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To: Chair & Members of the Customer
Services Scrutiny Committee

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Friday 8th October 2021

Dear Councillor

CUSTOMER SERVICES SCRUTINY COMMITTEE

You are hereby summoned to attend a meeting of the Customer Services Scrutiny Committee of the Bolsover District Council to be held in the Council Chamber, The Arc, Clowne on Monday, 18th October, 2021 at 10:00 hours.

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised from page 2 onwards.

Yours faithfully



Solicitor to the Council & Monitoring Officer

Bolsover
District Council

We speak your language
Polish **Mówimy Twoim językiem**
Slovak **Rozprávame Vaším jazykom**
Chinese **我们会说你的语言**

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**CUSTOMER SERVICES SCRUTINY COMMITTEE
AGENDA**

**Monday, 18th October, 2021 at 10:00 hours taking place in the Council Chamber,
The Arc, Clowne**

| Item No. | <u>PART A FORMAL</u> | Page No.(s) |
|-----------------|---|------------------------|
| 1. | Apologies for Absence | |
| 2. | Urgent Items of Business To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4 (b) of the Local Government Act 1972. | |
| 3. | Declarations of Interest Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:- a) any business on the agenda b) any urgent additional items to be considered c) any matters arising out of those items and if appropriate, withdraw from the meeting at the relevant time. | |
| 4. | Minutes of a meeting held on 13th September 2021 | 3 - 8 |
| 5. | List of Key Decisions and items to be considered in private https://committees.bolsover.gov.uk/mgListPlanItems.aspx?PlanId=134 &LLL=0 | |
| 6. | Consultation on Housing Policies - Tenant Alteration & Improvement Policy | 9 - 28 |
| 7. | Scrutiny Committee Work Programme 2021/22 | 29 - 34 |

PART B INFORMAL

The formal meeting of the Customer Service and Transformation Scrutiny Committee ends at this point. Members will meet informally as a working party to carry out their review work. This meeting is closed to the public, so members of the public should leave at this point

CUSTOMER SERVICES SCRUTINY COMMITTEE

Minutes of a meeting of the Customer Services Scrutiny Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Monday 13th September 2021 at 1000 hours.

PRESENT:-

Members:-

Councillor Rose Bowler in the Chair

Councillors Allan Bailey, David Dixon, Stan Fox, Ray Heffer, Andrew Joesbury and Rita Turner.

Officers:- Victoria Dawson (Head of Housing Management & Enforcement) Ann Bedford (Customer Standards and Complaints Officer), Joanne Wilson (Scrutiny & Elections Officer) and Alison Bluff (Governance Officer).

CS8-21/22. APOLOGIES

There were no apologies for absence.

CS9-21/22. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

CS10-21/22. DECLARATIONS OF INTEREST

There were no declarations of interest made.

CS11-21/22. MINUTES – 2nd AUGUST 2021

Moved by Councillor Ray Heffer and seconded by Councillor David Dixon

RESOLVED that the Minutes of a Customer Services Scrutiny Committee held on 2nd August 2021 be approved as a correct record.

CS12-21/22. LIST OF KEY DECISIONS AND ITEMS TO BE CONSIDERED IN PRIVATE

Committee considered the List of Key Decisions and items to be considered in private document.

Moved by Councillor Ray Heffer and seconded by Councillor Andrew Joesbury

RESOLVED that the List of Key Decisions and items to be considered in private document be noted.

CUSTOMER SERVICES SCRUTINY COMMITTEE

CS13-21/22. CUSTOMER SERVICE STANDARDS AND COMPLAINTS

Committee considered a report which provided the Council's performance in relation to its Customer Service Standards and the effective management of complaints for the period 1st October 2020 to 31st March 2021.

Customer Service Standards - An appendix to the report provided a breakdown of the key customer service standards by quarterly period, together with the target and the cumulative performance for each standard.

Telephones – The target was 93% to be answered within 20 seconds. Cumulatively, performance was 99% over 2020/21.

Members were asked to note that telephone calls diverted to staff working from home were not being recorded and the Customer Standards and Complaints Officer was currently undertaking a piece of work to see if these calls could be qualified.

Contact Centres – The target was 80% of incoming calls to be answered within 20 seconds. Cumulatively performance was 97% over 2020/21 which exceeded the target of 80%.

Revenues & Benefits - The target was 60% of incoming calls to be answered within 20 seconds. Cumulatively performance was 76% over 2020/21, which exceeded the target of 60%.

E-mails – Target 1 was 100% to be acknowledged within 1 working day and Target 2 was 100% to be replied to within 8 working days. 8,510 email enquiries were received from the public through enquiries@bolsover.gov.uk and all were acknowledged within one working day. 99% were replied to in full within 8 working days.

The volume of e-mails had increased compared to the same period in 2020/21 of 6,488. Email remained a popular method of contact, particularly due to other contact channels being unavailable for some of the period of monitoring (e.g. face to face and webchat).

Face to face monitoring – No monitoring had been undertaken due to ongoing Covid-19 pandemic arrangements.

Compliments – 105 written compliments were received during the period which covered various departments. The Customer Standards and Complaints Officer had also passed these compliments on to the Head of Paid Service.

Comments – 39 comments were received and all 39 were acknowledged and passed to the respective department within the target time of 3 working days.

Complaints – Frontline resolution (stage one) – An appendix to the report showed the number of Frontline Resolution complaints received by the Contact Centre service and recorded on the Customer Information System (Firmstep) by department. The customer service standard for responding to these complaints was 3 working days.

Complaints - Formal Investigation (stage two) – 123 formal investigation complaints were received during the period. 97% were responded to within the customer service standard of 15 working days. Covid-19 restrictions had impacted on performance

CUSTOMER SERVICES SCRUTINY COMMITTEE

during the earlier part of 2020/21, as some staff were either unavailable due to sickness or redeployed to other duties. However, this appeared to have improved.

Internal Review (stage three) – 17 stage three complaints were received during the period, all of which were responded to within the standard of 20 working days.

Ombudsman – During the period, 3 cases were received. One decision was that the Ombudsman could not investigate the complaint because the complainant had already appealed to the Planning Inspector. The remainder were awaiting a decision.

Members requested that for future reports, the details relating to each complaint be included and split between justified and unjustified as this would be helpful to Members when considering their Review work.

The Customer Standards and Complaints Officer also noted that a complaint could be partially justified and this was currently a category in the report.

In response to a Member's comment, the Customer Standards and Complaints Officer advised that the recorded message on the Council's main telephone number would be altered and reduced as normal working practices resumed.

Moved by Councillor Ray Heffer and seconded by Councillor Andrew Joesbury
RESOLVED that the report be noted.

CS14-21/22. LG&SCO AND HOUSING OMBUDSMAN ANNUAL REPORT 2019/20

Committee considered a report which provided information contained within the Annual Letter from the Local Government and Social Care Ombudsman (LGSCO) 2020/21.

The LGSCO letter contained an annual summary of statistics on the complaints made about the Council for the financial year ending 31st March 2021. Members were asked to note that the data provided by the LGSCO may not align with the data the Council held because the LGSCO numbers included enquiries from people who had been signposted by them back to the Council but who may then have chosen not to pursue their complaint. Benchmarking information with close neighbouring authorities was also included in the report

The LGSCO had received 6 enquiries and complaints during 2020/21, one of which was subject to a detailed investigation. The LGSCO decided 7 complaints - 2 were incomplete or invalid, 2 were closed after initial enquiries and in 2 cases, advice was given only. The remaining one was decided as 'maladministration and injustice'.

One complaint in relation to the New Bolsover regeneration project was upheld against the Council and as required following the LGSCO decision a report was submitted to Executive on 21st June 2021.

Although the report was regarding complaints directed to the LGSCO, the Council also received three complaints via the Housing Ombudsman (HO) for the same period, one of which was decided during that period. In that case the decision was that there was 'no maladministration'.

CUSTOMER SERVICES SCRUTINY COMMITTEE

Moved by Councillor Andrew Joesbury and seconded by Councillor Ray Heffer
RESOLVED that the report be noted.

The Customer Standards and Complaints Officer left the meeting.

CS15-21/22. NORTH DERBYSHIRE ROUGH SLEEPER STRATEGY 2021-2023

Committee considered a report in relation to a revised draft North Derbyshire Rough Sleeper Strategy 2021–2023.

It was a legal requirement for the Council to have a published Rough Sleeper Strategy in place.

The draft Rough Sleeper Strategy was an updated document following the success of the 2020-21 North Derbyshire Strategy. It outlined why it was essential to provide a package of measures to enable vulnerable members of the community who were without accommodation and suffering a range of multiple complex needs to access services and to live safely and independently. The measures would have a positive effect on communities within the District and also took account of what the Council had done in partnership during the Pandemic.

The proposed updated Strategy continued to be rooted in a partnership approach between the Council, other statutory services, the third sector and homeless people, and also continued to be based on the three 'pillars' of prevention, intervention and recovery that were identified in the National Rough Sleeper Strategy.

Many of the commitments from the existing strategy remained in place as they were continuous commitments. However, new and ambitious commitments had been added and these would maximum outcomes and act as a cornerstone for the delivery of additional activity.

In response to a Member's question, the Head of Housing Management & Enforcement advised Members that the Strategy positively worked - the people who had been supported through the Strategy had been given living accommodation. The partnership received grant funding and this supported a 17 unit residential accommodation for rough sleepers that all three authorities had access rights to 24/7.

Members welcomed the report and thanked the Head of Housing Management & Enforcement for attending the meeting.

Moved by Councillor Rose Bowler and seconded by Councillor Ray Heffer
RESOLVED that the report be noted.

CS16-21/22. CONSULTATION ON HOUSING POLICIES – RECHARGEABLE REPAIRS POLICY

Committee considered a report in relation to an updated Rechargeable Repairs Policy.

CUSTOMER SERVICES SCRUTINY COMMITTEE

The updated Rechargeable Repairs Policy provided a definition of rechargeable repairs and the circumstances in which it may arise. It also set out the internal procedure in terms of assessing repairs and calculating recharges, as well as the recovery process that would be followed. In addition, there was a section on when the Council may exercise discretion, for example, when a person's vulnerabilities affected their ability to pay the rechargeable repairs, or there may be exceptional circumstances which needed to be considered

There was also a formal appeals process where a tenant was given an opportunity to challenge the reasons for recharge or the recharge amount. This was considered by the Repairs Manager in the first instance, and if this was challenged further, was dealt as a complaint in accordance with the Council's Complaints procedure

In response to Members' questions, the Head of Housing Management & Enforcement advised Members that any rechargeable repayments would have to be affordable for the customer. An income and expenditure form would be completed and there would be a long term commitment from the customer to pay back the recharges.

The Head of Housing Management & Enforcement further advised Members that the Tenant Improvement and Alteration Policy would be presented to Members for their consideration at a future meeting.

Members thanked the Head of Housing Management & Enforcement for the report.

Moved by Councillor Ray Heffer and seconded by Councillor Andrew Joesbury
RESOLVED that the report be noted.

The Head of Housing Management & Enforcement left the meeting.

CS17-21/22. SCRUTINY COMMITTEE WORK PROGRAMME 2021/22 – AGREEMENT OF REVIEW SCOPE

Committee considered their work programme 2021/22.

Members considered a scoping document in relation to their Review work regarding 'Council Owned Adapted Accommodation'.

A Member suggested that the workload of the CAN Rangers and their effectiveness in the work they carried out be reviewed, and also how Public Space Protection Orders (PSPOs) were monitored in relation to any breaches, as Members were not provided with any evidence of PSPOs being enforced. Another Member suggested that a presentation could be provided to this Committee or Council in relation to an update on the CAN Ranger Service.

The Scrutiny & Elections Officer noted that the Climate Change and Communities Scrutiny Committee would carry out their annual review of the Community Safety Partnership in the near future and they could provide an update to this Committee on the CAN Ranger service. However, she would make enquiries with regard to a presentation to Members on the service and inform Members at the next meeting.

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Moved by Councillor Andrew Joesbury and seconded by Councillor Rose Bowler

RESOLVED that (1) the work programme 2021/22 be noted,

(2) the scoping document be agreed.

(Scrutiny & Elections Officer)

The formal part of the meeting concluded at 1105 hours and Members then met as a working party to continue their review work. The formal meeting concluded at 1125 hours

Bolsover District Council

Customer Services Scrutiny Committee

18th October 2021

Tenant Alteration and Improvement Policy

Report of the Assistant Director of Housing Management and Enforcement

Classification: This report is public

Report By: Victoria Dawson – Assistant Director of Housing Management and Enforcement

Contact Officer: Andrew Clarke – Operational Repairs Manager

PURPOSE / SUMMARY

The purpose of this report is for Customer Services Scrutiny Committee to consider and feedback on the revised Tenant Alteration and Improvement Policy. Committee's comments will be considered prior to Executive approval of the policy.

RECOMMENDATIONS

1. That Members review the attached updated Policy and Tenant Alteration and Improvement provide comments for consideration as part of the development of the Policy in advance of formal Executive approval and implementation

Approved by the Portfolio Holder – Councillor Sandra Peake

IMPLICATIONS

Finance and Risk: Yes No

Details:

The policy outlines Bolsover District Council's approach to the request for improvements or alterations to a council property. Where alterations are carried out below the required standard or cause damage to the property, the policy sets out how charges incurred by the council are calculated to put the work right. In addition where the improvement is carried out at the tenants own expense, a statutory scheme sets out the amount of compensation due.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

Tenants are entitled to make a request for alterations of improvements to their home. The Council will not unreasonably refuse permission but may impose conditions when granting permission. Where alterations or improvements have been carried out without permission or are considered dangerous the Council will put this right and can recharge the tenant under the terms of the Tenancy Agreement.

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details:

There are no staffing implications in the Report or arising from the updated Tenants Alteration and Improvement Policy.

On behalf of the Head of Paid Service

DECISION INFORMATION

| Decision Information | |
|--|--|
| <p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/></p> <p>NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p> | No |
| <p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p> | No |
| <p>District Wards Significantly Affected</p> | District wide Policy but no wards significantly affected |
| <p>Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></p> | Yes Details: Ward Members |

Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.

Customer Services - Providing good quality council housing where people choose to live

REPORT DETAILS

Background

- 1.1 Bolsover District Council owns and manages its housing stock consisting of 5019 properties as at August 2021.
- 1.2 All Tenants are entitled to make a request for alterations of improvements to their home and the Council will not unreasonably refuse permission. The Council may impose conditions, and there may be genuine reasons why permission must be refused.
- 1.3 The updated Tenant Alterations and Improvement Policy outlines Bolsover District Councils approach to considering requests made by a tenant to undertake works to their home to ensure that the housing stock is well maintained, and any changes do not have a detrimental effect on the value of or let-ability of the properties.

2. Details of Proposal or Information

- 2.1 Having reviewed the request for alterations and improvements over the past 12 months we have been able to update the policy and make it more straight forward for Tenants and Officers alike. In addition we have reviewed the internal procedure when dealing with requests to make this a quicker and more streamlined procedure. These internal amendments are reflected within the Policy.
- 2.2 All request must be made in writing, providing sufficient detail to be able to consider the request. The Council has a preferred form to be completed which is attached at appendix 1 of the Policy. We then write to confirm if permission is granted and set out any conditions which are required. A form is enclosed with this letter which the tenant is required to complete and return when the work is completed. Permission is granted for 12 months and if work is not commenced within that time, a tenant would need to re-apply.
- 2.3 In order to simplify the process and to save officer time we have introduced a list of alterations or improvements which would have “automatic” approval, and which we would not need to inspect after the work has been completed. We expect a tenant to still submit a request for permission form but a letter would be sent to confirm permission is granted and any specific condition that is to be followed. E.g. a tenant does not need formal permission to have a shed no

bigger than 6ft x 4ft but the location of this needs to be 1 meter from the boundary line and 3 meters from the property.

- 2.4 For some requests permission will be granted on conditions and an officer will need to inspect that the work has been done to the correct standard and complies with any conditions. For these types of cases we are amending the permission letter to make it very clear what those conditions are
- 2.5 For some of the more complex requests an offer may be required to attend the property prior to any work being carried out to discuss with the tenant their plans before permission can be granted.
- 2.6 The Policy explains that whilst the council will not unreasonably refuse permission there are some situations where permission cannot be granted. Examples are given within the policy to aid a tenant both generic e.g. which would breach planning legislation, as well as more specific examples e.g. the installation of a pond.
- 2.7 The Policy sets out the internal procedure in terms of inspecting any alterations or improvements and sets out how we will calculate recharges if the work needs to be put right or removed, as well as the recovery process that will be followed. This mirrors the approach set out in the Rechargeable repairs policy.
- 2.8 In some cases tenants are entitled to compensation for work that they have carried out, to their home at their own expense. This compensation is only available should the tenant leave the property, and takes into account depreciation, and wear and tear. The policy sets out the legislation on this and how any compensation would be calculated and paid to the tenant.
- 2.9 There is a formal appeals process where a tenant is given an opportunity to challenge the reasons the decision to refuse permission of the conditions imposed. for recharge or the recharge amount. The two Repairs Managers are often involved in setting the conditions so this is considered by the Head of Housing to ensure this is a fair decision making process. If this is challenged further it is dealt with as a complaint in accordance with the Councils Complaints procedure.
- 2.10 A copy of the draft, updated Policy is attached as **Appendix 1**, with amendments shown by way of track changes.

3 Reasons for Recommendation

- 3.1 It is considered good practice to have a policy which sets out the Councils approach to Tenant Alterations and Improvements.
- 3.2 The policy which sits alongside and supplements the tenancy agreement ensures that all tenants are aware of their rights and responsibilities, but also ensures that officers involved in housing repairs and tenancy management,

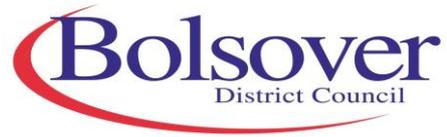
adopt the same fair but firm approach and takes account of the need to consider equality and proportionality when taking any action.

4 **Alternative Options and Reasons for Rejection**

4.1 The updated Policy is considered necessary so that members of the public are aware of the Councils approach to these requests, payment of compensation or recovery of recharges and in what circumstances these arise.

DOCUMENT INFORMATION

| Appendix No | Title |
|--|--|
| 1 | Draft Tenant Improvement and Alteration Policy |
| Background Papers (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) | |
| | |



Tenant Alteration and Improvement Policy

2021



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CONTROL SHEET FOR [policy title here]

| Policy Details | Comments / Confirmation (To be updated as the document progresses) |
|--|---|
| Policy title | Tenants Alterations and Improvements |
| Current status – i.e. first draft, version 2 or final version | First Draft |
| Policy author (post title only) | Head of Housing |
| Location of policy (whilst in development) – i.e. L-drive, shared drive | |
| Relevant Cabinet Member (if applicable) | Councillor Sandra Peake |
| Equality Impact Assessment approval date | |
| Partnership involvement (if applicable) | |
| Final policy approval route i.e. Executive/ Council | Executive |
| Date policy approved | |
| Date policy due for review (maximum three years) | |
| Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public) | |

1. Introduction

Bolsover District Council recognised that tenants have a right to carry out improvements to their Council owned homes. This policy sets out how we deal with requests to carry out improvements.

2. Scope

This Policy sets out Bolsover District Councils approach to tenants' rights to make alterations and improvements in their homes.

This policy applies to all secure tenants of Bolsover District Council, including sheltered housing tenants.

This policy does not apply to non-secure tenants as they are not permitted to make alterations to their property.

This policy does not apply to leaseholders or those who live in former council properties that have been sold under the right to buy, with the exception of Section 4(g).

3. Principles

The Council recognises that:

- Tenants have a right to make alterations and improve their council homes, if they have gained written consent from the Council
- Any improvements to the home need to be of a standard that is acceptable to the council, and in line with legal and regulatory guidelines
- Clear guidance is needed on what we will (and will not accept), any conditions that we will apply and what will happen to the improvement at the end of the tenancy.
- The need to advise tenants on their statutory right to compensation and when this applies.

4. Granting Permission

It is a condition of a tenancy that tenants seek permission from the Council, as their landlord, before starting any alterations or improvements.

Any request to carry out improvements or alterations should be made in writing. The Council approved application form is attached at **Appendix 1**. The tenant should show the type and extent of the improvement or alteration, and if they employ a contractor details of that contractor along with estimated cost.

Permission is not needed for minor issues such as internal redecoration. There are some improvements and alterations that do not require express permission

however you are expected to notify the Council. A list of automatic permissions is enclosed in **Appendix 2**. This is not intended to be an exhaustive list, and Officers will need to exercise discretion within this guidance.

If there is sufficient information contained within the request to make a decision, and the request is simple, a response may be made in writing. However, in most cases a site visit will be needed to clarify the request.

If the permission is granted the tenant will be informed in writing that this has been accepted. However, in most cases this will be conditional on the improvement or alteration meeting certain standards. In particular the response from the Council will make it clear that:

- The work is carried out to a standard that is acceptable to the Council
- The Council will not bear any of the costs of the improvement
- The tenant will ensure that all debris is removed from site and disposed of in a responsible manner. The tenant is responsible for ensuring that any other permissions are granted this includes planning permission, building regulations approval, permission from the County Council for dropped kerbs and any other permission that may be needed for the type of property, location and the extent of proposed works.
- Some properties that are in conservation areas (e.g. New Bolsover) may need specific permissions. The tenant is responsible for obtaining these.
- That if, in the opinion of the Council, the improvement causes damage to the property, the tenant is fully liable for rectifying the damage.

The response will also make it clear if there are other conditions that the improvement or alteration must meet. These include, but are not limited to:

- Using a qualified contractor (this will always apply if the work involves anything to do with either the electrical or gas supply)
- If there are any restrictions on the size or location of the improvement (for example all sheds must be at least 1 metre away from any boundary and 3 metre from the property).
- Any standards of construction that must be applied.
- If there is any restriction as to the use of the improvement (for example a garage for the use of a private motor vehicle only).

The response will also make it clear what will happen at the end of the tenancy. Either the improvement will be left in the property and the Council will assume responsibility for future maintenance (this may be subject to a final check at the end of the tenancy) – or, the tenant will be expected to remove the improvement and make good any damage this causes.

The response will also set a timescale for the completion of works, and make it clear that there will be an inspection of the works upon completion.

The tenant will also be informed if the repair falls under the tenant improvements scheme (see below).

The tenant should not commence work, or make arrangements with contractors until the Council has given written permission for works.

There are some improvements where the tenant will always be required to make good at the end of the tenancy. A failure to do so would give rise to recharges against the tenant and will be recovered in accordance with the Rechargeable Repairs Policy. Examples of these types of improvements are shown below;

- Garden ponds or water features.
 - Greenhouses
 - Glazed or partially glazed internal doors.
 - Light fittings and any other non-standard electrical fittings
 - Kitchens with 'built in' appliances.
 - Satellite TV aerials (including fixing holes)
- (NOTE: this is not an exhaustive list)

5. Refusing Permission

The Council will not unreasonably refuse permission for improvements but may impose conditions when granting permission. The Council will not accept improvements where, in the opinion of the Council, the proposal:

- is to the detriment of the property (for example removal of internal walls);
- would make the property more difficult to let;
- reduces the overall value of the property; or
- where there will be any additional cost to the Council and/or long term maintenance of the property
- reduces the number of bedrooms in the property (except if this is an adaptation agreed by the council to suit serious medical needs), or
- Would cause excessive nuisance to neighbours
- Would breach planning/building regulations or any other relevant legislation
- The environmental impact of the property is considered to be detrimental to the surrounding area

If a tenant is refused permission they will be informed in writing within 20 working days of the receipt of application. The tenant may submit revised proposals for consideration.

Examples of alterations of improvement where permission will be not be granted is show below;

- Installations of Satellite systems within sheltered housing schemes.
- Installation of log burner
- Installation of a conservatory
- Installation of a Pond
- Request to reduce the size or number of bedrooms in the property.
- Installation of a gas cylinder in areas where mains gas is available.
- Where the improvement would have a detrimental impact on shared facilities (for example car parking on a communal grassed area).
- Installation of French doors or patio doors to rooms designated as bedrooms.

Retrospective Permission

If a tenant has not applied for permission to carry out alterations or improvements they must request retrospective permission. Any request will be expected to meet

the same standards as a new request. No allowance is made for the fact that work has already been completed.

If the work involves any changes to the electrical or gas systems in the property a safety check will always be carried out. The tenant will be charged for this safety check in accordance with the Rechargeable Repairs Policy.

If permission is not granted, or rescinded the tenant will be given a reasonable period of time, normally 28 days, for them to remove the work and to make good. This timescale may be extended with the agreement of the Operational Repairs Manager or the Strategic Repairs Manager. If the work is not completed the Council will consider appropriate enforcement action against the tenant, for which they will be liable for the costs. Costs may consist of various elements as follows;

- The costs of the repair (including time and materials, based on BDC Minor Work Contract Rates applicable at the current time)
- The costs of any call out fee if out of hours or an emergency
- The cost of any specialised reports and or contractors needed
- VAT if applicable
- A 20% admin charge (up to a maximum of £500)
- Legal costs incurred should a money judgement be obtained.

6. Completion of Works

The tenant will be required to provide the Council with confirmation that the work has been completed, in accordance with granted permissions. A form is provided at the time permission is granted for the tenant to complete and return. All improvements will be inspected on completion.

If the improvement does not meet the required standard the tenant will be given 28 days (or less if the improvement is unsafe or dangerous) to put this right, or will be required to remove the improvement and to make good.

If the tenant refuses or is unable to carry out this work, the Council will carry this out and recharge the tenant and/or take other legal action, for which they will be liable for the costs

If the works meet the required standard the tenant will be informed in writing with 20 working days of receipt of application.

It should be noted that permission granted for 12 months. If the work is not commenced within this time frame the permission lapses and a new application would need to be made.

7. Compensation for Improvements

In some cases tenants are entitled to compensation for repairs they have carried out, to their home at their own expense This compensation is only available should the tenant leave the property, and takes into account depreciation, and wear and tear, but not when there is a mutual exchange. This is a statutory scheme in

accordance with s99A of the 1985 Housing Act. This only applies to improvements carried out since 1 April 1994.

The following table lists the improvements tenants can make to their home at their own expense, for which compensation may be considered at the end of the Tenancy. The list states the average associated normal life.

| QUALIFYING IMPROVEMENT | NOTIONAL LIFE IN YEARS. |
|---|--------------------------------|
| Bath or shower | 12 |
| Wash hand basin | 12 |
| Toilet | 12 |
| Kitchen sink | 10 |
| Kitchen or bathroom cupboards | 10 |
| Work surfaces in kitchens | 10 |
| Space or water heating | 12 |
| Thermostatic radiator valves | 7 |
| Insulation of pipes. Water tank | 10 |
| Loft insulation | 20 |
| Cavity wall insulation | 20 |
| Draught-proofing - external doors/windows | 8 |
| Double-glazing or external window replacement | 20 |
| Rewiring or provision of power and other electrical fittings (eg smoke detectors) | 15 |
| Any object which improves security, excluding burglar alarms | 10 |

This only applies to 'qualifying improvements' where the tenant has the written permission from the Council

Only the tenant can qualify for this compensation.

Calculating compensation

The amount of compensation owed to a tenant is calculated in line with the Secure Tenants of Local Authorities (Compensation for Improvements) Regulations 1994. The compensation is calculated by using the basic cost of the improvement (the tenant will need to supply receipts) and relating that to the notional life of the fitting. The allowance is calculated by multiplying the costs of the improvement by the by the number of actual years that the fitting had been in place, divided by the notional life. No allowance will be made for the tenants own time or labour when installing the improvement.

Compensation = Cost × (1-(Years since installation/Nominal Life))

Worked example

Compensation for a kitchen sink that has been in the property for 2 years and cost £200.

$£200 \times (1 - 2/10) = £160$ in compensation payable.

The maximum amount payable under the scheme is £3,000.

The amounts may be adjusted for a number of reasons:

- If the tenant has any housing related debt with the Council
- If there is excessive wear and tear to the improvement.
- the cost of the improvement work is considered excessive
- the improvement effected by the work is of a higher quality than it would have been had the Council effected it

Any claim must be submitted within 14 days after the tenancy end date.

There are situations when compensation would not be paid, for example:

- If the amount is less than £50.
- If the tenancy is ended because the Council obtained a possession order against the tenant
- If the tenant has bought the property under the Right to Buy scheme.
- If the property has been sold under its general powers of land disposal.
- If a tenant stays in the dwelling concerned and starts a new tenancy as a result of, say a relationship breakdown etc.

8. Appeals

If the tenant is unhappy with either the refusal of their request or the conditions that are imposed they may appeal to the Head of Housing. Appeals should be in writing setting out reasons why the object. Documentary evidence to support the appeal/dispute should be provided where possible.

A decision will be taken by the Repairs Manager, and Housing Enforcement Manager and will be confirmed in writing.

If the tenant is not satisfied with the outcome of the appeal or dispute, their complaint will be entered into the Council's Complaints Procedure

As the Compensation scheme is a statutory scheme there can be no appeal except where the Council has adjusted the compensation payable. These appeals will be considered by the Head of Housing.

9. Leaseholders

This policy primarily applies to Council tenants, and not leaseholders. Leaseholders should consult their lease agreement and the leaseholders handbook for information on carrying out improvements to leaseholder properties.

Leaseholder should be aware that no alterations should be carried out to the external fabric of the building without the express permission in writing from the Council. Requests should be made in writing to the Housing Department.

10. Responsibility for Implementation

The responsibility for administration, inspections, deciding conditions and communication with Tenants is with the Housing Repairs Team, with Housing Management consultation.

The responsibility for considering compensation at the end of the tenancy lies with the Housing Repairs Team.

The Repairs Management staff are responsible for monitoring compliance.

NOTE: This policy should be read in conjunction with the Tenant Rechargeable Repairs policy.

11. Appendices

Appendix 1 Application form

BOLSOVER DISTRICT COUNCIL

Housing Services

Application for permission to carry out work to a Council Property

Please use this form to apply for permission to carry out alterations/improvements to your Council house or flat. There are some alterations and improvements that will not need express permission. Please check the Tenants Alteration and Improvement Policy, appendix 1 or contact the repairs team on 01246 242424 prior to completing this form.

This form should be completed if you are seeking to undertake things like:

- Altering, improving, or enlarging the house, or its fixtures or fittings;
- Adding new fixtures or fittings, for example kitchens or bathrooms; central heating or other fixed heaters, double glazing or any kind of external aerial or satellite dish; putting in new light fittings;
- Putting up a garden building, for eg garage, shed(if larger than 6ft x 4ft) greenhouse (if larger than 6ft x 4ft) or other structure;
- Decorating the outside of the house;
- Laying/forming a new driveway;
- Laying wooden or laminate flooring.
- Any electrical works

The Council will not refuse permission unreasonably, but we may apply some conditions regarding the standard of work and who does it – see below. We may also want to come

out and speak to you about it or to have a look at where you want to put your shed, for instance.

You may be entitled to some compensation for certain improvements at the end of your tenancy – for details please see:

<http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/housing/pdf/138337.pdf>

| |
|-------------------|
| Your Name(s) |
| Your Address |
| Telephone number: |
| E-mail address: |

| |
|--|
| <p>Please give details of the alteration or improvement you wish to carry out. Please give us as much information as you can, including photographs, plans, drawings or brochures. Please give the size of any shed or outbuilding and the distance from the house/property boundary. If the work requires anything to do with the electrical or gas supply please provide details of the qualified contractor you will be using. Please also tell us what materials you will be using:</p> <p>Approximate cost of works:</p> <p>Name of contractor, if appropriate:</p> |
|--|

General:

- Bolsover District Council must not incur any costs relating to this work;
- You are responsible for obtaining any Building Regulations or Planning Permission that may be required. The Council will require copies of these documents **prior** to commencement of the works.;
- You must ensure that any works do not cause nuisance or disruption to neighbours or impede any public footpath;
- You must ensure that you do not disturb any services that maybe underground – if you need advice on this, please ask us;
- You must not cause any damage to existing fences, gates or pathways etc.;
- The works should be carried out to a standard acceptable to Bolsover District Council – the Council may inspect the finished work;
- You will be responsible for repairing any damage to the existing fabric and fittings of the property caused by the alteration work. If the Council has to repair any such damage, you will be recharged the cost of this work.
- You are advised to retain all receipts and invoices for the alterations as you may qualify at a future date for financial recompense under the Compensation for Improvement scheme – see above;

Sheds and garages:

- If you are erecting a shed, it must be no larger than 2400mm x 1800mm (8ft x 6ft) and must not block daylight to the neighbours garden or windows. There must be at least 1000mm clearance/ access around the shed for any works/ inspections; they must also be sited 3000mm from the rear of the property; Sheds and garages must be made of materials approved by Bolsover District Council and must be maintained properly e.g. by regular painting. If you are erecting a garage, you will be responsible for the necessary alterations to fences, gates, etc. and you must obtain written consent from Derbyshire County Council for pavement crossings and dropped kerbs. Gates should be in keeping with existing fencing; Garages and sheds must not be used for the running of businesses or garaging of commercial vehicles unless written permission has been granted by the Council;
- If you wish to install an electric supply to a garage, shed, outbuilding, etc., you must obtain the Council's written permission and the work must be undertaken by a qualified electrician. You will be required to provide an Electrical Safety Certificate once the work is complete.

Other alterations:

- You must ensure that the installation of an outdoor tap does not affect the property's plumbing and can be isolated in the winter months. You will be responsible for its on-going maintenance and any damage that it may cause if defective;
- You must ensure any satellite dish is installed by a qualified person using the appropriate fixings and it must not cause any damage to the property; this is particularly important if your home has had external wall insulation and render installed recently – please ask for advice.
- Please be aware some properties have external insulation so need longer fixings bolts to prevent damage. This also applies when fixing Christmas decorations to the walls. If permission is granted for erection, when fixings are removed the holes must be filled to prevent water ingress;
- Any minor electrical works must have a Minor Works Certificate meeting BS7671.

Laminate flooring:

- Please note that even if we give permission, you lay laminate flooring at your own risk. If we need to take it up to effect a repair, you will be responsible for the cost of re-laying it – we will not do this for you.

Please be aware that you will be required to re-instate the existing fabric and fittings at the end of your tenancy – for instance, if you take a shed with you, any base or hard-standing must also be removed. If we have to carry out this work, we will recharge you the cost of it.

I have read the conditions above and if the Council grants permission, I agree to abide by these conditions.

Signed..... (Tenant)

Date

Signed..... (Joint tenant)
Date

Housing Maintenance Officer notes:

Housing Maintenance Officer
Date of Inspection (if required)

Appendix 2

List of automatic permissions

Permission is not needed for minor issues, although we tenants are required to notify the Council of any alterations or improvements. Whilst this is not an exhaustive list, the following gives examples of where consent would be automatic.

- A water meter, gas or electric meter can be fitted so long as there is no costs to the Council and no damage to the property
- A smart meter can be fitted so long as there is no costs to the Council and no damage to the property
- Internal doors – we could do this but would need to say no glazed internal doors about replacing at the end of the tenancy and fire doors etc **these would require inspection as prone to DIY poor standard of install.**
- Satellite TV, although you will need to check if any Planning Permissions are needed, this is often dependent on size and location. You must ensure any satellite dish is installed by a qualified person using the appropriate fixings and it must not cause any damage to the property; this is particularly important if your home has had external wall insulation and render installed recently – please ask for advice.
- Outside tap, you must be able to isolate in the winter months and you will be responsible for its on-going maintenance and any damage that it may cause if defective;
- Security lights and battery operated door bells, so long as they do not affect the structure. Please note any electrical fittings need to be certified.
- Key safe, so long as doesn't affect the structure of the building
- A Shed no larger than 6ftx4ft which is 1 meter from the boundary line and 3 meters from the property. If any electrics installed a certificate will need to be provided.

Appendix 3 examples of where charges may be made

| Examples of when tenant will be charged for permission. | Examples of where no charge will be made |
|--|--|
| a. Gas or electricity installations where permission has not been granted (or conditions not followed) | i. Adaptations to suit disability or ill-health (except a or b) |
| b. Installations where the Council need to obtain certifications to verify standards | ii. Alterations which, in the opinion of the council, improve the property, and permission is granted prior to work (except b, e,) |
| c. Any alterations where the tenant is requesting retrospective permission where a visit is needed. | iii. Permission to supply gas to a property where there is no current supply. Where permission is granted (except b,e) |

| | |
|--|---|
| | |
| d. At the end of a tenancy where a tenants is seeking to leave an installation with either no permission or the original permission was conditional on removal | iv. Most internal installations such as replacement of doors, kitchens, bathroom suites etc where permission is granted prior to start of work (except b,d,e) |
| e. Where the council incur additional costs in providing permission (for example if a structural inspection is needed) | v. Simple external alterations such as installation of shed or fencing where prior permission is granted. |
| f. When the tenant wants to complete a mutual exchange which requires an electrical safety check. | |
| g. Installations such as satellite dishes, CB aerials or external CCTV systems which need fitting to an external wall (permission will not be granted for fitting to a chimney). | |

Bolsover District Council

Customer Services Scrutiny Committee

18 October 2021

Scrutiny Committee Work Programme 2021/22

Report of the Scrutiny & Elections Officer

Classification: This report is public

Report By: Scrutiny & Elections Officer

Contact Officer: Joanne Wilson

PURPOSE / SUMMARY

- To provide members of the Scrutiny Committee with an overview of the meeting programme of the Committee for 2021/22.
-

RECOMMENDATIONS

1. That Members review this report and the Programme attached at Appendix 10.1 for approval and amendment as required. All Members are advised to contact the Scrutiny & Elections Officer should they have any queries regarding future meetings.

Approved by the Portfolio Holder – N/A

IMPLICATIONS

Finance and Risk: Yes No

Details:

None from this report.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

In carrying out scrutiny reviews the Council is exercising its scrutiny powers as laid out in s.21 of the Local Government Act 2000 and subsequent legislation which added to/amended these powers e.g. the Local Government and Public Involvement in Health Act 2007.

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details:

None from this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

| Decision Information | |
|--|--|
| Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input checked="" type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies | No |
| Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In) | No |
| District Wards Significantly Affected | N/A |
| Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/> | Yes Details: Committee Members |

Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.

All

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

- 1.1 The main purpose of the report is to inform members of the meeting programme or the year 2021/22 and planned agenda items (Appendix 7.1).
- 1.2 This programme may be subject to change should additional reports/presentations be required, or if items need to be re-arranged for alternative dates.
- 1.3 Review Scopes submitted will be agreed within Informal Session in advance of the designated meeting for Member approval to ensure that there is sufficient time to gather the information required by Members and to enable forward planning of questions.
- 1.4 Members may raise queries about the programme at the meeting or at any time with the Scrutiny & Elections Officer should they have any queries regarding future meetings.
- 1.5 All Scrutiny Committees are committed to equality and diversity in undertaking their statutory responsibilities and ensure equalities are considered as part of all Reviews. The selection criteria when submitting a topic, specifically asks members to identify where the topic suggested affects particular population groups or geographies.
- 1.6 The Council has a statutory duty under s.149 Equality Act 2010 to have due regard to the need to advance equality of opportunity and to eliminate discrimination.
- 1.7 As part of the scoping of Reviews, consideration is given to any consultation that could support the evidence gathering process.

2. **Details of Proposal or Information**

- 2.1 Attached at Appendix 1 is the meeting schedule for 2021/22 and the proposed agenda items for approval/amendment.

3 Reasons for Recommendation

- 3.1 This report sets the formal Committee Work Programme for 2021/22 and the issues identified for review.
- 3.2 The Scrutiny Programme enables challenge to service delivery both internally and externally across all the Council Ambitions.
- 3.3 The Scrutiny functions outlined in Part 3.6(1) of the Council's Constitution requires each Scrutiny Committee to set an annual work plan.

4 Alternative Options and Reasons for Rejection

- 4.1 There is no option to reject the report as the Scrutiny functions outlined in Part 3.6(1) of the Council's Constitution requires each Scrutiny Committee to set an annual work plan.

DOCUMENT INFORMATION

| Appendix No | Title |
|--|------------------------|
| 1. | Work Programme 2021/22 |
| 2. | Draft Review Scope |
| Background Papers (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) | |
| Previous versions of the Committee Work Programme. | |

lowilCustomer Services Scrutiny Committee

Work Programme 2021/22

Formal Items – Report Key

| Performance Review | Policy Development | Policy/Strategy/ Programme Monitoring | Review Work | Call-In/Review of Executive Decisions | Petition |
|--------------------|--------------------|--|-------------|--|----------|
| | | | | | |

| Date of Meeting | Items for Agenda | | Lead Officer |
|-------------------|-------------------|---|---|
| 28 June 2021 | Part A – Formal | <ul style="list-style-type: none"> CANCELLED | |
| | Part B – Informal | <ul style="list-style-type: none"> CANCELLED | |
| 2 August 2021 | Part A – Formal | <ul style="list-style-type: none"> Briefing on Adapted Accommodation | Head of Housing Management & Enforcement/ Housing Enforcement Manager |
| | | <ul style="list-style-type: none"> Work Programme 2021/22 | Scrutiny & Elections Officer |
| | Part B – Informal | <ul style="list-style-type: none"> Review work | Scrutiny & Elections Officer |
| 13 September 2021 | Part A – Formal | <ul style="list-style-type: none"> Customer Service Standards and Compliments, Comments and Complaints Annual Report 2019/20 | Customer Standards and Complaints Officer |
| | | <ul style="list-style-type: none"> LG&SCO and Housing Ombudsman Annual Report 2019/20 | Customer Standards and Complaints Officer |
| | | <ul style="list-style-type: none"> North Derbyshire Rough Sleeper Strategy 2021-2023 | Head of Housing Management & Enforcement |
| | | <ul style="list-style-type: none"> Consultation on Housing Policies – Rechargeable Repairs | Head of Housing Management & Enforcement |
| | | <ul style="list-style-type: none"> Work Programme 2021/22 – Agreement of Review Scope | Scrutiny & Elections Officer |
| | Part B – Informal | <ul style="list-style-type: none"> Review work | Scrutiny & Elections Officer |

| Date of Meeting | Items for Agenda | | Lead Officer |
|------------------|-------------------|--|---|
| 18 October 2021 | Part A – Formal | <ul style="list-style-type: none"> • Consultation on Housing Policies – Tenant Alteration & Improvement Policy | Head of Housing Management & Enforcement |
| | | <ul style="list-style-type: none"> • Work Programme 2021/22 | Scrutiny & Elections Officer |
| | Part B – Informal | <ul style="list-style-type: none"> • Review work | Scrutiny & Elections Officer |
| 13 December 2021 | Part A – Formal | <ul style="list-style-type: none"> • Customer Service Standards and Compliments, Comments and Complaints Report 2019/20 – 1st April 2020 to 30th September 2020 | Customer Standards and Complaints Officer |
| | | <ul style="list-style-type: none"> • Work Programme 2021/22 | Scrutiny & Elections Officer |
| | Part B – Informal | <ul style="list-style-type: none"> • Review work | Scrutiny & Elections Officer |
| 21 February 2022 | Part A – Formal | <ul style="list-style-type: none"> • <i>Housing Strategy – Monitoring Update – TBC</i> | Head of Service – Economic Development, Regeneration and Housing Delivery; Head of Property & Housing Repairs; Head of Housing Management & Enforcement |
| | | <ul style="list-style-type: none"> • Work Programme 2021/22 | Scrutiny & Elections Officer |
| | Part B – Informal | <ul style="list-style-type: none"> • Review work | Scrutiny & Elections Officer |
| 21 March 2022 | Part A – Formal | <ul style="list-style-type: none"> • Transformation Governance Group Update | Joint Head of Transformation & Organisation |
| | | <ul style="list-style-type: none"> • Work Programme 2021/22 | Scrutiny & Elections Officer |
| | Part B – Informal | <ul style="list-style-type: none"> • Review work | Scrutiny & Elections Officer |
| 23 May 2022 | Part A – Formal | <ul style="list-style-type: none"> • <i>TBC</i> | |
| | | <ul style="list-style-type: none"> • Work Programme 2021/22 | Scrutiny & Elections Officer |
| | Part B – Informal | <ul style="list-style-type: none"> • Review work | Scrutiny & Elections Officer |

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