

**Bolsover District Council**

**Executive**

**25 April 2016**

**Items referred from Scrutiny Call In – New Bolsover Local Lettings Policy**

**Report of the Governance Manager**

This report is public

**Purpose of the Report**

- To refer back to Executive for reconsideration a decision concerning the New Bolsover Local Lettings Policy.

**1 Report Details**

1.1 Executive considered an item at its meeting on 29 February 2016 concerning New Bolsover Local Lettings Policy and resolved that:

*(1) A local lettings policy be adopted for existing tenants of New Bolsover on the following basis.*

*(a) Any tenant applicant from New Bolsover can be direct matched with any improved property on New Bolsover for a property of the appropriate size. This means that such properties will not be advertised.*

*(b) Any tenant applicant who wishes to move to another area must apply through the Council waiting list. In considering such applications appropriate weight will be given to their needs in the light of the requirement to undertake extensive refurbishment to their existing home.*

*(c) Any tenant applicant who wishes to be re-housed in a sheltered housing scheme, or has a need for a property with adaptations will be directly matched with a property to suit their needs.*

- (2) *If the Council have begun possession proceedings against a tenant (defined as the tenant has a current Notice of Seeking Possession, or a Court order for any breach of tenancy) any decision will be considered by the Housing Allocations Review Panel (HARP) Panel before any offer of accommodation is made. The HARP panel decision would be based on a balance of the status of the tenancy, the amount of rent arrears, the payment history of the tenant and the age of the debt, as well as the personal situation of the tenant. The Panel would be able to approve a move, refuse a move or make a move conditional.*
- (3) *From April 2016 for a period of two years the Council provide assistance for tenant applicants who move within New Bolsover or to an alternative Council property as a result of this scheme. This would include removal costs, lifting and refitting carpets and disconnection and connection of cookers and washing machines.*
- (4) *Resolutions (1) and (3) only apply to tenants of the Council who were living in unimproved Council owned properties on New Bolsover. These changes would not apply to situations where the Council would not obtain vacant possession of the property following a move.*
- (5) *The scheme starts from 1 April 2016 and runs until 31 March 2019 and may be extended by the Assistant Director – Head of Housing and Community Safety, following consultation with the Portfolio Holder for Housing and IT.*

1.2 A copy of the minute from the Executive meeting is attached at **Appendix A**.

1.3 The decision was published on 4 March 2016 and called-in on 9 March by two signatories. The following reason for the call-in was given:

*We wish to be informed what is meant by 'appropriate weight' in Recommendation 1(b), as we feel they should be treated no differently to anyone currently on the waiting list.*

*We would also like to stress that we have no objection to any property being used as a decant property for a maximum of 3 years for the scheme to go ahead.*

1.4 The call-in was considered by the Customer Service and Transformation Scrutiny Committee on 18 April 2016 who heard from the Portfolio Member, lead officer and call-in signatories before resolving that the matter be referred back to the Executive for the following reason:

*The Committee did not think that it was fair that anyone who wanted to permanently move out of New Bolsover should be treated any differently to anyone already on the waiting list.*

- 1.5 Executive must now reconsider their decision from 29 February 2016, in light of the concerns raised by Scrutiny, and decide whether to:
- (a) Reaffirm the original decision from 29 February 2016 as set out in paragraph 1.1.
  - (b) Amend their decision.
- 1.6 The decision taken by Executive at this meeting is final. There is no further right to call-in.
- 1.7 A copy of the original report to Executive is attached at **Appendix B**.

## **2 Conclusions and Reasons for Recommendation**

- 2.1 To present to Executive an item referred back from the Customer Service and Transformation Scrutiny Committee.

## **3 Consultation and Equality Impact**

- 3.1 N/A

## **4 Alternative Options and Reasons for Rejection**

- 4.1 The options are set out in paragraph 1.5 of this report. It is for Executive to decide whether or not to reaffirm or amend their original decision.

## **5 Implications**

None arising directly from this report.

## **6 Recommendations**

- 6.1 That Executive reconsiders their decision from 29 February 2016, in light of the concerns raised by the Customer Service and Transformation Scrutiny Committee, and decide whether to:
- (a) Reaffirm the original decision from 29 February as set out in paragraph 1.1; or
  - (b) Amend their decision
- before adopting a final decision.

## 7 Decision Information

<b>Is the decision a Key Decision?</b> (A Key Decision is an executive decision which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
<b>District Wards Affected</b>	See original report
<b>Links to Corporate Plan priorities or Policy Framework</b>	See original report

## 8 Document Information

Appendix No	Title
A	Minute extract, 29 February 2016
B	Report to Executive, 29 February 2016
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
None	
Report Author	Contact Number
M Kane	7753

Report Reference –

**EXECUTIVE – 29<sup>TH</sup> FEBRUARY 2016**

**0821. NEW BOLSOVER – LOCAL LETTINGS POLICY**

Executive considered a report of the Portfolio Holder for Housing and IT which sought approval of a local letting policy for New Bolsover.

The report proposed making temporary changes to the Allocation Policy in light of the major regeneration and refurbishment scheme at New Bolsover which would require tenants to move from their properties for a period of around 13 weeks while work was completed. Some tenants would move to temporary ‘decant’ accommodation for the duration of works before moving back to their own home while others would make their own arrangements. In some cases, it was likely that residents would want to make permanent moves either to properties that had already been refurbished or to other areas.

The changes were intended to be temporary and would only apply to tenants of the Council who were living in unimproved properties in New Bolsover. The changes would not apply to situations where the Council would not obtain vacant possession of the property following a move.

The rest of the report set out the proposed changes to the policy and its implications.

Moved by Councillor J Ritchie and seconded by Councillor K Reid.

**RESOLVED** that:-

(6) A local lettings policy be adopted for existing tenants of New Bolsover on the following basis.

- (d) Any tenant applicant from New Bolsover can be direct matched with any improved property on New Bolsover for a property of the appropriate size. This means that such properties will not be advertised.
- (e) Any tenant applicant who wishes to move to another area must apply through the Council waiting list. In considering such applications appropriate weight will be given to their needs in the light of the requirement to undertake extensive refurbishment to their existing home.
- (f) Any tenant applicant who wishes to be re-housed in a sheltered housing scheme, or has a need for a property with adaptations will be directly matched with a property to suit their needs.

- (7) If the Council have begun possession proceedings against a tenant (defined as the tenant has a current Notice of Seeking Possession, or a Court order for any breach of tenancy) any decision will be considered by the Housing Allocations Review Panel (HARP) Panel before any offer of accommodation is made. The HARP panel decision would be based on a balance of the status of the tenancy, the amount of rent arrears, the payment history of the tenant and the age of the debt, as well as the personal situation of the tenant. The Panel would be able to approve a move, refuse a move or make a move conditional.
- (8) From April 2016 for a period of two years the Council provide assistance for tenant applicants who move within New Bolsover or to an alternative Council property as a result of this scheme. This would include removal costs, lifting and refitting carpets and disconnection and connection of cookers and washing machines.
- (9) Resolutions (1) and (3) only apply to tenants of the Council who were living in unimproved Council owned properties on New Bolsover. These changes would not apply to situations where the Council would not obtain vacant possession of the property following a move.
- (10) The scheme starts from 1 April 2016 and runs until 31 March 2019 and may be extended by the Assistant Director – Head of Housing and Community Safety, following consultation with the Portfolio Holder for Housing and IT.

**REASON FOR DECISION:** To allow sufficient flexibility to cope with a large regeneration scheme.

**OTHER OPTIONS CONSIDERED:** None.

(Assistant Director –  
Community Safety and Head of Housing [BDC])

**Bolsover District Council**

**Executive**

**29 February 2016**

**New Bolsover – Local Lettings Policy**

**Report of the Portfolio Holder for Housing and IT**

This report is public

**Purpose of the Report**

To agree a local letting policy for New Bolsover

**1 Report Details**

- 1.1 All allocations to Council properties are made in accordance with the Councils Allocations scheme. This was introduced in 2012 and most recently revised in 2015. The allocations scheme aims to be fair and to make the best use of the councils housing stock.
- 1.2 As previously reported, the Council are to embark on a major regeneration and refurbishment scheme at New Bolsover. This is partly funded by Heritage Lottery fund, but the majority of the investment is made from the HRA
- 1.3 The work at New Bolsover is substantial and each tenant will need to move from their property for a period of around 13 weeks whilst the work is completed. Some people will move to temporary 'decant' accommodation for the durations of works before moving back to their own home, others will make their own arrangement. However, in some cases it is likely that residents will want to make permanent moves, either to properties that have already been refurbished, or to other areas. This report considers making temporary changes to the allocation policy to allow this to happen.
- 1.4 These changes are intended to be temporary and will only apply to tenants of the Council who are living in unimproved properties on New Bolsover. These changes will not apply to situations where the Council would not obtain vacant possession of the property following a move.
- 1.5 The changes proposed are:
  - a. Any tenant applicant from New Bolsover can be directly matched with any improved property on New Bolsover for a property of the appropriate size. This means that such properties will not be advertised.

- b. Any tenant applicant who wishes to move to another area must apply through the Council waiting list. In considering such applications appropriate weight will be given to their needs in the light of the requirement to undertake extensive refurbishment to their existing home.
  - c. Any tenant applicant who wishes to be rehoused in a sheltered housing scheme, or has a need for a property with adaptations will be directly matched with a property to suit their needs.
- 1.6 Note, that if the council have begun possession proceedings against a tenant (defined as the tenant has a current Notice of Seeking Possession, or a Court order for any breach of tenancy) any decision will be considered by the HARP Panel before any offer of accommodation is made. The HARP panel decision will be based on a balance of the status of the tenancy, the amount of rent arrears, the payment history of the tenant and the age of the debt, as well as the personal situation of the tenant. The Panel will be able to approve a move, refuse a move, or make a move conditional.
- 1.7 It is also proposed that from April 2016 for a period of 2 years the Council will provide assistance for tenant's applicants who move within New Bolsover or to an alternative Council property. This will include removal costs, lifting and refitting carpets and disconnection and connection of cookers and washing machines.
- 1.8 Members should be aware that tenants on New Bolsover are not entitled to statutory homeless payments. Members should also bear in mind that the costs incurred as a consequence of 1.7 are likely to be significantly less than the costs of moving a tenant into temporary accommodation during works, and back to their own home following works.
- 1.9 Members should also be aware that there will be a further local letting policy developed for New Bolsover which will cover how newly refurbished property in the area is let. This will be reported to a future meeting of Executive.

## **2 Conclusions and Reasons for Recommendation**

- 2.1 The current allocations policy does not offer sufficient flexibility to cope with a large regeneration scheme. However the policy does allow for local lettings policies to be adopted where appropriate. The proposals contained within this report are in effect a local letting policy, albeit for people moving from and within an area rather than being concerned with people moving to an area. This scheme will ensure that any allocation of property is transparent and within the scope of the policy.

## **3 Consultation and Equality Impact**

- 3.1 None directly



## **4 Alternative Options and Reasons for Rejection**

4.1 None

## **5 Implications**

### **5.1 Finance and Risk Implications**

Any costs arising from the proposals outlined within this report will be met from within the previously approved scheme costs for the New Bolsover project. To the extent to which tenants choose to move away from their existing home in New Bolsover then costs are likely to be reduced, as only one rather than two moves will be necessary.

### **5.2 Legal Implications including Data Protection**

None

### **5.3 Human Resources Implications**

None

## **6 Recommendations**

6.1 That a local lettings policy is adopted for existing tenants of New Bolsover.

a. Any tenant applicant from New Bolsover can be direct matched with any improved property on New Bolsover for a property of the appropriate size. This means that such properties will not be advertised.

b. Any tenant applicant who wishes to move to another area must apply through the Council waiting list. In considering such applications appropriate weight will be given to their needs in the light of the requirement to undertake extensive refurbishment to their existing home.

c. Any tenant applicant who wishes to be rehoused in a sheltered housing scheme, or has a need for a property with adaptations will be directly matched with a property to suit their needs.

6.2 Note, that if the council have begun possession proceedings against a tenant (defined as the tenant has a current Notice of Seeking Possession, or a Court order for any breach of tenancy) any decision will be considered by the HARP Panel before any offer of accommodation is made. The HARP panel decision will be based on a balance of the status of the tenancy, the amount of rent arrears, the payment history of the tenant and the age of the debt, as well as the personal situation of the tenant. The Panel will be able to approve a move, refuse a move, or make a move conditional.

- 6.3 It is also proposed that from April 2016 for a period of 2 years the Council will provide assistance for tenants applicants who move within New Bolsover or to an alternative Council property as a result of this scheme. This will include removal costs, lifting and refitting carpets and disconnection and connection of cookers and washing machines.
- 6.4 That 6.1 and 6.3 only apply to tenants of the Council who are living in unimproved council owned properties on New Bolsover. These changes will not apply to situations where the Council would not obtain vacant possession of the property following a move.
- 6.5 That the scheme starts from 1 April 2016 and runs until 31 March 2019.

## 7 Decision Information

<b>Is the decision a Key Decision?</b> (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No  The decision of 7 <sup>th</sup> September was a key decision. This decision will not incur additional expenditure over £50,000
<b>District Wards Affected</b>	All
<b>Links to Corporate Plan priorities or Policy Framework</b>	

## 8 Document Information

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<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number