolnshire Partnership (SLP) is a Lincolnshire wide multi-agency approach, recognising that no one organisation alone can deal with anti-social

behaviour in isolation and therefore, partnership working is central to the approach required. They have identified ASB as being a county wide priority for the period 2022-2025.

The aim of this approach is to ensure that all communities in Lincolnshire receive the best service and support from all partners in respect of preventing, reducing, and managing antisocial behaviour.

The SLP recognises the huge effect anti-social behaviour has on victims and communities and has therefore made it one of their key priorities. The key objectives of the SLP are to:

- Manage incidents of ASB more effectively and efficiently across all partners in Lincolnshire;
- Provide improved services and protection to the public;
- Increase public confidence through improved engagement and understanding;
- Identify repeat and vulnerable victims and respond more efficiently; and
- Improve information sharing across all partners extending into third sector and charities.

This has also meant the introduction of a county-wide anti-social behaviour recording system (E-CINS) that is used by Lincolnshire Police, all seven local authorities and large registered social landlords. This system has a requirement that all persons involved in anti-social behaviour are risk assessed to see if they are vulnerable or repeat victims, with an appropriate support needs assessment being made. A county-wide ASB policy has also been adopted; this provides a framework for the way all partners and agencies in Lincolnshire respond to ASB.

To ensure a consistency of service, all partners have adopted an “umbrella” policy document intended to cover all types of anti-social behaviour including hate crime. This policy underpins Lincolnshire’s multi-agency strategy to tackle anti-social behaviour.

Powers and Tools Available to Tackle Anti-Social Behaviour

Whilst the ASB legislation allows partners to use the most appropriate tool at the most appropriate time, dependant on the ASB being complained about, we will as appropriate, aim to resolve complaints as amicably as possible through the promotion of positive communication such as the consideration of other options from agencies. We will take into consideration any possible vulnerabilities when responding to incidents of ASB. We will also consider an incremental approach to how cases are managed. All cases that are reported to the ASB team will be recorded onto a shared ASB recording system, and case managed through the agreed user protocol. The below tool is predominantly used in relation to young people.

Acceptable Behaviour Contracts

Acceptable Behaviour Contracts (ABCs) are also voluntary agreements between the Council, the individual and a partner agent, usually the Police. Under an ABC the individual agrees not to be involved with certain anti-social acts. This contract lasts six months. When an ABC is entered into, appropriate support and intervention to prevent this behaviour will be sought. If a person refuses to sign or engage in an ABC, or breaches the ABC, this may be used as evidence for more serious enforcement action as appropriate. This is one of the main tools used by this authority and has proven successful in stopping repeat incidents of anti-social behaviour.

The ASB, Crime and Policing Act provides the following powers to deal with complaints:

- Injunction to Prevent Nuisance and Annoyance (IPNA);
- Criminal Behaviour Order (CBO).
- Community Protection Notice (CPN).
- Public Space Protection Order (PSPO).
- Closure notices and closure orders.
 - Police dispersal power.

The list below provides an overview of the legislation concerning each power, and prior to any use of this legislation it will be managed in conjunction and compliance with the full legislation as laid down within the Act, agreed internal process, and county wide policy agreement.

Injunction to Prevent Nuisance and Annoyance (IPNA)

- Purpose – to stop or prevent individuals engaging in ASB, quickly nipping problems in the bud before they escalate. Civil order for anyone aged over 10 years, civil standard of proof.
- Applicants – Local councils, social landlords, police, environmental agencies, NHS Protect.
- Two Tests – If the person has caused or was likely to cause harassment, alarm or distress to any person and the court considers it is just and convenient to grant the injunction to prevent the person engaging in ASB (however the nuisance test will still apply).

Criminal Behaviour Order (CBO)

- Purpose – Issued by any criminal court against a person who has been convicted of an offence, to tackle the most persistently anti-social individuals who are also engaged in criminal activity.
- Applicants – The Crown Prosecution Service, either at its own initiative or following a request from the police or council, and the local authority.
- Two tests – The person has engaged in behaviour that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household and the court considers that making the order will help prevent the offender from engaging in such behaviour.

Community Protection Notice (CPN)

- Purpose – To stop a person, business or organisation committing anti-social behaviour which spoils the community's quality of life.
- Applicants Test – The behaviour has to have a detrimental effect on the quality of life of those in the locality, be of a persistent or continuing nature, and be unreasonable.
- Council officers, police, social landlords.

Public Space Protection Order (PSPO)

- Purpose – Designed to stop individuals or groups committing anti-social behaviour in a public space.
- Applicants – Councils after consultation with the police.
- Test – The behaviour being restricted has to be having a detrimental effect on the quality of life of those in the locality, be persistent or continuing in nature, and be unreasonable.

Closure Notices and Closure Orders

- Purpose – To allow the police or council to quickly close premises which are being used, or likely to be used to commit nuisance or disorder.
- Applicants – Local councils and police.
- Test – The following has occurred, or will occur, if the closure power is not used – Nuisance to the public and/or disorder near those premises.

Police Dispersal Powers

- Purpose – Requires a person committing or likely to commit anti-social behaviour, crime, or disorder to leave an area for 48 Hours.
- Applicants – Police and PCSO's in uniform.
- Tests – Contributing or likely to contribute to members of the public in the locality being harassed, alarmed or distressed (or the occurrence of crime and disorder); and direction necessary to remove or reduce the likelihood of the anti-social behaviour, crime or disorder.

ASB Case Review (formally known as Community Trigger)

The ASB Case Review forms part of the ASB Crime and Policing Act 2014, which gives victims and communities the right to request a review of their anti-social behaviour case. It is a problem solving process that aims to find solutions for the victim. The ASB Case Review is designed to ensure that we work together to try and resolve a complaint of anti-social behaviour. The Case Review does not replace individual organisations' complaints procedures if you are unhappy about the service you have been provided by an individual officer or service. When a request for a Case Review is received it will be referred initially to the Anti-Social Behaviour Risk Assessment

Conference (ASBRAC) working group to assess and deal with, as set out within the Lincolnshire ASB Case Review Policy.

Neighbour Disputes

Neighbour disputes are where two neighbours disagree about something that then becomes a source of distress and frustration. It is common for both sides of the dispute to have done things to annoy the other person, as a result it can be difficult for agencies to identify who is the victim or who is the perpetrator, often both are victims and both are perpetrators. It does not constitute anti-social behaviour if the issues are about normal day to day living. One way to solve these problems is by talking to your neighbour to try to agree a compromise, you can also consider mediation. If this does not work, you can pursue matters through civil redress.

Parking Spaces and Vehicle Obstruction

When it comes to parking your car, you do not have any rights to the section of road or pavement outside your property (unless there are local parking restrictions giving a right to a particular space). This means you do not have the right to park there yourself or prevent anyone else from doing so. You cannot put cones down to reserve the spot. You also cannot stop someone parking on your grassy verge if you have one. This can be very frustrating but there is nothing the Council can do about it.

We would suggest you talk to the car owner kindly and ask them if they could leave the space for you to park or avoid parking on the grass.

If someone else's car is blocking access to and from your property, there are a number of steps you can take. Lincolnshire County Council and the police have general powers to remove vehicles that are illegally parked or causing an obstruction. If it is an area with restrictions on who can park, then wardens can enforce those restrictions by issuing fines.

Hate Incidents

A hate incident is "any incident which may or may not constitute a criminal offence, which is perceived by the victim or any person as being motivated by prejudice or hate". This definition is used by the Home Office. South Kesteven District Council will apply this definition and will record any reported hate incident including both crimes and non-crimes.

South Kesteven District Council in conjunction with Lincolnshire Police has signed up to "Stop Hate," a reporting and information help line for people that experience hate incidents or wish for additional advice or guidance. This will enable a consistency of service across the district, giving clear explanations for the process of reporting hate incidents. All staff are trained to understand the reporting mechanism for hate incidents to ensure consistency of service provision and recording. All reported incidents are recorded and managed within the Tenancy Services Team.

Legislation is frequently being introduced in relation to anti-social behaviour, providing amendments and further tools to tackle the causes and impacts. The Tenancy Services team are updated as to these changes, and will ensure all available powers and tools are utilised.

Housing and Anti-Social Behaviour

The Council takes seriously its responsibilities, both as a strategic housing authority and as the biggest social landlord in South Kesteven. As a strategic authority, the Council is required to publish a tenancy policy and this policy will meet all statutory requirements in respect of the types of tenancies offered. As a landlord, the Council operates the use of Introductory Tenancies which provide the Council with powers to act swiftly in managing ASB for those who are in their first year as tenants.

The Council also has the option to take action to demote Secure Tenancies, to prevent the completion of the Right to Buy where ASB action is being taken. The Council has a clear approach to legal action where there is evidence of ASB and/or neighbour nuisance, and will follow housing legislation and the ASB Statutory Guidance to make sure their actions are coordinated, proportionate and in line with one another, but also gives the option of action against the tenancy, up to and including eviction for serious and/or repeated ASB or criminal behaviour.

High Hedges

Any complaints of high hedges will be dealt with in accordance with Part 8 of the Anti-Social Behaviour Act 2003. All complaints relating to high hedges will be forwarded to, and dealt with by, the appropriate department. Once informal options for resolving a high hedge dispute have been exhausted, a formal complaint can be made to the District Council. The Authority will take account of all relevant factors and strike a balance between the competing interests of the neighbours involved, as well as the interest of the wider community.. After information is gathered about the complaint from all sides, the Council will make a decision, based on Government guidelines.

Information Sharing and Confidentiality

All information provided to the anti-social behaviour team will be treated in confidence. It will not be passed on to the person complained about, unless this is through proper legal process where formal high level enforcement action must be taken. Information will be exchanged by signatories of the Information Sharing Protocol and these include the Police, local housing providers, Fire and Rescue, Children Services, Primary Care Trust and other members of the partnership. All information will be kept confidential by the agencies concerned and will only be used for the purposes it was supplied for. This exchange of information is permitted under the Crime and Disorder Act 1998 for the purpose of preventing crime and disorder and the risk to others, but must comply with the Data Protection Act. The Council will comply with the

Freedom of Information Act 2004 but will not disclose information where exemptions apply.

Partnership Working to Reduce Anti-Social Behaviour

General information about incidents can and will be shared with other agencies in compliance with information sharing agreements, and departments to help them build up a picture of incidents in the area that they may have interest or involvement in. Where any incident is reported which is serious, either because of the danger of recurrence or danger to the informant, this will be shared with other agencies, including the police. Any person making such a report will be advised which other agencies this information has been shared with.

Supporting Victims and Witnesses

South Kesteven District Council will support witnesses and victims of anti-social behaviour and hate incidents. All employees involved in the investigation of anti-social behaviour are fully aware of, and sensitive to, the needs of witnesses and victims. The District Council will, in appropriate cases seek specialist support from partner agencies to support the needs of witnesses and victims. A risk assessment will be undertaken for each person that is either a victim or perpetrator to ensure that all their needs are considered.

In many circumstances legal action regarding anti-social behaviour can be supported by composite professional witness statements, for example from a police officer. These can protect witnesses from having to give evidence and so being identified. It is recognised that this evidence does not carry the same weight as that of an individual whose own quality of life has been affected by the anti-social behaviour, so first hand witnesses will, where possible, be sought and encouraged to provide evidence.

As the victims and witnesses of the anti-social behaviour may be known to the perpetrators, all partners need to be aware and act efficiently if either are subjected to further anti-social behaviour. If an individual is asked to be a witness in court, the Council will liaise with the police and court services to provide support and information about the court process to witnesses, victims and their families, before, during and after the hearing.

The Council will support complainants by:

- Dealing with their complaint promptly, fairly and impartially;
- Recording their concerns;
- Allocating an officer specifically to deal with their complaint;
- Respecting their confidentiality;
- Keeping them informed throughout the process;
- Advising them when a case is closed, and of the outcome;

When legal proceedings are undertaken, or considered, the support and protection of victims and witnesses should be planned for at an early stage. The level of protection offered should be considered on the basis of the witnesses' vulnerability and the likelihood of intimidation rather than primarily based on anticipated severity.

Training of Staff in Dealing with Anti-Social Behaviour

In dealing with anti-social behaviour it is important that all relevant staff have the confidence and knowledge to identify and investigate incidents and reports of anti-social behaviour and are equipped to take appropriate action. Staff training is regularly reviewed through the annual appraisal process as well as periodic one-to-ones and check ins. As appropriate, training is organised for staff in relation to new legislation in dealing with anti-social behaviour.

Communication, Reporting and Recording Anti-Social Behaviour

Reporting Complaints of Anti-Social Behaviour

South Kesteven District Council considers the management of anti-social behaviour as part of overall tenancy management and as such utilises generic housing officers to deal with reports of anti-social behaviour via our Tenancy Services Team. Where anti-social behaviour does take place, early intervention is important in resolving the matter and reducing people's concerns and fears.

How to Report Anti-Social Behaviour

Because complaints of ASB can be considered the responsibility of either housing, environmental protection or the Police, we ensure that we work closely together to manage complaints.

You can report complaints of ASB in the following ways:

- On the Council's website;
- By telephone or e-mail;
- Directly at any of our Council offices.

South Kesteven District Council aims to provide a high quality of service to victims of anti-social behaviour and other complaints. People affected by inconsiderate, anti-social or illegal behaviour have a right to know what is happening to address this conduct. People who raise complaints or their representatives will be kept informed of how their complaint is being resolved.

In dealing with these matters the Council will:

- Treat everyone fairly and without prejudice;

- Work in partnership with other agencies and seek joint solutions to correct anti-social behaviour;
- Be open and democratic in our decision-making.
- Ensure that all staff have adequate training to effectively deal with complaints.

The Council will:

- Provide a polite and courteous service;
- Use plain English;
- Be accessible to all people in the District;
- Use customer complaints and comments to improve service;
- Provide a fair and unbiased service;
- Report our performance each year;
- Aim to fully reply to letters or e-mails within 10 working days;

We will also, through literature and existing media opportunities, provide information on anti-social behaviour, raise public awareness and confidence in what we are doing to tackle the causes and impact of anti-social behaviour and publicise when sanctions are sought through the Courts. We will also attend local community forums, meetings and other platforms to inform and consult with them about their concerns.

Publicity

The purpose of any court action taken is to protect local people from harassment, alarm and distress that is caused, or is likely to be caused by anti-social behaviour. Unless the anti-social behaviour is extremely localised, effective enforcement of the order will normally depend on the general public being aware of the conditions of the order, and of the identity of the person against whom it is made. Each case will be considered and the publicity appropriate to each order will be appropriate to the needs of the community.

4. Monitoring, Review and Development

Monitoring Anti-Social Behaviour – South Kesteven District Council

We need to know how well we are performing and whether the interventions we have put in place are making a difference. All reports of anti-social behaviour will be recorded onto a secure database and dealt with as outlined in our procedures.

Performance and Measuring Anti-Social Behaviour

The measuring of anti-social behaviour is undertaken by various organisations and by various methods including data sets from Lincolnshire Police as well as our own internal methods.

Equality and Diversity

South Kesteven District Council is committed to providing equal access to its services regardless of an individual's race, gender, age, sexual orientation, ethnic origin, nationality, religion or belief or disability.

The Council will regularly review all strategies and functions; including new and proposed strategies to see if there is any evidence that:

- Different groups of people could be affected differently;
- There are different service outcomes for different groups of people;
- There is any public concern that the Councils functions are being operated in a discriminatory manner.

The Council recognises that an individual may be more vulnerable as a result of discrimination. In applying all policies, the Council will be aware of additional levels of vulnerability and ensure that necessary measures are in place to take this into account.

Safeguarding

The Council is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expect their entire staff to share this commitment. This commitment includes accepting a responsibility for the protection of children, young people and vulnerable adults and ensuring that all concerns about their safety or well-being that come to the attention of staff in the course of their work, will be followed up and dealt with as quickly and as sensitively as possible. It also includes ensuring that all activities are provided in a safe environment. All colleagues must accept and recognise their responsibilities to develop awareness of the issues which cause harm.

5. Links to Other Strategies or Policies

The documents referred to within this strategy can be accessed in full, through either the links on the South Kesteven District Council website or the Home Office website.

- Lincolnshire ASB Partnership Policy
- The Anti-Social Behaviour, Crime and Policing Act 2014
- Environmental Protection Act 1990
- Tenancy Management Policy
- Safeguarding policy -

<http://www.southkesteven.gov.uk/index.aspx?articleid=12373>

6. Complaints

We care about your experiences when using our services. We hope they are positive experiences and that's what we strive for. However, we recognise that we don't always get it right – sometimes you might be unhappy with a service

you received and if that has happened we want to hear about it so we can learn from your experience.

Our Corporate Feedback process is designed to receive compliments, complaints and comments because we feel that only by acknowledging all three can we ensure we are a Customer Focused Council. Feedback is shared with the service or specific officer that it relates to. We want to ensure that any lessons we learn from your feedback are recognised across the organisation and so we will share it with our other services too where appropriate.

If we have left, you dissatisfied we will need to evaluate whether we are able to manage your feedback through our corporate process. Our feedback process is not designed as an appeal system to question formal decisions of the Council which were properly taken, or to challenge policy. It is to check that everything that should have been done has been done, and that the procedures and policies have been followed appropriately.

How to Make a Complaint

The Council always tries to give all its customers a positive experience, even if the subject matter is difficult, sensitive or upsetting. However, South Kesteven District Council also recognises that if it leaves someone feeling dissatisfied, it needs to understand that customer's experience and explore whether it could have done things differently.

The Council will do this through a two-stage internal process.

Stage 1

If correspondence details are provided, the Council will acknowledge complaints within 10 working days and will advise the customer of the date when they can expect to receive a response. This will be 15 days from the point that we received and actioned the complaint. The complaint will be forwarded to the service that the complaint is about.

A senior officer within the team who is not implicated in the complaint will conduct a full and objective investigation, by looking over relevant documents, exploring the transaction that took place and talking to any officers involved. Each point raised within the complaint will be addressed in full in the response. This will be signed off by the relevant Head of Service and the customer will receive a response in the allocated timescale. If the customer requires clarification of any part of the response or feels the Council has not addressed certain points raised within their complaint, they should contact South Kesteven District Council and the response will be reviewed.

Stage 2 If the customer is unhappy with the outcome of the stage 1 complaint, they can request it to go to stage 2. This request must be received by the Council within 3 months of the stage 1 response being sent. At this point the

complaint will be reviewed by another Head of Service who is independent to the service to ensure an independent view point is still achieved.

How Can You Give Us Your Feedback?

You can tell us by whatever method is easiest for you:

- Via our online form;
- Via email – feedback@southkesteven.gov.uk;
- Via traditional mail – FREEPOST SKDC;
- Via a Customer Service Advisor – 01476 406080
- By visiting our Grantham Customer Services Office.

Area	Date responded	Source	Comment	Interested in attending an ASB workshop	Notes	Main point
Baston	13/12/23	TSM responses to ASB Q	Good feedback re ASBH. Keep up good work.		No response	
Grantham 45	13/12/23	TSM responses to ASB Q	I read half of the policy and skimmed the rest. I took note of the bullet points and fast read bits I found important. Which weren't a lot. After my experience recently in the area that I live with ASB and the actions the council have taken, I found the policy absolute rubbish in my purest of honesty. There is no information detailing procedures if ASB is reported, what to expect, what's next, what happens if your issued a letter for ASB or even if you get a letter. There's no explanation of consequences, no worse case scenarios and no small case scenarios either. You've stated what you believe would be ASB in the policy and that is all. I believe this should be detailed so people know exactly what to expect. It's all good having a policy in black and white on paper but that does not mean the council and its officers will implement it or deal with concerns effectively. I have no faith in this policy or believe that it shall be held to its word in its correct terms.	Yes	Comprehensive response touching on not taking strong enough action against offenders and lack of action from police. Also about lack of follow up on complaints when reported allowing asb to continue.	implementing the policy
			I have received and read the document regarding antisocial behaviour just wondering does this include a neighbour who owns there property making a council tenants life hell cause I most certainly did not get help when my children get abuse over the fence for playing in there own garden so not being able to spend any of summer outside , other than a answer to my question everything looks good on document aslong as procedures are carried through		Responded to the tenant re: ASB policy regarding non council tenant, explaining that we would look into the issue as it affects a council tenant, but may need to involve neighbourhoods and police in the issue.	implementing the policy
Ancaster	13/12/23	TSM responses to ASB Q	I don't have any faith in reporting anti social behaviour as for the past 3 years I battled with my neighbour who has 2 dogs in a flat above me which when they ran up and down the stairs the noise was horrific, these dogs absolutely destroyed their garden with dog feaces everywhere that much when a visit by the housing came he was made to clean it and a full Wheely bin was collected, the stench was horrendous especially on a hot day when you'd smell the heavily strong urine too, also the smell of marijuana coming through my fan in the flat, nothing was done and no follow ups made, he now leaves his dogs in the flat all night on their own barking all night, good luck to the new tenant			implementing the policy
Great Gonerby	13/12/23	TSM responses to ASB Q				implementing the policy

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Equality Impact Assessment

Question	Response
1. Name of policy/funding activity/event being assessed	Anti-Social Behaviour Policy
2. Summary of aims and objectives of the policy/funding activity/event	The policy sets a framework to enable the delivery of an effective anti-social behaviour service which fulfils our statutory obligations within the context of housing legislation.
3. Description of what is being impact assessed	If the policy provides a reasonable response to those that report Anti-Social Behaviour (ASB) to South Kesteven District Council and whether the policy takes account of all the potential factors that could be associated with reports of ASB. If any subsequent action taken by the Council in relation to the ASB is proportionate in regard to the individuals responsible for the ASB.
4. Who is affected by the policy/funding activity/event?	South Kesteven District Council tenants and leaseholders and the wider community.
5. Has there been any consultation with, or input from, customers/service users or other stakeholders? If so, with whom, how were they consulted and what did they say? If you haven't consulted yet and are intending to do so, please complete the consultation table below.	Consultation will take place with the stakeholders affected (SKDC tenants and leaseholders). This will be for a two week period via the policy being placed on the SKDC website consultation page. Consultation with tenants who have special needs will be undertaken separately.
6. What are the arrangements for monitoring and reviewing the actual impact of the policy/funding activity/event?	The current ASB case management E-CINS as well as a new housing IT system due to go live in November 2023 will allow for the monitoring and evaluation of the impact of the policy.

Protected Characteristic	Is there a potential for positive or negative impact?	Please explain and give examples of any evidence/data used	Action to address negative impact e.g. adjustment to the policy <i>(The Action Log below should be completed to provide further detail)</i>
Age	Positive	The evidence suggests that a proportion of ASB is perpetrated by young people and therefore this policy will ensure that due regard is given to young people to avoid criminalising them whilst utilising legislation to effectively deal with young perpetrators and victims of ASB.	N/A
Disability	Neutral	The evidence suggests that a large proportion of ASB is perpetrated by those with mental health issues. Different approaches and mechanisms may be required for engaging with and representing people with a range of	n/a



		disabilities depending on their individual needs.	
Gender Reassignment	Neutral	There are no direct impacts from the policy in respect of gender reassignment. Any person affected by ASB or is found to be a perpetrator of ASB will be dealt with following the policy and taking account of the circumstances surrounding the ASB.	n/a
Marriage and Civil Partnership	Neutral	No issues identified	n/a
Pregnancy and Maternity	Neutral	There are no direct impacts from the policy in respect of pregnancy and maternity.	n/a
Race	Neutral	There are no direct impacts from the policy in respect of race however there is some evidence to suggest that victims of ASB and hate crimes may be targeted due to race and this should be recognised when dealing with cases.	n/a
Religion or Belief	Neutral	There are no direct impacts from the policy in respect of religion or belief. However there is scope for religion or belief to be a factor in alleged ASB cases and this should be recognised when dealing with cases.	n/a
Sex	Neutral	No issues identified	N/A
Sexual Orientation	Neutral	No issues identified	N/A
Other Factors requiring consideration			
Rurality	Neutral	South Kesteven is a rural district and it is important that the service is able to engage with and represent individuals who live in rural areas and / or have limited access to public transport.	

Consultation

Negative impacts identified will require the responsible officer to consult with the affected group/s to determine all practicable and proportionate mitigations. Add more rows as required.		
Group/Organisation	Date	Response
SKDC tenants and leaseholders		<p>Consultation will take place with the stakeholders affected (SKDC tenants and leaseholders). This will be for a two week period via the policy being placed on the SKDC website consultation page.</p> <p>Consultation with tenants who have special needs will be undertaken separately.</p>



		Any responses including any equality, diversity and inclusion issues highlighted from this consultation will be considered and changes will be made to the policy if deemed necessary.

Proposed Mitigation: Action Log

To be completed when barriers, negative impact or discrimination are found as part of this process – to show actions taken to remove or mitigate. Any mitigations identified throughout the EIA process should be meaningful and timely. Add more rows as required.				
Negative Impact	Action	Timeline	Outcome	Status

Evaluation Decision

Once consultation and practicable and proportionate mitigation has been put in place, the responsible officer should evaluate whether any negative impact remains and, if so, provide justification for any decision to proceed.		
Question	Explanation / justification	
Is it possible the proposed policy or activity or change in policy or activity could discriminate or unfairly disadvantage people?		
Final Decision	Tick	Include any explanation/justification required
1. No barriers identified, therefore activity will proceed		
2. Stop the policy or practice because the data shows bias towards one or more groups		
3. Adapt or change the policy in a way that will eliminate the bias		
4. Barriers and impact identified , however having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice (e.g. in extreme cases or where positive action is taken). Therefore you are going to proceed with caution with this policy or practice knowing that it may favour some people less than others, providing justification for this decision		



Did you consult with an Equality Ally prior to carrying out this assessment? Yes

Sign off

Name and job title of person completing this EIA	Andre Ford-Hamilton – Tenancy Services Manager
Officer Responsible for implementing the policy/function etc	Jodie Archer – Head of Housing
Line Manager	Craig Spence – Acting Director of Housing
Date Completed	04 th October 2023
Date of Review (if required)	

Completed EIAs should be included as an appendix to the relevant report going to a Cabinet, Committee or Council meeting and a copy sent to equalities@southkesteven.gov.uk.

Completed EIAs will be published along with the relevant report through Modern.Gov before any decision is made and also on the Council's website.



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Housing Overview and Scrutiny Committee

22nd January 2024

Report of Councillor Phil Dilks– Cabinet
Member for Housing and Property

Tenancy Management and Estate Management Policies

Report Author

Jodie Archer, Head of Housing Services

 Jodie.archer@southkesteven.gov.uk

The purpose of the report is to notify to the Housing Overview and Scrutiny Committee of the intention to take the Tenancy Management and Estate Management Policies to Cabinet.

The purpose of the Tenancy Management policy is to outline the circumstances in which changes to a tenancy may happen and any possession action which could be taken, why this could happen and the tenancy support which will be offered.

The purpose of the Estate Management Policy is to set out our approach to the delivery and management of estate services to internal and external communal areas.

Recommendations

That the Committee:

- 1. Notes the contents of the report, policies and appendices**
- 2. Recommends to Cabinet to approve the policies**

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Housing that meets the needs of all residents Healthy and strong communities High performing Council
Which wards are impacted?	All ward(s)

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 Any financial implications associated with the implementation of this policy will need to be met from existing budgets.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

Legal and Governance

- 1.2 There are no legal implications arising from the development of this policy.

Completed by: Mandy Braithwaite, Legal Executive

2. Background to the Report

2.1 The Tenancy Management Policy

- 2.1.1 This policy sets out the circumstances in which changes to a tenancy may happen (for example, assignments, mutual exchanges or successions) and the circumstances in which any tenancy agreement, provided by the Council, will end due to possession action (including evictions).

- 2.1.2 This policy sets out the support offered to tenants and the processes that will be undertaken before an eviction is carried out, to ensure that all possible alternative remedies are explored.
- 2.1.3 The overall aim of this Policy is to ensure that legal action (including evictions) is carried out only after:
- other options have been exhausted and tenancy management remedies proved ineffective
 - that proper authorisation is obtained
 - that an up-to-date risk assessment is carried out prior to the eviction
 - that any eviction is carried out lawfully
- 2.1.4 Both the Council and tenants have responsibilities with Tenancy Management. At the start of a tenancy, the Council will make every effort to ensure that tenants understand and are fully informed of all the responsibilities and activities associated with maintaining a tenancy. The Council has a duty to all its tenants and the wider community on its estates, to ensure they are able to live in an environment that is well maintained, safe and secure.
- 2.1.5 Tenants have a responsibility to ensure they actively manage their tenancy to prevent the need for possession proceedings being raised. Failure to do this may lead, after other tenancy management options have been exhausted, to possession action being taken by the Council.

2.2 The Estate Management Policy

- 2.2.1 The purpose of this policy is to set out our approach to the delivery and management of estate services to internal and external communal areas.
- 2.2.2 We are committed to ensuring the estates meet Council's standards, alongside being mindful of the management services required and focusing on keeping service charge costs reasonable. Estate management is the responsibility of tenants and the Council.
- 2.2.3 Our intention is to minimise negative impact on the environment in delivering our estate management service and this forms a key part of our procurement policy and process.
- 2.2.4 Estate management reflects the wider role that the Council has in areas where there are clusters of Council owned properties. In these areas, the Council is more than just a landlord but is also responsible for neighbourhood sustainability and some aspects of the environmental quality in the local area.
- 2.2.5 The service objectives of the policy are to maintain a high standard that delivers value for money in the upkeep of clean, green and safe estates:

- To have estates that the Council and our residents are proud of
- To ensure we have clear standards, that residents know what to expect from the estate management service, including obligations for both the Council and residents
- To ensure our services deliver value for money and we are clear on what we are charging for
- To maintain a regular, visible presence on estates
- To ensure we comply with all Health & Safety requirements
- To encourage residents to take responsibility for their environment/estate

3. Key Considerations

- 3.1 Key considerations are the content of the policies, the consultation undertaken and the Equality Impact Assessments.

4. Other Options Considered

- 4.1 The alternative option would be to not have these policies. However, to meet the Regulator of Social Housing standards; how we manage tenancies and our estates are set out.

5. Reasons for the Recommendations

- 5.1 It is recommended that the Housing Overview and Scrutiny Committee recommends to Cabinet to approve the policies. These will provide clarity on how the operational services are provided.

6. Consultation

- 6.1 Consultation took place both with team members and tenants. A staff workshop to discuss these policies was held earlier in the year.
- 6.2 Tenants workshops were held both in the north and south of our district and both in March 2023.
- 6.3 A website consultation inviting tenants to comment on the policies took place between 21st August and the 18th September.
- 6.4 Feedback from this consultation was taken into account in the drafting of the final policy.

7. Appendices

- 7.1 Appendix 1A – Tenancy Management Policy (draft)
Appendix 1B – Estate Management Policy (draft)
- 7.2 Appendix 2A – EIA – Tenancy Management
Appendix 2B - EIA – Estate Management
- 7.3 Appendix 3 – Website consultation details

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Tenancy Management Policy

Service Area		Housing & Communities	
Policy Owner		Tenancy Services Manager	
Introduced	2023	Last Reviewed	n/a
Version	One	Review Date	2025

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Introduction

The purpose of this policy is to outline the circumstances in which changes to a tenancy may happen and any possession action which could be taken, why this could happen and the tenancy support which will be offered. The Council and tenants' responsibilities in the management of tenancies (which includes the management of anti-social behaviour and rent arrears) are set out in the Tenancy Agreement.

1. Scope of the Policy

- 1.1 This policy sets out the circumstances in which changes to a tenancy may happen (for example, assignments, mutual exchanges or successions) and the circumstances in which any tenancy agreement, provided by the Council, will end due to possession action (including evictions). An eviction is defined as the recovery of accommodation, owned or managed by the Council, and happens by using the legal processes that are available.
- 1.2 This policy sets out the support offered to tenants and the processes that will be undertaken before an eviction is carried out, to ensure that all possible alternative remedies are explored.
- 1.3 The Council will ensure the implementation of this policy does not discriminate between tenants on any grounds. The Council will enhance the promotion of equal opportunities by publishing standard information and documentation in different languages and other formats, as required.

2. Objectives and Principles of the Policy

- 2.1 The overall aim of this Policy is to ensure that legal action (including evictions) is carried out only after:
 - other options have been exhausted and tenancy management remedies proved ineffective
 - that proper authorisation is obtained
 - that an up-to-date risk assessment is carried out prior to the eviction
 - that any eviction is carried out lawfully
- 2.2 The specific objectives of the Policy are:
 - a) to prevent homelessness occurring by exhausting all other tenancy management remedies, where appropriate;
 - b) to provide early intervention in an attempt to prevent eviction occurring;
 - c) to define the authorisation process for an eviction enforcement;
 - d) to deal with evictions in a consistent way;

- e) to protect the wellbeing and interests of occupiers and other residents in the community; and
- f) where necessary, to take appropriate action to protect the assets and income of the Council.

2.3 The principles underpinning the Policy are:

- a) the housing service and Income Recovery Team will clearly explain to tenants specific actions they must take to avoid legal action at each stage;
- b) the housing service and Income Recovery Team will actively promote joint working with other Council departments and external agencies;
- c) that procedures and agreed practices will be implemented consistently across the service;
- d) that training will be provided to ensure all staff are fully equipped to carry out the roles expected of them; and
- e) that all communication will be in plain language and will make clear who the appropriate officers are to provide advice and assistance.

3. Legal framework

- 3.1 The Council will ensure that the Policy meets all legislative, regulatory and good practice requirements and minimises evictions being carried out. This will include, but is not restricted to, the Housing Acts 1985 and 1996 (and subsequent legislation), the Localism Act 2011, the Pre Court Protocol, ASB Crime and Policing Act 2014, the requirements of the Regulator of Social Housing, and any Chartered Institute of Housing's good practice.
- 3.2 The Council will ensure that no tenant's human rights are breached by the implementation of this policy, in accordance with the Human Rights Act 1998. Consideration is also given to the responsibility of the Council in promoting and assisting in the building of sustainable and balanced communities.
- 3.3 In addition, the Council will ensure that no personal data relating to legal action is passed to a third party in breach of the Data Protection Act 2018 and General Data Protection Regulation 2018 without the explicit consent of the tenant(s) or in compliance with other legislation. This will include information given to other occupiers of the property and elected Members.
- 3.4 The decision to grant a possession order and then a warrant of execution (eviction) can only be made by the County Court, not the Council. The grounds for possession are contained within the relevant Housing Acts. For secure tenants, possession will only be granted when the court is satisfied that it is reasonable to do so and that the Council has adhered to the prescribed legal process. The Court will decide whether to grant a possession order in line with the relevant legislation for all other tenure.

4. Tenant's responsibilities

- 4.1 The term 'tenant' refers to sole and any joint tenants.
- 4.2 If two or more people have signed a tenancy agreement they are jointly and severally liable for ensuring that the tenancy conditions are adhered to. The conditions of a tenancy are set out in the Tenancy Agreement.
- 4.3 Tenants have an obligation under the terms and conditions of their tenancy agreement to ensure:
 - the actions of those living in, or visiting, their property is acceptable.
 - pay rent due every week on or before the first day of each rental period.
- 4.4 Tenants have a responsibility to ensure they actively manage their tenancy to prevent the need for possession proceedings being raised. Failure to do this may lead, after other tenancy management options have been exhausted, to possession action being taken by the Council.
- 4.5 Tenancy Support will be offered to help someone to meet their tenancy conditions. Please see section 6 on how the Tenancy Support service can help.

5. Council's responsibilities

- 5.1 At the start of a tenancy, the Council will make every effort to ensure that tenants understand and are fully informed of all the responsibilities and activities associated with maintaining a tenancy. Tenants will be encouraged to take appropriate action to prevent placing their tenancy at risk.
- 5.2 The Council has a duty to all its tenants and the wider community on its estates, to ensure they are able to live in an environment that is well maintained, safe and secure. This includes taking appropriate action against those living in, or visiting, Council tenancies when the behaviour of the person threatens to disrupt the community and put the safety and security of other tenants and residents at risk.
- 5.3 The Council has a duty to protect its housing stock and rental income. Enforcing the terms of the Tenancy Agreement assists with this.
- 5.4 Tenants will be advised of the consequences of failing to adhere to the Tenancy Agreement. This will include any action that may be taken by the Council to remedy a situation.
- 5.5 Where appropriate, tenants will be offered support and assistance to ensure their tenancy is maintained successfully. This will be via a Housing Officer and/or a Tenancy Support Officer, along with the Income Recovery Officer. They can advise

on action to take to comply with tenancy conditions. For example, supporting a tenant with their rent obligations and how to be a good neighbour.

6. Tenancy Support

6.1 How the Tenancy Support service can help. This will include (but not limited to):

- Help in maintaining tenancies
- Budgeting advice;
- Money maximisation (eg. making sure a tenant is receiving all welfare benefits and tax credits, where eligible);
- Help with putting a repayment plan into place for any rent arrears
- Developing tenants' domestic/ life skills and behaviour
- Accessing other local community organisations/ support
- Liaising with external agencies
- Support and advice

6.2 How the Income Recovery Team can help. This will include (but not limited to):

- Proactive engagement with tenants to offer early intervention and build a positive relationship;
- Developing tenants' awareness of their payment obligations to identify or remedy actual or potential breaches of tenancy due to non-payment; and
- Liaising with internal teams to ensure relevant support can be identified (eg Housing Benefit, Council Tax Support and Discretionary Housing Payments)

6.3 How the service works and how a tenant can access it

When a tenant needs support, we will, with permission:

- Complete an initial assessment form and establish the tenant's needs
- Contact the tenant with the outcome of the assessment, the name of their allocated support worker and offering a first appointment
- Be honest when we are unable to help or where a tenant's needs would be better met by an alternative agency and signpost or refer them on where needed.
- Gradually reduce support when a tenant's needs have been met as far as possible and be available after support ends to answer any questions, depending on the tenant's needs.

Requests for support can be made via a Council employee or an external support agency.

7. Repossession preventative action

- 7.1 The Council will ensure that all reasonable steps will be taken to remove the need for court action to enforce the terms of the tenancy. This will include early, regular and sustained intervention to avoid the escalation of a situation.
- 7.2 The Council will follow an escalation policy based on preventative measures that are proportionate to the level of the situation.
- 7.3 In all situations where the Council feels that it is reasonable to recover possession of a property, the Council will ensure that reasonable preventative measures have been taken to avoid eviction. This will include the use of voluntary and alternative processes. For example, referring to the Tenancy Support Team for tenancy support. The Council's Housing Options Service will be notified whenever a Notice is served.
- 7.4 Where there is a risk of abuse, violence and/or danger to neighbours, colleagues or the person who is being evicted, the Council will act quickly and appropriately to ensure the risk is minimised.

8. Assessment, Support and Liaison with other agencies

- 8.1 The Council will undertake a risk assessment for all tenants when it is identified that their tenancy is at risk.
- 8.2 During the assessment, the tenant's needs will be identified. Existing and future sources of support will also be identified. Tenants will be encouraged to obtain advice from a solicitor or housing advice centre.
- 8.3 Where an external agency or Council service is providing support, full co-operation will be given by Tenancy Services to try to resolve a situation without the need for legal action to recover possession of a property. However, the Tenancy Services team retains the right to proceed with possession action where there are overwhelming housing management issues e.g. chronic anti-social behaviour with a high likelihood of re-offending.
- 8.4 The Council's Housing Options Service will be formally notified of all eviction dates.
- 8.5 In all cases, where the tenant's household includes dependent children, the eviction will be notified to the Lincolnshire County Council's Children's Service.

9. Authorisation for possession action and subsequent eviction

- 9.1 Where enforcement action is taken, this will be proportionate to the breach of tenancy conditions. The Council will clearly state what action the tenant must take

to resolve the issue and use an escalation process to advance action where the issues continue.

- 9.2 It is impossible to consider all possible circumstances where legal action becomes appropriate. Equally, it is appropriate for there to be internal checks and balances on the Council resorting to legal action in respect of a tenancy. Accordingly, officers will use their judgement within a framework.
- 9.3 Generally, possession action will be considered in the following circumstances and where there is no alternative action:
- a) where there are excessive rent arrears and no effective agreement;
 - b) where there are rent arrears and a history of broken agreements to repay;
 - c) where there is a significant breach of tenancy and appropriate time and advice/support has been given for it to be rectified;
 - d) where there are a number of less significant breaches of tenancy and appropriate time and advice/support has been given for them to be rectified;
 - e) where there is evidence of significant neighbour nuisance and appropriate time and advice/support has been given for this to be rectified;
 - f) where there is a criminal conviction related to the use of the property (e.g. possession of illegal drugs found at the property) or in its locality; and
 - g) evidence of serious anti-social behaviour (ASB) in the locality of the property.
- 9.4 The Council will ensure it follows the correct legal procedure involved when taking possession action. This will include serving tenants and qualifying occupiers with a Notice of Possession Proceedings, Notice of Seeking Possession or a Notice To Quit. The Council will keep accurate file notes, which could be used as evidence in Court.
- 9.5 The Council will normally contact tenants prior to serving them with a Notice to advise them of the process involved and the legal requirement placed on the Council to serve the appropriate Notice. In exceptional circumstances, possession proceedings can begin immediately i.e. as soon as the Notice is served. This will be confirmed to the tenant, in writing, and the reason for the immediate possession action will also be notified.
- 9.6 The tenant's personal circumstances, including vulnerability and communication difficulties, will be considered in all cases. The Council considers the service of the Notice as an opportunity for the tenant to understand the consequences of continuing tenancy breaches, and a clear opportunity to rectify those breaches.
- 9.7 In deciding to make an application to Court, the following is considered in all cases:
- a) that all relevant regulatory guidance has been taken into account;
 - b) that South Kesteven District Council's own policies and procedures have been followed;
 - c) that the pre-action protocol for possession claims has been followed;
 - d) that alternative solutions and interventions have been considered and/or exhausted;

- e) that the Council has had due regard to the Equalities Act (2010)
 - f) that the requirements of the Disability Discrimination Act (1995) and the Equality Impact Assessment have been met; and
 - g) that adequate support has been provided for vulnerable tenants.
- 9.8 The Council will apply for a possession order having considered all facts of the case. In serious circumstances, the Council may seek outright possession from the outset. Outright possession will always be sought for Introductory and Non Secure tenants.
- 9.9 Where the Court has issued an outright possession order, a date will be specified for the tenancy to end. The Council has the right to recover the tenancy on or after the date specified on the order.
- 9.10 The Council will evict the tenant(s) as soon as possible after the date specified on an outright possession order. However, if an outright order is granted for rent arrears, and full payment of the rent arrears and Court costs is made prior to the eviction, the eviction may be withdrawn. This is at the discretion of the Head of Service (Revenues, Benefits, Customer and Community) and Deputy Chief Executive, , considering previous conduct, any vulnerability and any other relevant tenancy concerns. Tenants will be fully advised of this.
- 9.11 Breaches of a suspended order, or, where an outright order is obtained, where the tenant does not return the property to the Council, means a further application must be made to the Court, for a Warrant of Execution (eviction).
In deciding to apply for an eviction, the following is taken into account:
- a) where an outright order has been obtained;
 - b) where there is clear evidence of continued tenancy breaches, significant either in frequency or impact;
 - c) where opportunity has been given to remedy the breach(es), but they have not been resolved;
 - d) where the tenant is in significant rent arrears (as assessed by the Council) since the Court order was issued and has been given opportunity to catch up, or where the tenant is repeatedly failing to make payments as ordered by the Court;
 - e) where there is clear evidence of risk to the community, or to Council Officers or contractors.
- 9.12 Where there is clear evidence that the tenant has abandoned the property, the Council can consider taking possession of the property. For example, the property may have been abandoned, left unsecured, and at risk of vandalism.
- 9.13 Tenants and any occupiers who are due to be evicted will be fully advised of any homelessness responsibilities the Council has towards them. This will be provided by the Council's Housing Options section and will include advice and assistance on temporary accommodation, if the tenant is eligible for this.

9.14 **Possession action will only be used as a last resort and only after all other tenancy management remedies prove ineffective.**

10. Carrying out an eviction

10.1 An eviction cannot be carried out unless the County Court has granted an order for possession and a Warrant of Execution has been granted.

10.2 The County Court will advise tenants of their date of eviction. A home visit or office interview will be undertaken to give advice, including the role of the Court and how to make an application to suspend a Warrant. Where there are other occupiers of the property (e.g. a lodger), officers will be careful not to breach Data Protection requirements. However, general advice will be given, including the option of an interview with the Council's Housing Options team.

10.3 The County Court Bailiff carries out the eviction, not Council employees. However, the Housing Officer will be present, together with the Council's Income Recovery Officer and the Council's Contractor (to obtain access). All evictions will require a specific risk assessment; if necessary, and on a risk management basis, other staff and/or partner agencies will attend.

10.4 Evictions will be carried out following legal guidelines and in accordance with good practice.

10.5 Locks will be changed after each eviction and a detailed void inspection of the property, garden and any outbuildings made. This will be in accordance with the Council's Voids Policy.

10.6 All tenants evicted will be recharged for the expenses incurred by the Council during and after the eviction. This will include legal expenses and the cost of any rechargeable repairs. A robust, risk-based approach will be taken where belongings are left behind by the tenant. This may involve storage of items of value for a reasonable period before disposal.

10.7 Tenants who have been evicted will be liable for all debts they have with the Council after their eviction takes place.

11. Related Policies, Procedures and Guidelines

11.1 This policy should be read in conjunction with the:

- Tenancy Agreement
- Tenants Handbook

- Tenant Involvement Strategy
- Estate Management Policy
- Domestic Abuse Policy
- Repairs Policy
- Recharge Policy

12. Equality and Diversity

12.1 South Kesteven District Council is committed to delivering quality services to all, responding positively to the needs and expectations of all users to the service. We are dedicated to providing an accessible service for all applicants regardless of factors such as:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexuality

12.2 Equal Opportunities information will be requested from all applicants. This information will be monitored to ensure assignments are accessible to all client groups, that we promote equal opportunities, value diversity and tackle social exclusion.

13. Review and Complaints Process

13.1 A review process exists for tenants who are not satisfied with the way the Council has dealt with their tenancy. They should, in the first instance, ask for an explanation from the Housing Officer. If the tenant is not satisfied, he/she can contact the Tenancy Services Manager, who will review the case.

13.2 If the tenant remains dissatisfied, the tenant will be advised of the Council's Complaints procedures.

13.3 The Council operates a Housing Customer Feedback Policy. This can be obtained via the Council's website at: www.southkesteven.gov.uk

Requested by letter addressed to:

13. Performance Monitoring

14.1 The Council will monitor performance on evictions using the following performance indicators:

- the total number of notices served for introductory and secure tenancies; and
- the number of evictions.

14.2 The above performance indicators will be reported to tenant representatives and Elected Members as required.

14.3 The Council will review this Policy two years after adoption unless legislative or regulatory changes mean an earlier review is necessary.

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Appendix 1 – ASSIGNMENTS

1. INTRODUCTION

- 1.1 An assignment is where a tenancy is legally transferred to another person during his/her lifetime. The incoming tenant (the 'assignee') occupies the property under the same terms as the previous tenant (the 'assignor') and becomes the tenant, with the same rights and responsibilities of the assignor. It can transfer from an existing Council tenant to a new tenant or between existing Council tenants.

2. FORMS OF ASSIGNMENT

- 2.1 The following types of assignment will be considered:

- General Assignment, which is usually assignment to a potential successor (further details in the Succession Policy).
- An assignment by way of a mutual exchange with another South Kesteven District Council tenant or another Local Authority tenant or other Registered Provider tenant (further details in the Mutual Exchange Policy).
- By a court order following a relationship or matrimonial breakdown or orders relating to children. For example, a County Court Property Adjustment Order where an instruction is given by the courts to assign the tenancy from one parent to the other.

- 2.2 South Kesteven District Council may not consent to the assignment of a secure tenancy in the following circumstances:

- Where an introductory tenancy is in place;
- The assignor is not intending to live in the property permanently or as his/her main principal home;
- There are arrears of rent of at least 8 weeks or other breaches of tenancy and legal action has been taken to avoid the breach continuing, this can include

letters before Court action;

- The assignee has former tenancy arrears;
- The tenancy is subject to Court action being taken by South Kesteven District Council and/or there is an Injunction Order or Possession Order in force.
- If the property is not suitable for the needs of the assignor (including, but not limited to, the size of the property if it caused overcrowding or under-occupation, or their disability needs, as recommended by an Occupational Therapist) ; or
- The property is specially adapted and the adaptations are not required by the proposed new tenant or a member of their household.

2.3 Reference will be made to the tenancy agreement in all cases where a request for an assignment is received. Different agreements give tenants different rights with regard to assignments.

2.4 The Tenancy Services Manager will consider any discretionary succession cases for determination.

4 MARRIAGE AND CIVIL PARTNERSHIPS

4.1 If a tenant changes his or her name, there is no assignment. The tenant will simply be required to provide evidence of this name change with the original marriage/civil partnership certificate or a certified copy of such. The tenant's name will be changed on the rent account and a note will be made and attached to the tenancy agreement of the change of name and the date on which it came into effect.

4.2 There is no statutory provision for the assignment of a sole to joint-tenancy assignment. However, South Kesteven District Council will recognise the desire of an existing tenant to make such a request and will not reasonably refuse it, if we are satisfied that:

- The existing tenant, free from coercion or duress, agrees to the request, and
- The existing tenant and his/her spouse or civil partner have lived together at the property for not less than 12 consecutive months prior to the date

of the request, and the existing tenancy is not subject to an order for possession of the property, or no other steps have been taken against the existing tenant with regard to an alleged breach of tenancy and

- The potential assignee can fully satisfy the requirements under Part VI of the Housing Act 1996.

5 RELATIONSHIP BREAKDOWN

5.1 South Kesteven District Council acknowledges there will be times when relationships breakdown and we will offer appropriate housing advice to tenants and/or spouse/partners. This policy applies equally to circumstances with married and cohabiting couples; households with and without children; and all joint tenancies with varying circumstances such as family relationships.

5.2 In any joint tenancy, if an agreement is reached over housing arrangements following a relationship breakdown, the tenancy may be transferred to a sole tenancy but this can only happen following a South Kesteven District Council management decision given in writing (see 6.1 of this policy).

5.3 If the property is suitable for the needs of the family household, South Kesteven District Council will always aim to ensure the tenancy is assigned to the sole tenancy of the parent / guardian who will have main care and responsibility of any children, or other dependents or where the Court directs by way of a Court Order. Under these circumstances, South Kesteven District Council will provide suitable advice to the departing tenant.

5.4 In the event of a relationship breakdown and the tenancy is in a sole name, South Kesteven District Council recognises the right of the named tenant to remain at the property. Advice will be given to the departing person to find alternative accommodation.

6 PROPERTY ADJUSTMENT ORDERS (COURT ORDERED ASSIGNMENT)

6.1 The Matrimonial and Family Proceedings Act 1984 (as amended); and the Matrimonial Causes Act 1973 (as amended) both state that a Property Adjustment Order can be made when the Court:

- Makes a decree nullifying a marriage
- Makes a decree of judicial separation

- Makes a decree of divorce
- 6.2 The Courts can also make Orders for cohabiting couples and civil partners.
- 6.3 The Courts can order an actual transfer of the property under the Family Law Act 1996 (as amended) / Childrens and Families Act 2014, which can also allow for the transfer of any liabilities such as rent arrears, etc. In addition, under the Children Act 1989, the Court can make Orders in favour of children under 18, and allows a property to be assigned from one parent to another.
- 6.4 In a joint tenancy, South Kesteven District Council is not able to arbitrate between two partners who are unable to reach an agreement in a relationship breakdown. In these circumstances, both partners will be informed to seek separate independent legal advice from a family and/or housing solicitor or specialist advisor with a view to seeking to make such an Order. South Kesteven District Council will abide by any Property Adjustment Order made by the Court.

7 CHANGING A JOINT TENANCY TO A SOLE TENANCY

- 7.1 As assignment from a joint tenancy to a sole tenancy cannot be made in law. Instead, South Kesteven District Council can make a discretionary decision for a transfer to take place from one type of tenancy to the other. This decision would be made by the Tenancy Services Manager. These management decisions are usually made where, for example, relationships have broken down or a joint tenant has left the remaining joint tenant in the property. South Kesteven District Council will consider written requests.
- 7.2 If a tenant is in breach of the secure tenancy, South Kesteven District Council may reasonably refuse or withhold its permission to the request until the breach is resolved. In some circumstances, South Kesteven District Council may allow the transfer of tenancy under the following circumstances:
- The tenancy is not subject to a possession / money judgment/debt relief order, and/or;
- 7.3 South Kesteven District Council will not transfer any outstanding arrears or debt to the tenant remaining in the tenancy. Any agreement reached between the joint tenants to address the breach/arrears is an informal agreement between themselves, which is not recognised by South Kesteven

District Council, for the purposes of reaching a decision on the request to transfer the tenancy. Any outstanding rent will remain the liability of the joint tenants.

7.4 The only exception to this is if it is evident that the breach is deemed to be the sole responsibility of one party and it would not be reasonable to penalise the other party for the breach.

7.5 If this breach includes a possession order and/or a money adjustment order, it will remain the responsibility of both joint tenants to satisfactorily resolve this matter by addressing the breach and seeking to have any Orders discharged in the County Court.

8 CHANGING A SOLE TENANCY TO A JOINT TENANCY

8.1 South Kesteven District Council will consider an application requesting a change of tenancy from a sole tenancy to a joint tenancy for tenants and their spouse/civil partner. A decision will be made by a manager and the tenant will be notified formally in writing.

8.2 South Kesteven District Council will use discretion on deciding if consent will be given to a generational or intergenerational assignment of sole to joint tenancy.

- Generational (assignment between tenant & brother; sister; cousin or non- relation).
- Intergenerational (assignment between tenant with daughter; son; niece; nephew or grandchildren)

9 ASSIGNING A SOLE TENANCY TO A SOLE TENANCY

9.1 South Kesteven District Council will consider a request for assignment from one sole tenancy to another sole tenancy for tenants and their spouse/civil partner.

9.2 South Kesteven District Council will use our discretion on deciding if consent

will be given to a generational or intergenerational assignment of sole to sole tenancy.

- Generational (assignment between tenant & brother; sister; cousin or non- relation).
- Intergenerational (assignment between tenant with daughter; son; niece; nephew or grandchildren)

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Appendix 2 – MUTUAL EXCHANGES

1. PURPOSE

- 1.1 South Kesteven District Council recognises that because our customers' needs change throughout their lives and tenancies, this may result in a need to move homes. Exchanging homes is often the easiest and quickest way to move.
- 1.2 This policy sets out the approach to be taken by South Kesteven District Council in enabling tenants to exchange their tenancy with another tenant. This could be with either: another South Kesteven District Council tenant, another Local Authority tenant or a tenant of another registered provider.

2. POLICY STATEMENT

- 2.1 South Kesteven District Council will maximise the opportunities for mutual exchange. We will meet our obligations under legislation and those set out in tenancy agreements on mutual exchange.
- 2.2 We will participate in national and local mobility/exchange schemes (details are on our website). We will provide tenants with access to these mobility/exchange schemes, where there is value for money for tenants and South Kesteven District Council, to do so.
- 2.3 Tenants can mutually exchange to any part of the UK. However, tenants may be restricted from moving to a property or overcrowding may be withheld.
- 2.4 We will carry out an electric and gas safety check on all our properties. The electric check will take place prior to a move and we will carry out the gas safety check within 24 hours post the mutual exchange taking place.

3. CONTEXT

- 3.1 South Kesteven District Council's tenants on secure and fixed term tenancies have a legal right to exchange their home (statutorily and through rights given in the tenancy agreement). Introductory tenants have no right in law to mutual exchange.
- 3.2 Tenants are not being offered a new tenancy but 'swapping' (assigning by way of exchange) an existing tenancy, regardless of whether it is a secure, assured or fixed term tenancy, except where s.158 of the Localism Act, 2011 applies. Tenants take over the terms and conditions of each other's tenancy and could, for example, be swapping a secure tenancy for a fixed term tenancy.

4. POLICY OUTLINE

4.1 Landlord's Consent

- 4.1.1 South Kesteven District Council will require you and your exchange partner(s) to complete a mutual exchange application form. We have 42 days (6 weeks) to provisionally approve or reject an application from the date of when we have received application forms from all parties involved.
- 4.1.2 If consent is to be withheld, a notice must be served within 42 days of the tenant's application to exchange. The notice must specify the ground for withholding consent and give reasons for it.
- 4.1.3 If the other landlord of a mutual exchange refuses consent and there is reason to believe that the refusal was not reasonable, it is the responsibility of the other tenant, and not South Kesteven District Council or South Kesteven District Council's tenant, to pursue this. This right can be legally enforced only by the tenant against the landlord.

4.2 Tenant's Responsibilities

- 4.2.1 It is the tenant's responsibility to pursue potential exchanges.

4.2.2 A tenant needs to discuss the condition they are willing to accept the property in, with the person they are exchanging with, before a move takes place. If tenants are not happy to accept the property in the condition it is in, then the tenants should not agree to move.

4.2.3 South Kesteven District Council may potentially refuse to rectify repair works which are accepted by the incoming tenant.

4.3 Implications of assignments of Mutual Exchange

4.3.1 Each tenant takes on the terms and conditions of the other party's tenancy.

4.3.2 The exchange may result in a change of tenancy type eg. from secure to assured. Consequently tenancy rights will alter, e.g. loss of Right to Buy and a fair rent. We will fully explain the implications prior to any exchange.

4.3.3 The incoming tenant cannot be held responsible for liabilities under the tenancy prior to the date of exchange, e.g. rent arrears.

4.3.4 The incoming tenant accepts the property in the condition, as per the signed disclaimer.

4.3.5 Other than repairs which South Kesteven District Council will carry out (and recharge the outgoing tenant), South Kesteven District Council will not undertake any other work to the property including internal redecoration or cleaning.

4.3.6 Tenants moving by mutual exchange will not qualify to receive decoration vouchers offered by South Kesteven District Council and will be expected to cover their own removal costs.

4.4 Handling Mutual Exchange Applications

4.4.1 We will determine an application to exchange within 42 days (6

weeks) of receipt of the fully completed original application.

4.4.2 Written permission must be obtained from all landlords involved in the mutual exchange before any exchange takes place.

4.4.3 We will not unreasonably refuse consent. Grounds by which a request to exchange is refused or granted conditional consent, are detailed in Appendix 2 and 3. Applicants need to be eligible to go on our housing register.

4.4.4 If South Kesteven District Council tenants are not happy with the way in which their mutual exchange application has been dealt with (rather than the decision, as this is made in accordance with Complaints@southkesteven.gov.uk or feedback@southkesteven.gov.uk) they have the right to make a complaint. Any feedback can be addressed to:

4.5 Mutual Exchanges without permission

4.5.1 If tenants exchange without permission from all landlords concerned, the exchange is not legal. The options available to the landlords involved are:

- to confirm the exchange and ask the tenants to complete the paperwork (this option will only be in exceptional circumstances);
- to take action and the tenants return to their original property (if the original property is still available)

4.5.2 Failure to ask for permission to exchange can result in legal action and charges incurred.

4.6 Conditional Consent

4.6.1 Providing the tenant is notified within the statutory 42 days, South Kesteven District Council can attach a condition to any consent. We will notify the tenant of the condition in writing and the timescales for completion.

4.7 Mutual Exchange Withheld

4.7.1 The grounds by which a request to exchange is withheld are detailed in Appendix 2 and 3.

4.8 Waive the right to refuse a Mutual Exchange

4.8.1 South Kesteven District Council will endeavour to work with tenants affected by any extenuating circumstances (considered on a case by case basis) including, but not limited to, welfare reform, including applicants who are under-occupying.

4.8.2 This means that South Kesteven District Council may choose to approve an exchange, even if they have grounds by which they could refuse it, if the exchange is into a South Kesteven District Council property and would:

- improve the tenant's financial situation
- resolve under-occupation
- result in a repayment of arrears outstanding to South Kesteven District Council

4.8.3 If South Kesteven District Council exercises a waiver, this would happen prior to completion of the mutual exchange with approval from the Tenancy Services Manager. If there are rent arrears, there will also be a requirement to repay these through a repayment plan.

4.8.4 Prior to any mutual exchange being finalised, the tenant will need to sign a declaration to demonstrate to South Kesteven District Council that s/he has been formally informed and they understand the requirement to pay the debt. Also, the tenant has been notified that failure to adhere to the terms of repayment of this debt may result in further actions being taken against them.

4.9 Safeguarding

4.9.1 Where an exchange involves a tenant who is considered to be vulnerable, particular care and consideration will be given to ensure there is no coercion, exploitation or safeguarding concerns.

5. ELIGIBILITY

5.1 Secure Tenancies

5.1.1 The Housing Act 1985, s.92 (as amended by the Local Government and Housing Act 1989, s.163) states that every secure tenant may, with the consent of their landlord, assign their tenancy to another secure or assured tenant, who also has the written consent of their landlord and satisfies the conditions under the aforementioned legislation.

5.2 Assured Tenancies

5.2.1 The Local Government and Housing Act 1989, s.163 allowed assured tenants to exchange with secure tenants.

5.2.2 Schedule 3 of the Housing Act, 1985 (refer to Appendix 2) lists the grounds by which a mutual exchange request can be refused in cases where one tenant is a secure or assured tenant.

5.3 Fixed Term Tenancies of 2+ years

5.3.1 The Localism Act 2011 allowed social landlords to grant tenancies for a fixed length of time. Section 158 and section 159 of the Act relate to the transfer of tenancies.

5.3.2 Section 158 of the 2011 Act does not apply in relation to—

- (a) an assured shorthold tenancy for a fixed term of less than two years,
- (b) a periodic assured shorthold tenancy,

- (c) an assured shorthold tenancy where the rent payable under the tenancy is—
 - (i) Affordable Rent;
 - (ii) Intermediate Rent;
 - (iii) Mortgage Rescue rent; or
 - (iv) Shared ownership rent

(and accordingly, the transfer of tenancy provisions in that section do not apply in relation to assured shorthold tenancies of those kinds).

5.3.3 Example of exchange with fixed term tenant: if Tenant A (a secure or assured lifetime tenant, whose tenancy was granted prior to 1 April 2012) and Tenant B (a fixed term tenant) wish to exchange, and consent is given, then Tenant A must be granted another tenancy, which is the same as their original tenancy (secure or assured). This only works once and so will not be possible on subsequent mutual exchanges.

5.3.4 Tenant B is not protected; it is up to the landlord to decide what type of tenancy to offer Tenant B. South Kesteven District Council's position is set out in the Tenancy Policy.

5.3.5 Schedule 14 of the Localism Act 2011 (refer to Appendix 3) lists the grounds by which a mutual exchange request can be refused in cases where one tenant is a fixed term tenant.

5.4 Introductory tenancies

5.4.1 South Kesteven District Council introductory tenants can only exchange in exceptional circumstances. Each tenant's circumstances will be considered on their own merit. The Tenancy Services Manager will determine cases that are considered exceptional. In order to enable a mutual exchange to take place, both tenants must gain landlord's consent to formally exchange.

5.5 Exchanging with tenants of different tenure

5.5.1 The Localism Act 2011, s.158 introduced a protection for secure and assured lifetime tenants, who were granted their tenancy prior to 1 April 2012. This means that if they exchange with another tenant, they keep the same tenure, regardless of the tenure of the other tenant they are exchanging with.

5.5.2 Mutual exchanges will take effect by either an assignment of tenancies or by surrender and re-grant of each tenancy, in accordance with the relevant legal and regulatory provision. The appropriate mechanism of exchange is based on tenure types. This is explained in a table (Appendix 4).

6. IMPLEMENTATION OF THE POLICY

6.1 The effective implementation of this policy and the procedures includes responsibility for ensuring all requests are regularly maintained; relevant aspects of the Council's website in relation to mutual exchange are kept up to date; and all options for a customer to consider are made available to them.

6.2 Once a mutual exchange application is made, we will keep in regular contact with applicants and adhere to the customer service standards in the handling of the mutual exchange within the legal timescales (42 days).

6.3 We will monitor the effectiveness of the Mutual Exchange Policy and Procedures through annual review.

Appendix 3 – SUCCESSIONS

1 INTRODUCTION

- 1.1 When a Council tenant dies it may be possible for a joint tenant, husband/wife/civil partner, or other family member to take over the tenancy. This is known as a succession. The rights of tenants to succeed to a secure tenancy are laid down in section 87 of the Housing Act 1985.
- 1.2 The Localism Act 2011 (s.160) limits who can succeed to a tenancy unless a landlord specifically permits succession to others as part of its tenancy agreement. The changes made by the Localism Act are not retrospective and can only take effect for new tenancies created after April 1st 2012.

2 THE RIGHT TO SUCCEED – ALL SECURE TENANCIES

- 2.1 There can only be one succession to a secure tenancy, so if the deceased tenant was a successor to the tenancy, there are no further succession rights in law. However, the Council does have discretion on this, as set out in the 'Discretionary Successions' section below (section 4).
- 2.2 Certain conditions must be met to allow a succession to take place. These are: the deceased tenant must have been using the property as their main and principle home before their death. The person wishing to succeed to the tenancy must be a spouse/civil partner or a member of the family.
- 2.3 A successor fulfilling the requirements set out in Section 160 of the Localism Act 2011 to succeed automatically becomes the tenant and therefore succeeds to all the responsibilities, liabilities and duties of the tenancy including the obligation to pay the ongoing rent and the service charges.
- 2.4 Where more than one family member has succession rights, it is expected that the family will decide who should succeed to the tenancy. Where they are unable to agree, the Council will make the decision based on the criteria in section 4 of this document.
- 2.5 The successor succeeds to the tenancy, not the property. A successor

who is the joint tenant, spouse or civil partner of the deceased may be requested to move to a different property if it is more suitable. Full reasons will be given in these circumstances. A suitable property will be offered instead.

- 2.6 Deciding whether a successor should be asked to move will be made by the Council on a case by case basis. A decision to ask a successor to move will usually (but is not restricted to) be because:
- a property will be under occupied by the successor by more than one bedroom;
 - the property is designated for older people;
 - the property is adapted for a person with a disability.
- 2.7 The following factors will also be considered in making the decision:
- whether a suitable alternative property is available;
 - whether the successor meets the requirement for an older persons or adapted property;
 - whether the successor has a health or disability concern which would make a move to an alternative property undesirable and have an adverse impact on their health.
- 2.8 Where a succession is granted, but the successor is required to move to more suitable accommodation, the successor will be given additional priority on the Council's housing register to assist them to move quickly. Two suitable offers will be made, which if refused and it is considered to be an unreasonable refusal, this will result in a notice to commence eviction proceedings if the tenant will not move.
- 2.9 The target for a decision to be made on an application is 6 weeks from the date of the request.

3 THE RIGHT TO SUCCEED – WHO QUALIFIES

- 3.1 Tenancies signed up on or before 31st March 2012:
- 3.1.1 These rights apply to people who were signed up for an introductory tenancy, or whose introductory tenancy was converted to a secure tenancy before 31st March 2012.
- 3.1.2 Where a tenant dies the legal title to the tenancy can pass to a successor

in the following order of priority:

1. A joint tenant (Survivorship);
 2. The tenants spouse or civil partner, if they were living in the property at the time of the tenant's death;
 3. The tenants common law partner, parent, child, grandparent, grandchild, brother, sister, aunt, uncle, nephew or niece, including step, adoptive or half- blood relations who are 18 years of age or over (or 16 and 17 year olds to be considered on a case by case basis) and have resided at the property for at least 12 months prior to the date of death and remains there at the time of death.
- 3.1.3 A tenant whose tenancy agreement began before 31st March 2012, who later transfers to another property owned by South Kesteven District Council under a secure tenancy, will keep their original succession rights as set out above.
- 3.1.4 Mutual exchange tenants will not keep succession rights to the original tenancy.
- 3.2 Tenancies signed up on or after 1st April 2012:
- 3.2.1 Where a tenant dies the legal title to the tenancy passes to a successor in the following order of priority:
1. A joint tenant (Survivorship);
 2. The tenant's spouse or civil partner. In this case a cohabitee is considered to have the same status as a spouse or civil partner.

4 DISCRETIONARY SUCCESSIONS

- 4.1 For tenancies which started on or after the 1st April 2012, the Council may, at its own discretion, consider a request to grant a discretionary succession to a tenancy. Discretionary succession may apply to a person who has resided at the property for at least 12 months prior to the date of death and remains there at the time of death.
- 4.2 The Tenancy Services Manager will consider any discretionary succession cases for determination. This discretionary decision would formally be made in writing by the Council.

- 4.3 The Council will consider each case on its own merit, but key factors in deciding whether to grant a discretionary succession may include, but will not be limited to, the following:
- The length of time the applicant has shared the former tenant's home.
 - The vulnerability and needs of the applicant.
 - The housing needs and housing rights to any other accommodation of the applicant and any relevant child.
 - The financial resources of the applicant.
 - The likely effect of any decision by the Council not to exercise its powers on the health, safety, or well-being of the parties and of any relevant child.
 - The nature of the applicant's relationship to the deceased.
 - The suitability of the applicants as tenants.
 - The demand for housing in the area the property is in.
 - Whether granting of a discretionary tenancy would be the best use of the Council's stock.

5 WHERE NO SUCCESSION IS PERMITTED

- 5.1 Where a tenant has died, and there are other people still resident in the property who are not entitled to succeed to the tenancy, the Council will:
- Investigate whether the occupant is eligible under homelessness legislation to be re-housed. If this is the case, the Council will allow a reasonable amount of time for an offer of a suitable property to be made.
 - If the offer of a suitable property is unreasonably refused, the Council may serve notice to commence eviction proceedings.
 - Give appropriate advice and assistance to the occupant to find suitable alternative accommodation. This will include, but is not restricted to, liaison with private landlords. After 28 days, the Council will serve notice to commence eviction proceedings in order that the property can return into the Council's housing stock. If there are personal representatives of the deceased tenant, a copy of the notice to quit will also be served upon the Public Trustee and/or the personal representatives.

- 5.2 Whilst a succession application is being considered and the occupant is still resident in the property, the occupant is liable for 'use and occupation' charges.

6 IMPLEMENTATION OF THE POLICY

- 6.1 We will ensure the implementation of this policy and the procedure is effective. We will do this by ensuring that once a succession application is made, we keep in regular contact with applicants and adhere to the customer service standards in the handling of the application.
- 6.2 We will also monitor the effectiveness of the Successions Policy and Procedures through regular review and updating of caseload activity.

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South Kesteven District Council
Estate Management Policy
2023

DRAFT

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1. Policy Statement

The Council is committed to delivering clean, green and safe estates. The way we manage our estates directly affects the quality of life and environment enjoyed by our residents. The purpose of this policy is to set out our approach to the delivery and management of estate services to internal and external communal areas. Where we refer to an estate within the service this can refer to a block of flats or a collection of bungalows/houses with shared internal and/or external areas.

The standards and policy principles outlined refer to where the Council is the freeholder or service provider for that estate. Where this is the case, the Council commits to working with the relevant parties to agree a set standard of delivery; which will be published to residents, where appropriate.

We are committed to ensuring the estates meet Council's standards, alongside being mindful of the management services required and focusing on keeping service charge costs reasonable and in line with our Rent Setting and Service Charge Policy. Estate management is the responsibility of tenants and the Council. There are several teams within the Council and external companies who are responsible for this and support a common understanding and consistent delivery. There is an agreed Council estate management standard that details specifications of the standards that will be delivered.

We take environmental crime (which is the misuse of communal areas, for example, fly tipping) seriously and will work with relevant agencies in ensuring these are dealt with quickly. Our intention is to minimise negative impact on the environment in delivering our estate management service and this forms a key part of our procurement policy and process. All estate service contracts will be procured in accordance with our procurement policy and in line with the relevant section 20 consultation requirements. We will focus on value for money and be mindful of keeping service charge costs reasonable for our residents.

2. Legal and Regulatory Framework

2.1 Legal requirements are detailed in:

Landlord and Tenant Act 1985

Common and Leasehold Reform Act 2002

Housing Act 1996

Housing and Regeneration Act 2008

2.2 Regulatory Framework:

The Regulator of Social Housing sets out Regulatory Standards (last updated April 2020), which comprise of economic and consumer standards. The regulatory standard applicable to this policy is the 'Neighbourhood and Community Standard'.

Required Outcomes

1. Neighbourhood management

Registered providers shall keep the neighbourhood and communal areas associated with the homes that they own clean and safe. They shall work in partnership with their tenants and other providers and public bodies where it is effective to do so.

2. Local area co-operation

Registered providers shall co-operate with relevant partners to help promote social, environmental and economic wellbeing in the areas where they own properties.

3. Anti-social behaviour

Registered providers shall work in partnership with other agencies to prevent and tackle anti-social behaviour in the neighbourhoods where they own homes.

Specific expectations

1. Neighbourhood Management

Registered providers shall consult with tenants in developing a published policy for maintaining and improving the neighbourhoods associated with their homes. This applies where the registered provider has a responsibility (either exclusively or in part) for the condition of that neighbourhood. The policy shall include any communal areas associated with the registered provider's homes.

2. Local area co-operation

Registered providers, having taken account of their presence and impact within the areas where they own properties, shall:

- a) identify and publish the roles they are able to play within the areas where they have properties.
- b) co-operate with local partnership arrangements and strategic housing functions of local authorities where they are able to assist them in achieving their objectives.

3. Anti-social behaviour

Registered providers shall publish a policy on how they work with relevant partners to prevent and tackle anti-social behaviour (ASB) in areas where they own properties.

In their work to prevent and address ASB, registered providers shall demonstrate:

- (a) that tenants are made aware of their responsibilities and rights in relation to ASB

(b) strong leadership, commitment and accountability on preventing and tackling ASB that reflects a shared understanding of responsibilities with other local agencies

(c) a strong focus exists on preventative measures tailored towards the needs of tenants and their families

(d) prompt, appropriate and decisive action is taken to deal with ASB before it escalates, which focuses on resolving the problem having regard to the full range of tools and legal powers available

(e) all tenants and residents can easily report ASB, are kept informed about the status of their case where responsibility rests with the organisation and are appropriately signposted where it does not

(f) provision of support to victims and witnesses

3. Service Objectives

To maintain a high standard that delivers value for money in the upkeep of clean, green and safe estates

- To have estates that the Council and our residents are proud of
- To ensure we have clear standards, that residents know what to expect from the estate management service, including obligations for both the Council and residents
- To ensure our services deliver value for money and we are clear on what we are charging for
- To maintain a regular, visible presence on estates
- To ensure we comply with all Health & Safety requirements
- To encourage residents to take responsibility for their environment/estate

4. Estate Management

Estate management reflects the wider role that the Council has in areas where there are clusters of Council owned properties. In these areas, the Council is more than just a landlord but is also responsible for neighbourhood sustainability and some aspects of the environmental quality in the local area. Estate walkabouts will be undertaken to ensure that issues on the estates are highlighted. Other teams, local stakeholders and key partners may be invited to attend.

5. Communal areas

The Council owns and manages approximately 6000 properties across the district, including sheltered housing schemes. Some of these types of accommodation have communal areas which are maintained by the Council, which includes;

- specific areas linked with blocks of flats or grouped dwellings, both internally and externally
- open space owned by the Council
- internal areas like the communal lounge/ activity space, guest room facility, communal entrance doors, stairs, corridors, lifts, sheds, laundry/drying areas and facilities for refuse disposal
- external areas like bin areas, sheds, drying areas, communal gardens, the footways owned by the Council, grassed or landscaped areas, garage sites and forecourts,
- parking areas, fencing and walls
- lifts

Access to the internal communal areas is usually through a secure door entry system. Visitor access to each flat is via a key or fob. Tenants and leaseholders should not allow access to any visitors for another property or a visitor who cannot provide official identification. Regular occurrence of this may be deemed a breach of tenancy. Maintenance of the communal areas is the responsibility of the Council. The Council is committed to keeping communal areas free from fire and other health and safety hazards.

The Council will ensure they are kept clear of items that can increase the intensity of a fire, increase the risk of a fire starting by the introduction of an ignition source or giving off toxic smoke. It is essential therefore that all tenants and leaseholders make sure that communal areas are kept free from personal effects, plants and tables. Items such as mobility scooters, bikes and pushchairs left in communal areas can cause trip hazards and obstruction to occupants escaping the fire and the Fire Service entering the building to rescue occupants or tackle the fire. No items should be stored in communal areas. Storage cupboards, for example where communal cleaning materials might be stored, will always be kept locked. It is a requirement of the Lincolnshire Fire and Rescue Service to ensure that fire safety regulations are met and fire escape routes are clear. This is essential in maintaining the safety of all other tenants and leaseholders, staff and fire officers. Tenants and leaseholders will be requested to remove any other items in communal areas and in the case of repeated breaches, items may be removed and disposed of.

6. Living in Flats

Tenants and leaseholders in flats will, in many instances, have neighbours to the side, above and below their property, as well as shared access through communal areas. As such, further consideration is required by tenants and leaseholders to reduce nuisance to neighbours. The

majority of apartment blocks are fitted with security doors. Tenants and leaseholders should not prop open security or fire doors, or allow access through them to anyone they do not know or who cannot provide official identification. Tenants and leaseholders are also responsible for the behaviour of their visitors and should ensure appropriate access. Tenants and leaseholders who allow visitors to repeatedly cause nuisance to neighbours by pressing the entry system will be considered to be in breach of their tenancy. Furthermore, tenants and leaseholders are responsible for the behaviour of visitors in the communal areas and in their flats and should ensure that visitors do not use abusive or offensive language, do not litter or graffiti communal areas, do not cause obstruction and keep noise to a minimum. This behaviour will be in breach of the Tenancy Agreement and action may be taken against the tenant(s).

7. Living in Sheltered Housing

Sheltered housing is primarily for older people and offers a shared and secure environment in which to live. Sheltered housing refers to groups of bungalows or flats, with their own kitchen, bathroom and front door with some support by a Sheltered Housing Officer provided on site once a week or as needed. The facilities and the level of support will vary between schemes. Some properties have emergency alarms and pull cord systems. All sheltered blocks have communal areas which may include lounges, guest rooms, communal bathing facilities and gardens. Tenants and leaseholders within sheltered housing will be expected to maintain the comfort and safety of other residents and visitors through appropriate use of communal areas, including:

- Acting in a considerate manner and not using abusive or offensive language.
- Not removing official documentation or information from notice board areas.
- Avoiding putting potentially offensive material within communal areas.
- Not removing items from communal areas without permission from the Council.
- Treating all fixtures and fitting, including communal furniture, with care and respect.
- Ensuring that all visitors behave in an appropriate and considerate manner.
- Ensuring that all events taking place in communal areas are agreed beforehand with the Scheme Co-ordinator and all residents are invited to attend.
- Adhering to the tenancy agreement within the shared communal areas around respect, inclusion, equality and tolerance.
- The considerate and fair use of parking bays.

8. Fire Management

Fire safety equipment includes:

- Emergency lighting
- Fire alarms
- Smoke alarms
- Smoke detectors
- Smoke vents
- Door magnets
- Door closures
- Fire exits

We will manage this equipment through:

- Weekly tests at the sheltered housing schemes
- Monthly tests at blocks of flats (fire safety equipment where appropriate and Health & safety hazards)
- Quarterly more detailed fire safety equipment testing
- Fire risk assessments are conducted for every block every two years by an approved, qualified Fire Risk Assessor

We have a fire action plan in each block of flats and sheltered housing scheme.

It is the responsibility of each tenant and leaseholder to report any fire risks to the Council.

9. CCTV and Security Lighting

The Council may choose to make use of Closed Circuit TV (CCTV) technology to help improve the management and security of tenants, leaseholders and visitors. Use of CCTV will be advertised in all areas where it is in use. Footage from CCTV may be used as evidence in any legal proceedings. Security lighting is not generally fitted to Council accommodation unless the tenant is particularly vulnerable due to age, disability or domestic violence. In these

instances low level security lighting may be installed and maintained in line with the Responsive Repairs Policy.

10. Pest control

Where pest infestations are identified within communal areas, the Council is responsible for organising treatment. If, during investigations, it is found the pest infestation is from a tenant's property, the tenant must organise treatment.

11. Graffiti and Fly Tipping

It is the Council's aim to keep all estates safe and clean. The Council has a zero tolerance stance on graffiti and will do everything in its powers to ensure any offenders are dealt with as quickly possible. Fly tipping is a crime that blights our communities, it is unsightly, can be hazardous and can lead to injuries both to the public and wildlife and is costly to remove. Therefore, all graffiti or the illegal dumping of waste (known as fly tipping) on all estates will be removed as soon as possible. Where graffiti is considered to be racist or offensive, this will be prioritised after being reported. Rubbish that is dumped and considered to be a health and safety hazard will also be removed as a priority after being reported. Legal action can be taken against householders whose waste is tipped (whether they know about it or not), which can lead to a fine or imprisonment for those found guilty of fly tipping.

12. Litter and Dog Fouling Enforcement

The Council will proactively work to raise awareness of not littering or allowing dog fouling on the estates, particularly where complaints are received. Where a person is witnessed by an authorised Council officer committing an offence, the Council may issue a Fixed Penalty Notice.

13. Communal bins

Communal bins are for use by residents only and must be used in accordance with local authority guidelines. Where guidelines are not followed and a resident contravenes this, the Council may recover the costs for any rectification through recharging both individuals and residents of a block. Where non-residents are the cause of the contravention we will deal with this as fly tipping (please see section 5 regarding communal areas).

14. Environmental Improvements

The Council may undertake specific works to an estate, a small area within an estate or a small number of properties, as part of improving the wider environment of the estate or as part of the planned investment programme. These works may be undertaken to facilitate better use of the space, resolve local issues, reduce anti-social behaviour, improve security or facilitate better community integration. Local communities will be encouraged to develop ideas for improvements to their local area working with Council officers, police, the fire service or other local stakeholders. Eligible works can include (but are not limited to);

- security lighting and CCTV
- tree removal
- paving

15. Management of Land owned by the Housing Revenue Account (HRA)

Across the housing estates the Council owns and manages, the Council will keep the land clear from rubbish and waste. These areas should not be used for parking unless they are specifically designated as a car-park and maintained as such. The Council is responsible for maintaining footpaths on Council land, which are not the responsibility of the Highway Authority. Routine visual inspections of footpaths will take place to ensure these are accessible and well maintained. The inspection will look for any;

- graffiti
- fly tipping
- litter
- drug paraphernalia
- overgrown vegetation
- street lighting

The boundary of a property is determined by the Council. This is agreed with the tenant at the time of signing for a tenancy. In the event of any dispute with neighbour's boundaries or an encroachment by a tenant onto adjoining land, the Council's decision around where divisions lie will be final.

16. Grounds Maintenance

We will ensure that the communal land looks clean and tidy, hedges cut back and grass maintained. Our communal land is broken into three key types: Sheltered Schemes; General needs stock; Amenity land (land that is not part of an estate and includes grass verges, and small community grass areas).

We will not maintain private or individual gardens. This will be the responsibility of the resident/owner as detailed in their tenancy/licence agreement (where applicable).

17. Parking

Car parks are designed for resident use only. Visitors to the sheltered housing schemes and generic housing in flats should park on the road.

18. Gritting

This policy applies only to property and land within the ownership and management of Council managed housing stock, estates and land. Therefore, the gritting of adopted public roads and pavements are dealt with separately by Lincolnshire County Council's Highways Department. During times of severe winter weather (icy or snowy conditions) the Council will take reasonable actions to grit or clear snow from the Sheltered Housing Schemes across the district. There is no legal obligation to grit or clear areas due to snow and ice. Whilst there is no clear definition of severe weather, the Council will consider the Met Offices status alerts/classifications, and take into account local variations; (weather conditions can vary widely across the district, with some housing estates being more prone to the impact of such conditions than others). The Council is unable to preventively grit ahead of any forecast severe weather. It is the tenant's responsibility to clear individual paths or drives. There are a small number of grit bins on housing land – these provide grit for both the Council and residents to use themselves (but this depends on available stock and budget). The use of these by residents is at their own risk.

During severe weather, the Council can suspend their normal duties in order to lay grit and clear snow. However, there are insufficient staffing resources to provide this service to every location, so gritting and snow clearance is prioritised and resources allocated to reflect higher priority areas first. Extreme severe weather conditions may prevent staff from accessing locations and so the Council would be unable to take action to clear or grit communal paths. The provision of gritting and snow clearance will only take place during office hours. No service can be provided out of hours, at weekends or during holiday periods (such as Christmas). Even when paths are cleared or gritted this is not a guarantee that the paths are completely safe or slip-proof. Additionally roads and pavements may still be untreated. Tenants and leaseholders are advised to avoid unnecessary travel during such conditions and if travel is essential, to ensure caution is used. Storage capacity for grit is limited and during

prolonged severe weather, stocks may run low or be used up. Reasonable attempts will be made to obtain replacement stocks, but this is dependent upon supply and demand. Additionally, during periods of particularly prolonged severe weather, the Council may be requested to supply grit stocks for other areas of the district which are not Council owned estates and land. In such a period, stocks for housing use may be rationed or not be available.

20. Window Cleaning

The Council will carry out window cleaning of the communal room only of the sheltered housing schemes. Window cleaning of individual flats is the responsibility of the tenant/leaseholder.

21. Trees

The Council will maintain trees that are on Council-owned land. If the tree is within a Conservation Area or has a Tree Preservation Order, only works which may be carried out by the Council, following an assessment by a Council Officer, are those that fall under the category of:

- dead
- dying
- dangerous
- diseased

22. Related Policies, Procedures and Guidelines

This policy should be read in conjunction with the:

- Tenancy Management Policy
- Leasehold Management Policy

23. Review

The policy will be reviewed every 5 years, unless there is a change to legislation or regulations.



Equality Impact Assessment

Question	Response
1. Name of policy/funding activity/event being assessed	Tenancy Management Policy
2. Summary of aims and objectives of the policy/funding activity/event	The purpose of this policy is to outline the circumstances in which changes to a tenancy may happen and any possession action which could be taken, why this could happen and the tenancy support which will be offered.
3. Who is affected by the policy/funding activity/event?	Council tenants Tenancy Services, Housing Options and Revenue teams
4. Has there been any consultation with, or input from, customers/service users or other stakeholders? If so, with whom, how were they consulted and what did they say? If you haven't consulted yet and are intending to do so, please complete the consultation table below.	Yes. In person workshops were held with tenants (one in Grantham and one in Stamford). Overall they thought the policies were explained well and made some recommendations of minor changes, which have been incorporated.
5. What are the arrangements for monitoring and reviewing the actual impact of the policy/funding activity/event?	The policy will be reviewed in a year from approval.

Protected Characteristic	Is there a potential for positive or negative impact?	Please explain and give examples of any evidence/data used	Action to address negative impact e.g. adjustment to the policy <i>(The Action Log below should be completed to provide further detail)</i>
Age	Positive	<p>This policy governs the effective management of tenancies, which is to safeguard all tenants and especially more vulnerable residents, which includes older people.</p> <p>Older people are more likely to have health conditions impairing eye sight and hearing, which can have implications on being able to read any letters or notices or hearing telephone calls in relation to tenancy management; possession action and eviction.</p> <p>The implications of the policy will not differentiate people of any other age.</p>	This is mitigated by a housing officer meeting the tenant in person either via a home visit or office interview. Information and documentation is also available in different formats, eg. large print and braille.
Disability	Positive	This policy governs the effective management of	This is mitigated by a housing officer meeting the tenant in



		<p>tenancies, which is to safeguard all tenants and especially more vulnerable residents, which includes people with disabilities.</p> <p>Due to someone's disabilities, whether this is a physical, mental or learning disability, this could affect their ability to receive and understand communication from the Council in relation to tenancy management, possession action and eviction.</p>	<p>person either via a home visit or office interview. Information and documentation is also available in different formats, eg. large print and braille.</p>
Gender Reassignment	N/A	This protected characteristic is not affected by this policy and the implementation of it.	
Marriage and Civil Partnership	N/A	This protected characteristic is not affected by this policy and the implementation of it.	
Pregnancy and Maternity	N/A	This protected characteristic is not affected by this policy and the implementation of it.	
Race	Positive	Some tenants of a different nationality do not speak, read or write English as their first language and may face difficulties in reporting tenancy issues.	<p>To mitigate this, reports can be made by relatives/advocates for tenants and officers will use translation and interpretation services, where needed.</p> <p>Officers will see a tenant in person where there is extensive tenancy management issues, eg. anti-social behaviour or large rent arrears to explain possession preventative measures and explain possession action (with the use of an interpreter where required) before possession action is sought.</p>
Religion or Belief	N/A	This protected characteristic is not affected by this policy and the implementation of it.	
Sex	N/A	This protected characteristic is not affected by this policy and the implementation of it.	
Sexual Orientation	N/A	This protected characteristic is not affected by this policy	



		and the implementation of it.	
Other Factors requiring consideration			
Socio-Economic Impacts	Negative	Tenants on a low income are more likely to face re-possession action due to rent arrears.	To mitigate this negative impact, the policy sets out the tenancy support available prior to any possession action commencing. This is explained to tenants in writing and in person.
Carers (those who provide unpaid care to a family member, friend or partner)	N/A		

Consultation

Negative impacts identified will require the responsible officer to consult with the affected group/s to determine all practicable and proportionate mitigations. Add more rows as required.		
Group/Organisation	Date	Response
Sample of SKDC tenants	March 2023	Minor amendments to the policy recommended.

Proposed Mitigation: Action Log

To be completed when barriers, negative impact or discrimination are found as part of this process – to show actions taken to remove or mitigate. Any mitigations identified throughout the EIA process should be meaningful and timely. Add more rows as required.				
Negative Impact	Action	Timeline	Outcome	Status
Tenants on a low income are more likely to face re-possession action due to rent arrears.	To mitigate this negative impact, the policy sets out the tenancy support available prior to any possession action commencing. This is explained to tenants in writing and in person.	Currently happens	Already part of operational procedures	Completed

Evaluation Decision

Once consultation and practicable and proportionate mitigation has been put in place, the responsible officer should evaluate whether any negative impact remains and, if so, provide justification for any decision to proceed.	
Question	Explanation / justification



Is it possible the proposed policy or activity or change in policy or activity could discriminate or unfairly disadvantage people?	N/A	
Final Decision	Tick	Include any explanation/justification required
1. No barriers identified, therefore activity will proceed	✓	Any possible negative impacts are already being mitigated.
2. Stop the policy or practice because the data shows bias towards one or more groups		
3. Adapt or change the policy in a way that will eliminate the bias		
4. Barriers and impact identified , however having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice (e.g. in extreme cases or where positive action is taken). Therefore you are going to proceed with caution with this policy or practice knowing that it may favour some people less than others, providing justification for this decision		

Did you consult with an Equality Ally prior to carrying out this assessment? Yes

Sign off

Name and job title of person completing this EIA	Celia Bown, Senior Housing Policy and Strategy Officer
Officer Responsible for implementing the policy/function etc	Andre Ford-Hamilton, Tenancy Services Manager
Date Completed	24/08/2022 originally and revised 10/08/2023
Line Manager	Jodie Archer, Head of Housing Services
Date Agreed (by line manager)	
Date of Review (if required)	

Completed EIAs should be included as an appendix to the relevant report going to a Cabinet, Committee or Council meeting and a copy sent to equalities@southkesteven.gov.uk.

Completed EIAs will be published along with the relevant report through Modern.Gov before any decision is made and also on the Council's website.



Equality Impact Assessment

Question	Response
1. Name of policy/funding activity/event being assessed	Estate Management Policy
2. Summary of aims and objectives of the policy/funding activity/event	The purpose of this policy is to set out our approach to the delivery and management of estate services to internal and external communal areas. Where we refer to an estate within the service this can refer to a block of flats or a collection of bungalows/houses with shared internal and/or external areas.
3. Who is affected by the policy/funding activity/event?	SKDC tenants and leaseholders. Tenancy Services and Grounds Maintenance teams
4. Has there been any consultation with, or input from, customers/service users or other stakeholders? If so, with whom, how were they consulted and what did they say? If you haven't consulted yet and are intending to do so, please complete the consultation table below.	Yes. In person workshops were held with tenants (one in Grantham and one in Stamford). Overall they thought the policies were explained well and made some recommendations of minor changes, which have been incorporated.
5. What are the arrangements for monitoring and reviewing the actual impact of the policy/funding activity/event?	The policy will be reviewed annually.

Protected Characteristic	Is there a potential for positive or negative impact?	Please explain and give examples of any evidence/data used	Action to address negative impact e.g. adjustment to the policy <i>(The Action Log below should be completed to provide further detail)</i>
Age	Positive	This policy governs the effective management of our estates, which is to safeguard all residents and especially more vulnerable residents, which includes older people. The implications of the policy will not differentiate people of any other age.	
Disability	Positive	This policy governs the effective management of our estates, which is to safeguard all residents and especially more vulnerable residents, which includes people with disabilities.	
Gender Reassignment	N/A	This protected characteristic is not affected by this policy and the implementation of it.	



Marriage and Civil Partnership	N/A	This protected characteristic is not affected by this policy and the implementation of it.	
Pregnancy and Maternity	N/A	This protected characteristic is not affected by this policy and the implementation of it.	
Race	Positive	Some tenants of a different nationality do not speak, read or write English as their first language and may face difficulties in reporting estate management issues.	To mitigate this, reports can be made by relatives/advocates for residents and officers will use translation and interpretation services, where needed.
Religion or Belief	N/A	This protected characteristic is not affected by this policy and the implementation of it.	
Sex	N/A	This protected characteristic is not affected by this policy and the implementation of it.	
Sexual Orientation	N/A	This protected characteristic is not affected by this policy and the implementation of it.	
Other Factors requiring consideration			
Socio-Economic Impacts	N/A		
Carers (those who provide unpaid care to a family member, friend or partner)	N/A		

Consultation

Negative impacts identified will require the responsible officer to consult with the affected group/s to determine all practicable and proportionate mitigations. Add more rows as required.		
Group/Organisation	Date	Response
Sample of SKDC tenants	March 2023	Minor amendments to the policy recommended.

Proposed Mitigation: Action Log

To be completed when barriers, negative impact or discrimination are found as part of this process – to show actions taken to remove or mitigate. Any mitigations identified throughout the EIA process should be meaningful and timely. Add more rows as required.				
Negative Impact	Action	Timeline	Outcome	Status



Evaluation Decision

Once consultation and practicable and proportionate mitigation has been put in place, the responsible officer should evaluate whether any negative impact remains and, if so, provide justification for any decision to proceed.		
Question	Explanation / justification	
Is it possible the proposed policy or activity or change in policy or activity could discriminate or unfairly disadvantage people?	N/A	
Final Decision	Tick	Include any explanation/justification required
1. No barriers identified, therefore activity will proceed	✓	Any possible negative impacts are already being mitigated.
2. Stop the policy or practice because the data shows bias towards one or more groups		
3. Adapt or change the policy in a way that will eliminate the bias		
4. Barriers and impact identified , however having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice (e.g. in extreme cases or where positive action is taken). Therefore you are going to proceed with caution with this policy or practice knowing that it may favour some people less than others, providing justification for this decision		

Did you consult with an Equality Ally prior to carrying out this assessment? Yes

Sign off

Name and job title of person completing this EIA	Celia Bown, Senior Housing Policy and Strategy Officer
Officer Responsible for implementing the policy/function etc	Andre Ford-Hamilton, Tenancy Services Manager
Date Completed	24/08/2022 originally and revised 10/08/2023
Line Manager	Jodie Archer, Head of Housing Services
Date Agreed (by line manager)	



Date of Review <i>(if required)</i>	
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Completed EIAs should be included as an appendix to the relevant report going to a Cabinet, Committee or Council meeting and a copy sent to equalities@southkesteven.gov.uk.

Completed EIAs will be published along with the relevant report through Modern.Gov before any decision is made and also on the Council's website.

Website consultation

Have your say on our housing policies

The Council manages the tenancies of their housing stock of around 6000 properties and manages the estates. We are developing a new Tenancy Management Policy and a new Estate Management Policy which sets out how we will do this.

The purpose of the Tenancy Management Policy is to make sure tenancies are managed effectively, including any issues with the payment of rent and any anti-social behaviour. It is also to ensure that legal action is carried out only after other options have been exhausted, prior to any eviction. (Link to document)

The purpose of the Estate Management Policy is to set out our approach to the delivery and management of estate services to internal and external communal areas. It is also to ensure the estates meet the Council's standards, alongside being mindful of the management services required and focusing on keeping service charge costs reasonable. (Link to document)

We are consulting on these draft policies and invite you to give us feedback on them. You can do this by contacting us at:

housing.consultation@southkesteven.gov.uk

The consultation closes at 9am on Monday 18th September.

Thank you for your feedback and time.

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SOUTH
KESTEVEN
DISTRICT
COUNCIL



Housing Overview and Scrutiny Committee

22 January 2024

Report of: Councillor Phil Dilks
Cabinet Member for Housing and
Planning

Housing Regulatory Compliance Update

Report Author

Philip Swinton – Health, Safety and Compliance Manager



Phil.swinton@southkesteven.gov.uk

This report seeks to update Committee on actions to ensure regulatory compliance of the Council's social housing landlord function following the non-compliance notice issued by the Regulator of Social Housing.

Recommendations

That Committee:

- 1. Notes the latest compliance position of December 2023 following the lifting of the Regulators Notice in October 2023**
- 2. Receives a further update report at its next scheduled meeting.**

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Housing that meets the needs of all residents
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 The financial considerations arising from the compliance requirements have been incorporated in the HRA budgets presented and approved by Council on 1 March 2023.

Completed by: Alison Hall-Wright, Assistant Director of Finance and Deputy S151 Officer

Legal and Governance

- 1.2 This compliance update provides Members with an opportunity to monitor progress against key risk areas, which is to be welcomed from a governance perspective. The legal implications for non-compliance are incorporated within the risk ratings.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

Risk and Mitigation

- 1.3 Risks will be identified via the work plans with any actions agreed with the Regulator. Dealing with significant compliance matters requires a comprehensive approach to risk management, particularly in respect of assessing priorities and critical actions

Completed by: Tracey Elliot: Governance and Risk Officer

Health and Safety

- 1.4 The key focus in meeting the regulatory standard is to ensure tenants, leaseholders, their households and visitors live in homes that are, as far as is reasonably practicable, safe with hazards minimised. This is reflected in the key compliance areas that are monitored and reported to Committee.

Completed by: Phil Swinton Health, Safety and Compliance Manager

Diversity and Inclusion

- 1.5 All equality issues are identified with the necessary compliance and improvement activities taking place on a case by case basis. Each equality impact is carefully considered when actioning a compliance or regulatory change. This is especially so when managing such matters for vulnerable households and particularly those occupying specialist accommodation such as designated sheltered accommodation.

Completed by: Philip Swinton: Health, Safety and Compliance Manager

Climate Change

- 1.6 Any capital improvement plans especially in the context of dealing with essential gas, electrical and other works will aim to maximise energy efficiency measures, and reductions in carbon emissions.

Completed by: Serna Brown: Sustainability and Climate change Officer

2. Background to the Report

- 2.1 The Regulator of Social Housing notice was lifted and removed in October of 2023, however it has been agreed that Members will continue to receive update reports on progress to ensure that Members have oversight of broad progress around the key areas of activity and scrutinise work where required

3. Key Considerations

- 3.1 **Updating Tenants and Members:** Following on from previous briefings, further All Member Briefings will be arranged to ensure Members are fully informed on progress and continued challenges.
- 3.1.1 Legionella – 100% compliance in relation to water hygiene.

- 3.1.2 Gas – 98.86% in December, There are currently 50 properties without a valid certificate. This is largely due to refusal or lack of contact from tenants, however 6 properties from this total are being booked at the time of writing the report. An additional court date to obtain further warrants for entry was requested in December 2023. A maximum of 20 warrants can be applied for in a month.
- 3.1.3 Electrical testing – this shows the position in relation to properties (both dwellings and communal areas) with a valid electrical certificate, with the current position being 92.16% this equates to 5584 of the baseline 6059 properties.
- 3.1.4 Asbestos – this shows 100% compliance in terms of asbestos inspections.
- 3.1.5 Fire Risk Assessments – 100% compliant, this shows all communal blocks have been assessed. Next review to commence in August 2024.
- 3.1.6 Lift inspections – This is at 92.22% There are two lifts which have recently been refurbished/ repaired which are awaiting a new LOLER inspection, programmed for the 12th Jan. Both lifts are operational and are subject to maintenance and testing which allows the use while the LOLER confirmation is obtained by our Insurers.
- 3.1.7 Smoke and CO – this shows the position for all the alarms within our properties being 100% compliant.
- 3.1.8 Damp and Mould – this shows 99.83% compliance and the appointments for CAT1 and CAT2 inspections and works have been made, however several tenants continue to refuse access.
- 3.2 **Leadership Compliance Meetings:** Chaired by the Chief Executive and attended by the Leader of the Council, the Cabinet Member for Housing and Planning and the Interim Head of Technical Services, these meetings have been a continued feature of the more detailed compliance review process being undertaken. Members of this group ensure specific responses to the changing compliance review process and manage tenant and communication responses to actions associated with key service and regulatory responses.
- 3.3 **Regular Reports to Committees and Cabinet:** the necessary reporting to appropriate committees will continue and will change as per the committee needs. Members are invited to comment on this report content and confirm their views and observations relating to the detail contained within this report.

4. Other Options Considered

- 4.1 The figures are provided by the Compliance Team and have been verified through external audit and by the lifting of the Regulator Notice. There are currently no other options which require consideration in relation to the provision of figures.

5. Reasons for the Recommendations

- 5.1 To secure and maintain a return to full compliance in respect of housing services, including the identification of appropriate resources, funds and service improvements in a timely manner.

6. Consultation

- 6.1 The necessary consultation with the tenants and Members of the Council has been undertaken through timely reporting, dispatch of letters to advise tenants of progress, the latest Skyline publication, dedicated customer telephone enquiry line, and an updated web site detailing compliance issues and signposting services. This process will continue and the engagement with tenants particularly will be amended to reflect changing needs and requirements.

7. Appendices

- 7.1 Appendix One – Compliance figures for December 2023.

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	31/10/23				30/11/23				31/12/23				Comments
	Baseline number	Compliant	Non Compliant	% Compliant	Baseline number	Compliant	Non Compliant	% Compliant	Baseline number	Compliant	Non Compliant	% Compliant	
Legionella	33	33	0	100.00%	33	33	0	100.00%	33	33	0	100.00%	2 inspections completed with no risks reported. We are expecting the completed report uploaded to the portal by 10th Jan
Gas	4636	4580	38	99.12%	4634	4580	46	98.95%	4649	4599	50	98.86%	Of the 50 overdue 13 are new with 2 booked for 1st week of Jan and 4 awaiting action/ paperwork from third parties. Gas warrants obtained being executed in January and a further court date has been requested prior to Christmas break for additional warrants due to lack of engagement from tenants. Warrants were obtained in Dec and these are being executed in January
Electrical	6054	5535	519	91.43%	6055	5562	493	91.86%	6055	5584	471	92.22%	Work is ongoing with the contractor and the housing team to gain access and complete works
Asbestos (re-inspections)	259	259	0	100.00%	259	259	0	100.00%	259	259	0	100.00%	
Fire Risk Assessments	146	146	0	100.00%	147	147	0	100.00%	147	147	0	100.00%	Next review due to commence August 2024
Lift inspections	13	12	1	92.31%	13	11	2	84.62%	13	11	2	84.62%	New lifts installations/ repairs completed. LOLER inspection booked for 12th Jan 2024 earliest appointment due to availability of engineers
Smoke & CO	5869	5869	0	100.00%	5869	5869	0	100.00%	5868	5868	0	100.00%	
Damp & Mould	5869	5856	13	99.78%	5869	5859	10	99.83%	5868	5858	10	99.83%	Cat 1 = 1 disrepair and 2 Void Cat 2 = 5 refused, 2 booked in

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SOUTH
KESTEVEN
DISTRICT
COUNCIL



Housing Overview and Scrutiny Committee

22 January 2024

Report of: Councillor Phil Dilks
Cabinet Member for Housing and
Planning

Total Housing Compliance Policy

Report Author

Nick Thacker, Interim Head of Technical Services



nick.thacker@southkesteven.gov.uk

Purpose of Report

To inform the Committee of the new Total Housing Compliance Policy which sets a framework for the monitoring of key consumer standards. To advise members on key responsibilities and the process of achieving compliance with the standards and regulations.

Recommendations

That the Committee:

1. **Comment on the content of the Policy and recommend its approval to Cabinet.**
2. **Recommend the scrutiny of the procedures and management plans associated with the Total Housing Compliance Policy as part of its ongoing work programme.**

Decision Information

Does the report contain any exempt or confidential information not for publication? No

What are the relevant corporate priorities? Housing that meets the needs of all residents

Which wards are impacted? All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There is provision in both the HRA revenue and capital approved budgets for compliance related expenditure to ensure that the stock meets current regulatory standards.
- 1.2 Any financial implications of the policy will be contained within the existing budget.

Completed by: Alison Hall-Wright, Deputy Director (Finance and ICT) and Deputy S151 Officer

Legal and Governance

- 1.3 A failure to effectively repair and maintain properties can be subject to legal challenge with a resulting negative impact upon the finances, reputation and image of the Council, leading in turn to a loss of public confidence.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

Risk and Mitigation

- 1.4 The Audit carried out in July 2023 to ratify the work undertaken by the Council facilitate the removal of the Regulatory Notice contained recommendations regarding the implementation of key policies relating to compliance activity.
- 1.5 This Policy addresses all recommendations for the creation of new, and for the review of existing policies.

Completed by: Tracey Elliott, Governance & Risk Officer

Health and Safety

- 1.6 The recording of compliance data and the production of performance reports is reliant on the development and maintenance of both the Integrated Housing Management System and Asset Management Data Systems.

Completed by: Phil Swinton,

Human Resources

- 1.7 The Council needs to ensure that adequate resources and its staffing levels are sufficient to implement the Council's policy effectively.

Completed by: Jane Jenkinson, Senior HR Officer

2. Background to the Report

- 2.1 The Total Housing Compliance Policy aims to define, at a strategic level, the intent and arrangements for ensuring that each of the key risks meet the required standards.
- 2.2 Previous policy and guidance have taken the form of a series of management plans and protocols. The Total Housing Compliance Policy has incorporated these elements into a transparent policy framework, complemented by current legislation and best practice. It is proposed that these be submitted for review by the Housing Overview and Scrutiny Committee every two years.

3. Key Considerations

- 3.1 The Total Housing Compliance Policy is a critical policy which sets the intent and delivery framework for the Council to meet the legislative and regulatory requirements required by the Social Housing Regulator.

- 3.2 The Policy framework is supported by a set of detailed management plans and protocols which set out how each of the areas will be managed and who is responsible for elements of delivery.
- 3.3 Access to property to carry out essential maintenance and health and safety checks is a fundamental aspect of achieving compliance in the Council's activities. The Policy provides a clear path of managing access and the legal implications where the Council is not able to secure this.
- 3.4 The process the Council will follow is attached as an appendix to the Policy and applies to all elements of compliance activity where access to tenanted properties is required.
- 3.5 Compliance Policy can be delivered through the creation of individual Policies covering each area of risk.
- 3.6 Some of the risk areas, for example asbestos, consist of very detailed documents covering process and guidance for staff. Many details which cover access procedures are duplicated in each process and there is risk that Policies may not be updated consistently.
- 3.7 The creation of the Total Housing Compliance Policy aims to combine the common elements of Policy and provide strategic direction for each of the risks, ensuring that all risks are considered and updated with a consistent approach.
- 3.8 The procedural and working documents are key to managing compliance and they are required to be detailed to cover all aspects of managing the key risks. These documents form the basis on which Officers manage the service. It is proposed to bring these detailed documents individually to the Overview and Scrutiny Committee as part of the ongoing work plan.

4. Other Options Considered

- 4.1 Do nothing.

5. Reasons for the Recommendations

- 5.1 The clarity provided by The Housing Repairs and Maintenance Policy, enables staff working in the service to make operational decisions efficiently and consistently. This in turn provides greater transparency and understanding for tenants of the standards and activities the repairs and maintenance service will deliver.

6. Consultation

- 6.1 Consultation has been undertaken within the wider teams in the Housing Directorate.
- 6.2 Officers who are required to deliver services which impact this Policy have contributed to the technical aspects of the document.

7. Appendices

- 7.1 List any Appendices.
 - 1. Total Housing Compliance Policy
 - 2. Access Procedure
 - 3. Equality Impact Assessment

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TOTAL HOUSING COMPLIANCE

DRAFT

Policy Framework

DRAFT

Service Area	Housing
Policy Owner	Director for Housing and Property
Introduced	
Version	1.0
Review date	

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1. INTRODUCTION

The Council is committed to delivering homes and properties which meet consumer standards and provide reassurance for tenants that their properties and associated risks are well managed.

The overriding principal is to ensure that we maintain a safe environment to live and work by managing and maintaining our assets according to statutory and regulatory requirements or best practice principles.

2. SCOPE OF THIS POLICY FRAMEWORK

The objectives of this policy are to ensure that:

- We meet our statutory and regulatory responsibilities and duties as landlord, building manager and employer.
- Procedures are in place to identify sites where components or equipment require inspection, removal, encapsulation, servicing or maintaining to comply with the statutory and regulatory requirements.
- Where no statutory or regulatory obligation currently exists, we'll implement a best practice service and maintenance regime, at a minimum manufacturer's recommendations where reasonably practical to do so.
- Procedures are in place relating to how we manage and monitor the compliance data and certification, including our internal auditing and our voluntary external audits.
- We are transparent in our compliance reporting and report on key performance indicators.
- Roles are identified as responsible for ensuring compliance.

What this policy covers:

- Asbestos management
- Electrical safety
- Fire and building safety Management
- Gas safety
- Water Hygiene
- Passenger lifts
- Portable appliance testing (PAT)
- Radon
- Solid fuel safety
- Specialist Plant and Equipment - PUWER

3. RELEVANT LEGISLATION AND REGULATORY COMPLIANCE

We will maintain our sites, buildings, components and equipment so that they're compliant with current statutory and regulatory requirements and monitor that we're doing this. We will keep up to date with legislative changes.

Where no legislative obligation exists, we will follow best practice and so far as is reasonably practicable we will, service and maintain equipment and components in line manufacturer recommendations, ensuring we meet warranty requirements.

Inspection and remedial compliance information will be held and managed. This and the associated certificates, policies and procedures will be internally audited and subject to voluntary external audits. This will ensure we're prepared for audits and enable us to identify and address any weaknesses in our processes and practices.

The Council will ensure that properties are repaired and maintained in accordance with best practice and legislation, including the following:

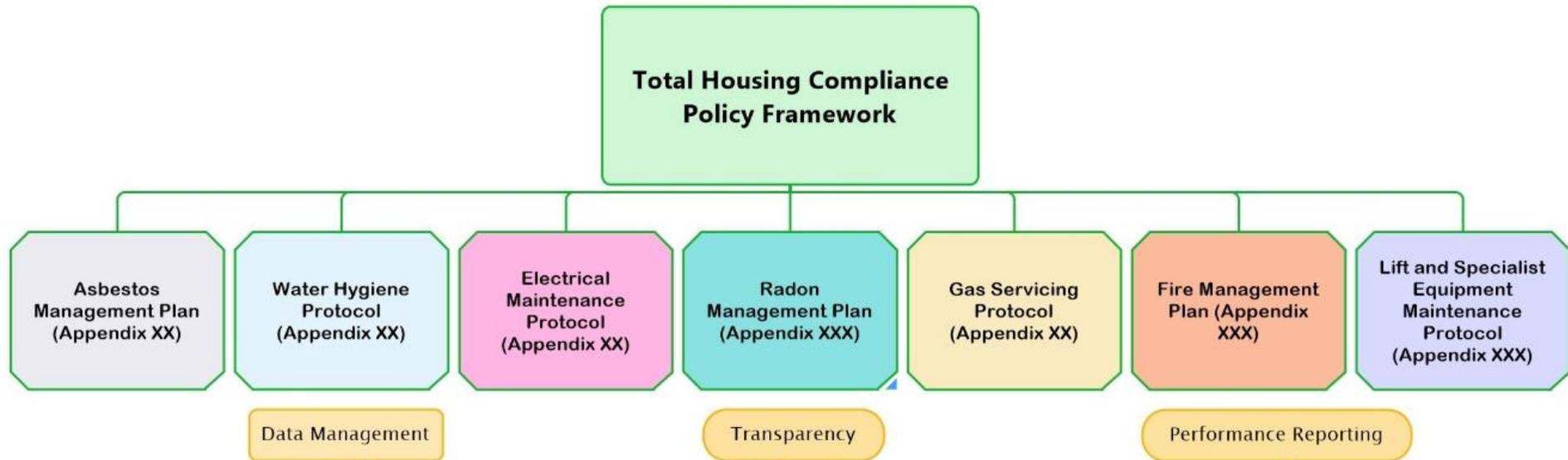
- Social Housing Regulator Economic and consumer standards
- Homes (Fitness for Human Habitation) Act 2018 (HFHHA 2018)
- Housing Acts 1985,1988,1996,1998 and 2004
- The Secure Tenants of Local Authorities (Right to Repair) Regulations SI. 1994 No 133
- The Secure Tenants of Local Authorities (Compensation for Improvements) regulations 1994, SI 1994 No 613
- The Leasehold Reform, Housing and Development Act 1993
- Landlord and Tenant Act 1985
- Defective Premises Act 1972
- Landlord and Tenant Act 1985 – Section 11
- Defective Premises Act 1972 - Section 4
- Environmental Protection Act 1990 – Part III
- Fire Safety (England) Regulations 2022
- Gas Safety (Installation and Use) Regulations 1998
- Regulatory Reform (Fire Safety) Order 2005.
- Commonhold and Leasehold Reform Act 2002
- Equalities Act 2010
- Control of Asbestos Regulations 2012
- Housing Health & Safety Rating System
- Health and Safety at Work Act 1974
- Provision and Use of Work Equipment Regulations

4. RELEVANT COUNCIL POLICIES

- Corporate Health and Safety Policy
- Tenancy agreement and Tenants' Handbook
- Repairs & Maintenance Policy
- Recharge Policy
- Voids Policy and Lettable Standards
- Aids & Adaptation Policy
- Complaints & Feedback Policy
- Service Charge Policy

5. RESPONSIBILITIES AND ARRANGEMENTS FOR MEETING CONSUMER STANDARDS

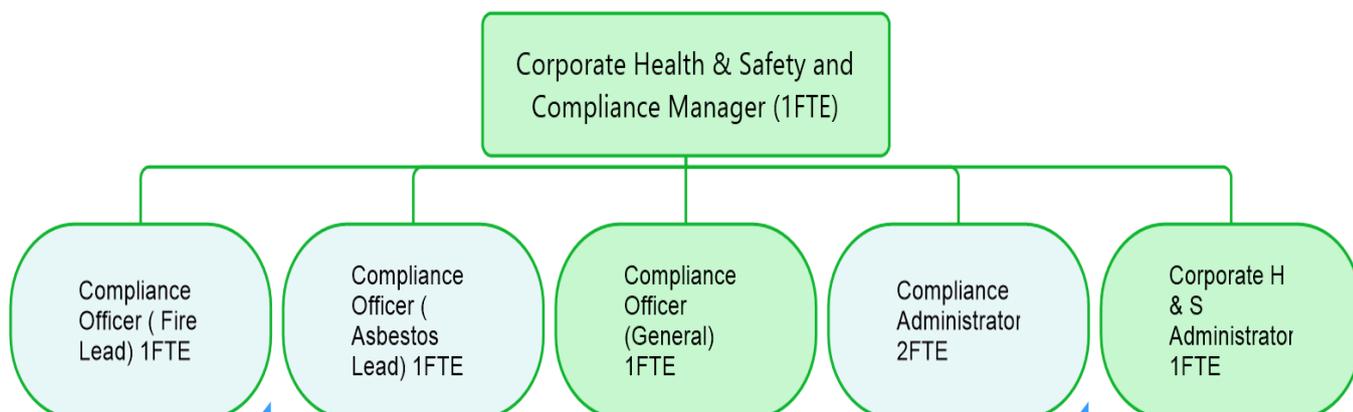
This policy sets a framework for meeting Consumer Standards. The framework identifies how we will meet that consumer standard and the actions we will take. The Protocol and Management Plan documents support the framework and provide comprehensive guidance and information on the management of those risks.



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ovide

The arrangements with the Council to deliver the framework and promote statutory compliance within the Council is delivered through a dedicated Compliance Team with specific roles and responsibilities.



The Compliance Manager undertakes the competent person role to ensure measures taken are proportionate, and meet the legal requirements, or best practice where no legal requirements are in place. The Compliance Team will also provide technical support in relation to contractor works, audit of processes and completion of works in line with requirements and data management.

The key parties responsible and involved in the successful delivery of this policy are:

- Duty Holder – Director for Housing
- Responsible Person(s) – Head of Technical services / Compliance Manager
- Deputy Responsible Person Head of Housing, Compliance Officers

Duty Holder

The duty holder has overall responsibility for management of statutory maintenance, to provide direction to ensure all other teams within South Kesteven District Council are aware of the necessary requirements of statutory maintenance.

Responsible Person(s) and appointed Deputies

The Responsible Person and appointed Deputies are responsible for implementation and management of the practical aspects of statutory maintenance in properties owned and managed by South Kesteven District Council, including the competence of all persons involved. Also, to establish and maintain direct lines of communication with the various Housing stakeholders; specialist contractors and consultants, ensuring an efficient two-way exchange of information and records.

Statutory Maintenance Service Providers & Key Stakeholders

Statutory Compliance Service contractors provide practical advice on management and the control of the risks of statutory maintenance; undertake risk assessment(s), surveys and reports; carry out monitoring, maintenance, testing, inspection and audits as required.

Key stakeholders and partners include the Councils Internal Auditors, the Regulator of Social Housing, competent bodies such as Gas Safe.

Meetings

The Responsible Person and/or Deputy will hold regular review meetings with statutory compliance contractors or consultants

Contractor – Meetings

Details, outcomes, and actions agreed in these meetings are to be recorded in writing and circulated to the relevant stakeholders. The non-conformances identified in the meeting will be noted and reviewed for the next meeting. If the contractor is failing to fulfil their requirements the Council will follow the escalation procedure for failure to provide.

Management of Key Risks.

South Kesteven District Council recognises its responsibility for statutory compliance within its housing stock and is committed to ensuring safety standards and compliance requirements are met. While all statutory compliance is key to ensuring the safety of residents and staff it is recognised that some areas require significant involvement and oversight of appointed contractors responsible for ensuring statutory compliance assurance.

Due to the significant potential impact from incidents involving Asbestos or Fire, regardless of likelihood, the Council has appointed dedicated lead officers within the Compliance team focused solely on the control of these risks and the compliance for that area. This includes working with contractors, providing audit of risk assessments and method statements (RAMS) and quality of works undertaken, recording related information and providing technical support to internal stakeholders.

Asbestos

- South Kesteven District Council has in place an Asbestos Management Plan to support the monitoring and recording of asbestos containing materials (ACM) identified in its Housing stock, this includes sheltered schemes, HMO's and Temporary accommodation.
- The Council has an Asbestos working group to ensure that a consistent approach to the management of asbestos is maintained.
- Staff who may work either directly or indirectly on properties which may contain asbestos are trained to understand the risks and how to manage them.
- All buildings identified as requiring monitoring as defined in Regulation 4, are programmed for re inspection no later than 12 months from the previous inspection period.
- Refurbishment, management and demolition surveys are carried out, as appropriate, with review and evaluation in accordance with a defined scope of works for all major repairs and improvement schemes.
- No works are permitted on properties known or suspected to contain ACM's until the relevant survey has been completed or confirmation that data already held in this system is accurate and sufficient for the required works by the Asbestos Manager and relevant Project officer/s
- Surveys are undertaken by approved UKAS accredited external consultants and uploaded on an electronic asbestos register in the relevant asset management system. Detailed procedural documentation defines how asbestos or presumed asbestos information is robustly communicated.
- Work to encapsulate or remove high risk asbestos will only be carried out by an approved contractor with an appropriate HSE licence and suitably qualified competent
- Work to encapsulate or remove low risk asbestos will be carried out by competent qualified individuals.

Fire Safety

South Kesteven District Council recognises its responsibilities under The Regulatory Reform (Fire Safety) Order 2005, The Fire Safety Act 2022 and the Housing Act 2004, The Building Regulations, and other relevant legislation to demonstrate and implement robust control measures to facilitate in the continuous conformity with legislation in the management of Fire risk.

All assets with communal spaces are risk assessed, as required, taking into consideration all known risk factors including archetypal risk, occupancy risk, passive and active fire management activities and external known factors.

A suitable Fire Risk Assessment (FRA) is undertaken by an appropriately trained and experienced competent person. These will be reviewed annually by the Fire lead and by an external competent person on a 2 or 3 year cycle dependant on property type as identified in the Fire Action Plan, including:

- The Council will maintain a register of all properties where it has a responsibility to provide an FRAs.
- The Council will maintain a register of all properties where specific cyclical fire safety systems and equipment management activities are identified.
- Any contact with the Fire and Rescue Service will be reported corporately.
- All relevant buildings will be risk rated utilising the fire prioritisation tool.
- Where identified through a fire risk assessment or prioritisation report a compartmentation survey will be completed. Buildings identified to be of a higher risk due to the nature of the building or tenants (sheltered schemes) will automatically undergo a compartmentation survey.
- Management actions and remedial works arising from the FRA and Compartmentation surveys are actioned and tracked to completion, including evidence of completion, including photographs and relevant certification, materials used and stored in the relevant asset management systems.
- Fire Safety systems and fire safety equipment where fitted, are maintained to the recommended standards through regular programmes of cyclical maintenance.
- Fire Safety in blocks is monitored on a weekly/monthly basis through internal safety checks.
- Fire Extinguishers will not be provided in blocks where there are no trained personnel.
- Any remedial works which cannot be or are not delivered within FRA advised timescales will be assessed by the Fire lead and other relevant stakeholders and appropriate risk mitigation measures will be taken to ensure ongoing tenant / resident safety.
- All vulnerable tenants in communal buildings will have a person centred risk assessment (PCRA) to support fire management of the property.
- Fire safety in individual dwellings is managed through the provision of domestic smoke detection systems which is checked annually by the Council.
- The structure of individual dwellings will be checked as part of stock condition surveys and during capital maintenance, for example, fire break walls will be checked during re-roofing projects.
- Vulnerable tenants in individual dwellings who may impact the fire risk will be referred to the Fire and Rescue Safe and Well Service
- The Council will routinely publish safety information and reminders to all tenants on fire safety.

Gas Safety

Gas safety is overseen by the Mechanical Contract Manager, in conjunction with the compliance team and Compliance Manager.

- All domestic properties with a gas-burning appliance will receive an annual service, no later than 12 months after the last service. The Council operates on a 10 month cyclical programme of gas servicing to allow sufficient time to gain access to service appliances within the required 12 month period.
- All properties with an open flued gas appliance will be fitted with a Carbon Monoxide detector
- Carbon Monoxide detectors will be checked annually as part of the gas servicing.
- All communal gas fired systems will receive an annual service no later than 12 months after the last service.
- Gas servicing, new installations and maintenance on gas systems will be undertaken in accordance with the statutory regulations, manufacturers guidance and the Councils specification of work.
- All engineers/contractors working on gas appliances must be Gas Safe registered and must provide proof of their registration prior to being allowed to undertake any works.
- Gas Safe Registrations will be validated by the Mechanical Contract Manager.
- All contractors undertaking gas works must provide relevant insurance and indemnities prior to starting works which must include adequate cover for undertaking hot works where appropriate.
- All engineers visiting residents' properties must show resident both their personal identification card and Gas Safe registration card prior to starting works.
- The Council will maintain a database of all service records and manage the programme of servicing using the relevant asset management system.

Electrical Safety

Electrical safety is overseen by a the Electrical Contract Manager with the additional responsibility for undertaking the Qualified Supervisor role as defined by National Inspection Council for Electrical Installation Contracting (NICEIC) .

The Repairs Manager holds the position of Duty Holder for the Council as defined by the NICEIC

- All dwellings and communal areas with electrical supplies will have an electrical condition inspection report (EICR) to the fixed wiring no later than 5 years from the previous inspection.
- All engineers working on electrical installations will be NICEIC registered and must provide proof of their registration prior to being allowed to undertake any works.
- NICEIC registration will be validated by the Councils Electrical Contract Manager.
- All contractors undertaking electrical works must provide relevant insurance and indemnities prior to starting works which.
- All engineers visiting residents' properties must show resident both their personal identification card and NICEIC registration card prior to starting works.
- Empty properties and properties where tenants have wish to undertake a mutual exchange will have an EICR undertaken prior to relet.
- Where a check is required for any other purpose than to renew the 5 yearly inspection and where there is a satisfactory EICR which is less than 12 months old, these checks and inspections may be a visual only, and this must be recorded on the NICEIC documentation.
- On completion of an inspection, an electronic Electrical Inspection Condition Report (EICR) will be provided to SKDC, and a paper copy sent to the resident.
- Where the inspection identifies category 1 and 2 failures (those which pose an immediate risk to life) the engineer will either;
- Rectify the issue whilst on site or;
- Decommission the system and immediately report to Electrical Contract Manager

- Based on the outcome of the EICR any rewiring requirements are identified and arranged. Anything identified as C1 must be rectified immediately as a high risk priority.
- The Council will maintain a database of all systems requiring an EICR.
- All items requiring a Portable Appliance test (PAT) in temporary accommodations are completed at void stage along with an electrical inspection of foxed wiring.

Water Hygiene

Water Hygiene within the Councils housing stock is managed by risk assessment.

Formal risk assessments are provided for communal water systems and these are overseen and reported on by the Compliance Team. Technical support is provided by the Housing Technical services Team for the completion of remedial and identified works. The Compliance Team retain responsibility to manage the risk assessment process and appointed contractor.

The legionella Protocol details the Councils approach to the management of communal water systems in general needs properties, sheltered schemes and any other water supplies and storage to communal areas; it does detail the management of water hygiene in individual dwellings not served by communal water supplies.

- All assessments will be undertaken by qualified assessors appointed through the appointed contractor.
- The Council will undertake risk assessments for all relevant properties every 2 years in line with the L8 Approved Code of Practice.
- All works and testing regime will comply with HSG274 Part 2: The control of legionella bacteria in hot and cold water systems.
- This will identify potential sources of risk and their potential harm, reflecting on the both the use of the building and its occupancy type.
- All actions which are identified will be undertaken with the timescales identified in the risk assessment.
- Where practicable, the approach will be to remove items posing high risk; however where this is not possible appropriate action plans for mitigation will be put in place.
- Individual dwellings not connected to communal water supplies will be risk assessed by a desk top exercise which will consider risk based on the type of domestic hot water system, number and vulnerability of occupants where known and type and number of outlets.
- A random sample of the properties will be selected for a formal risk assessment of that dwelling type to verify and inform the risk assessment process.
- Information to residents on the risks of legionella will be provided in the tenant handbook with reminders published in Skyline.

Passenger Lifts and other Specialist Equipment

Passenger Lifts and other Specialist equipment such as stair lifts, automatic doors pressure vessels, fall arrest etc, require servicing and statutory safety inspections at defined frequencies. Servicing and statutory compliance are performance managed by the Compliance Team with contract management provided by managers within the Housing Technical Services Team.

- All works and servicing to lifts and specialist equipment will be undertaken by qualified and experience engineers who hold qualifications and relevant experience to that equipment.
- Any engineers undertaking work will be expected to put in place relevant isolation and safety measure to prevent unauthorised use whilst works are taking place and ensure residents and occasional users of the building are fully informed during the works.
- Where practicable lifts will be programmed to return to ground automatically in the event of a fire or alternatively Fireman's Switches will be installed which allow for manual intervention by the fire brigade to ground lift cars.
- All lifts will have a working emergency call system.
- All lifts will be fully serviced annually, and a maintenance check will be undertaken every two months. Where any significant issues are identified lifts will be immediately decommissioned and be reported to the Council.
- Notices will be provided to inform residents of decommissioned lifts and approximate time for repair.
- Where low risk works are identified, these will report to the Contract Manager and put onto a planned works programme.
- Where lifts are to be decommissioned for more than 2 working days and no practicable alternative is available Council housing officers will engage all residents affected and put in place appropriate support plans.
- Specialist equipment will be serviced in accordance with the requirements of LOLER and manufacturers guidance.
- A register of all specialist equipment will be held by the Compliance Team and details of fixed assets recorded on the Housing Technical Services database.
- Certain types of specialist equipment will be registered with the Councils insurers.

Radon

Radon is a naturally occurring gas and the geographical features within the district of South Kesteven mean that it is likely we will identify some areas where radon gas may be present.

To ensure that we address the risks of radon gas within our Housing stock we are undertaking an indicative postcode search provided by Radon UK to:

- Identify domestic properties that are potentially sited within an affected area
- Establish a programme of passive testing of radon levels in our domestic properties that are within an affected area, using a competent Radon consultant and validated laboratory
- Review the test results and where the measurement of radon is above the Government recommended Action Level, identify suitable and sufficient control measures and/or remedial work, appropriate to the levels of radon detected, the type of property and its occupancy.
- Implement control measures and/or remedial work where required as soon as is reasonably practicable and within the defined timescales set out in the recommendations.
- Carry out re-measurement of radon levels within an appropriate time period (6 months) following implementation of control or remedial measures prompted by a test result that is above the Action Level.
- Communicate with our tenants providing information on radon and the need for testing, the risks and the importance of any radon remediation equipment.
- In cases of 'no access', the Council will ensure that it meets its legal obligations to rectify a hazard caused by radon exceeding the Action Level. It will do this, where appropriate, by obtaining warrants of entry.

- Schedule inspections of remedial measures at appropriate intervals within our works program to ensure any installations are kept in full working order.
- Re-assess radon levels in our domestic properties that are in an affected area within an appropriate timescale appropriate to the level of risk.
- Record on our housing management databases the details of every radon assessment, testing and any control measures and/or remedial installations.
- Ensure that any of the Council's new domestic properties within an affected area are designed and built with appropriate radon prevention measures in place.
- Promote the awareness of radon gas to our customers living in homes within a radon Affected Area through tenants' newsletters, leaflets and letters and link to the site below, ensuring that relevant information is made available upon request.

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COMPLIANCE CHECK REGIME

WORK PROGRAMME	FREQUENCY
Gas Appliance Servicing	Annual
Solid Fuel System Service & Sweep	Annual
Air Source Heat Pump / Electric Heating	Annual
Smoke & CO Detector check	Annual
Fire Detection Systems to blocks and schemes	Weekly/quarterly/half yearly/annually (as applicable for installed equipment)
Emergency Lighting in blocks and schemes	Monthly/half yearly/annually (as applicable for installed equipment)
Fire Fighting Equipment	Annually
Fire Door Assemblies	Monthly/half yearly/Annually (Based on setting & risk)
Periodic electrical installation condition inspection - Dwellings	5 yearly
Periodic electrical installation condition inspection - Communal Areas	5 yearly
Water hygiene/Legionella testing monthly on sheltered schemes and relevant flat-block schemes	weekly/Monthly/quarterly/half yearly/annually/Biennial (based upon task & setting)
Passenger Lifts	Annual service & independent Loler inspection

6. ACCESS TO PROPERTY

As a responsible landlord, South Kesteven District Council aims to maintain the condition of properties it owns and manages to ensure the safe welfare of occupants, as far as is reasonably practicable, at all times. In pursuing this aim SKDC will in a number of circumstances, require access to properties and adjoining grounds.

Right to this access is an express condition of the tenancy agreements and SKDC will expect that, given reasonable notice, access will be granted by the occupants of properties it owns and provides services to.

There are various reasons why the Council would need to secure access to properties it owns and / or manages on a pre-planned basis. Non exhaustive examples include:

- Access to carry out repairs which are the landlord's responsibility to complete.
- Access to carry out safety checks to ensure it meets its legal 'compliance' obligations e.g. to carry out annual gas safety checks in line with Landlord Gas Safety Requirements (LSGR) or fire risk works.
- Access to assess the general condition of properties or for the presence of known hazards e.g. asbestos surveys.
- Access to assess the need for, or to carry out investment works and property improvements to eliminate hazards or maintain / enhance asset values.
- Access to carry out tenancy audits to assess both the condition of the property and that the needs of tenants are being met effectively.

The access procedure is attached as Appendix 1.

South Kesteven District Council will make every effort to arrange appointments and gain access with the cooperation of the tenant. This would include via letters, phone calls, emails and visits from Housing officers.

In the vast majority of cases the above measures usually result in access being secured, however, there are occasions where the Council may be required to take tenancy or lease enforcement actions to secure access. This may include:

- Applying for injunctions from the courts to enforce the landlords 'right of access' .
- Serving 'Notices Seeking Possession' for breach of tenancy and applying to the courts to secure access and pursuing the above legal remedies for gaining access to properties will only be taken when all other reasonable attempts at contact and access by agreement have been exhausted.

7. DATA MANAGEMENT

All information regarding statutory compliance works must be held and recorded in the appropriate Asset Management System.

The area of compliance will change the type of information held, however, as a minimum this must include dates of inspection, completion and reinspection for stat compliance inspections, information of materials used to make good for example with Fire remediations and removal and cleanliness reports in relation to Asbestos.

Contractors undertaking safety checks will be expected to provide information on servicing in a format and frequency which allow the housing compliance team to update the information on the appropriate system and monitor performance and compliance.

The compliance team will be responsible for monitoring all data relating to compliance, including actions which flow, are correctly updated, stored and managed. This may be via spreadsheets or a proprietary system. They will be responsible for overseeing the compliance programme.

Teams within the Housing Directorate who are directly organising/ managing works and contractors are responsible for ensuring any compliance data they are in control of is recorded in the correct asset management system for audit and monitoring by the compliance team.

GDPR and Data Protection

The Council shares the commitment to ensure that all data is:

- processed lawfully, fairly and in a transparent manner
 - collected for a specific and legitimate purpose and not used for anything other than this stated purpose, or as provided for in our privacy and fair processing notices
- relevant and limited to whatever the requirements are for which the data is processed
- accurate, and where necessary, kept up to date. Any identified inaccuracies will be amended or removed without undue delay
- stored for as long as required, as specified within the Councils Records Retention policy
- secured with appropriate solutions, which protect the data against unauthorised or unlawful processing and accidental loss, destruction or damage

8. QUALITY CONTROL

In order to provide overview and governance of compliance Housing Compliance the identified and established KPI's will be collated and provided to the Housing Management Senior team on a monthly basis, along with information on outstanding actions and plans to mitigate known risks or delays which may impact statutory compliance KPI completion. The Council will also :

- Provide internal audit via the Compliance team to identify gaps or areas to strengthen response and control
- Actively engage with external audit to provide assurance on figures and best practice adoption
- Where appropriate engage external specialist audit providers to provide assurance on contractor service provision e.g Gas and Electric contracts

9. EQUALITY IMPLICATIONS

Introduction

The Council is committed to providing an equal opportunity to the service for all of its tenants and leaseholders. Any action taken under this policy will comply with current equalities legislation.

Council Staff and Contractors

The Council' staff and contractors will operate in such a way to ensure that they meet the needs of individual residents and to ensure that they do not discriminate on the grounds of:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex

- Sexual orientation

All contractors will be asked to provide copies of their Equality and Diversity Policies to the Council, prior to the award of any contract.

Procedures and Practices

The Council' staff and contractors will operate in such a way to ensure that their procedures and practices are sensitive to the needs of individual residents and to ensure that they do not discriminate on the grounds of:

- race and ethnicity
- age
- disability
- religion or belief
- gender

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- sexual orientation
- gender identity

Repair work and Maintenance programmes may from time to time need to be tailored to meet the needs of individuals, for example the priority of a repair may be increased for vulnerable residents. All cases will be considered on an individual basis.

Information

The Council will in all reasonable circumstances make information available in a variety of information formats, including for example:

- large print
- audio tape
- community languages

Where specialist services are required to ensure that information is accessible to the tenant or leaseholder, we will ensure that these are made available.

10. PERFORMANCE MONITORING

Introduction

The Council will monitor its performance in managing compliance with regulatory standards based on a standard reporting template.

This will be reported to the Corporate Management Team and the Housing Portfolio holder each month, with quarterly statistical reporting to the Housing Overview and Scrutiny Committee.

Compliance performance will form part of the corporate performance statistics reported routinely to full Council.

The expectation by the Social Housing Regulator to provide reports on our performance to our tenants will be met through the publication of compliance figures in the Annual Tenant Report published in Skyline.

The Councils performance will be benchmarked alongside other providers through our subscription to Housemark.

Compliance Reporting Template

	Baseline number	Compliant	Non Compliant	% Compliant	Non Compliant during the reporting month	Non Compliant during reporting period	Comment
Legionella							
Gas							
Electrical							
Asbestos (re-inspections)							
Fire Risk Assessments							
Lift inspections							
Smoke & CO							
Damp & Mould							

11. POLICY REVIEW

This policy will be reviewed by the Council every two years unless there is a change in legislation or regulation.

Where there has been a change in legislation which has an impact on the policy, the policy will be reviewed within 3 months of the legislation or regulation coming into effect.

The Protocols and Management Plans supporting this policy are working documents and will be reviewed to routinely to reflect best practice. These will be presented to the Housing Overview and Scrutiny for review every two years.

Appendix 1

South Kesteven District Council “No Access” Procedure

1. PURPOSE

The purpose of this document is to provide guidance for Contractors and SKDC Housing employees to follow in relation to the **NO ACCESS** procedure when attempting to access a tenanted property to carry out work required as part of our asset management or for health & safety purposes. It is intended to clearly show the key stages within the procedure showing time scales and activities that must be completed.

2. SCOPE

This procedure is to be adopted by all SKDC Housing employees involved in the process of arranging works and managing tenancies. In particular, access to ensure works and services for the following areas of work which cover planned and compliance activity:

- Gas and Solid Fuel Servicing and safety checks
- Electrical Installation Condition Reports
- Water Hygiene safety checks
- Fire safety checks
- Radon gas safety checks and monitoring
- Surveys to carry out property condition reports
- Planned maintenance and upgrades

3. RESPONSIBILITIES

It shall be the responsibility of the Contract Manager to ensure that Contractors who are engaged on work where access is critical, are aware of the procedure and maintain the standards contained in it. Any variations to the procedures must be documented and signed off by one of the following:

- Health & Safety and Compliance Manager
- Head of Housing Technical Services

It is the responsibility of the Contractor to ensure that all subcontractors and employees are aware of the procedures.

4. GUIDANCE

The Council needs to show that actions and methods used to gain access are “Reasonable” .

The majority of the access appointments that we need to undertake our landlord obligations are not supported by statute. At this time only the requirements of the 1998 Gas Safety (Installation & use) Regulations place an absolute duty on Landlords to service and inspect gas installations on an annual basis. They allow for an “MOT” style service where the service can be completed up to two months before the due date. The certificate will still retain the original due date.

How far do I need to go if the Tenant prevents access for a gas safety check?

Appendix 1

South Kesteven District Council “No Access” Procedure

A landlord has to show that they took all reasonable steps to comply with the law. The HSE recommends the following best practice in these circumstances and strongly advises that a record be kept of all correspondence with the Tenants:

- *leave the Tenant a notice stating that an attempt was made to complete the gas safety check and provide your contact details;*
- *write to the Tenant explaining that a safety check is a legal requirement and that it is for the Tenants own safety. Give the Tenant the opportunity to arrange their own appointment;*

*HSE inspectors will look for at least three attempts to complete the gas safety check, including the above suggestions; however the approach will need to be appropriate to each circumstance. **It would ultimately be for a court to decide if the action taken was reasonable depending upon the individual circumstances.** It is also considered a good idea to include arrangements for access in the tenancy agreement. (Extract from HSE Website)*

The Council will adopt the process as defined by the HSE as part of a three stage process attached as Appendix 1.

The access process and procedure has been designed around the provision of access for gas and will be applied to all aspects of access for other compliance and property related works.

The rationale for this approach is to ensue consistency with tenants and enable a robust approach to accessing property to carry out other compliance or essential surveys and works.

Procedure

The flow chart attached at appendix 1, details the process for access and the actions which can be taken at each stage and the responsibilities of each party in the process.

Dates of all failed access attempts and contact, will be recorded and documented and SKDC will pursue retrieval of costs for missed appointments and associated legal action.

During the process outlined below, should the Tenant contact and make an appointment with the contractor and subsequently keep that appointment, the process will stop at the point certification or confirmation is received from the Contractor.

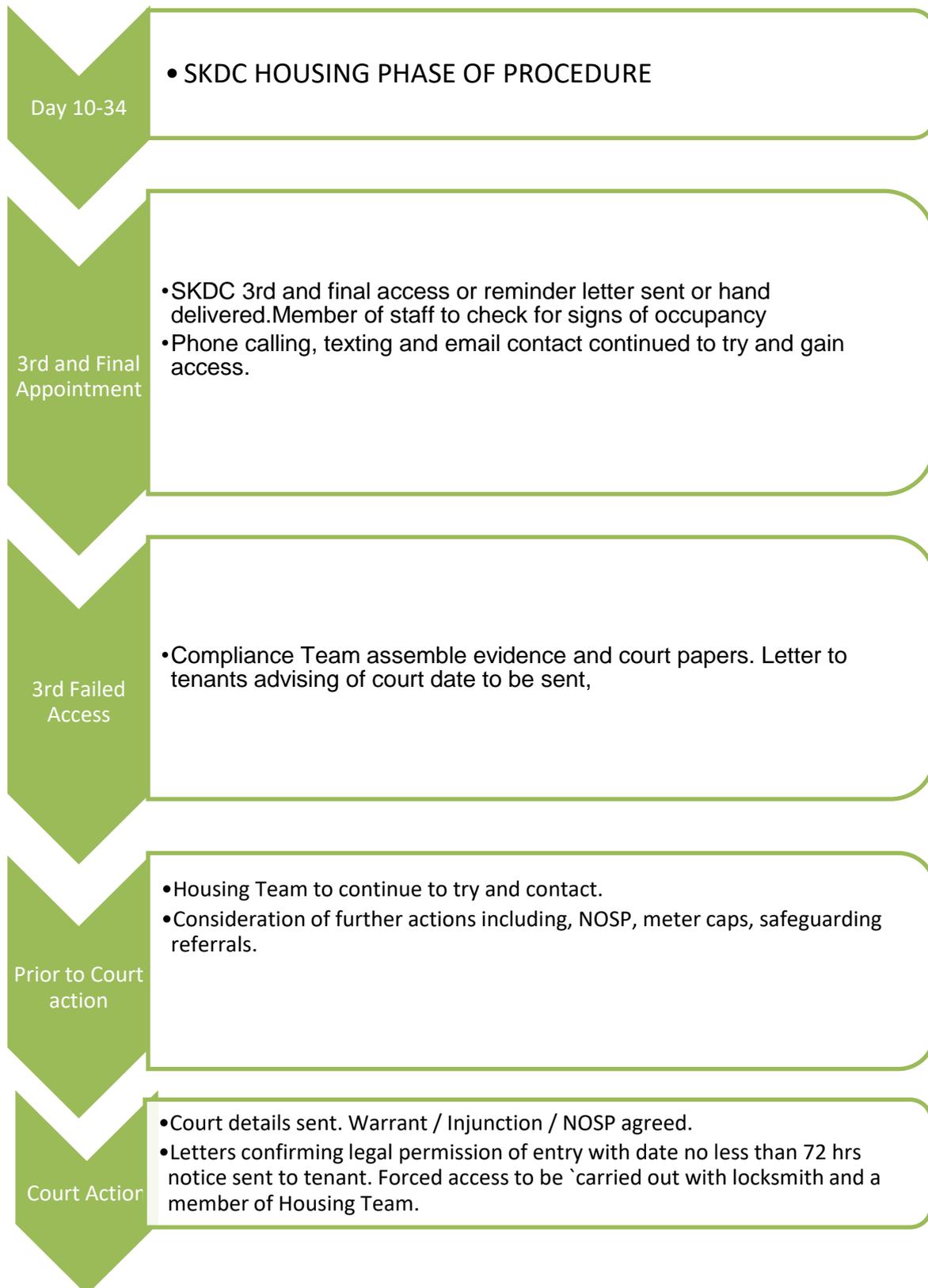
Tenants are encouraged to rearrange appointments, rather than miss the appointment altogether and this presents a risk to the process that 1st access can move significantly further into the process and if sustained no access, or repeated rearranging of appointments occurs there is insufficient attempts and paperwork for court action. In these cases, staff and contractors need to ensure that unless there is a valid reason, e.g., holiday / contagious illness etc, that the rearranged appointment is within the 14-day appointment window for that stage. Where this is exceeded, a missed appointment may be recorded, and the property needs to be flagged and case managed.

South Kesteven District Council “No Access” Procedure



Appendix 1

South Kesteven District Council “No Access” Procedure



Appendix 1

South Kesteven District Council “No Access” Procedure

Guidance for complex cases

Financial Hardship

Tenants need to be in credit on their gas and electric meters during compliance visits. The gas servicing and electrical test regimes can identify tenants in financial hardship.

Visits should be made by Tenancy Services to ensure that they are signposted to the correct services.

Meters are often capped at the request of tenants who are in hardship and capped meters will be checked annually to ensure that the caps remain in place.

SKDC will retain a register of capped meters and Tenancy Services will make contact with tenants to check that the tenant is not at risk and undertake a risk assessment where appropriate.

Hoarding

It is recognised that tenants who hoard are reluctant to allow access.

Tenancy Services will engage with the tenant to agree actions to allow clear access to areas of the property required. Safeguarding referrals will be made along with signposting to support services.

Illegal Activity

The compliance testing schedules, and property surveys can often identify illegal activity, cannabis grows, meter bypass etc. Once identified Tenancy Services will engage with partners to establish what action is required.

The contractor will notify the Statutory authority of any damage or illegal activity to gas or electric meters.

Vulnerability

Previous cases of no access have identified vulnerable tenants who have been hospitalised, or who feel unable allow access due to their health.

Where a property can be capped at the meter to safeguard the property during periods that the tenant may not be home, this should be recorded and explained to the tenant or their advocate.

Where a tenant is not allowing access due to their health, this needs to be case managed, with tenants signposted for support. Tenancy Services will lead this process, with close liaison with the Compliance Team to ensure that the property remains safe and compliant. All steps to engage the tenant need to be documented and recorded as they may form part of a legal process to gain access.

Where a tenant will not engage with us, we will need to refer this through for legal action.

Guidance for Meter Capping

Where the meter is accessible, capping can be considered in the following circumstances:

- Where the gas or electric meter is in debt.
- Where repeated access has not been provided and will proceed for legal action. A risk assessment will need to be completed for this action to be approved by the Tenancy Services Manager and Health & Safety and Compliance Manager.

Appendix 1

South Kesteven District Council “No Access” Procedure

- Where an abandonment notice has been served or where a property is believed to have been abandoned. This is as a safety precaution in the event of theft of equipment, e.g., copper pipe, boiler, wiring.

Risk Assessment

Where it becomes necessary to undertake a risk assessment, this must consider the following impacts:

- Time of year and weather conditions
- Number and vulnerability of occupants
- Any known medical conditions

The risk assessment needs to be recorded and filed.

Where meters are capped, a card should be posted to advise the tenant that the meter has been capped, with contact details to arrange for the meter to be uncapped and any works carried out.

Legal Process

The Council is not allowed to access a property without permission from the Tenant. For legal and audit purposes this will need to be made in writing if a tenant is not present and even then this presents a risk to the Authority.

Any attempt to access a property by force or without the necessary permissions or legal authorisations is illegal and exposes the Council to legal challenge, financial penalty and reputational damage.

Once all attempt at contact and case management have failed, legal access will need to be pursued to gain access in accordance with the tenancy agreement.

There are a number of options for legal action:

Legal Process	Actions Required	Team Responsible
Notice Seeking Possession Served on the basis of breach of tenancy.	Tenancy Services to collate all documentation and issue.	Tenancy Services to submit applications to Court and manage Court attendance
Warrant of Entry Can only be used for specific purpose under the Environmental Protection Act 1990. Urgent access under Regulation 36(3)(a) of the Gas Safety (Installation and Use) Regulations 1998	Individual Warrant applications need to be filed with corroborating evidence	Compliance Team prepare and submit warrants. Court attendance to managed by Tenancy Services

Appendix 1

South Kesteven District Council “No Access” Procedure

Abandonment Notice Where a property does not appear to be lived	Refer to the Abandonment Process	To be managed by Tenancy Services
Injunction Injunction request made to Court on the basis of no access for safety inspections	Compliance to collate all evidence for non access to include events of gas, electric, repairs and any other no access event. This should include historic information. Tenancy Services to prepare legal injunction paperwork.	Tenancy Services to manage Court process

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Equality Impact Assessment

Question	Response
1. Name of policy/funding activity/event being assessed	Total Housing Compliance Policy
2. Summary of aims and objectives of the policy/funding activity/event	The Total Housing Compliance Policy aims to define, at a strategic level, the intent and arrangements for ensuring that each of the key risks defined in the Social Housing Consumer Regulations.
3. Who is affected by the policy/funding activity/event?	South Kesteven District Council tenants and leaseholders
4. Has there been any consultation with, or input from, customers/service users or other stakeholders? If so, with whom, how were they consulted and what did they say? If you haven't consulted yet and are intending to do so, please complete the consultation table below.	The Policy is based around current legislation and guidance and there is an obligation on the local authority for total compliance. Due to this there is no requirement for consultation.
5. What are the arrangements for monitoring and reviewing the actual impact of the policy/funding activity/event?	A new housing IT system and processes are being put into place, which will monitor and evaluate the impact of the policy.

Protected Characteristic	Is there a potential for positive or negative impact?	Please explain and give examples of any evidence/data used	Action to address negative impact e.g. adjustment to the policy (<i>The Action Log below should be completed to provide further detail</i>)
Age	Positive	All our Housing Stock will be robustly monitored for compliance purposes inline with the policy to ensure that health and safety remains paramount for our tenants. All vulnerabilities will be considered as part of any action that is possible inline with the policy.	n/a
Disability	Positive	All our Housing Stock will be robustly monitored for compliance purposes inline with the policy to ensure that health and safety remains paramount for our tenants. All vulnerabilities will be considered as part of any action that is possible inline with the policy.	n/a
Gender Reassignment	Neutral	All our Housing Stock will be robustly monitored for compliance purposes inline with the policy to ensure that health and safety remains paramount for our tenants.	n/a
Marriage and Civil Partnership	Neutral	n/a (applicable only to employment legislation)	n/a
Pregnancy and Maternity	Positive	All our Housing Stock will be robustly monitored for compliance purposes inline with the policy to ensure that	n/a



		health and safety remains paramount for our tenants. All vulnerabilities will be considered as part of any action that is possible inline with the policy.	
Race	Positive	<p>The Council will in all circumstances make information available in a variety of information formats, including for example:</p> <ul style="list-style-type: none"> • large print • audio tape • community languages <p>Where specialist services are required to ensure that information is accessible to the tenant or leaseholder, we will ensure that these are made available.</p>	n/a
Religion or Belief	Positive	<p>The Council will in all circumstances make information available in a variety of information formats, including for example:</p> <ul style="list-style-type: none"> • large print • audio tape • community languages <p>Where specialist services are required to ensure that information is accessible to the tenant or leaseholder, we will ensure that these are made available.</p>	n/a
Sex	Neutral	The Council will not treat the resident less favourably due to their sex.	n/a
Sexual Orientation	Neutral	The Council will not treat the resident less favourably due to their sexual orientation.	n/a
Other Factors requiring consideration			
Socio-Economic Impacts	Positive	The Council will ensure that tenants meet the costs of any legal action should they prevent the council from achieving non-compliance in the event for example of failed access. All cases will be considered on an individual basis.	n/a
Carers (those who provide unpaid care to a family member, friend or partner)	Positive	All our Housing Stock will be robustly monitored for compliance purposes inline with the policy to ensure that health and safety remains paramount for our tenants. All vulnerabilities will be considered as part of any action that is possible inline with the policy.	n/a



Consultation

Negative impacts identified will require the responsible officer to consult with the affected group/s to determine all practicable and proportionate mitigations. Add more rows as required.		
Group/Organisation	Date	Response

Proposed Mitigation: Action Log

To be completed when barriers, negative impact or discrimination are found as part of this process – to show actions taken to remove or mitigate. Any mitigations identified throughout the EIA process should be meaningful and timely. Add more rows as required.				
Negative Impact	Action	Timeline	Outcome	Status

Evaluation Decision

Once consultation and practicable and proportionate mitigation has been put in place, the responsible officer should evaluate whether any negative impact remains and, if so, provide justification for any decision to proceed.		
Question	Explanation / justification	
Is it possible the proposed policy or activity or change in policy or activity could discriminate or unfairly disadvantage people?		
Final Decision	Tick	Include any explanation/justification required
1. No barriers identified, therefore activity will proceed		
2. Stop the policy or practice because the data shows bias towards one or more groups		
3. Adapt or change the policy in a way that will eliminate the bias		
4. Barriers and impact identified , however having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice (e.g. in extreme cases or where positive action is taken). Therefore you are going to proceed with caution with this policy or practice knowing that it may favour some people less than others, providing justification for this decision		



Did you consult with an Equality Ally prior to carrying out this assessment? Yes

Sign off

Name and job title of person completing this EIA	Celia Bown – Senior Housing Policy and Strategy Officer and Phil Swinton – Health and Safety and Compliance Manager
Officer Responsible for implementing the policy/function etc	Phil Swinton – Health and Safety and Compliance Manager
Line Manager	Julie Martin – Head of Technical Services
Date Completed	07 th November 2023
Date of Review (if required)	

Completed EIAs should be included as an appendix to the relevant report going to a Cabinet, Committee or Council meeting and a copy sent to equalities@southkesteven.gov.uk.

Completed EIAs will be published along with the relevant report through Modern.Gov before any decision is made and also on the Council's website.



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Housing Overview and Scrutiny Committee

22 January 2024

Report of Councillor Phil Dilks, Cabinet
Member for Housing and Planning

Update on the Social Housing Decarbonisation Fund wave 2.1

Report Author

Peter Park, Decarbonisation Project Manager

 Peter.park@southkesteven.gov.uk

Purpose of Report

This report provides an update on the ongoing Social Housing Decarbonisation Fund project to upgrade South Kesteven District Council owned properties with energy efficiency measures.

Recommendations

That the Committee:

Notes the update on the Social Housing Decarbonisation Fund project and upgrades on properties made to date.

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Housing that meets the needs of all residents Clean and sustainable environment
Which wards are impacted?	Multiple wards

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance

- 1.1 The 2023/24 – 2024/25 HRA capital programme includes an approved budget allocation of £7.26m to fund the delivery of this programme of works. Expenditure against this project is monitored on a monthly basis as part of the HRA Budget Monitoring process.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

Legal and Governance

- 1.2 It is important that as part of good project management the terms and conditions of the funding offer are adhered to and monthly reporting to the grant body the Department for Energy Security and Net Zero are made.
- 1.3 The delivery of the programme will help to ensure the Council is maintaining properties in a proactive manner, particularly regarding energy efficiency.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

Climate Change

- 1.4 The completion of the Social Housing Decarbonisation Fund project will have a significant impact on the energy efficiency of the Council's housing stock. By targeting the lowest performing properties, the energy and carbon savings from upgrades will be significant and help to address issues of fuel poverty for tenants.

Completed by: Serena Brown, Sustainability and Climate Change Officer

2. Background to the Report

- 2.1 South Kesteven District Council has a clear commitment in its Corporate Plan 2020-2023 to provide "Housing that meets the needs of all residents", as well as a target within the Corporate Plan to ensure a reduction in carbon emissions from the Council.
- 2.2 The Council is responsible for around 6000 properties which are let to tenants. The average Energy Performance Certificate (EPC) for the Council's housing stock is an EPC D. There is an aspiration to achieve an average of at least EPC C across the portfolio by 2030 to ensure we are doing all we can to mitigate fuel poverty for our tenants, as well as to contribute to wider decarbonisation of the district of South Kesteven. This will require a significant programme of targeted energy efficiency upgrades.
- 2.3 In recent years programmes have been implemented to realise this ambition. In 2021 the Council was awarded £926k of funding through Green Homes Grant Local Authority Delivery phase 2 (LAD2). Using this allocation 197 properties were upgraded with low carbon heating systems, specifically air source heat pumps or smart storage heaters.
- 2.4 The outcomes for the LAD2 project were strong, with 100% of allocated funding being used to upgrade properties. The project was also a learning opportunity for delivery of larger scale energy and decarbonisation projects, particularly regarding allocation of staff resources; product knowledge and overcoming potential issues with installation of renewable heating measures; looking at a wider range of measures to reduce energy consumption alongside installation of low carbon heating systems; and experience of delivery partner.
- 2.5 Wave 2.1 of the Social Housing Decarbonisation Fund was announced in 2022 by the Department for Business, Energy and Industrial Strategy (BEIS) as an £800m fund designed to support local authorities and registered social housing providers to deliver warm, energy-efficient homes, reduce carbon emissions and fuel bills, tackle fuel poverty, and support green jobs.
- 2.6 The key objectives of SHDF Wave 2.1 are to:
- deliver warm, energy efficient homes
 - reduce carbon emissions
 - tackle fuel poverty
 - support green jobs
 - develop the retrofit sector
 - improve the comfort, health and wellbeing of social housing tenants

- 2.7 A bid was developed in November 2022 into SHDF Wave 2.1 to upgrade over 367 properties in a £7.26m project. All social housing providers receiving SHDF funding are expected to provide a minimum of 50% co-funding towards the project. Using housing stock data held properties included in the project were identified on a worst-first approach, prioritising properties with poor EPC ratings and with a particular focus on off-gas properties where tenants are most at risk of fuel poverty.
- 2.8 The energy improvement measures modelled for properties range from fabric first improvements such as external wall insulation, cavity wall insulation, loft insulation and room in roof insulation measures, while also delivering renewable technologies such as solar photovoltaics and air source heat pumps.
- 2.9 Three new dedicated staff roles were also developed to support project delivery in the event of a successful bid. These roles were developed to include:
- Decarbonisation Project Manager
 - Retrofit Inspector
 - Retrofit Advisor and Administrator
- 2.10 South Kesteven District Council were notified in April 2022 that the bid into SHDF Wave 2.1 had been successful. Projects are expected to run to September 2025. The Council appointed E.ON as our delivery partner and principal contractor for the project.
- 2.11 Based on our housing stock data the following 367 properties are now being taken forward in the project for targeted energy efficiency, low carbon heating and renewable energy upgrades.

EPC	Number of properties
D	167
E	146
F	42
G	12
TOTAL	367

- 2.12 The project is being delivered in three distinct phases, in line with the relevant primary energy measure identified for each property:

	Primary measure	Number of properties
Phase 1	Solar PV panels	148
Phase 2	Air Source Heat Pump (ASHP)	180
Phase 3	External Wall Insulation (EWI)	39
TOTAL		367

- 2.13 The project has a robust approach to ensuring the correct measures are applied to each property by carrying out an extensive review of the existing EPC of the property. A retrofit assessment is then completed and any necessary asbestos surveys carried out. The property is then put forward for energy upgrades as identified and suitable measures installed. A medium term plan is produced with future measures detailed. We have also taken the decision to incorporate all of our 198 solid fuel properties, as part of our commitment to bring clean energy to our

off gas properties. These solid fuel properties are typically located in our rural areas across the district.

- 2.14 The contractors for Phase 1 have been on site since the first week of November and we have to date installed 66 measures at 49 properties on 22/12/23. This has been at a cost of £869K with grant funding contribution of £409K.
- 2.15 Phase 2 has been underway with resident engagement taking place and surveys on properties well underway. We are starting installing on site in this month, with some void properties being completed as a trial to ensure the specification is suitable.
- 2.16 Phase 3 has also been surveyed and the design process has started for the properties in Turnor Crescent in Grantham. These properties have had previous EWI installed, however the street was not completed. The properties that do not benefit from EWI consequently are displaying signs of mould due to the poor heat retention in the fabric of the building. This could also potentially cause cold bridging from the properties where the insulation has not been applied, limiting the effectiveness of existing insulation. Additionally, the project will aesthetically complete the street, which currently has a mixture of finishes to their facades.
- 2.17 The total expected project spend is included in the table below, split between SHDF Wave 2.1 funding and the Council's co-funding. The Council's contribution is slightly above the 50% minimum contribution due to going above cost caps for some of the energy measures included:

SHDF Wave 2.1 funding	£3,447,205
SKDC co-funding	£3,818,792
TOTAL	£7,265,997

Grant funding received	£409,122.84 (47.05%)
Capital spend	£460,426.24 (52.95%)
Total spend to date	£869,549.08

- 2.18 The project will aim to deliver in excess of 450 measures to our housing stock, with air source heat pumps returning 2.5kw for every 1kw of energy. This combined with the fabric measures and the ongoing work from the improvements team will ensure energy saving to what were the poorest performing properties.
- 2.19 Producing the medium-term plans for each property and successfully coordinating suitable measures will be our main focus for the project. We will be ensuring that our customer journeys are supported and the new technology is transitioned for our residents. We will be training our in-house staff to ensure they are equipped to maintain the new heating measures.

3. Key Considerations

- 3.1 The report is provided for information rather than decision. Members are asked to take note of the work to date in tackling energy efficiency issues in the Council's housing stock and successful award of grant funding to deliver a significant programme of upgrades.

4. Other Options Considered

- 4.1 There is a vision to achieve an average of at least EPC C across the Council's housing portfolio by 2030. The use of funding through the Social Housing Decarbonisation Fund was identified as the best way forward to deliver these upgrades. Additionally re -filling of cavities and lofts to correct specifications is being explored under a fabric first initiative this will attract further grant funding.

5. Reasons for the Recommendations

- 5.1 The report is provided for information to track progress of the Social Housing Decarbonisation Fund project.



SOUTH
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Housing Overview and Scrutiny Committee

22 January 2024

Report of Debbie Roberts, Head of
Corporate Projects, Policy and
Performance

Corporate Plan Key Performance Indicators 2023/24 Mid-Year (Q2) Report

Report Author

Charles James, Corporate Policy Officer

 Charles.james@southkesteven.gov.uk

Purpose of Report

This Mid-Year update report outlines South Kesteven District Councils performance against the Corporate Plan Key Performance Indicators (KPIs) from April 2023- October 2023.

Recommendations

That the Committee:

1. Review and scrutinise the performance against the Corporate Plan Key Performance Indicators in relation to the delivery of the Corporate Plan priorities and outcomes.
2. Use this report to inform and support the ongoing work programme of the Committee.

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Housing that meets the needs of all residents
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 The financial considerations where appropriate are referenced throughout this report.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

Legal and Governance

- 1.2 Regular reporting on agreed actions and measures is to be welcomed from a governance point of view, as it provides a transparent mechanism for reporting on performance.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

2. Background to the Report

- 2.1 The South Kesteven Corporate Plan 2020-2023 was approved by Council on the 1st of October 2020. It was agreed by Council actions, key performance indicators (KPIs) and targets would be developed by the relevant overview and scrutiny committee, which would retain oversight of the performance management arrangements at a strategic level. These actions and indicators were then presented to the Rural and Communities Overview and Scrutiny Committee and agreed on the 12 November 2020.

- 2.2 The Year End report for 2022/23 was presented to the Committee on 13 July 2023 and outlined the performance against the Corporate Plan for the previous financial year.
- 2.3 This report builds on these historical reports to provide an update on performance to the mid-year point of the 2023/24 financial year. It incorporates the changes recommended by the last KPI review to outline areas of the council's performance which are successful and to advise where challenges may lay.
- 2.4 2023/24 is the final year of monitoring these existing KPIs. A refresh of the Corporate Plan is currently underway. All Members have had the opportunity to engage in the development of the new Corporate Plan, which will be adopted in the January 2024. To accompany the new Corporate Plan, a new suite of KPIs will be developed to reflect the priorities, ambitions and actions of the new Plan. These KPIs will be approved by each Committee and reporting will commence from April 2024.
- 2.5 Appendix A presents the overall performance against the seven actions being presented in this session, as well as specific performance against the sub measures contained within those. Specific commentary is provided for each action, which is summarised as follows:
- 3 of the actions are rated Green. These are actions which are on or above target as planned.
 - 3 of the actions is rated Amber. This is an action which is currently below the planned target.
 - 1 of the actions is rated Red. This is an action, which is currently significantly below the planned target.

3. Key Considerations

- 3.1 The KPIs are produced and presented to each relevant scrutiny committee twice a year. This is a presentation the mid-year Q2 data so was from April – October 2023.
- 3.2 There has been 1 area of significant under performance identified in this report. There is commentary for each of the KPIs with an appropriate update from each area.
- 3.3 The new Corporate Plan is due to be adopted in January 2024. At that point, new KPIs will be approved by each Committee and collection of outcomes will commence from 1 April 2024.

4. Reasons for the Recommendations

- 4.1 This is a regular report where Members are invited to scrutinise and comment on performance.

5. Appendices

5.1 Appendix A – KPI Report: Housing OSC Mid-Year (Q2) 2023/24



**SOUTH
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Housing Overview and Scrutiny Committee

22 January 2024

Report of Councillor Phil Dilks, Cabinet Member for Housing and Planning

Building and Acquisitions Update

This report provides an update on the Housing Revenue Account New Build programme including acquisitions.

Report Author

Debbie Roberts, Head of Corporate Projects, Performance and Climate Change

 Debbie.roberts@southkesteven.gov.uk

Recommendations

It is recommended Members of the Housing Overview and Scrutiny Committee note this report to inform and support their ongoing work programme.

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	High Performing Council
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 The Capital Programme for 2023/24 Housing Development investment has been established at £5.5m and will be utilised to fund strategic acquisitions, Swinegate Grantham and Elizabeth Road Stamford new build schemes. It is important that the HRA has a continual housing growth strategy that incorporates a range of interventions including acquiring properties directly from developers, new build and acquiring former Right to Buy properties that specifically meet the housing needs. The formation of the capital programme for the HRA needs to ensure that affordable funding is included to enable the progression of the strategy.

Completed by Richard Wyles, Deputy Chief Executive and S151 Officer

Legal and Governance

- 1.2 Regular reporting on agreed actions and measures is to be welcomed from a governance point of view, as it provides a transparent mechanism for reporting on performance.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

Risk and Mitigation

- 1.3 No significant risks have been identified.

Climate Change

- 1.4 The contents of this report do not have a direct impact on the Council's carbon emissions or the carbon emissions of the wider district. More detailed information on carbon impact of individual projects is outlined within the relevant project documentation.

2. Background to the Report

- 2.1 The purpose of this report is to provide the Committee with an update regarding the new build housing pipeline and purchases using the Local Authority Housing Fund (LAHF1&2).

- 2.2 The approved Corporate Plan 2020-23 clearly sets out how South Kesteven District Council intends to meet our vision to “be the best district in which to live, work, and visit.”
- 2.3 The Corporate Plan identifies ‘Housing that Meets the Needs of Residents’ as a key priority with the following: -
- High quality housing is essential for all, and the council is committed to working with partners to provide this by:
- Offering the new homes that people need, at a price they can afford.
 - Ensuring new developments are in keeping with the character of South Kesteven and benefit the people who already live here.
 - Providing high quality homes and services to those who rent property from the council.
- 2.4 There are several schemes under consideration on HRA owned land. In the south of the district, we are focusing on examining opportunities within garage sites with a view to packaging these into several lots for future development. Most garage sites can accommodate a maximum of four units per site. A report on the garage sites will come to the next meeting of the Committee once all of the sites have been appraised.
- 2.5 The Council has a new build pipeline for delivery of new build units and an update for each of these is below: -

Swinegate, Grantham

- 2.6 Lindum is in the process of building 20 apartments through a direct award on the Scape Framework. The project has received planning consent, and the planning authority has approved non-material amendments and the discharge of planning conditions.
- 2.7 The enabling works to amend access to Watergate car park have now been completed. The entrance to the car park has been widened with new height restriction barriers in place.
- 2.8 Following a site visit from the conservation officer, planning officer and structural engineer an application to demolish and rebuild No.20 Swinegate was submitted on 6th October 2023.
- 2.9 Historic England could not agree to the above No.20 Swinegate demolition and requested a CARE (Conservation Accreditation Register for Engineers) structural engineer report in order to reconsider their position. This has now been completed and the team are awaiting confirmation from Historic England on how best to proceed and organising a site visit to that Historic England can view the building.

- 2.10 The application for No.20 will likely be taken to the Planning Committee in early February 2024. This will currently not impact on the programme on site as other works will continue during this period.
- 2.11 The site is extremely complex to deliver due to the existing car park, services, party wall notices and the fact that it is in a conservation area, but the design team have worked closely to mitigate any disturbance and to deliver the scheme. A photo between SKDC representatives and Lindum's was taken in December 2023 to celebrate the commencement of the scheme and mark the milestone.
- 2.12 Based on the current timetable is it anticipated the construction of the development will be completed by February 2025.

Elizabeth Rd, Stamford

- 2.13 The Cabinet approved the award for the £665,000 scheme and revised drawings/Non-Material Amendments were submitted to the Planning Committee on 01 November 2023.
- 2.14 The Non-Material Amendments are due for consultation in January 2024. Once approved, works will commence on site. The contractors have set up on site as of January 4th, 2024, with the works expected to take approximately 30 weeks.
- 2.15 A photo between representatives from SKDC and D Browns will be arranged to mark the milestone of works commencing on site in February 2024.

Larch Close, Grantham

- 2.16 The 21-unit scheme was granted permission at the Planning Committee meeting on 8th November 2023.
- 2.17 The procurement process has commenced and the results of the second expression of interest across two frameworks were received on the 10th January 2024. Four contractors have expressed an interest, the formal procurement will now be undertaken.
- 2.18 The current estimated start on site date is June 2024. The funding allocation for 2024/25 is anticipated to be used for delivering this scheme but will require additional money due to increased build costs/inflation which has been requested as part of the budget setting process.
- 2.19 The section 106 agreement is still being finalised before full permission can be granted. During this period Michael Dyson Associates are preparing all of the pre-construction information with Atkins Realis likely to be engaged to provide stage 4 quantity surveying services throughout the procurement process.

Wellington Way, Market Deeping

- 2.20 There are outline plans for 14-unit scheme in this location that had received pre-application advice from the Local Planning Authority in 2021.
- 2.21 Work and site investigations are underway with the topographical survey and ground scanning having been completed in December 23. Michael Dyson Associates have been instructed to proceed with the arbicultural, ecological, transport, noise, archaeological and minerals resource assessments.
- 2.22 The site, if still suitable following the investigations, will then commence to the architect providing some revised drawings to meet the needs of tenants for that area which is currently a mix of 1 bed, 2 bed and 3 bed roomed accommodations.
- 2.23 Early engagement with representatives within the location will be sought at that stage and some consultation prior to any formal pre-application advice being obtained from the Local Authority.

Gorse Rise, Grantham

- 2.23.1 A former garage site that was demolished in February 2020. External Consultants have been instructed to undertake a feasibility study of the site.
- 2.23.2 Two schemes have been proposed for the site with the possibility of 6 new build units being explored. External Consultants are currently working on some revised drawings that will meet the needs of our residents for that area and will be moving towards a pre-application in February 2024.

Former Blessed Hugh More, Grantham

- 2.23.3 The former Blessed Hugh More site was initially considered by the Council and LCC for an extra care scheme consisting of 60 units and 35 market houses.
- 2.23.4 The scheme is now being revisited on a much smaller scale and a new feasibility study completed looking to utilise half the 5.4 acres of the original scheme with a view to build 20 – 25 units.
- 2.23.5 Early discussions with the relevant ward councillors will be undertaken this month on the potential design and location of the proposed scheme before formal consultation and pre-application advice is sought.

Kesteven Road, Stamford

- 2.23.6 The site consists of an irregular parcel of land of approx. 1.3 acres in size and includes a combination of a garage block, car parking area and open space. Discussions have begun to identify the best option and layout for the site with an

approximate 18 – 21-unit scheme being explored. Further information is expected in the coming weeks.

Bourne End Road Estate, Colsterworth

- 2.23.7 Due to structural issues within the timber frame and thermally poor performance the 2 properties identified by the repairs team will require a lot of work to bring them to an EPC of C and above. With a recommendation to demolish, the site offers an opportunity to increase the density on the site which has large rear gardens.
- 2.23.8 William Saunders have been instructed to run a feasibility study on the opportunity with further feedback due in the coming weeks.
- 2.23.9 There is a possibility that there could be other phases of this development brought forward given that there are other properties of similar construction on this estate.

Garage Sites

- 2.24 A comprehensive review the SKDC owned garage sites is being undertaken with a handful of locations being earmarked for further investigations. A comprehensive report is expected to be completed by March 2024 and will be an agenda item at the next meeting of the Committee.
- 2.25 It is worth noting that most garage sites are small, in constrained areas of the District with utility and services passing through them therefore the recommendation that will be coming to a future meeting will be to progress with the larger, easier to deliver sites with options around demolition/sale of those sites that might be unviable financially as some of the existing garages are in a poor state.

3. Key Considerations

- 3.1.1 In order to achieve the numbers of housing that the Council has a requirement to deliver each year there will be a hybrid approach to new builds to work closely with developers on planning schemes which need to include a number of affordable units, the Council will discuss purchasing these (similar to a Registered Provider). There have been discussions with house builders on two sites within the District and these discussions are progressing in a positive direction. Further information will be provided to the Committee once proposals have been developed including the financial implications supported by a housing needs assessment,

- 3.1.2 Local Authority Housing Fund (LAHF) 1 –

The Council agreed to accepting the funding at their meeting in July 2023

[Agenda for Council on Thursday, 20th July, 2023, 1.00 pm | South Kesteven District Council](#)

The Council had a requirement to secure 21 units as part of the allocated funding with a deadline of the 30th November 2023 to secure purchases. Under the MoU the Council was required to provide:-

- 19 properties for households that meet the eligibility criteria (2/3 beds)
- 2 Four+ bed properties to be allocated to households currently in bridging accommodation ('the bridging element');

3.1.3 The Council has met this 21 unit purchase with the following

- 12 properties at Langtoft,
- 4 properties at Bourne
- 1 property in Ropsley
- 4 properties in Grantham (including the 2 four bedroom properties)

3.1.4 To date we have completed on 17 properties, 4 properties are with legal services Lincolnshire to complete as soon as practicably possible.

3.1.5 LAHF 2 – the Council has accepted the second stage of the funding which is to deliver a further eight properties, seven 'main element' 2/3 bed properties and one 'bridging element' 4 bed+ property. The deadline for this funding is the end of March 2024. Two developments have been identified to deliver all of the 8 houses, one in Grantham and the second in Bourne which are being progressed.

3.1.6 The Council need to consider bidding for LAHF3 when it comes available.

4. Reasons for the Recommendations

4.1 This is a regular report where Members are invited to scrutinise and comment on performance.

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SOUTH
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Housing Overview and Scrutiny Committee

22 January 2024

Councillor Phil Dilks
Cabinet member for Housing and
Planning

Earlesfield Project Overview January 2024

Report Author

Nick Thacker, Head of Technical Services



nick.thacker@southkesteven.gov.uk

Purpose of the Report

To update the committee on the progress of the Earlesfield Project, providing an overview of the project position, completed works and projected timescales.

Recommendations

That Committee note the contents of the report and the progress being made to deliver on the Earlesfield Project to resolve long standing issues within our housing stock.

Decision Information

Is this a Key Decision?	No
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Housing that meets the needs of all residents
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 The budget required to complete the works associated with the Earlesfield Project is included in the approved 2023/24 HRA Revenue and Capital budgets.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

Legal and Governance

- 1.2 There are no legal or governance implications arising from this report, which is for noting.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

2. Background to the Report

- 2.1 The Council has a clear commitment in its Corporate Plan 2020-2023 to provide "Housing that meets the needs of all residents" and the timely delivery of improvements to its social housing stock, which includes a significant number of properties on the Earlesfield Estate in Grantham, is a key element to this.

- 2.2 There have been site visits undertaken to completed properties by Cabinet Members and the Ward Members, the most recent visit was on the 25th October 2023.
- 2.3 To date we have completed 32 property refurbishments. Progress on the project is continues to be made on the programme but has been slower due to contractor resources on site.
- 2.4 Discussions have been held with the contractor and additional resources are being brought on to the project to increase the turnaround on completed properties and the project remains on target for completion by the end of April 2025.
- 2.5 A meeting was held on 4th January where Karen Bradford (CEO) and Nick Thacker (Interim Head of Housing, Technical Services) met with David Singleton (Quantity Surveyor) and Paul Holmes (Contract Manager). The project was reviewed and concerns were raised by both sides. It was agreed that missing contract administration documents would be submitted to Nick Thacker by 8 January 2024. It was agreed that an improvement plan would be produced and monitored on a regular basis. Two new project managers have been appointed to the scheme by UL; David Platts and Jake Blount. A seamless process of decanting arrangements are now agreed which is resulting in the acceleration of timescales in the turnaround of properties.
- 2.6 In November 2023 an incorrectly served claim to extend the contract finish date; with associated additional costs; was received from the contractor. To this point there has been no evidence found to substantiate this claim and we await the contractor's further response.
- 2.7 A series of monthly meetings have been arranged to monitor the improvement plan and ensure it is delivering results. Additionally, KPIs will be developed which will ensure the contract performs satisfactorily in 2024 .

3. Key Considerations and Other Options Considered

- 3.1 It is anticipated that around 42 properties will be completed by the end of March 2024.
- 3.2 An updated copy of the programme is attached as Appendix 1.

4. Reasons for the Recommendations

- 4.1 Report is for information and noting.

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SOUTH
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Housing Overview and Scrutiny Committee

22 January 2024

Report of Councillor Phil Dilks, Cabinet
Member for Housing and Planning

Choice Based Lettings update

Report Author

Sarah McQueen, Interim Head of Service (Housing Options)

 Sarah.McQueen@southkesteven.gov.uk

Purpose of Report

The purpose of this report is to give an update on the progress of the implementation of Choice Based Lettings allocations system.

Recommendations

The Housing Overview and Scrutiny Committee is asked to note the update on the progress of the implementation of Choice Based Lettings allocations system.

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Housing that meets the needs of all residents Healthy and strong communities
Which wards are impacted?	N/A

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 The implementation costs of this system in the 2023/24 budget so there are no financial implications arising from this report.

Completed by: Richard Wyles, Deputy Chief Executive and s151 Officer

Legal and Governance

- 1.2 There are no legal or governance implications arising from this report, which is for noting.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

2. Background to the Report

- 2.1 Choice based lettings was launched in October 2023 following a full registration process. All applicants on our existing housing register were contacted and invited to reapply for our new system with assistance offered where required.

2.2 Please see below statistics to demonstrate the work done so far on the implementation.

	Total
Applications received	2095
Applicants who have applied and do not qualify/closed applications	660
Applications incomplete (waiting further info)	428
Pre assessment completed (not taken further by applicant)	179
Applications pending assessment	252
Active applications	548
Of these: Band 1:	109
Band 2	159
Band 3:	234
Band 4:	46
Housed:	28
Of these: Band 1	10
Band 2	12
Band 3:	4
Band 4:	2

2.3 A key priority now is the number of applications waiting to be assessed. We have seen a huge increase in applications in January, 87 received in just 1 week. The allocations team have been tasked with assessing as many applications as possible.

2.4 We know however that all who applied from the old housing register have been assessed and notified of the outcome. As mentioned previously all were contacted via email (with a read receipt to know that they saw the message) or via post.

2.5 With it being a new system, we expected a high number of applications in the first few months and the dedicated team have been working on this task and we have seen the number drop significantly in the past few weeks.

2.6 The funding for the implementation team is now coming to an end with the expectation that Choice Based Lettings is fully implemented.

2.7 With this in mind, the task of managing the housing register will now move over to our allocations team.

- 2.8 Overall, feedback from customers is positive. We have had a few customers unclear of the change of policy and thinking that their banding has changed when in fact it has remained the same (the removal of the band entitled 'Emergency band' has resulted in Band 1 being the highest. Previously Band 1 was in fact the 2nd Band).
- 2.9 There has not been any stage one complaints raised about the Choice Based Lettings process as a whole.

3. Key Considerations

- 3.1 The update is contained within section 2 above.

4. Other Options Considered

- 4.1 N/A

5. Reasons for the Recommendations

- 5.1 Update on Choice Based Lettings was requested as part of the agenda for the Housing OSC.

Housing Overview and Scrutiny Committee: Updated Work Programme 2023/24

No	Item	Meeting Date	Lead Officer	Requirements	Notes (including reporting timeframes)
January 2024					
1.	Total Housing Compliance Policies	22/01/24	Nick Thacker		Deferred from meeting held on 16 November 2023
2.	Decarbonisation Programme and Funding update	22/01/24	Peter Park		Item moved from March
3.	Midyear KPI's reporting	22/01/24	Debbie Roberts		Relevant KPI's for each individual Scrutiny Committee
4.	Housing ASB Policy	22/01/24 TBC	Jodie Archer		
5.	Estate and Tenancy Management Policies	22/01/24	Jodie Archer		Cabinet 2024
6.	Private Sector Housing - Houses of Multiple Occupation Licensing Policy	22/01/24 TBC	Ayeisha Kirkham/Tom Amblin-Lightowler		22 January 2024
7.	Regulatory Compliance Monitoring update	22/01/24	Nick Thacker		22 January 2024
8.	Earlesfield Programme update	22/01/24	Nick Thacker		22 January 2024

9.	Build and Acquisitions update	22/01/24	Debbie Roberts/Suniel Pillai		22 January 2024
March 2024					
1.	Regulatory Compliance Monitoring update	22/01/24	Julie Martin		22 January 2024
2.	Earlesfield Programme update	22/01/24	Nick Thacker		22 January 2024
3.	Build and Acquisitions update	22/01/24	Debbie Roberts/Suniel Pillai		22 January 2024
4.	Private Sector Housing Enforcement Policy	21/03/24	Ayeisha Kirkham/Tom Amblin-Lightowler		21 March 2024
5.	Garage Sites and their suitability for development	22/03/24 TBC	Debbie Roberts/Suniel Pillai		
	Fabric First	TBC	Nick Thacker		
	Repairs Workshops	TBC	Nick Thacker	New dates to be confirmed towards May 2024	

Items already considered by the Committee at a previous meeting during 2023				
1.	Regulatory Compliance update	21/09/23 16/11/23		September 2023
2.	HRA Capital Programme – Progress Monitoring	21/09/23		September 2023
3.	Earlesfield Programme update	21/09/23 16/11/23		September 2023
4.	Update following Void Workshop (Future workshops)	21/09/23		September 2023
5.	Fee Policy Licensing of Mobile Homes	21/09/23		September 2023
6.	HRA Disposal & Acquisitions Policy	21/09/23		September 2023 Cabinet adopted policy 10.10.23
7.	Total Housing Compliance Policies	16/11/23		Deferred to January 2024
8.	Update following Homelessness workshop	16/11/23		16 November 2023
9.	Build and Acquisition update including Review of Housing Purchases in Langtoft	16/11/23		16 November 2023
10.	Choice-based lettings plus demonstration	16/11/23		16 November 2023

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