

The Arc
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To: Chair & Members of the Executive

Friday, 20th January 2023

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Dear Councillor

EXECUTIVE

You are hereby summoned to attend a meeting of the Executive of the Bolsover District Council to be held in the Council Chamber, The Arc, Clowne on Monday, 30th January, 2023 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 on page 3.

Yours faithfully



Solicitor to the Council & Monitoring Officer

Equalities Statement

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

Access for All statement

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- **Phone:** [01246 242424](tel:01246242424)
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- Call with [Relay UK](#) - a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real-time conversation with us by text.
- **Visiting** one of our [offices](#) at Clowne, Bolsover, Shirebrook and South Normanton

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AGENDA

Monday, 30th January, 2023 at 10:00 hours taking place in the Council Chamber, The Arc, Clowne

Item No.		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	4 - 12
	To consider the minutes of the last meeting held on 5 th December 2022	
	<u>BUDGET & POLICY FRAMEWORK ITEMS</u>	
5.	Medium Term Financial Plan 2023/24 to 2026/27	13 - 37
	<u>KEY DECISIONS</u>	
6.	Local Lettings Policy - New Build Properties	38 - 49
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8.	Appointment of Security and Concierge Contractor for Commercial Property	101 - 105

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Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Monday 5th December 2022 at 1000 hours.

PRESENT:-

Members:-

Councillor Steve Fritchley in the Chair

Councillors Mary Dooley, David Downes, Clive Moesby, Duncan McGregor, Liz Smyth and Deborah Watson.

Officers:- Karen Hanson (Chief Executive), Grant Galloway (Executive Director of Strategy and Development/Chief Executive – Dragonfly Developments), Pam Brown (Assistant Director Leader's Executive, Partnerships, Governance and Communications), Jim Fieldsend (Assistant Director & Monitoring Officer), Theresa Fletcher (Section 151 Officer), Samantha Bentley (Service Manager (Environmental Health) (to Minute No. EX80-22/23), Ian Barber (Director of Property & Construction Dragonfly Development Ltd/Assistant Director of Property Services & Housing Repairs), Vicky Dawson (Assistant Director Housing Management, Enforcement and Customer Services) (to Minute No. EX80-22/23), Kath Drury (Information, Engagement and Performance Manager) (to Minute No. EX76-22/23), Joanne Wilson (Scrutiny and Elections Officer) and Alison Bluff (Governance Officer).

Also in attendance at the meeting was Councillors Anne Clarke and Nick Clarke.

EX70-22/23. APOLOGIES

There were no apologies for absence.

EX71-22/23. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

EX72-22/23. DECLARATIONS OF INTEREST

There were no declarations of interest made.

EX73-22/23. MINUTES – 31ST OCTOBER 2022

Moved by Councillor Duncan McGregor and seconded by Councillor Sandra Peake
RESOLVED that the Minutes of an Executive meeting held on 31st October 2022 be approved as a correct record.

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MATTERS REFERRED FROM SCRUTINY

EX74-22/23. **SCRUTINY REVIEW OF COUNCIL POLICY ON SKY LANTERNS AND HELIUM BALLOONS**

Executive considered a detailed report presented by Councillor Nick Clarke, Chair of Climate Change and Communities Scrutiny Committee, in relation to the Committee's review of Council policy on sky lanterns and helium balloons.

The aim of the review was to assess the local impact of Sky Lanterns and Helium Balloons and review local Council policy.

The objectives agreed by the Committee were to assess national campaigns and neighbouring authorities, and consider replicating a similar charter/policy for BDC, and to assess the scale of the local environmental impact via consultation with both residents and local agencies/groups. The key issues identified for investigation were detailed in the report.

The key findings arising from the review were that there was limited additional impact the Council could have at a local level due to current national legislation, however, designating restrictions on use on Council land would bring the Council in line with over 50% of English councils.

To ensure service delivery remained efficient and effective across the board, Committee's advice was that the Council aligned its approach with that of neighbouring authorities as this would allow officers in the joint Environmental Health Service to take a proportionate and appropriate approach to enforcement and advice/guidance, within the Fire Service area.

Scrutiny Committee had put together five recommendations which were detailed in the review report.

Executive supported all five recommendations and the Portfolio Holder for Environmental Health & Licensing agreed to write to the relevant Minister to lobby for change to national legislation in line with the national campaign.

Moved by Councillor Duncan McGregor and seconded by Councillor Clive Moesby
RESOLVED that (1) the recommendations of the review as outlined in section 2 of the review report be endorsed,

(2) monitoring by Committee takes place over a twelve month period via the PERFORM system with an update report to Committee at the end of the monitoring period.

(Scrutiny & Elections Officer)

Reasons for Recommendation

The Committee had put together five recommendations which would hopefully assist the Council in limiting the impact of local use of sky lanterns and helium balloons.

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Alternative Options and Reasons for Rejection

While the number of contacts over recent years had been limited, Members felt that further action could be taken to bring the approach of BDC in line with that taken at neighbouring authorities. This should enable a more streamlined service and create efficiencies for the team. As such a 'do nothing' option was discounted.

Executive could choose not to endorse the recommendations of the review, where they felt the course of action recommended was beyond the delivery capacity of the Authority.

NON KEY DECISIONS

EX75-22/23. AMBITION PLAN TARGETS PERFORMANCE UPDATE – JULY TO SEPTEMBER 2022 (QUARTER 2 - 2022/23)

Executive considered a report which provided the July to September 2022 (Quarter 2) outturns for the Council's Ambition targets 2020-2024.

Out of the 31 targets 21 (67%) were on track, 1 (3%) had been withdrawn, 1 (3%) had been amended, 1 (3%) continued to be on alert, and 7 (23%) had been achieved previously.

Following discussion with the Portfolio Holder for Housing, ENV 08 - *Bring 5 empty properties back into use per year through assistance and enforcement measures*, had now been withdrawn. This was because the target had limited value and measures were being developed which would be better useful to Members to assess performance regarding private sector housing.

Councillor McGregor also advised Members that a meeting would be taking place to discuss issues around CUS.07 - *Reduce average relet times for standard voids (Council properties) to 20 calendar days by March 2021 and maintain thereafter*.

Moved by Councillor Duncan McGregor and seconded by Councillor Clive Moesby
RESOLVED that the report be noted.

Reasons for Recommendation

This was an information report to keep Members informed of progress against the Council Ambition targets noting achievements and any areas of concern.

Alternative Options and Reasons for Rejection

Not applicable to this report as providing an overview of performance against agreed targets.

The Information, Engagement and Performance Manager left the meeting.

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EX76-22/23. ALTERATIONS AND EXTENSION AT 33 HARLESTHORPE AVENUE CLOWNE

Executive's approval was sought for the appointment of a Contractor to undertake demolition, and alteration and extension works at 33 Harlesthorne Avenue, Clowne.

Housing Services had identified a need for a suitable property in the area to provide accommodation for a family with welfare requirements. 33 Harlesthorne Avenue, Clowne, was a void property and had been identified with the potential to extend and adapt as it had sufficient land surrounding it provided by a garage site.

The project included for demolishing the garage site to incorporate the space into the boundary of the property. This would allow the 2 bedrooomed semi-detached bungalow, with attached single skin offshoot, to be converted into a 3/4 bedrooomed bungalow with wet-room and family kitchen-diner area.

Working in conjunction with the Procurement Team, the works were tendered in accordance with Council procedures. One tender was received and evaluated on 1st November 2022 and the evaluation group were in unanimous agreement that Ven Construction Ltd's tender represented a high quality submission.

Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor
RESOLVED that (1) Ven Construction be awarded Contract to carry out the demolition, alteration and extension works at 33 Harlesthorne Avenue, Clowne, in accordance with tendered specification and following tender evaluation,

(2) progress on the contract would be reported through the Housing Stock Management Group.

(Building Surveyor/ Contract Administrator)

Reasons for Recommendation

The evaluation group were in unanimous agreement that the tender represented a high quality submission received from Ven Construction Ltd.

Alternative Options and Reasons for Rejection

None.

EX77-22/23. BOLSOVER HOMELESSNESS AND ROUGH SLEEPING STRATEGY 2022-2027

Executive's approval was sought for the adoption of the Bolsover Homelessness and Rough Sleeping Strategy.

The core aim of the Bolsover Homelessness and Rough Sleeping Strategy was to break down system blockages, argue that a multi-disciplinary approach was needed to make systems work better, and that services were flexibly designed around the needs of the Council's customers.

The strategy had been developed through close collaboration between the Derbyshire Homelessness Officers Group (DHOG), and a wide range of partner agencies to ensure that the Council was "working collaboratively to prevent and reduce homelessness, making it everyone's responsibility."

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The strategy would meet the vision and aims through the delivery of 4 clear priorities;

1. Make homelessness everyone's responsibility through a system wide approach,
2. Prevent homelessness and respond through early intervention and personalised solutions,
3. End rough sleeping and repeat homelessness,
4. Develop sustainable supported and settled housing solutions.

The strategy would serve as the Council's main homelessness & rough sleeping strategy for 5 years. It was noted that there was a legal requirement for the Council to have a homelessness & rough sleeping strategy in place.

The Chief Executive commented that there was a difference between homelessness and rough sleeping and the Council was now seeing a large number of people presenting themselves as homeless or potentially becoming homeless due to the current cost of living crisis.

Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor **RESOLVED** that the Bolsover Homelessness and Rough Sleeping Strategy 2022-2027 be approved and adopted.

(Assistant Director Housing Management, Enforcement and Customer Services)

Reasons for Recommendation

By adopting the strategy the Council would be able to meet the continued challenges ahead such as meeting the needs of those with multiple and complex needs and the coming issues related to the increases in the cost of living.

Alternative Options and Reasons for Rejection

Not to approve the recommendation to implement the proposed strategy. It should be noted that the Council would be in breach of its legal requirement to have a published Rough Sleeping Strategy in place.

Not to approve the implementation of the proposed strategy would have a negative impact on the health and wellbeing of considerably vulnerable individuals. The strategy provided a co-ordinated framework for the delivery of essential services to protect the wellbeing of rough sleepers.

BUDGET AND POLICY FRAMEWORK ITEMS

EX77-22/23. MEDIUM TERM FINANCIAL PLAN – REVISED BUDGETS 2022/23

Executive's approval was sought for the 2022/23 revised budgets for the General Fund, Housing Revenue Account and Capital Programme.

General Fund

The proposed 2022/23 revised budget for the General Fund was attached at appendix 1 to the report. The appendix showed the original budget for 2022/23, which was

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approved by Council in February 2022, the current budget which reflected budget transfers and approved changes during the financial year, and the proposed revised budget for 2022/23.

Housing Revenue Account (HRA)

The revised budget for the Housing Revenue Account was set out in appendix 3 to the report.

Capital Programme

The Council's capital programme was shown in appendix 4 to the report. It had been updated from the original budgets to reflect approvals within the year and the profiling of the individual schemes following approved changes by Members and from detailed discussions with budget officers.

The risk of not achieving a balanced budget was outlined as a key risk within the Council's Strategic Risk Register. Whilst officers were of the view that these risks were being appropriately managed, it needed to be recognised that continued reductions in budgets may mean that adverse variances arising from particular issues or pressures outside of the Council's control, may not be able to be absorbed from favourable variances in other budgets. Similarly the income on the HRA needed to be carefully managed to ensure the HRA continued to be sustainable over the life of the 30 year business plan, particularly in light of the expenditure increases the Council had seen during the last 12 months.

Councillor McGregor noted that the Council was in a better position financially than some other local authorities and that was due to the good work of the Council.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor

RESOLVED that (1) the revised General Fund budget for 2022/23 as set out in Appendix 1 and detailed in Appendix 2 to the report be noted,

(2) the revised HRA budget for 2022/23 as set out in Appendix 3 to the report be approved,

(3) the revised Capital Programme for 2022/23 as set out in Appendix 4 to the report be approved.

(Section 151 officer)

Reasons for Recommendation

The purpose of the report was to set revised budgets as early as possible within the financial year to ensure that identified budget savings were realised, that all budget managers were working to the revised budgets and to allow any planned changes to be delivered.

Alternative Options and Reasons for Rejection

General Fund and HRA

Any surplus on the Council's two main revenue accounts would result in an increase in financial balances at the year-end which were available to protect services at a time of declining central government support. It was proposed that additional resources would be transferred to reserves in preparation for future expenditure.

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Capital

There were no alternative options being considered with regard to the proposed allocations from the Capital Programme budget as it ensured the Council's assets met health and safety requirements in that they were maintained in a fit for purpose state that ensured they remained fully operational.

KEY DECISIONS

EX78-22/23. HOUSEHOLD SUPPORT FUND SERVICE LEVEL AGREEMENT

Executive's approval was sought to enter into a Service Level Agreement between Derbyshire County Council (DCC) and Bolsover District Council which set out a funding arrangement for the grant of Household Support fund.

In October 2021, the government announced that a Household Support Fund grant (HSF), would be made available to county councils and unitary authorities in England to support those most in need over the winter. The Council was awarded funding to cover a six month period, October 2021 to March 2022 (Tranche 1), and a further six month period, April 2022 to September 2022 (Tranche 2).

A third tranche of Household Support Fund had been announced to cover the period, October 2022 to March 2023, with the purpose of the grant being to provide support to vulnerable households who would otherwise struggle to buy food or pay essential utility bills, essential living costs and housing costs.

Following discussion, it was agreed that DCC would retain a portion of their grant funding to assist vulnerable households with regard to food and utility bills, and the Council would utilise the grant of approximately £100,000 - £114,000 around housing costs.

A Service Level Agreement had been provided by DCC, which was appended to the report, and set out how the grant must be administered along with reporting information.

Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor
RESOLVED that the Council enters into a Service Level Agreement for the Household Support Fund, with Derbyshire County Council, for the grant of approximately £100,000 - £114,000

(Assistant Director Housing Management, Enforcement and Customer Services)

Reasons for Recommendation

This grant was an opportunity to financially assist vulnerable households across the District to prevent homelessness and to sustain tenancies.

In order to receive this grant the Service Level Agreement needed to be signed. The Council's legal team had approved the agreement in its current form.

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Alternative Options and Reasons for Rejection

Do nothing. This option was rejected as to refuse the Service Level Agreement would mean residents in the District could not benefit from the funding and may suffer financial hardship.

EX79-22/23. AIR QUALITY GRANT

Executive's approval was sought to access a grant from the Department for Environment Food and Rural Affairs (DEFRA), to improve air quality in the District.

On 20th July 2022, the government announced that an Air Quality grant (£975,000) would be made to the Council in order to carry out agreed promotion and infrastructure improvements to improve air quality (specifically Nitrogen dioxide).

The grant had been made following compliance with the Ministerial Direction relating to air quality on the A34 within the District.

The purpose of the grant was to implement education initiatives and infrastructure improvements (as per the grant determination letter attached at appendix 1 and 2 to the report), and the funding could only be used to deliver these specific projects as agreed with DEFRA, and subject to quarterly reporting.

Moved by Councillor Deborah Watson and seconded by Councillor Duncan McGregor **RESOLVED** that signing of the grant determination letters be approved.

(Chief Executive)

Reasons for Recommendation

The grant was an opportunity to improve air quality in the District through vehicle charging infrastructure, additional alternative transport initiatives and education and promotional activity.

In order to receive the grant, the determination letters needed to be signed and returned to DEFRA.

Alternative Options and Reasons for Rejection

Do nothing. This option was rejected. To refuse the grant would limit the Council's ability to directly improve air quality.

The Service Manager, Environmental Health and the Assistant Director Housing Management, Enforcement and Customer Services left the meeting.

EX80-22/23. EXCLUSION OF THE PUBLIC

Moved by Councillor Duncan McGregor and seconded by Councillor Steve Fritchley **RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the stated Part 1 of Schedule 12A of the Act and it is

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not in the public interest for that to be revealed. [The category of exempt information is stated after each Minute].

EX81-22/23. UPDATE ON DRAGONFLY EXEMPT PARAGRAPHS 1 AND 3

Executive considered a detailed update on Dragonfly which included a slide presentation regarding current and upcoming housing projects/schemes.

Members welcomed the update and noted it was a good news story.

The meeting concluded at 1000 hours.

Bolsover District Council

Meeting of the Executive on Monday 30th January 2023

Medium Term Financial Plan 2023/24 to 2026/27

Report of the Portfolio Holder for Finance

Classification	This report is public
Report By	Assistant Director of Finance and Resources
Contact Officer	Assistant Director of Finance and Resources Theresa Fletcher 01246 242548 theresa.fletcher@bolsover.gov.uk

PURPOSE / SUMMARY

To seek approval of the proposed budget 2023/24 for the General Fund, Housing Revenue Account and Capital Programme as part of the Council's Medium Term Financial Plan covering the years 2023/24 to 2026/27.

To provide Elected Members with an overview of the Council's financial position in order to inform the decision making process.

REPORT DETAILS

1 Introduction

1.1 This report presents the following budgets for Members to consider:

- General Fund – Appendix 1 and 2
- Housing Revenue Account (HRA) – Appendix 3
- Capital Programme – Appendix 4

In particular financial projections are provided for:

- 2022/23 Current Budget Position – this is the current year budget, revised to take account of changes during the financial year that will end on 31st March 2023.
- 2023/24 Original Budget – this is the proposed budget for the next financial year, on which the Council Tax will be based, and will commence from 1st April 2023.
- 2023/24 Original Budget, this includes proposed increases to rents and fees and charges for the next financial year for the Housing Revenue Account.

- 2024/25 to 2026/27 Financial Plan – In accordance with good practice the Council agrees its annual budgets within the context of a Medium Term Financial Plan (MTFP). This includes financial projections in respect of the next three financial years.

- 1.2 Once Executive has considered this report and the appendices, recommendations agreed by Executive will be referred to the Council meeting of 1st February 2023 for Members' consideration and approval.

General Fund

2022/23 Current Budget

- 1.3 In February 2022, Members agreed a budget for 2022/23 to determine Council Tax. The original budget showed a funding deficit of £0.082m. Throughout the year budgets have been actively managed with savings removed from the budget once they have been agreed.
- 1.4 The Revised Budget was considered by Executive at its meeting on the 5th December 2022 and by the Audit and Corporate Overview Scrutiny Committee at its meeting on 29th November. There have been no changes to the budget position since this time. The revised budget funding gap is the planned use of the general fund balance for 2022/23 as agreed in 2020/21 of £0.082m.
- 1.5 The final in-year position will be dependent on the actual financial performance out-turning in line with the revised budgets as there may be further costs and/or savings identified as the year progresses. Whilst these estimates reflect the position at the time of setting there can be some volatility from the budget to the outturn position, especially this year with inflation being as unpredictable as it currently is.
- 1.6 It was agreed that any surplus on the Council's two main revenue accounts be transferred to reserves in preparation for future expenditure and to protect services at a time of declining central government support.

2023/24 Original Budget and 2024/25 to 2026/27 Financial Plan

- 1.7 The financial projection for 2023/24 to 2025/26 was approved by Members in February 2022. The 2022/23 budget process has updated those projections and established a base for 2026/27.
- 1.8 The proposed budget for 2023/24 is a deficit of £0.018m. As in 1.4 above, this is the planned use of the general fund balance as approved in 2020/21. Based on current information, where there is a shortfall in funding for a particular year, that shortfall can be met from within the NNDR Growth Protection Reserve as discussed in paragraphs 1.29 – 1.33 of this report. The financial summary for each year of the MTFP is shown in **Appendix 1**. **Appendix 2** details the net cost of each cost centre by Directorate.
- 1.9 Table 1 below shows the updated figures resulting from the budget process together with estimates of future basic Council Tax increases. At this stage none of this income is realised and is therefore not yet included in our budgets.

Table 1

	2022/23 Revised Budget £000	2023/24 Forecast £000	2024/25 Forecast £000	2025/26 Forecast £000	2026/27 Forecast £000
Current Budget Shortfall	82	18	0	0	0
Pension costs to be funded by GF balance	(82)	(18)	0	0	0
Basic assumption for future Council Tax increases	0	(131)	(245)	(359)	(473)
Closing Budget Surplus	0	(131)	(245)	(359)	(473)

1.10 The main factors taken into account in developing the Council's financial plans are set out within the sections below.

Level of Government Funding

1.11 The current financial year 2022/23, was another roll-over settlement. Every Spending Review since 2019/20 has effectively been a roll-over of the four-year settlement that covered the period 2016/17 – 2019/20.

1.12 It was thought when the Chancellor announced the Autumn Statement in November 2022 that the Spending Review 2022 (SR22) would cover both 2023/24 and 2024/25. The Statement made no mention of the Fair Funding Review, nor did it give detail on New Homes Bonus or the Business Rates Reset. It was anticipated this may be part of the provisional settlement.

1.13 However, the provisional local government finance settlement announced on December 19th was a one-year settlement for 2023/24 only. There were no projected or indicative numbers for 2024/25 in lots of areas (although some were given). Therefore, the SR22 is again effectively a roll-over settlement and we have had to make assumptions for some areas in 2024/25 and beyond because they weren't covered by the provisional settlement.

1.14 As previously discussed many times, the early indicative results of the Fair Funding Review; the abolition of New Homes Bonus; the fundamental review of Business Rates and the baseline reset of Business Rates were all detrimental to us as a district Council who has seen much growth in recent years, both in business rates and New Homes Bonus grant. The removal of these funding streams will have a major effect on our financial position. For this reason a delay in their implementation in their current form is not a bad thing for us. However, it does make it difficult to estimate future funding levels when there is so much uncertainty surrounding them.

- 1.15 A policy statement from 12th December 2022, announced the key principles that ministers intended to use in the provisional settlement, and they do remain unchanged in the provisional settlement. The provisional settlement is the best in cash terms that local government has received for many years with those responsible for adult social care doing particularly well.
- 1.16 The following paragraphs show our government funding for 2023/24 from what we have been told in the provisional settlement and the assumptions we have had to make for future years:

New Homes Bonus

- 1.17 We have been waiting for the results of the government's consultation on the future of New Homes Bonus Grant for at least four years. It is widely expected that the grant will be abolished but it is not yet known what, if anything, will replace it.
- 1.18 For 2023/24 we have received a roll-over of the current approach to New Homes Bonus with the delay of its abolition and a new allocation based on our property numbers. We have been able to include an extra £0.678m in grant income for 2023/24.
- 1.19 For 2024/25 we have assumed the same amount of grant will be received but that this will be the last year that New Homes Bonus will be received. This is based on commentary from our local government finance funding advisors about the expected timing of the results of the New Homes Bonus review.

Fair Funding Review

- 1.20 It is likely the wider local government reforms are now not going to be implemented until 2025/26 at the earliest. It is still not known with any clarity what the impact of the Fair Funding Review will be. Initial modelling showed that the recalculated Settlement Funding Assessment (SFA) was redirecting resources to those based on 'need' which would impact negatively on most shire districts. However, there does seem to be some growing acknowledgement that authorities such as us with a low tax base, would lose out significantly under this method and particularly if changes to business rates were brought in as planned, at the same time.
- 1.21 With the lack of any concrete figures for the likely impact of the Fair Funding Review we have once again not been able to attribute a value in our MTFP to any changes. Some commentators have even questioned whether the Fair Funding Review will be part of any changes to the funding of local government or whether it is just too complicated to implement. Whatever changes occur there is likely to be some years where damping payments would be paid to ensure authorities were eased into the new funding and for us that might be as much as £2m for each of the first 2 years.

Business Rates

- 1.22 The figures in the MTFP for Business Rates have been updated for the latest assumptions around likely changes to our baseline funding level information, tariff amounts and the impact of a business rate reset. The assumption is that

there will not be any changes to the current system until at least 2025/26 as mentioned above.

- 1.23 This has resulted in considerable additional income for all future years of the MTFP. It has been assumed 2025/26 is the year when the reset occurs and the income slowly increases each year as we build back the growth lost from the reset. No growth in these business rates figures has been included in any year to protect against further negative adjustments.

Revenue Support Grant

- 1.24 The roll-over settlement has meant a further few years of receiving Revenue Support Grant. We will receive £1.473m in this first bonus year of receiving the grant and £1.582m in 2024/25. We have assumed the grant will reduce and no longer be received after 2026/27.

Lower Tier Services Grant

- 1.25 This grant was introduced in 2021/22 to provide damping to authorities with cash-terms reductions in Core Spending Power. It provided additional funding to District Councils who lost the most from the reduction in New Homes Bonus and gained the least from new grant increases and Council Tax increases. This grant has not continued into 2023/24.

2022/23 Services Grant

- 1.26 This was introduced for 2022/23 and was meant to be a one-off grant to support all services delivered by Councils. This was distributed to every authority using the 2013/14 SFA. This grant has continued into 2023/24 and 2024/25. The amount we are able to include as extra income for each of these years is £0.114m. Nothing has been included for future years.

3% Funding Guarantee Grant

- 1.27 The Funding Guarantee grant effectively replaces an element within the Lower Tier Services Grant and it ensures that no authority has a Core Spending Power increase of less than 3% without having to increase their Band D Council Tax. For 2023/24 only, we have been allocated £0.041m. This shows that damping as discussed earlier, is a policy intention of the government in the settlement.
- 1.28 To summarise, the Spending Review 2022 represented the largest increase in Core Spending Power that local government has received for more than a decade. This does depend however, on Council Tax increases being implemented at the maximum level allowed. Districts have the smallest average increase in the Core Spending Power at only 5% and the increase in government funding is only just larger than the increase we're allowed to increase Council Tax by.

Mitigating Losses in Government Funding

- 1.29 To help mitigate losses caused by funding changes the NNDR Growth Protection Reserve was created a number of years ago. Originally this included transfers of income from the general fund when Business Rates income calculations were updated for new growth.

- 1.30 This meant income received would be more than initially estimated for that year and the extra amount to be received would be transferred into the reserve, almost as a savings account to be returned back to the general fund when income was reduced in future years.
- 1.31 In recent years extra income received from all sources of government funding mentioned above have been transferred into the reserve if the budget for that year has already been in surplus when the extra funding has been realised.
- 1.32 The balance accumulated has meant we are able to use the reserve to even-out most of the government funding losses over the life of the current MTFP. A transfer from general fund to the reserve will be made in 2024/25 of £0.354m. Latest estimates for transfers back to the general fund are £0.275m 2023/24; £2.829m 2025/26 and £2.971m in 2026/27. This leaves a balance in the reserve of £4.607m for future years.
- 1.33 When savings are found from elsewhere or extra income is earned, the transfers from the reserve will be reduced.

Expenditure, income levels and efficiencies

- 1.34 In developing the financial projections covering the period 2023/24 to 2026/27, officers have made a number of assumptions. The major assumptions are:
- For 2023/24, 5% has been included in staffing budgets as an estimate for a pay award. For 2024/25 to 2026/27, 2% has been included.
 - Investment income as a result of treasury management decisions has been increased in all years of the MTFP as interest rates continue to rise. Current rates are 3.50% and it is thought they are not yet at their peak. Commentators are estimating it will be late 2024 before rates begin to fall. This is the assumption we have used for our investment income levels.
 - Inflation specific budgets such as energy costs and fuel have been amended to reflect anticipated price changes. We are estimating continued high prices throughout the 2023/24 financial year with a reduction in prices for future years, still above the original level for 2021/22 but in line with the 2022/23 level.
 - The Local Government Pension Scheme (LGPS) actuarial valuation was carried out at 31 March 2022. The results for the Derbyshire Pension Fund show an increased funding position. This has meant the deficit payment of £0.962m per year is no longer necessary but to ensure the fund continues to meet the needs of future pensioners, the contribution rate has been increased by the Pension Fund for employers from 14.9% to 20.8%. This currently makes no significant difference to us because the amounts are very similar and net each other off but should we suddenly get a tranche of new employees joining the scheme, we would face additional costs.
 - With respect to planning fees, a base level for income has been included in the MTFP for all future years of £0.400m. The rules of the government's

20% increase to planning fees means we have to set-aside the additional 20% income we receive, to be spent specifically on the planning function.

- Fees and charges – service specific increases as agreed by Members.

Council Tax Implications

Council Tax Base

- 1.35 In preparation for the budget, the Chief Financial Officer under delegated powers has determined the Tax Base at Band D for 2023/24 as 22,900.72. This is an increase on the 2022/23 Tax Base.

Council Tax Options

- 1.36 The Council's part of the Council Tax bill in 2022/23 was set at £191.28 for a Band D property. This was an increase of 2.68%
- 1.37 The Council has a range of options when setting the Council Tax but in calculating our funding allocation in the settlement, the government will assume we will increase Council Tax by the maximum allowed. The government indicate what upper limit they consider acceptable. For 2023/24 District Councils are permitted to increase their share of the Council Tax by the greater of 3% or £5 without triggering the need to hold a referendum.
- 1.38 The table below shows some of the options and the extra revenue generated.

Increase	New Band D £	Annual Increase £	Weekly Increase £	Extra Revenue £
2.00%	195.10	3.83	0.07	87,545
2.61%	196.28	5.00	0.10	114,441
2.99%	197.00	5.72	0.11	130,911

- 1.39 The level of increase each year affects the base for future years and the proposed increase for 2023/24 is 2.99%, generating additional revenue of £130,911. This ensures we do not accidentally trigger a referendum.
- 1.40 Members will recall that in our Medium Term Financial Strategy (MTFS) approved in August 2022, we have the strategic intention '*to raise Council Tax by the maximum allowed in any given year, without triggering a Council Tax referendum, to endeavour to continue to deliver services*'.

Financial Reserves – General Fund

- 1.41 The Council's main uncommitted Financial Reserves are the General Fund Working Balance of £2.001m, the uncommitted element of the Transformation Reserve of £0.313m and the NNDR Growth Protection Reserve which has a balance of £4.607m after being used to fund the current MTFP. Due to the uncertainty surrounding local authority income and the fact that the Council has

reduced budgets to a minimal level, it is important that the Council continues to review whether we have an acceptable General Fund Working Balance.

Housing Revenue Account (HRA)

2022/23 Current Budget

- 1.42 In February 2022, Members agreed a budget for 2022/23. Rent levels were set in line with government regulations with an increase of 4.1%, effective from 1st April 2022. HRA fees and charges were also set, effective from the same date.
- 1.43 The Revised Budget was considered by Executive at its meeting on the 5th December 2022 and by the Audit and Corporate Overview Scrutiny Committee at its meeting on 29th November. There have been no changes to the budget position since this time.
- 1.44 The HRA was in balance with neither a surplus or deficit estimated, which was in-line with the current budget.

2023/24 Original Budget and 2024/25 to 2026/27 Financial Plan

- 1.45 The proposed budget for 2023/24 currently shows the use of the HRA balance of £0.250m, this includes the planned use of the balance to cover the pension amount of £0.039m. Based on current information the position for 2024/25 is a contribution to the HRA balance of £0.211m and a transfer to HRA reserves of £0.500m. For future years there is a transfer to HRA reserves of £0.936m in 2025/26 and £1.380m in 2026/27 (**Appendix 3**). The proposal is to transfer any surplus that arises over these amounts into the HRA Revenue Reserve in all years.
- 1.46 The HRA budget is made up of the same assumptions as the General Fund budget for staff costs, superannuation costs and inflation. There are however, some assumptions that are specific to the HRA. The main factors taken into account in developing the Council's financial plans for the HRA are set out within the sections below.

Level of Council Dwelling Rents

- 1.47 On the 17th November 2022 when the Chancellor announced the Autumn Statement, included was the instruction that rents for social housing would be capped at 7% for 2023/24. This followed a government consultation during the summer on the affordability for Councils of a 5% rent cap, after the current government arrangements for rents to rise by Consumer Price Index (CPI) plus 1%, would've meant increases of around 11% for tenants, which was clearly likely to be unaffordable to most.
- 1.48 After careful consideration and in order to keep the HRA sustainable in light of the extra cost pressures, it is proposed to increase the income for dwelling rents by 5% for 2023/24 and this has been included in the budget. For future years it is unknown whether the government will revert back to the Department for Levelling Up, Housing and Communities (DLUHC) Policy Statement on rents for social housing where CPI plus 1% is used. It has therefore felt appropriate to only include 2% as an estimate of the increase in income for the final 3 years of the MTFP.

- 1.49 The table below shows the average rent increases on a 52 week basis, excluding service charges, for both Social Rent and Affordable Rent, which is charged on all new build properties.

Increase	New Rent Charge	Annual Increase	Weekly Increase	Range of New Rent Charge
5%	£86.14	£213.20	£4.10	£62.42 - £112.13
Average for Social Rent on a 52 week basis				
5%	£115.46	£286.00	£5.50	£81.21 - £199.78
Average for Affordable Rent on a 52 week basis				

Empty Property Levels - Voids

- 1.50 It is inevitable during a financial year that there will be occasion when properties are empty and therefore no income will be earned. This could be the gap in the tenancy between one tenant vacating and the next one taking up the property or could be part of a management decision to leave the property empty because it is part of a capital or repair scheme which is soon to commence.
- 1.51 An estimate of the number of void properties which may occur in each financial year needs to be made so that the dwelling rent income budget can be reduced to reflect this. For 2023/24 to 2026/27 the estimate for voids which has been included in the MTFP is 3%.

Fees and Charges

- 1.52 Although the main source of income for the HRA is property rents, the HRA is also dependent for its financial sustainability on a range of other charges. These charges are set on the principle that wherever possible charges for services should reflect the cost of providing those services.
- 1.53 A schedule of the proposed charges is set out at **Appendix 3, table 1**. For 2023/24 in most cases the charges are recommended to be increased by 5%.

Financial Reserves - HRA

- 1.54 The Council's main uncommitted Financial Reserves are the Housing Revenue Account Working Balance of £2.000m. In addition to the Working Balance there are further reserves for the HRA used only to fund the Council's HRA capital programme. These are the Major Repairs Reserve, New Build Reserve, Vehicle Repair and Renewal Reserve and Development Reserve.

Capital Programme

- 1.55 There will be three separate reports to Council on 1st February 2023 concerning the Council's Treasury Management Strategy, Investment Strategy and Capital Strategy. The Capital Strategy report will consider capital financing such as borrowing which enables the proposed capital programme budgets to proceed.

2022/23 Current Budget

- 1.56 In February 2022, Members approved a Capital Programme in respect of 2022/23 to 2025/26. Scheme delays and technical problems can cause expenditure to slip into following years and schemes can be added or extended as a result of securing additional external funding. Where capital expenditure slipped into 2022/23 the equivalent amount of funding was not applied during 2021/22 and is therefore available in 2022/23 to meet the delayed payments.
- 1.57 The Revised Capital Programme was considered by Executive at its meeting on 5th December 2022 and by the Audit and Corporate Overview Scrutiny Committee at its meeting on 29th November. There have been no changes to the budget position since this time.

General Fund Capital Programme 2023/24 to 2026/27

- 1.58 The proposed Capital Programme for the General Fund totals £9.990m for 2023/24; £3.494m for 2024/25; £1.251m for 2025/26 and £2.299m for 2026/27 (**Appendix 4**).

Housing Revenue Account Capital Programme 2023/24 to 2026/27

- 1.59 The proposed Capital Programme for the Housing Revenue Account totals £15.843m for 2023/24; £14.057m for 2024/25; £10.488m for 2025/26 and £5.348m for 2026/27 (**Appendix 4**).
- 1.60 A list of all the schemes and associated funding are attached as **Appendix 4** to this report.

Robustness of the Estimates – Section 25 Local Government Act 2003

- 1.61 Under the provisions of the Local Government Act 2003, the Council's Section 151 Officer is required to comment on the robustness of the estimates made and on the adequacy of the financial reserves.
- 1.62 The Council's Section 151 Officer (The Assistant Director of Finance and Resources) is satisfied that the estimates are considered to be robust, employee costs are based on the approved establishment, investment income is based on the advice of the Council's Treasury Management Advisors and income targets are considered to be achievable.
- 1.63 Likewise the Section 151 Officer is satisfied that the levels of reserves are considered to be adequate to fund planned expenditure and potential issues and risks that face the Council.

2 Reasons for Recommendation

- 2.1 This report presents a budget for approval by Council. It seeks to ensure approval to budgets in respect of the General Fund, the Housing Revenue Account and the Capital Programme.

3 Alternative Options and Reasons for Rejection

- 3.1 Alternative options are considered throughout the report.

RECOMMENDATION(S)

- 1 That all recommendations below are referred to the meeting of Full Council on the 1st of February 2023.

The recommendations to Council are:

- 2 That in the view of the Chief Financial Officer, that the estimates included in the Medium Term Financial Plan 2023/24 to 2026/27 are robust and that the level of financial reserves whilst at minimum levels are adequate, be accepted.
- 3 That officers report back to Executive and to the Audit and Corporate Overview Scrutiny Committee on a quarterly basis regarding the overall position in respect of the Council's budgets. These reports to include updates on achieving savings and efficiencies for 2023/24 and future years.

GENERAL FUND

- 4 A Council Tax increase of £5.72 is levied in respect of a notional Band D property (2.99%).
- 5 The Medium Term Financial Plan in respect of the General Fund as set out in Appendix 1 of this report be approved as the Revised Budget 2022/23, as the Original Budget in respect of 2023/24, and the financial projection in respect of 2024/25 to 2026/27.
- 6 That any further under spend in respect of 2022/23 is transferred to the Council's General Fund Reserves.
- 7 On the basis that income from Planning Fees may exceed £0.500m in 2022/23, the Head of Paid Service in consultation with the Leader be granted delegated powers to authorise such additional resources as are necessary to effectively manage the resultant increase in workload.

HOUSING REVENUE ACCOUNT

- 8 That Council increases its rent levels by 5% to apply from 1st April 2023.
- 9 That the increases in respect of other charges as outlined in **Appendix 3 Table 1** be implemented with effect from, 1st April 2023.
- 10 The Medium Term Financial Plan in respect of the Housing Revenue Account as set out in **Appendix 3** of this report be approved as the Revised Budget in respect of 2022/23, as the Original Budget in respect of 2023/24, and the financial projection in respect of 2024/25 to 2026/27.
- 11 That under spends in respect of 2022/23 to 2026/27 are transferred to the HRA Revenue Reserve.

CAPITAL PROGRAMME

- 12 That the Capital Programme as set out in **Appendix 4** be approved as the Revised Budget in respect of 2022/23, and as the Approved Programme for 2023/24 to 2026/27.
- 13 That the Assistant Director of Property Services and Housing Repairs be granted delegated powers in consultation with the Portfolio Member and the Asset Management group to approve the utilisation of the £260,000 of AMP Refurbishment Work allocation, with such approvals to be reported back to Executive through the Quarterly Budget Monitoring Report.

Approved by Councillor Clive Moesby, Portfolio Holder for Finance

IMPLICATIONS:

Finance and Risk: Yes ☒ No ☐

Details:

The issue of Financial Risks is covered throughout the report.

In addition, the Council has a risk management strategy and associated framework in place and the Strategic Risk Register is regularly reviewed through the Council's performance management framework. Strategic risks along with the mitigation in place to ensure such risks are manageable are reported to the Audit and Corporate Overview Scrutiny Committee on a quarterly basis. The risk of not achieving a balanced budget is outlined as a key risk within the Council's Strategic Risk Register and is therefore closely monitored through these practices and reporting processes.

Similarly the HRA needs to be carefully managed to ensure the HRA continues to be sustainable over the life of the 30 year business plan.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☐ No ☒

Details:

The Council is legally obliged to approve a budget prior to the commencement of the new financial year in April 2023. This report together with the associated budget timetable has been prepared in order to comply with our legal obligations.

The recommended budget for the General Fund, Housing Revenue Account and Capital Programme comply with the Council's legal obligation to agree a balanced budget.

There are no Data Protection issues arising directly from this report.

On behalf of the Solicitor to the Council

Environment:

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.

Details:

Not applicable to this report

Staffing: Yes ☐ No ☒

Details:

These are covered in the main report and supporting Appendices where appropriate.

On behalf of the Head of Paid Service

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: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	No

District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Details: Portfolio Holder for Finance

Links to Council Ambition: Customers, Economy and Environment.

DOCUMENT INFORMATION

Appendix No	Title
1	General Fund Summary
2	General Fund Detail
3	Housing Revenue Account Summary
3 table 1	HRA – Fees and Charges 2023/24
4	Capital Programme

Background Papers
<i>(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 Executive you must provide copies of the background papers).</i>
None

**BOLSOVER DISTRICT COUNCIL
GENERAL FUND**

APPENDIX 1

Description	Revised Budget 2022/23 £	Original Budget 2023/24 £	Forecast 2024/25 £	Forecast 2025/26 £	Forecast 2026/27 £
Resources	11,434,594	6,809,949	6,743,723	6,922,072	7,146,189
Strategy and Development	5,466,727	5,728,634	5,533,375	5,477,678	5,598,554
<u>S106 Expenditure</u>					
Resources	680,095	5,976	3,609	0	0
Strategy and Development	789,908	0	0	0	0
Net Cost of Services	18,371,324	12,544,559	12,280,707	12,399,750	12,744,743
Debt Charges	571,856	635,134	620,780	617,361	590,511
Investment Interest	(867,955)	(917,432)	(641,664)	(531,924)	(529,438)
Appropriations:					
Contributions to Reserves	1,729,500	1,661,746	1,728,667	523,667	493,667
Contribution from Earmarked Reserves	(3,434,756)	(255,033)	(184,727)	(130,588)	(80,935)
Contribution (from)/to NNDR Growth Protection Reserve	2,043,000	(274,591)	353,648	(2,828,562)	(2,970,860)
Contribution from Grant Accounts	(5,820)	(5,720)	(5,720)	(5,720)	(5,720)
Contribution from Revenue Grants	(8,517,568)	0	0	0	0
Contribution (from)/to Holding Accounts	(292,546)	(184,902)	(213,035)	(118,005)	(62,518)
Contribution from S106 Holding A/cs	(1,470,003)	(5,976)	(3,609)	0	0
TOTAL EXPENDITURE	8,127,032	13,197,785	13,935,047	9,925,979	10,179,450
Parish Precepts	3,645,990	3,645,990	3,645,990	3,645,990	3,645,990
TOTAL SPENDING REQUIREMENT	11,773,022	16,843,775	17,581,037	13,571,969	13,825,440
Revenue Support Grant	(1,231,521)	(1,473,016)	(1,582,000)	(377,000)	(347,000)
Business Rates Retention	(6,284,330)	(6,549,986)	(7,181,029)	(5,168,529)	(5,452,000)
Business Rates deficit due to Covid reliefs	1,940,350	0	0	0	0
New Homes Bonus Grant	(703,263)	(677,892)	(677,892)	0	0
Lower Tier Services Grant	(131,270)	0	0	0	0
2022/23 Services Grant	(201,739)	(113,676)	(113,676)	0	0
Funding Guarantee Grant	0	(40,837)	0	0	0
COUNCIL TAX - BDC precept	(4,292,893)	(4,380,450)	(4,380,450)	(4,380,450)	(4,380,450)
Council tax - Parish element from above	(3,645,990)	(3,645,990)	(3,645,990)	(3,645,990)	(3,645,990)
Council Tax Collection Fund (Surplus)/Deficit	(86,597)	0	0	0	0
Council Tax spread of 20/21 Covid loss	56,416	56,416	0	0	0
COVID-19 Related Support	2,889,884	0	0	0	0
TOTAL FUNDING	(11,690,953)	(16,825,431)	(17,581,037)	(13,571,969)	(13,825,440)
FUNDING GAP / (SURPLUS)	82,069	18,344	0	0	0

APPENDIX 2

List of General Fund net budgets per cost centre per directorate

		Revised	Original			
		Budget	Budget	Forecast	Forecast	Forecast
		2022/23	2023/24	2024/25	2025/26	2026/27
		£	£	£	£	£
G001	Audit Services	133,565	134,378	135,340	134,911	134,911
G002	I.C.T.	997,087	1,115,654	1,116,819	1,124,734	1,131,397
G007	Community Safety - Crime Reduction	65,097	72,148	73,767	75,414	77,093
G010	Neighbourhood Management	71,782	74,026	75,461	76,193	76,932
G013	Community Action Network	317,859	359,304	374,618	382,532	390,605
G014	Customer Contact Service	807,584	889,970	913,728	936,725	956,825
G017	Private Sector Housing Renewal	77,449	89,485	92,136	94,426	96,024
G018	Environmental Health Covid Team	40,617	117	117	117	117
G020	Public Health	(70,000)	(70,000)	(70,000)	(70,000)	(70,000)
G021	Pollution Reduction	249,713	245,679	254,661	261,817	266,778
G022	Env Health - Health + Safety	(239)	0	0	0	0
G023	Pest Control	54,399	36,278	37,638	38,681	41,255
G024	Street Cleansing	364,440	406,533	414,658	424,430	428,211
G025	Food, Health & Safety	125,121	132,740	137,090	141,605	143,712
G026	Animal Welfare	91,076	103,051	107,030	109,555	112,147
G028	Domestic Waste Collection	1,098,030	1,221,190	1,263,129	1,272,577	1,317,777
G030	Street Trading	(452)	0	0	0	0
G032	Grounds Maintenance	847,881	993,334	1,023,087	1,049,823	1,075,012
G033	Vehicle Fleet	1,152,961	1,106,368	1,139,135	1,168,793	1,191,711
G036	Environmental Health Mgmt & Admin	280,841	290,627	297,353	301,521	305,224
G038	Concessionary Fares & TV Licenses	(11,387)	(11,603)	(11,823)	(12,047)	(12,276)
G040	Corporate Management	183,881	227,667	233,683	234,688	241,066
G041	Non Distributed Costs	647,737	278,371	278,371	278,371	278,371
G043	Director of Resources	146,256	157,567	155,973	159,109	162,310
G044	Financial Services	334,896	375,575	374,928	382,114	390,593
G046	Homelessness	79,889	166,277	169,260	162,346	185,718
G047	Household Support Fund	104,923	0	0	0	0
G048	Town Centre Housing	(10,600)	(10,600)	(10,600)	(10,600)	(10,600)
G053	Licensing	34,411	44,398	48,471	50,847	52,964
G061	Bolsover Wellness Programme	89,737	45,803	51,723	56,281	59,370
G062	Extreme Wheels	(1,075)	4,223	5,506	6,814	8,149
G063	This Girl Can	1,908	0	0	0	0
G064	Bolsover Sport	132,667	158,721	162,204	165,516	168,895
G065	Parks, Playgrounds & Open Spaces	42,402	45,192	49,014	49,789	50,584
G069	Arts Projects	52,408	56,532	57,484	58,454	59,445
G070	Outdoor Sports & Recreation Facilities	53,133	48,071	40,911	41,545	40,147
G072	Leisure Services Mgmt & Admin	267,209	290,609	296,012	300,780	305,644
G097	Groundwork & Drainage Operations	82,042	101,160	103,789	106,375	108,619
G100	Benefits	339,088	426,231	469,659	510,853	547,950

APPENDIX 2

List of General Fund net budgets per cost centre per directorate

		Revised	Original			
		Budget	Budget	Forecast	Forecast	Forecast
		2022/23	2023/24	2024/25	2025/26	2026/27
		£	£	£	£	£
G103	Council Tax / NNDR	379,453	472,614	486,854	506,025	526,287
G105	Council Tax Energy Rebate	5,327,550	0	0	0	0
G106	Housing Anti Social Behaviour	132,163	156,824	162,422	166,513	169,915
G113	Parenting Practitioner	38,822	43,689	44,829	45,987	47,168
G117	Payroll	78,583	132,693	138,980	144,010	146,956
G123	Riverside Depot	208,276	291,337	204,437	208,187	212,000
G124	Street Servs Mgmt & Admin	56,346	81,691	84,128	86,145	85,785
G125	S106 Percent for Art	30,985	0	0	0	0
G126	S106 Formal and Informal Recreation	216,971	5,976	3,609	0	0
G135	Domestic Violence Worker	78,404	50,149	51,114	52,094	53,096
G142	Community Safety - CCTV	4,937	2,000	2,000	2,000	2,000
G143	Housing Strategy	59,896	56,999	51,184	47,027	47,938
G144	Enabling (Housing)	41,414	42,266	43,136	44,027	44,938
G146	Pleasley Vale Outdoor Activity Centre	77,034	58,257	54,680	55,409	56,914
G148	Commercial Waste	(161,600)	(162,600)	(163,000)	(163,000)	(163,000)
G149	Recycling	117,277	358,979	374,492	382,907	390,767
G153	Housing Advice	15,107	15,734	16,054	14,625	18,616
G155	Customer Services	34,129	35,048	36,525	37,823	39,596
G161	Rent Rebates	(37,466)	(38,490)	(62,730)	(63,969)	(65,307)
G162	Rent Allowances	17,829	16,019	(9,644)	(18,749)	(27,854)
G164	Support Recharges	(4,810,563)	(5,202,089)	(5,215,482)	(5,333,916)	(5,425,893)
G168	Multifunctional Printers	37,600	37,600	37,600	37,600	37,600
G170	S106 Outdoor Sports	432,139	0	0	0	0
G176	Affordable Warmth	20,426	23,339	23,733	23,934	24,136
G177	Discretionary Housing Payments	20,000	0	0	0	0
G179	School Sports Programme	0	1,600	1,600	1,601	1,600
G182	Community Outreach Programmes	12,879	0	0	0	0
G197	Assistant Director of Finance + Resources	93,070	102,022	104,093	106,201	108,353
G198	Assistant Director of Housing (GF)	34,902	38,235	39,006	39,792	40,593
G199	Assistant Director of Street Scene	87,523	95,853	97,781	99,742	101,744
G228	Go Active Clowne Leisure Centre	197,417	494,104	278,599	333,968	356,936
G229	Housing Standards	(1,325)	0	0	0	0
G239	Housing + Comm Safety Fixed Penalty Acc	175	1,000	1,000	1,000	2,625
	Total for Resources Directorate	12,114,689	6,815,925	6,747,332	6,922,072	7,146,189
G003	Communications, Marketing + Design	313,483	309,089	318,613	329,094	330,798
G006	Partnership, Strategy & Policy	425,189	427,640	442,542	450,124	455,254
G009	Dragonfly	(2,580)	0	0	0	0
G011	Assistant Director of Leader's Executive Team	86,523	94,853	96,781	98,742	100,744
G012	Community Champions	13,800	1,880	2,019	2,061	2,102

APPENDIX 2

List of General Fund net budgets per cost centre per directorate

		Revised	Original			
		Budget	Budget	Forecast	Forecast	Forecast
		2022/23	2023/24	2024/25	2025/26	2026/27
		£	£	£	£	£
G015	Customer Service + Improvement	130,251	148,693	152,546	155,127	157,317
G016	Skills Audit	15,160	0	0	0	0
G027	Emergency Planning	17,071	17,392	17,720	18,073	18,432
G031	S106 - Biodiversity	14,679	0	0	0	0
G039	Children and YP Emotional Well-being	37,500	50,000	0	0	0
G052	Human Resources	205,017	218,079	224,011	230,937	233,125
G054	Electoral Registration	167,132	177,722	183,721	188,307	190,729
G055	Democratic Representation & Management	532,650	536,556	536,392	536,398	536,404
G056	Land Charges	16,112	20,653	21,775	22,884	24,012
G057	District Council Elections	33,250	53,000	0	0	25,000
G058	Democratic Services	196,358	246,847	257,572	265,592	269,383
G060	Legal Services	383,570	370,252	371,634	383,218	392,269
G073	Planning Policy	337,355	346,738	343,096	307,068	357,136
G074	Planning Development Control	8,219	96,770	107,392	84,602	95,377
G076	Planning Enforcement	103,330	141,818	123,615	110,094	112,282
G077	LGA Housing Advisers Programme (HAP)	25,000	0	0	0	0
G078	LGA Net Zero Innovation Programme (NZIP)	30,000	0	0	0	0
G079	Senior Urban Design Officer	22,384	63,372	64,664	65,979	67,322
G080	Engineering Services (ESRM)	97,506	97,936	102,134	103,441	104,749
G082	Tourism Promotion + Development	39,172	54,766	55,886	57,029	58,194
G083	Building Control Consortium	55,000	55,000	55,000	55,000	55,000
G085	Economic Development	53,387	29,425	29,425	29,425	29,425
G086	Alliance	5,250	5,250	5,250	5,250	5,250
G088	Derbyshire Economic Partnership	15,000	15,000	15,000	15,000	15,000
G089	Premises Development	(60,535)	(66,033)	(69,558)	(69,255)	(68,953)
G090	Pleasley Vale Mills	(153,110)	(158,939)	(154,784)	(152,532)	(150,253)
G092	Pleasley Vale Electricity Trading	(54,000)	(40,000)	(40,000)	(40,000)	(40,000)
G095	Estates + Property	552,026	612,858	629,319	643,960	659,884
G096	Building Cleaning (General)	109,240	114,376	116,481	118,675	116,747
G099	Catering	500	500	500	500	500
G109	Director of Strategy and Development	146,716	158,024	156,430	159,566	162,767
G110	Assistant Director of Development	93,910	97,484	96,778	98,739	100,741
G111	Shared Procurement	40,120	52,452	41,120	51,358	51,622
G114	Strategic Investment Fund	100,000	0	0	0	0
G129	Bolsover Apprenticeship Programme	(4,500)	0	0	0	0
G131	Bolsover Community Woodlands Project	(9,841)	5,852	8,112	10,000	10,000
G132	Planning Conservation	46,418	40,684	47,283	49,792	50,808
G133	The Tangent Business Hub	(39,314)	16,971	(32,899)	(30,839)	(28,744)
G138	Bolsover TC Regeneration Scheme	39,195	0	0	0	0

APPENDIX 2

List of General Fund net budgets per cost centre per directorate

		Revised	Original			
		Budget	Budget	Forecast	Forecast	Forecast
		2022/23	2023/24	2024/25	2025/26	2026/27
		£	£	£	£	£
G139	PropTech Engagement Fund	167,391	0	0	0	0
G151	Street Lighting	55,506	108,880	56,516	57,546	58,597
G156	The Arc	236,731	395,288	250,341	256,164	262,061
G157	Controlling Migration Fund	14,620	14,621	24	25	25
G167	Facilities Management	10,571	11,838	10,442	11,838	11,838
G169	Closed Churchyards	10,000	10,000	10,000	10,000	10,000
G172	S106 - Affordable Housing	1,116	0	0	0	0
G188	Cotton Street Contact Centre	33,218	42,445	34,881	35,385	35,893
G191	Bolsover Community Lottery	6,250	0	0	0	0
G192	Scrutiny	24,101	26,334	26,830	27,357	27,895
G193	Economic Development Management + Admin	420,411	461,521	478,391	471,461	446,180
G195	Assistant Director of Governance + Monitoring	92,229	102,474	104,545	106,653	108,805
G200	Assistant Director of Property + Housing Repairs	16,153	12,229	9,788	9,984	10,184
G216	Raising Aspirations	51,250	0	51,250	0	0
G218	I-Venture/Namibia Bound	12,484	13,011	12,500	12,500	0
G220	Locality Funding	(19,950)	(1,269)	40,000	0	0
G226	S106 - Highways	569,000	0	0	0	0
G227	S106 - Public Health	205,113	0	0	0	0
G238	HR Health + Safety	115,278	98,480	101,312	103,492	104,685
G241	Community Rail	13,125	19,822	20,985	21,864	21,968
G244	Bolsover Business Growth Fund	38,445	0	0	0	0
Total for Strategy + Development Directorate		6,256,635	5,728,634	5,533,375	5,477,678	5,598,554
Total Net Cost of Services		18,371,324	12,544,559	12,280,707	12,399,750	12,744,743

Housing Revenue Account

APPENDIX 3

	Revised Budget 2022/23	Original Budget 2023/24	Forecast 2024/25	Forecast 2025/26	Forecast 2026/27
Expenditure	£	£	£	£	£
Repairs and Maintenance	5,699,502	6,188,269	6,255,237	6,391,068	6,465,919
Rents, Rates, Taxes + Other Charges	213,542	225,802	209,673	211,843	214,012
Supervision and Management	6,609,260	6,529,792	6,517,078	6,722,420	6,834,171
Special Services	552,523	999,483	586,855	596,598	606,493
Housing Related Support - Wardens	688,789	775,953	792,342	806,362	820,105
Housing Related Support - Central Control	352,842	388,063	394,090	416,302	421,809
Tenants Participation	75,758	85,261	86,795	88,353	89,944
New Build Schemes Evaluations	750,000	400,000	0	0	0
New Bolsover Project	5,000	0	0	0	0
Leasehold Flats	4,834	0	0	0	0
Debt Management Expenses	8,562	9,158	9,888	10,498	10,710
Total Expenditure	14,960,612	15,601,781	14,851,958	15,243,444	15,463,163
Income					
Dwelling Rents	(21,522,170)	(22,982,750)	(24,256,279)	(24,983,967)	(25,733,486)
Non-dwelling Rents	(101,490)	(106,512)	(111,785)	(115,107)	(118,529)
Leasehold Flats and Shops Income	(19,295)	(7,000)	(7,000)	(7,000)	(7,000)
Repairs and Maintenance	(19,129)	(19,129)	(17,500)	(17,500)	(17,500)
Supervision and Management	(378)	0	0	0	0
Special Services	(21,732)	(21,732)	(21,732)	(10,000)	(10,000)
Housing Related Support - Wardens	(409,320)	(415,616)	(142,226)	(146,390)	(150,680)
Housing Related Support - Central Control	(277,000)	(286,650)	(212,783)	(219,166)	(225,741)
Tenants Participation	(5,005)	0	0	0	0
Total Income	(22,375,519)	(23,839,389)	(24,769,305)	(25,499,130)	(26,262,936)
Net Cost of Services	(7,414,907)	(8,237,608)	(9,917,347)	(10,255,686)	(10,799,773)
Appropriations:					
Increase in Bad Debt Provision	130,000	130,000	130,000	130,000	130,000
Capital Interest Costs	3,627,207	3,739,030	3,996,065	4,099,108	4,119,354
Investment Interest Income	(103,017)	(326,471)	(268,774)	(257,219)	(178,075)
Depreciation	4,274,630	5,348,200	5,348,200	5,348,200	5,348,200
Transfer to Major Repairs Reserve	725,370	0	0	0	0
Contribution to HRA Reserves	35,000	35,000	500,398	935,597	1,380,294
Use of HRA Earmarked Reserves	(1,235,590)	(438,000)	0	0	0
Contribution to / (from) HRA Balance	(38,693)	(250,151)	211,458	0	0
Net Operating (Surplus) /Loss	0	0	0	0	0
HRA Balance at 1st April	(2,077,386)	(2,038,693)	(1,788,542)	(2,000,000)	(2,000,000)
Contribution (to)/from Balances	38,693	250,151	(211,458)	0	0
HRA Balance at 31st March	(2,038,693)	(1,788,542)	(2,000,000)	(2,000,000)	(2,000,000)

HRA - Fees and Charges 2023/24**Weekly Charge over 52 Weeks unless otherwise specified****September 2022 Consumer Price Index was 10.1%**

	Current	Proposed	Change	Change
	£	£	£	%
Garages (tenant)	12.54	13.17	0.63	5.0%
Garage - Direct Debit Payment	9.47	9.94	0.47	5.0%
Garage (in curtilage)	4.73	4.97	0.24	5.0%
(Set at 50% of garage DD payment)				
Garage plots (billed annually)	219.75	230.74	10.99	5.0%
 New Bolsover Service Charge	 2.00	 2.10	 0.10	 5.0%
(applies to new tenants only)				
 Special Services Charge (See Note1)	 16.41	 17.23	 0.82	 5.0%
Reduced special service	10.94	11.49	0.55	5.0%
(Reduced special services for scheme other than Cat 2 who receive reduced service)				
 Heating Service Charge (See Note 2)				
Bedsits	2.85	2.99	0.14	5.0%
1 bed flat	3.89	4.08	0.19	5.0%
 Heating Charge (See Note 3)				
Bedsits	4.46	4.46	0.00	0.0%
1 bed flat	6.08	6.08	0.00	0.0%
 Support Charges	 14.00	 14.70	 0.70	 5.0%
Mobile Warden	7.11	7.46	0.36	5.0%
(long-term aim to reach cost, increase capped at 10% per year)				
 Lifeline - bronze	 5.26	 5.52	 0.26	 5.0%
Lifeline - gold	8.08	8.48	0.40	5.0%
Lifeline - RSL	5.03	5.29	0.25	5.0%
 Buggy Parking	 4.28	 4.49	 0.21	 5.0%
(including charging facilities)				
 Choice Based Lettings Postage	 1.32	 1.36	 0.04	 3.0%
(suggested cost is twice the cost of a second class stamp)				

HRA - Fees and Charges 2023/24**Note 1**

Special Services Charge includes the heating, cleaning and furnishing of communal areas, provision of laundry and kitchen facilities and other costs. The charge is a contribution to the full cost of these services. This charge is added to the rent amount and is covered by housing benefit if appropriate.

The Heating Charge is split into two separate charges.

Note 2

Heating Service Charge is the cost for the provision and maintenance of a communal heating system. This includes an allowance for electricity to circulate heat within the system. This charge is added to the rent amount and is covered by housing benefit if appropriate.

Note 3

The Heating Charge reflects the cost of fuel only, this is not covered by housing benefit and is charged and monitored to a sub account on the main rent account.

This split is intended to make it easier to understand how we charge for heating.

APPENDIX 4

CAPITAL PROGRAMME SUMMARY

	Revised Budget 2022/23 £	Original Programme 2023/24 £	Forecast Programme 2024/25 £	Forecast Programme 2025/26 £	Forecast Programme 2026/27 £
General Fund					
Asset Management Plan					
Investment Properties	4,008	0	0	0	0
Pleasley Vale Business Park	60,574	0	0	0	0
Riverside Depot	9,322	0	0	0	0
The Arc	47,893	0	0	0	0
The Tangent	15,000	0	0	0	0
Contact Centres	11,638	0	0	0	0
General	8,760	0	0	0	0
Asset Management Plan not yet allocated to an individual scheme	72,388	260,000	260,000	260,000	260,000
	229,583	260,000	260,000	260,000	260,000
Engineering Asset Management Plan					
Car Parks	27,986	25,000	25,000	25,000	25,000
Shelters	11,128	10,000	10,000	10,000	10,000
Lighting	15,000	15,000	15,000	15,000	15,000
	54,114	50,000	50,000	50,000	50,000
Assets					
Car Parking at Clowne	13,416	0	0	0	0
Pleasley Vale Mill - Dam Wall	100,410	0	0	0	0
Land at Portland Street	109,750	0	0	0	0
Shirebrook Crematorium	1,873,750	6,886,414	725,100	0	0
Cultural Business and Skills Hub	0	50,211	249,789	0	0
CISWO - former Creswell LC	166,000	0	0	0	0
	2,263,326	6,936,625	974,889	0	0
ICT Schemes					
ICT infrastructure	306,825	332,000	110,000	102,000	60,000
Digital Screens	31,970	0	0	0	0
Town Centre Regeneration	29,000	0	0	0	0
	367,795	332,000	110,000	102,000	60,000
Leisure Schemes					
Playing Pitch Improvements (Clowne)	440,284	0	0	0	0
Pleasley Vale - Leisure	20,000	0	0	0	0
Go Active Café Equipment	25,000	0	0	0	0
Go Active Equipment	15,000	15,000	15,000	15,000	15,000
Gym Equipment & Spin Bikes	0	0	0	0	392,100
Go-Active Gym flooring	0	0	0	0	40,000
Toning Tables (Leisure)	0	0	0	0	80,000
Houfton Rd Play Area (Insurance)	25,000	0	0	0	0
Community Assets (Leisure)	10,000	0	0	0	0
	535,284	15,000	15,000	15,000	527,100
Private Sector Schemes					
Disabled Facility Grants	650,000	650,000	650,000	650,000	650,000
	650,000	650,000	650,000	650,000	650,000
Joint Venture					
Dragonfly Joint Venture Shares	519,150	0	0	0	0
Dragonfly Joint Venture Loan	1,753,202	0	0	0	0
	2,272,352	0	0	0	0
Vehicles and Plant					
Vehicle Replacements	1,132,662	1,746,000	1,434,500	174,000	751,500
Vehicle Wash Area	1,000	0	0	0	0
Can Ranger's Equipment	14,231	0	0	0	0
	1,147,893	1,746,000	1,434,500	174,000	751,500
Total General Fund	7,520,347	9,989,625	3,494,389	1,251,000	2,298,600

APPENDIX 4

CAPITAL PROGRAMME SUMMARY

	Revised Budget 2022/23 £	Original Programme 2023/24 £	Forecast Programme 2024/25 £	Forecast Programme 2025/26 £	Forecast Programme 2026/27 £
Housing Revenue Account					
New Build Properties					
Alfreton Rd Pinxton	56,860	511,700	0	0	0
Ashbourne Extension	1,038,857	0	0	0	0
Bolsover Homes-yet to be allocated	1,068,931	4,233,880	8,500,000	5,000,000	0
Bolsover Homes Staffing Costs	272,506	272,506	0	0	0
Harlethorpe Ave Bungalow adaptation	125,000	0	0	0	0
Jubilee Court (Bungalows x2)	0	300,000	0	0	0
Keepmoat Properties at Bolsover	818,500	0	0	0	0
Market Close Shirebrook	3,926,144	1,753,072	0	0	0
Meadow View Homes - Glapwell	0	696,000	0	0	0
Moorfield Lane Whaley Thorns	126,688	1,393,565	0	0	0
Sandy Lane/Thorpe Ave Whitwell	299,340	0	0	0	0
The Whitwell Cluster	26,828	0	0	0	0
The Woodlands	3,000,000	0	0	0	0
Valley View (2 Bungalows & extension)	750,000	0	0	0	0
West Street Langwith	142,919	708,333	0	0	0
	11,652,573	9,869,056	8,500,000	5,000,000	0
Vehicle Replacements					
	477,600	625,500	209,000	140,000	0
	477,600	625,500	209,000	140,000	0
Public Sector Housing					
Bramley Vale	0	100,000	1,450,000	1,475,000	1,475,000
Electrical Upgrades	212,000	250,000	125,000	125,000	125,000
External Door Replacements	150,000	120,000	70,000	70,000	70,000
External Wall Insulation	506,211	0	0	0	0
Fencing	110,000	0	0	0	0
Flat Roofing	75,000	100,000	40,000	40,000	40,000
Heating Upgrades	78,740	80,000	100,000	100,000	100,000
Kitchen Replacements	335,000	220,000	200,000	200,000	200,000
Public Sector Housing - not yet allocated	0	0	0	1,927,534	1,924,870
Re Roofing	1,000,000	750,000	750,000	750,000	750,000
Property Services Mgmt. & Admin	99,846	125,496	128,056	130,666	133,330
Safe & Warm	2,305,993	2,922,704	1,955,144	0	0
Soffit and Facia	30,000	30,000	30,000	30,000	30,000
Unforeseen Reactive Capital Works	107,107	100,000	100,000	100,000	100,000
Welfare Adaptations	423,761	400,000	400,000	400,000	400,000
Wet Rooms (Bungalows)	150,000	150,000	0	0	0
Whaley Common - Air Source Heating	250,000	0	0	0	0
	5,833,658	5,348,200	5,348,200	5,348,200	5,348,200
ICT Schemes					
Open Housing	79,686	0	0	0	0
	79,686	0	0	0	0
New Bolsover Scheme (incl. HLF)					
New Bolsover-Regeneration Scheme	16,000	0	0	0	0
	16,000	0	0	0	0
Total HRA	18,059,517	15,842,756	14,057,200	10,488,200	5,348,200
TOTAL CAPITAL EXPENDITURE	25,579,864	25,832,381	17,551,589	11,739,200	7,646,800

APPENDIX 4

CAPITAL PROGRAMME SUMMARY

	Revised Budget 2022/23 £	Original Programme 2023/24 £	Forecast Programme 2024/25 £	Forecast Programme 2025/26 £	Forecast Programme 2026/27 £
Capital Financing					
General Fund					
Better Care Fund	(650,000)	(650,000)	(650,000)	(650,000)	(650,000)
Prudential Borrowing	0	(3,632,012)	(725,100)	0	0
Reserves	(4,309,759)	(2,403,000)	(1,869,500)	(601,000)	(1,648,600)
Capital Receipts	(1,984,334)	(3,254,402)	0	0	0
External Funding	(576,254)	(50,211)	(249,789)	0	0
	(7,520,347)	(9,989,625)	(3,494,389)	(1,251,000)	(2,298,600)
HRA					
Major Repairs Allowance	(5,833,658)	(5,348,200)	(5,348,200)	(5,348,200)	(5,348,200)
Prudential Borrowing	(2,085,281)	(8,264,471)	(8,500,000)	(5,000,000)	0
Reserves	(8,409,915)	(1,946,752)	(209,000)	(140,000)	0
Capital Receipts	0	(283,333)	0	0	0
External Funding	(1,730,663)	0	0	0	0
	(18,059,517)	(15,842,756)	(14,057,200)	(10,488,200)	(5,348,200)
TOTAL CAPITAL FINANCING	(25,579,864)	(25,832,381)	(17,551,589)	(11,739,200)	(7,646,800)

Bolsover District Council

Meeting of the Executive on Monday 30th January 2023

Local Lettings Policy – New Build Properties

Report of Councillor Sandra Peake, Portfolio Holder for Housing

Classification	This report is Public
Report By	Victoria Dawson, Assistant Director Housing Management and Enforcement, 01246 242231 victoria.dawson@bolsover.gov.uk
Contact Officer	Victoria Dawson, Assistant Director Housing Management and Enforcement, 01246 242231 victoria.dawson@bolsover.gov.uk

PURPOSE/SUMMARY OF REPORT

To approve and adopt the Local Lettings Policy for new build properties across the District.

REPORT DETAILS

1. Background

- 1.1 Bolsover District Council has set an ambition to deliver 150 new homes by March 2024. Sites have been developed in key locations, with a mixture of property type to reflect the housing need in that specific location.
- 1.2 Allocations to new developments require a mix of tenants to create sustainable communities and to give priority to local people.
- 1.3 The Council's Allocations Policy provides the overall framework for lettings of council properties. Local lettings policies allow the Council to respond to local needs and have a localised approach to the management of specific property types. Local lettings policies may give preference for offers of accommodation to defined groups of customers, for example, on the basis of their age, employment status or local connection to an area.

2. Details of Proposal or Information

- 2.1 The Council's Allocations Policy ensures that people in most need are placed in the reasonable preference categories and are able to access council accommodation, therefore this Local Lettings Policy will be used in conjunction with the Council's Allocations Policy.
- 2.2 The Local Lettings Policy – New Build Properties (Appendix 1) details the method of allocating the new build properties, to those who live in or have a strong connection to the ward where the new properties are located, in the first instance.

2.3 The strong local connection criteria will include;

- Living within the ward where the new build homes are located (and have for the past 3 years)
- Has a close family member (parents, grandparents or children) living in the ward – (and have for the past 3 years)
- Can demonstrate a strong local connection having lived in the area for five years e.g. lived in the area as a child and then moved away
- Currently living outside of the ward but are in paid employment within the ward – (and have for the past 3 years)

2.5 If there are no applicants in the categories above, the properties will be allocated in accordance with the Council Allocations Policy, in order of priority banding and waiting time.

2.6 Applicants will bid for properties, via the Choice Based Lettings system. They will undergo a first stage assessment based on the Council's usual Allocations Policy. Successful shortlisted applicants will then be required to undergo a second stage selection process based on the criteria set out in this Local Lettings Policy before any offer of accommodation is made. This will require the applicant to attend an interview with the Housing Needs Assistants and Housing Tenancy Assistant for the area.

2.7 It is intended that the Local Lettings Policy will apply to any new build property built or acquired by the Council and any other new build schemes in the District owned/managed by the Council. However where there is a property with adaptations, this will be excluded and allocations will be through the Housing Allocation and Review Panel (HARP) as set out in the Allocation Policy.

3. Reasons for Recommendation

3.1 The new properties have been built to reflect the housing need in specific locations, and it is considered necessary to have a Local Lettings Policy to manage the allocation of these. This ensures that priority is given to those with a local connection to the area in the first instance to meet the housing need and demand, with an option for allocations to then take place in accordance with the Allocations Policy.

4 Alternative Options and Reasons for Rejection

4.1 The alternative option is to let new build properties without a Local Lettings Policy which would not achieve the desired outcomes in terms of letting properties to local communities, where there is an identified need.

RECOMMENDATION(S)

1. That Executive review and adopt the Local Lettings Policy – New Build Properties.

Approved by Councillor Sandra Peake, Portfolio Holder for
Housing

IMPLICATIONS:**Finance and Risk:** Yes ☐ No ☒**Details:**

There are no additional financial implications arising from this report

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☐ No ☒**Details:**

The Council must abide by the Housing Act 1996, as amended, in developing its allocations scheme, including local lettings policies. Local lettings policies may be used to achieve a wide variety of housing management and policy objectives. However, the Council must have regard to its duties under equalities legislation, as well as the requirement to give overall priority for allocations of social housing to people in the reasonable preference (housing need) categories, including homelessness, medical need or overcrowding. This is achieved through the Council's approach to lettings across the wider District area.

On behalf of the Solicitor to the Council

Environment:

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.

Details:

N/A

Staffing: Yes ☐ No ☒**Details:**

There are no staffing implications arising from the report or Policy.

On behalf of the Head of Paid Service

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: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	Yes
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	Yes

District Wards Significantly Affected	All
Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Executive <input checked="" type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Details: Customer Services Scrutiny

Links to Council Ambition: Customers, Economy and Environment.
<p>Customers</p> <ul style="list-style-type: none"> Increasing customer satisfaction with our services Providing good quality council housing where people choose to live <p>Economy</p> <ul style="list-style-type: none"> Enabling Housing Growth: increasing the supply, quality and range of housing to meet the needs of the growing population and support economic growth Making the best use of our assets

DOCUMENT INFORMATION	
Appendix No	Title
1	Local Lettings Policy – New Build Properties

Background Papers
<i>(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 Executive you must provide copies of the background papers).</i>
None

Local Lettings Policy

**New Build Properties
January 2023**



We speak your language

Polish

Mówimy Twoim językiem

Slovak

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CONTROL SHEET FOR [policy title here]

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	Local Lettings Policy – New Build Properties
Current status – i.e. first draft, version 2 or final version	First Draft
Policy author (post title only)	Assistant Director Housing Management
Location of policy (whilst in development) – i.e. L-drive, shared drive	S drive
Relevant Cabinet Member (if applicable)	Portfolio Member for Housing Councillor Sandra Peake
Equality Impact Assessment approval date	TBC
Partnership involvement (if applicable)	
Final policy approval route i.e. Executive/ Council	Executive
Date policy approved	
Date policy due for review (maximum three years)	2026
Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)	

1. Introduction

The Bolsover Homes Programme seeks to provide more than 150 homes in the District by March 2024. Sites have been developed in key locations, with a mixture of property type to reflect the housing need in that specific location. Allocations to new developments require a mix of tenants to create sustainable communities and to give priority to local people.

Section 166A(6)(b) of the Housing Act 1996 enables housing authorities to allocate particular accommodation to people of a particular description outside the Council's standard allocations procedure, provided that overall the authority is able to demonstrate compliance with the requirements of S.166A(3) *'to give overall priority for an allocation to people in the reasonable preference categories'*. This includes those who are homeless, in overcrowded conditions, have urgent medical needs or who need to move to avoid hardship.

This is the statutory basis for 'local lettings policies', which may be used to achieve a wide variety of housing management and policy objectives. For example when considering an applicant the demographics of the area may be taken into consideration to create a more balanced community.

The Council's Allocations Policy ensures that people in most need are placed in the reasonable preference categories and are able to access council accommodation, therefore this policy will be used in conjunction with the Council's Allocations Policy.

This Local Lettings Policy details the method of allocating the properties for rent to applicants initially through the Allocations Policy and then by direct match.

2. Scope

As far as possible, this policy is designed to:

- Meet housing need within the District by making best use of properties in order to create balanced, sustainable communities
- Ensure that homes are allocated in a clear, fair and transparent manner
- Make sure the Council is complying with housing and related legislation

This policy will be taken into account alongside the Council's Allocations policy, and amongst other legislation, have due regard in particular to the;

- Housing Act 1985
- Housing Act 1996
- Localism Act 2011
- Homeless Reduction Act 2017
- Homelessness (Suitability of Accommodation) (England) Order 2012
- Welfare Reforms
- Equalities Act
- Human Rights Act

3. Principles

The policy will link to the Council's Ambitions and priorities by;

- Increasing customer satisfaction with our services
- Providing good quality council housing where people choose to live
- Enabling Housing Growth: increasing the supply, quality and range of housing to meet the needs of the growing population and support economic growth
- Making the best use of our assets

4. Statement

4.1 Schemes Covered by the Local Lettings Policy

The Local Lettings Policy will apply to the Bolsover Homes new build properties and any other new build schemes in the District owned/managed by the Council.

Any property with adaptations will be excluded from this policy as these are allocated through the Housing Allocation and Review Panel (HARP).

4.2. Objectives

The objective is to give local people a higher priority and create sustainable communities.

In addition to the normal allocations procedure, an interview with a member of the housing team prior to any offer of accommodation being made will be introduced for all shortlisted applicants. The rationale is to prevent anti-social behaviour and unsuccessful tenancies, but it will also ensure that the properties will be allocated to people with a strong local connection to the ward.

4.3 Advertising the Vacant Properties

The properties will be advertised through the Council's Choice Based Letting system in accordance with the usual Allocations Policy, and placed into bands A, B or C. This will ensure that preference will be given to applicants with a strong local connection. The advert will make it clear the Local Lettings Policy is being applied.

Applicants will bid on the advertised properties to express an interest in accordance with the Council's procedure.

4.4 Allocating a Property

In the first instance priority will be given to applicants who;

Live in or have a strong connection to the ward where the new properties are located (assessment will be via interview using the district definition). A strong local connection criteria will include;

- Living within the ward where the new build homes are located (and have for the past 3 years)

- Has a close family member (parents, grandparents or children) living in the ward – (and have for the past 3 years)
- Can demonstrate a strong local connection having lived in the area for five years e.g. lived in the area as a child and then moved away
- Currently living outside of the ward but are in paid employment within the ward – (and have for the past 3 years)

If there are no applicants in the categories above, the properties will be allocated in accordance with the Council Allocations Policy, in order of priority banding and waiting time.

Applicants, via the Choice Based Lettings system, will undergo a first stage assessment based on the Council's Allocations Policy. Successful shortlisted applicants will then be required to undergo a second stage selection process based on the criteria set out in this Local Lettings Policy before any offer of accommodation is made.

The second stage selection process will require the applicant to attend an interview with the Housing Needs Assistants and Housing Tenancy Assistant for the area. If the applicant refuses the interview they will not be considered for the property.

The interview is to conduct various assessments such as, but is not inclusive;

- Local connection assessment
- Priority needs assessment
- Affordability assessment
- Tenancy Risk assessment
- Health and Disability assessment
- Tenancy support needs

Some applicants may need help to sustain a tenancy for example, those with complex needs, including applicants who;

- have a drug, alcohol or other addiction including those in rehabilitation,
- have extensive support needs.

The local housing team will make a decision to make an offer of accommodation based on the information provided from the applicant's housing application and second stage assessments.

Properties may be refused to households that do not agree to an appropriate support plan or where a support plan is not feasible.

Properties allocated will meet the eligibility criteria for the size of the property to discourage under-occupation and overcrowding and to make best use of housing stock. To minimise voids exceptions may apply. However if it is deemed that an applicant will be under-occupying they will be subject to an affordability test before any offer of accommodation is made. Such cases will be considered by the HARP prior to an offer being made.

Properties may be refused to households with a history of anti-social behaviour or poor conduct of a previous tenancy. Where the applicant meets one of the following criteria they

may not be offered a tenancy in the scheme for a at least a period of two years, if the applicant;

- is known to have been involved in anti-social behaviour within the last 2 years,
- is unable to demonstrate an ability to sustain a tenancy for a minimum period of the last 12 months,
- has an unspent criminal conviction,
- has been convicted of, or has been held responsible for, criminal damage or arson within the last 12 months.

Such cases will be considered by the HARP prior to an offer being made.

4.5 Verification

Verification of circumstances may be required and may include, but is not exhaustive;

- A verification visit to their current accommodation to confirm personal and household circumstances and evaluate ability to act in a 'tenant like manner' in terms of upkeep of property and garden.
- Checks on current and former tenant rent accounts where applicable.
- Checks to confirm previous tenancy good conduct.
- Checks with the Probation Service and/or the Police.
- A risk assessment of vulnerability to evaluate feasibility of support plans to sustain the tenancy.
- Credit checks and affordability evaluation using household income and expenditure.
- Evaluation of risk in relation to uncontrolled debt.
- Medical needs assessment.

Households may be required to agree to participate in progress visits as requested (reasonable notice will be given) with Council Officers to ensure ongoing sustainability of the tenancy who will then be able to provide further support/assistance if required.

4.6 Compliance with the policy

To limit the detrimental impact of long term vacant properties, in the event that insufficient bids are received from applicants meeting the criteria, the usual Allocations Policy then may be employed to a property that has been unsuccessfully let.

4.7 Duration of the Local Lettings Policy

This policy will apply to all first lets and any subsequent lets for new build properties, with the exception of subsequent lets for any Independent Living Scheme or Older Persons property.

4.8 Monitoring and Review

The policy will be monitored on an ongoing basis to ensure that it remains appropriate to the properties and continues to support its objectives. The policy will be reviewed after 3 years or earlier if it is deemed that the policy is no longer required.

4.9 Equal opportunities

The Local Lettings Policy is required to comply with equality legislation and in particular, to ensure that there is no unlawful discrimination in the allocation of dwellings.

4.10 Refusal and appeal

The selection framework and checks employed may not be an automatic barrier to access housing, where an applicant has been unsuccessful in securing a property, housing advice in terms of other alternative housing options and support will be given.

Applicants who are refused accommodation through the Local Lettings Policy will be advised of the reason in writing. If an applicant is not satisfied that the Local Lettings Policy has been administered correctly they must set out the reason in writing to request a review of the decision.

Any reviews, complaints or appeals will be handled in accordance with the Councils Allocation Policy and procedure.

4.11 Elected Members' Involvement in Allocation Decisions

The Allocation of Housing (Procedure) Regulations 1997 (SI 1997/483) prevent an elected Member from being part of a decision-making body at the time an allocation decision is made, when either:

- the accommodation concerned is situated in their division or electoral ward, or
- the person subject to the decision has their sole or main residence in their ward.

The regulations do not prevent an elected Member from representing their constituents in front of the decision making body.

5. Responsibility for Implementation

Bolsover District Council's Housing Department will be responsible for implementing this policy.

Bolsover District Council

Meeting of the Executive on Monday 30th January 2023

Rent Arrears Policy

Report of Councillor Sandra Peake, Portfolio Holder for Housing

Classification	This report is Public
Report By	Victoria Dawson, Assistant Director Housing Management and Enforcement 01246 242231 victoria.dawson@bolsover.gov.uk
Contact Officer	Victoria Dawson, Assistant Director Housing Management and Enforcement 01246 242231 victoria.dawson@bolsover.gov.uk

PURPOSE/SUMMARY OF REPORT

For Executive to consider and approve the updated Rent Arrears Policy.

REPORT DETAILS

1. Background

- 1.1 Bolsover District Council owns and manages its housing stock consisting of 4988 properties as at November 2022.
- 1.2 All tenants of Bolsover District Council have signed a tenancy agreement, which sets out the rights and responsibilities of the tenant(s) and the Council. The tenancy agreement states that tenants, should pay their rent on a weekly basis and if they fail to do so and fall into arrears the Council can apply for Possession as set out in Schedule 2 of the Housing Act 1985 (as may be amended from time to time).
- 1.3 The Rent Arrears Policy explains the Councils approach to prevention and collection of rent arrears. In summary the Council will take a firm but fair approach, ensuring that tenants have available financial expertise to resolve any difficulties. The Council will not tolerate tenants who are unwilling to pay arrears nor receive help and legal action will be taken where necessary.
- 1.4 It clearly defines our commitment to equality and proportionality within the rent management processes. The Council in delivering this policy, will ensure that no individual is discriminated against on grounds of marital status, sex, disability,

age, sexual orientation, racial discrimination, personal attributes, including religious beliefs or political opinions.

- 1.5 The Policy ensures compliance with the Pre Action Protocol for Possession Claims by Social Landlords.

2. Details of Proposal or Information

- 2.1 The current Rent Arrears Policy is 3 years old and due for renewal. It has been reviewed and updated to reflect a number of changes and the updated policy is at Appendix 1 with the main amendments or additions shown in red font.
- 2.2 These changes reflect revised staffing structure within the housing team. We have 4 income management assistants, one for each contact center area who are responsible for arrears from initial contact up to and including the service of court warning for current arrears.
- 2.3 The policy also has a new section for recovery of former tenancy arrears which will also be managed by the patch based income management assistants. The policy also has details as to the recovery process for garages garage plots and parking bay arrears which are managed by the Housing Assistants Tenancy.
- 2.4 The Council has also recently procured a rent income analytics software, which is compatible with the Housing Case Management System to aid in rent recovery. Certain procures and stages within the recovery process are updated to be compatible with the system and are reflected within the updated.
- 2.5 The Equality Act assessment and wording throughout the document has also been updated.

3. Reasons for Recommendation

- 3.1 It is considered good practice to have a policy which sets the Council's approach to prevention and collection of rent arrears, the updated policy reflects updated staffing, and procedural changes.
- 3.2 The procedure which sits alongside the policy ensures that all officers involved in tenancy management, at different levels or stages, 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 Policy is considered necessary so that members of the public are aware of the Council's approach to prevention and collection of rent arrears.

RECOMMENDATION(S)

1. That Executive approve and adopt the updated Rent Arrears Policy.
Approved by Councillor Sandra Peake, Portfolio Holder for Housing

IMPLICATIONS:**Finance and Risk:** Yes ☐ No ☒**Details:**

There are no financial implications arising from the Policy.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☒ No ☐**Details:**

As set out in the report.

On behalf of the Solicitor to the Council

Environment: Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.**Details:**

N/A

Staffing: Yes ☐ No ☒**Details:**

There are no staffing implications contained within the report.

On behalf of the Head of Paid Service

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: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	Yes
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	Yes

District Wards Significantly Affected	All
Consultation: Leader / Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Details: Portfolio Holder

Links to Council Ambition: Customers, Economy and Environment.

Customer Services

DOCUMENT INFORMATION

Appendix No	Title
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1	Rent Arrears Policy 2022
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Background Papers

<i>(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 Executive you must provide copies of the background papers).</i>
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Rent Arrears Policy

(January 2023)

Equalities Statement

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

Access for All statement

You can request this document or information in another format such as large print or **language** or contact us by:

- **Phone:** [01246 242424](tel:01246242424)
- **Email:** enquiries@bolsover.gov.uk
- **BSL Video Call:** A three-way video call with us and a BSL interpreter. It is free to call Bolsover District Council with Sign Solutions, you just need WiFi or mobile data to make the video call, or call into one of our Contact Centres.
- Call with [Relay UK](#) - a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real-time conversation with us by text.
- **Visiting** one of our [offices](#) at Clowne, Bolsover, Shirebrook and South Normanton

CONTROL SHEET FOR Rent Arrears Policy

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	Rent Arrears Policy
Current status – i.e. first draft, version 2 or final version	version 2
Policy author (post title only)	Housing Enforcement Manager
Location of policy (whilst in development)	S Drive
Relevant Cabinet Member (if applicable)	Sandra Peake
Equality Impact Assessment approval date	7 th November 2019 Version 2 – updated 21 st November 2022
Partnership involvement (if applicable)	N/A
Final policy approval route i.e. Cabinet/ Council	Cabinet
Date policy approved	
Date policy due for review (maximum three years)	
Date policy forwarded to Performance & Communications (to include on Extranet and Internet if applicable to the public)	

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18. Appendix 6 – Former Tenant Arrears Recovery Procedure	
19. Appendix 7 – Former Tenant Arrears Recovery Flowchart	
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21. Appendix 9 – Garage, Garage Plots and Parking Bay Rent Arrears Recovery Flowchart	

1. Introduction

Bolsover District Council owns and manages its housing stock consisting of 4,991 properties as at October 2022. All tenants of Bolsover District Council have signed a tenancy agreement, which sets out the rights and responsibilities of the tenant(s) and the Council. The tenancy agreement is a legally binding contract between the Council and the tenant(s). The tenancy agreement states that tenants, should pay their rent on a weekly basis and if they fail to do so and fall into arrears the Council can apply for possession as set out in Schedule 2 of the Housing Act 1985 (as may be amended from time to time).

This policy explains the Council's approach when tenants accrue rent arrears or have tenancy arrears at the end of their tenancy. In summary the Council will take a firm but fair approach, ensuring that tenants have available financial expertise to resolve any difficulties. The Council will not tolerate tenants who are unwilling to pay arrears nor receive help and legal action will be taken where necessary.

It clearly defines our commitment to equality and proportionality within the rent management processes. The Council in delivering this policy, will ensure that no individual is discriminated against on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. The policy aims to be:

- Sensitive to the needs of individuals
- Accountable
- Fair
- Efficient
- Responsive and flexible

The Councils housing management is split into 4 parts;

- **Income Management Team** - administration of the collection of rent and former rent arrears. Also the recovery of rent arrears from the initial contact up to and including the service of the court warning.
- **Tenancy Management** – deal with all aspects of managing a tenancy, including, rent arrears from when it is passed from the Income Management Team following service of court warning through to court action and finally eviction if necessary. Housing Assistants (Tenancy) officers support Tenancy Management Officers who deal with breaches of tenancy and anti-social behaviour, supported by the Anti-social Behaviour Team if necessary.
- **Housing Assistants Tenancy** – administration of garage rent arrears up to and including eviction.
- **Housing Needs** - deal with updating and maintaining the housing register, allocation of properties and statutory duties regarding homelessness under the Housing Reduction Act.

The Income Management Team and Tenancy Management Team are responsible for monitoring and taking enforcement action against tenants in arrears.

The day to day management and responsible officer for this policy and procedure is the Housing Enforcement Manager who will ensure any updates to this policy and the associated procedure are circulated to staff. The Structure is set out at Appendix 1.

2. Tenant's responsibilities

The term tenant includes sole and any joint tenants. All Council tenants sign a tenancy agreement and therefore have an obligation to pay their rent and service charges on time.

Rent charges may be changed from time to time and are reviewed each year in line with Government policy. Any such change takes place from the first Monday in April each year and the Council will give a minimum of 4 weeks' notice to tenants.

The Council also offers additional services which have to be paid for as part of the rent or additional service charges.

Tenants will be required to actively work with the Income Management Team and Tenancy Management Team to resolve their arrears situation and whilst eviction will be the action of last resort, if tenants fail to take steps to deal with their rent arrears, possession proceedings will be issued as appropriate.

3. Prevention

Prevention is key to arrears control and the Council endeavour to advise tenants as soon as arrears accrue. Arrears are not only financially damaging to an individual they can be socially damaging too as they risk losing their home. The Council aims to maximise income through offering advice and support at the earliest opportunity to prevent rent arrears increasing.

In order to prevent arrears, the Council recognises that it must tackle the underlying causal factors. Some of the most common reasons for rent arrears are listed below:

- Housing Benefit or Universal Credit issues
- Loss of income due to change in personal circumstances
- Low income
- Multiple debts and competing priorities
- Difficulty managing finances
- Missed rent increases
- Vulnerability

The Council aims to prevent rent arrears by promoting a culture where payment is encouraged, help is provided to maximise tenants income and to ensure tenants are aware of and use the free financial advice at all stages of their tenancy. This

includes referring to the Citizens Advice Bureau, Derbyshire Unemployed Workers or other agencies who offer free financial advice.

4. Payment Methods

The Council aims to ensure that tenants are able to pay their rent as easily as possible, in a way that suits them and their lifestyle. The Council does this by providing a range of payment options allowing more traditional ways of paying as well as embracing payments by way of new technology. These options include:

- Direct Debit
- Online
- Automated telephone line and over the telephone with a member of staff
- Using a kiosk at a Contact Centre

5. Early intervention

Ensuring that tenants are kept informed of their rent account is important and rent statements are included with all rent arrears letters and are sent by post annually showing a full year's transactions. Statements will be provided more frequently if they are requested and will assist tenants in making regular payments. All officers will have access to the last 12 weeks transactions on their mobile devices when visiting tenant's homes.

The Council works to ensure that claims for benefits are processed as quickly as possible. All Tenancy Management Officers have the means to photograph and scan documents required to process claims. These images can then be emailed to the benefit department who will process the claim.

In some instances it will not be possible to prevent arrears. However, early intervention helps to identify problems quickly so that people can be referred to organisations that are able to help. Rent arrears will not be allowed to build up without intervention from the housing management team. They will follow a staged and escalated arrears procedure as detailed in Appendix 4 attached to this policy. This procedure can be suspended by a tenant choosing to pay rent and agreeing a repayment plan.

Accounts are monitored on a weekly basis and the Income Management Team will initially contact tenants to find out the reason for the arrears, provide advice and agree a plan moving forward. An arrears letter is usually sent to all those who have missed their first two weeks payment. This letter also advises of where additional help or advice can be sought.

Prior to any formal action being taken, the Income Management Assistant will make contact with tenants by letter, telephone, text messaging and home visits. They will try to agree affordable repayment plans with tenants and offer advice throughout. Payment plans will usually be an agreement to pay the rent plus a further amount towards the arrears. This payment will be expected each and every week. However, officers may agree for the payments to be calculated so that they

can be made less frequently, for example each month where this assists tenants to manage their finances more effectively.

6. Effective contact

Direct contact with tenants will help officers to gauge what type of support or help can be provided and to ensure tenant's information and personal details are kept up to date. An assessment of the tenant's needs will be undertaken at appropriate times but full engagement by the tenant is required for this to be meaningful.

Where the Council know English is not the tenant's first language, where necessary, we will provide all written information translated into the tenant's chosen language and conduct interviews through appropriate translators.

Where the Council is aware of disabilities or other vulnerabilities, appropriate measures can be put in place to enable effective communication. For example where someone is deaf someone who can sign will be provided, larger font letters can be sent and additional home visits can be arranged.

7. Clear and accurate record keeping

The Tenancy Management Team and Income Management Team will keep electronic records of all the contact and action they take in respect of tenant's rent accounts on a computer programme, diary system. Each and every contact will be recorded on this system and tenant's details updated as appropriate. Details such as who lives at the property, the household income and expenditure, repairs, and equality act issues will be recorded as well as any details of repayment plans. Decisions which are made by an officer will also be recorded on the same system.

8. Enforcement

It is only when there has been no engagement, lack of, or no payment, will a formal notice be served. This is called a Notice of Seeking Possession. This is a statutory notice and the first step in formal action being taken. The detailed process following service of the notice is set out in Appendix 4. This process incorporates the legal duty to follow the rent arrears pre-action protocol which is a specific procedure before issuing court proceedings.

The Council may decide to include in legal proceedings, other matters affecting a tenant's tenancy, for example, other breaches of tenancy agreement, the most common being anti-social behaviour. These other matters do not necessarily have to be included in the relevant notice served on the tenant, but the Tenancy Management Team will make the tenant aware prior to any hearing taking place.

9. Former Tenants Arrears

Former Tenants are tenants who no longer live in the property allocated to them either because:

- 1 they have terminated the tenancy by giving 28 days' notice or
- 2 they have left the property without giving notice, i.e. abandoned the property or
- 3 they have been evicted from the property.

All tenants, when terminating their tenancy, are advised in writing of all rent due up to the termination date and will be advised of the implications involved if rent arrears are not paid in full. Recovery action will commence when the status of the tenancy changes to former tenant.

Legal action to recover the arrears will be considered in cases where an assessment of the former tenant's financial circumstances, indicate that such action would be appropriate.

Where the arrears are in respect of a deceased tenant action will be limited to contacting the next of kin or executor to claim against the estate.

Where a debt is uneconomic to pursue or there is no prospect of recovery, the debt will be written off.

10. Garage, Garage Plot and Parking Bay Arrears

Garage, garage plot and parking bay rent accounts that are in arrears are monitored by the Housing Assistant - Tenancy. As with tenancy arrears collection, early intervention is made and letters are sent when the account is in arrears for 2 weeks. Should the tenant fail to clear the arrears despite having been notified, a 'Notice To Quit' on the garage will be served.

If the account is not cleared at the expiry of the Notice To Quit, for council owned garages the locks may be changed on the garage and the tenant may be charged for this along with any costs for clearing the garage.

For garage plots the tenant may be charged for the demolition and clearance of the site.

For parking bays the former tenant may be charged for replacing the barrier keys.

11. Confidentiality and Data Protection

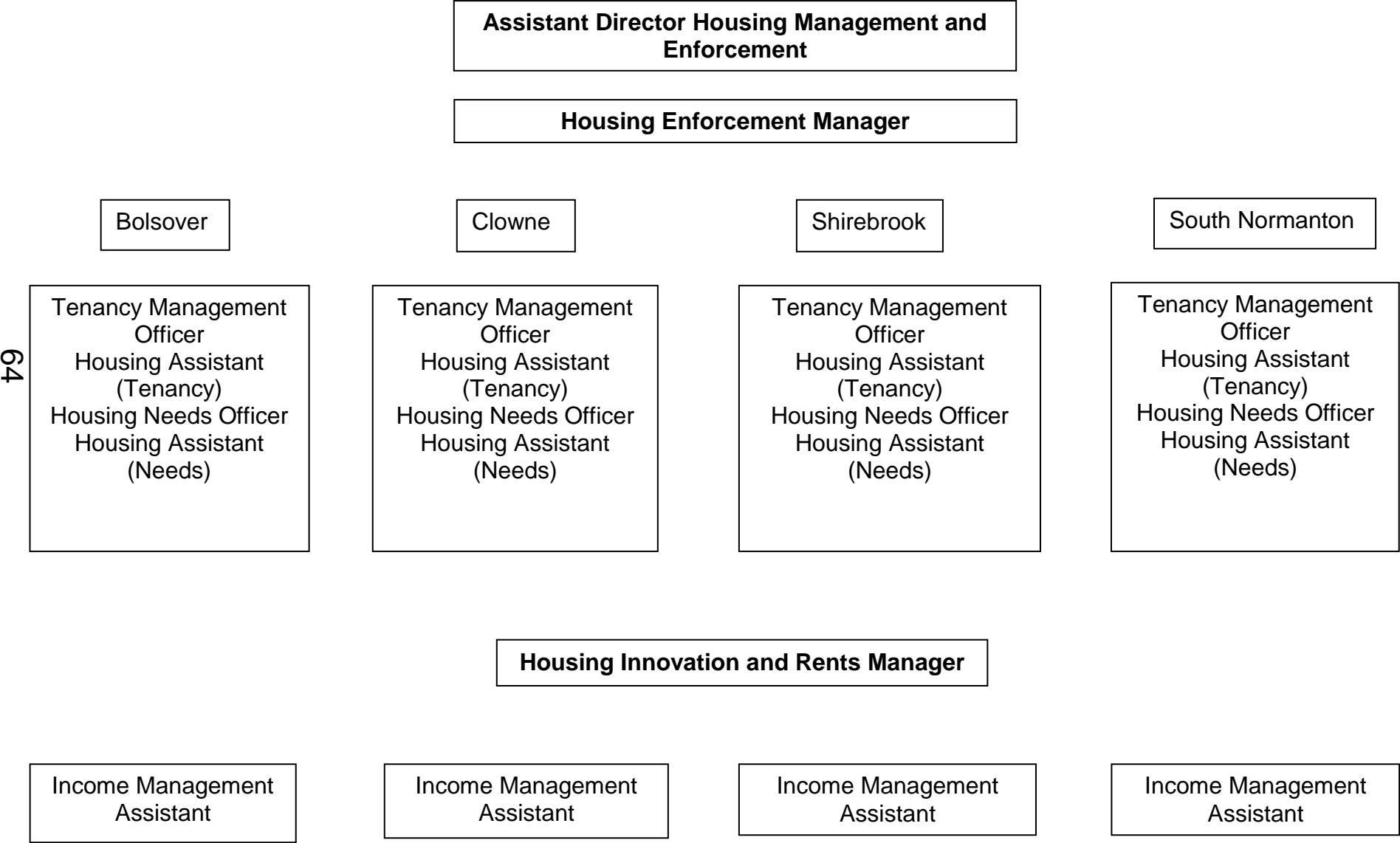
All office interviews will be carried out privately. The information held by the Council about a tenant's rent account will not be disclosed unless with the tenant's permission and/or in accordance with the relevant legislation. Tenant's information is used to manage their rent accounts, payments, arrears and provide relevant debt advice. It is also used to ensure tenancy conditions are complied with such as dealing with tenancy breaches, anti-social behaviour or fraud.

12. Equality Act duties

The Council has a statutory duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of

the Equality Act 2010. Acting in accordance with this Policy will help to ensure that the collection of sums due is conducted in a consistent and objective manner that will reduce the risk of inadvertent discrimination against persons with protected characteristics. It will also ensure that debt collection and recovery is delivered in an equally accessible manner to all members of the community. In order to establish if a tenant requires additional support or help, officers will undertake regular assessments of the tenant's personal circumstances, known as an Equality Act assessment, a copy of the form used can be found at Appendix 5.

Appendix 1 – Tenancy Management



Appendix 2 – Tenancy Agreement



TENANCY AGREEMENT

WELCOME NOTES

Your landlord is Bolsover District Council “the Council”. We would like to welcome you to your new home and neighbourhood. We hope that you will be very happy as a Council tenant.

This tenancy agreement sets out important information about your rights and responsibilities. It also tells you what the Council’s responsibilities are to you. When you sign this agreement it forms a legal agreement between you and the Council.

Please read this document carefully, or have someone read it to you, before you sign. If there is anything you do not understand please contact the Housing Management Team who will be happy to help. We can be contacted on 01246 242424 or via email enquiries@bolsover.gov.uk

If you have signed this agreement with someone else like your husband, wife or partner, you are a joint tenant. You are both jointly and individually responsible for all the conditions in this agreement.

If at any time you believe that you will not be able to comply with any aspect of this tenancy agreement, please contact the Housing Management Team straight away and they will be glad to offer advice and support.

If you do breach any of the conditions of this agreement we can take legal action against you. We may apply to court to repossess your Property. Before we take action you will be given the opportunity to discuss the matter with your Tenancy Management Officer. You will also be given the opportunity to correct the situation. Legal action may be taken in other circumstances for example if you stop using the Property as your home or if you gave false information when you filled out your application form.

You are responsible for informing us of any changes in your circumstances during the course of your tenancy, such as if you purchase a Property, gain a financial interest in a Property, or you gain or lose a household member. You must notify us about any new household member that comes to live with you, so that they can be added to your tenancy records as residing at your Property.

The Council will consult with tenants where you are likely to be substantially affected by proposed changes (other than rents and other charges)

CONTENTS

1. Definitions
2. Your tenancy
3. Paying your rent
4. Using your Property
5. Repairs and Maintenance
6. Nuisance and Anti-social behaviour
7. Moving or Ending your tenancy
8. Notices
9. Signature and Declaration

1. Definitions

Alterations – changes or additions to your home. This includes but is not limited to changing internal or external doors, replacing windows, fitting new kitchens or bathrooms, erecting garages, sheds, laying driveways or concrete, removing boundaries.

Approved Hardstanding – An area for parking vehicles within the Property (such as a car port or driveway) which has been granted prior approval by the Council and which is reached by a properly installed dropped kerb with any necessary highways and planning permission.

Assignment – legally transferring your tenancy, and the rights and obligations that go along with it, to someone else.

Communal areas – include internal areas such as hallways, stairs and entranceways and outside areas such as communal gardens, bin storage, pathways and car parks which are for the shared use of more than one Property.

Communal Gardens – shared garden areas that are for the use of all tenants of a block of flats or a group of properties.

Family Pets – a dog, cat, small caged animal or bird.

Heating charge – the part of your rent (if any) that covers charges for heating provided by the Council. Not everyone will have a heating charge.

Joint tenancy/ tenant – a joint tenancy occurs when more than one person signs up to and is named on the tenancy agreement. Both tenants are responsible for paying rent and complying with the tenancy agreement. If you are a joint tenant and there are rent arrears on your account the full amount can be claimed from either tenant. If one joint tenant serves Notice to Quit the tenancy will end for all tenants.

Motor Vehicles – includes cars, vans, motorbikes and any other powered vehicles including those with electric engines.

Notice of Seeking Possession – a formal notice served on you by the Council as a first step to end your tenancy if you have not complied with this agreement.

Notice to Quit – a formal notice to end your tenancy. It must comply with the legal requirements for a

Notice to Quit and be given to the landlord.

Property – your home including any outside areas that are for your sole use.

Rent – the total charge due for living in the Property as set out at paragraph 2.2

Service Charge – the part of your rent that covers charges for services or facilities that you benefit from. This charge is often made to tenants who benefit from common or shared facilities that require maintenance such as communal gardens, entrance ways or lifts. The Council has a service charge policy which sets out the basis of the charge in detail. Not everyone will have a service charge.

Succession – the process by which someone legally takes on the tenancy of a deceased family member.

The/your Property – the house/ flat or bungalow you are renting as described at paragraph 2.5 of this agreement.

We/us/the Landlord/the Council – refers to Bolsover District Council and anyone acting on its behalf.

You/the tenant – if you are a joint tenant ‘you’ or ‘the tenant’ refers to both tenants together and individually. Where appropriate it also covers people you are responsible for such as family members and visitors.

2. Your Tenancy

2.1 The tenancy commences on [] day of [] Two Thousand and []. The first period of this tenancy will be from [] to midnight on the following Sunday namely []. Second and subsequent periods of this tenancy are from week to week commencing on the Monday immediately after the first period, namely [].

2.2 The Current Weekly rent charges for the Property are:

Rent	£
Capital Service Charge	£
Heating costs	£
Special Service Charge	£
Support Charge	£
TOTAL	£

2.3 This tenancy agreement is between Bolsover District Council (“the Council”) and the “Tenants”

Name	Date of Birth	National Insurance Number

2.4 Other Household members:

Name	Date of Birth	Relationship to Tenant



2.5 The address of the Property

is:

Postcode

If there are any gardens attached to the Property which are not communal and/or any garages within the curtilage of the Property these are included in the tenancy and you are responsible for the maintenance of them.

2.6 Type and size of Property:

House ☐ Bungalow ☐ Flat ☐ Independent Living ☐

Scheme Number of bedrooms

Garden: YES ☐ NO ☐ Position : Front ☐ Side ☐ Rear ☐

3. Paying Your Rent

3.1 You must pay your rent and any other charges in full every week. You must pay your rent in advance and not in arrears. Payment of rent for the first period of this tenancy

₤ will be £

After the first period you must pay rent in advance on or before the Monday of each week, this will be £

3.2 Your rent may be increased or decreased from time to time. You will be advised in writing at least 4 weeks before any rent change. This is called a Notice of Variation, the notice will also tell you of the right to end the tenancy if you do not accept the new rent level.

4. Using your Property

Occupying your Property

- 4.1 You must occupy the Property as your sole or principle home.
- 4.2 If you will be away from your home for more than 28 days you must inform us so that we know the Property has not been abandoned. You must provide contact details so that you can be contacted while you are away from the Property and inform the Council of any persons residing in your Property while you are away who are not listed in your tenancy agreement. You must provide an intended date of return. If you are absent from your home for more than 28 days without telling us action may be taken to end this Agreement.

4.3 You must let us know who is living with you, their details and their relationship to you. You must update the Council when anyone listed in your tenancy agreement leaves the Property or if someone new moves in or a child is born.

4.4 You must comply with any Council Policies relevant to your tenancy.

Subletting

4.5 You must not sublet, even temporarily, the whole or part of the Property. You will immediately lose

your secure tenancy and we will take action to repossess the Property and/or prosecute you. The prevention of Social Housing Fraud Act 2013 criminalises the unauthorised subletting of your home and you could be liable.

Lodgers

4.6 You can take in lodgers as long as your Property is not considered to be overcrowded and you have obtained written permission from the Council, to be renewed annually. A lodger is someone who lives in your home but was not part of your household when you first moved in. They do not have exclusive rights to any part of your home.

4.7 You will be responsible for the behaviour of any lodger who lives in the Property.

Running a business, working or trading from the Property

4.8 You must get our permission before you or any other person begin running a business, working or trading from the Property. We will not refuse permission unreasonably.

- 4.9 We will not allow the following businesses to be run or operated from the Property:
- a. Repairing, re-spraying, valeting or trading in motor vehicles, boats, trailers, caravans or similar structures.
 - b. Shops or wholesale businesses where customers would have to visit the Property.
 - c. Any business or trade likely to cause nuisance or annoyance to other people or damage the Property, our land or communal areas.
 - d. Any business or trade which involves using the Property or locality for any illegal or immoral purpose.
 - e. Any business or trade using controlled substances such as chemicals.

4.10 If the Council do give you permission you must also have and maintain any necessary insurance, legal permissions including planning permission and an appropriate level of public liability insurance.

4.11 If any business, trade or work at the Property breaches any conditions of this agreement we will withdraw our permission. If we do this it must stop operating.



4.12 You, or anyone you are responsible for as the tenant, must not run a business, work or trade from:

- a. Any communal areas in our blocks of flats or maisonettes.
- b. Any of our garage blocks.
- c. Any land in the locality of the Property (e.g. parking or grassed areas).

4.13 You must not display any advertisement, sign or notice for your business without the prior written consent of the Council.

Condition of the Property

4.14 You must keep the Property

- a. In good condition, clean, tidy and in good decorative order.
- b. Free from anything likely to cause an obstacle to anyone, a fire risk, a health and safety hazard or structural damage.
- c. Free from pests or vermin and not encourage their presence.

4.15 You are responsible for decorating the inside of the Property.

4.16 You must not, or permit anyone to, damage, deface, dirty or graffiti on the inside or outside of the Property or any provided fixtures and fittings.

4.17 You must not paint the outside of the Property.

4.18 You will have to pay for any repair or replacement arising from any damage to your Property or any Council Property caused by you or people living in or visiting your Property. Your responsibilities are set out in the Rechargeable Repairs Policy.

4.19 You must take all reasonable steps to prevent damage to the Property by fire, frost, the bursting of water pipes or the blocking of drains.

Communal areas

4.20 You must keep the communal areas clean and tidy and free of personal belongings.

4.21 You must keep the communal areas and fire exits free from anything likely to cause an obstacle to anyone, a fire risk, a health and safety hazard or structural damage.

4.22 You must not tamper with, obstruct and/or create tripping or fire hazards or permit anyone to, damage, disable, dirty, deface or graffiti on anything of the Council, including equipment, in the communal areas and communal gardens. This includes:

- a. Door entry or emergency alarm equipment
- b. Lifts including the lift doors, machinery and control panels

- c. Firefighting and detection equipment and installations
- d. Gas, electricity and water supplies or meters
- e. Glass in panels and windows
- f. Sheds and storage areas
- g. Sprinkler systems
- h. Fire doors, fire equipment and fire escape routes

4.23 You must not use communal gardens for hot tubs, paddling pools, ponds, trampolines, sheds or similar.

4.24 You must not keep or charge a mobility scooter(s) in the communal areas or communal gardens.

Safety

4.25 You must not tamper or interfere with equipment for the supply of services e.g. gas and electricity or other security or safety equipment.

4.26 You must not tamper with, or permit anyone to, damage, disable, deface or graffiti on any of the following at the Property:

- a. Door entry or emergency alarm equipment.
- b. Smoke or heat detectors.
- c. Gas, electricity or water supplies or meters.
- d. Fire doors.

4.27 In flats and properties with shared facilities communal doors should not be jammed open.

4.28 You must not keep or use bottled gas, paraffin, petrol or any other dangerous or noxious material in your Property or in communal areas other than in small quantities necessary for normal domestic use.

4.29 You must not use or store dangerous, explosive or inflammable materials or substances in the Property, communal areas, or sheds and storage areas in blocks of flats.

4.30 You must not use portable oil, paraffin, gas cylinders/bottle cookers or heaters in the Property.

4.31 You must not make, bring anything into or store in your Property anything which is dangerous to you or others or which may cause or is likely to cause a nuisance to others.

4.32 You should only burn recognised and approved fuel for your heating appliance.

4.33 You must test smoke alarms and carbon monoxide (CO) testers and report any malfunction of safety equipment immediately.



4.34 You must not burn anything or have open flames within your Property.

Gardens and Boundaries

4.35 You must make sure that your garden is:

- a. Tidy with any hard surfaces kept clean.
- b. Free from vermin and pests.
- c. Free from stored or accumulated rubbish, furniture, household appliances or scrap metal.
- d. Free from dog faeces.

4.36 Lawns must be cut and hedges trimmed to a manageable level. Shrubs must not be more than 2m high. If the garden is overgrown and there is no good reason why you are unable to clear it, the Council may clear it and charge you for the work.

4.37 You must not cut down or remove any established tree on your Property without the Council's prior written permission, and you must seek permission from the Council prior to planting any new trees.

4.38 You must not enter onto any Property that has not been let to you as part of the Property that is subject to this Agreement.

4.39 You must get permission for any alteration or improvement to your home or in your garden before you undertake this work. Permission will be considered in line with the Council's Tenant's Alteration and Improvement Policy.

4.40 We will not unreasonably refuse permission and you must also obtain any necessary legal permissions (e.g. planning permission, building regulation approval and where appropriate, Gas Safe and Accredited Electrical Certification and in some instances party wall permission).

4.41 The boundary of the Property is determined by the Council. Our decision is final in the event of any dispute regarding our land or its boundaries.

4.42 You must not erect barriers and/or gates across shared access paths or walkways.

4.43 You are not allowed to erect walls or fences at the Property or alter, move or interfere with existing boundary features without the Council's written permission. If you breach this condition the Council shall have the right to reinstate the original boundaries and recover the costs of such work from you. You are responsible for maintaining any fences, boundaries and gates that are not adjacent to a public highway.

4.44 You must not burn waste in your garden or have bonfires.

4.45 You must not install a pond in your garden.

Pets and Animals

4.46 You may keep one dog and/or cat at the Property so long as the Property is not one that is accessed by a communal door e.g. flats. Where the Property is accessed via a communal door, or where you wish to keep anything other than one cat and/or dog or a permitted animal listed in 4.47 below (collectively called "Family Pets"), written permission must be sought from the Council prior to the animal being brought in to the Property.

4.47 You may keep Family Pets in your home subject to the conditions within this section. A Family Pet is considered to be a dog, cat, small caged animal or bird. You may also keep any small amphibians, fish, insects or reptiles, as long as they are kept only in a purposely designed tank or container.

4.48 You must not keep pigeons or chickens at your Property without permission.

4.49 You must not keep excessive numbers of small animals in your Property and you must ensure that appropriate animal welfare standards are met. Where Family Pets are being kept in unsuitable conditions, or where they are causing nuisance and annoyance to others, the Council reserves the right to revoke permission for you to keep them in the Property.

4.50 You must keep any Family Pets under control at all times and not permit them to damage the Property or any other Council Property or to cause any nuisance or annoyance to anyone else. You will be recharged for the costs of repairing any damage caused by your Family Pets or animals belonging to visitors to your Property.

4.51 If you keep a dog at the Property you must ensure that any outside space is kept clean of faeces and you must not allow them to foul any common areas.

4.52 You must ensure that no Family Pets or animal kept at the Property prevents an employee, contractor or agent of the Council gaining access to the front door of the Property.

4.53 You should not erect any structure for the housing of livestock, birds or animals without the Council's prior written consent.

Vehicles and Parking

4.54 You must not park or leave any motor vehicle, trailer, caravan or boat anywhere on the Property except on an Approved Hardstanding.

4.55 You must not park or leave any motor vehicle, trailer, caravan or boat on grass verges, communal grassed areas, gardens or any Council land used for amenity purposes.

4.56 The parking of vehicles by you must not in any way obstruct access to another Property,



service road, or prevent access for emergency vehicles.

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- 4.57 Vehicles other than residents’ daily use cars or personal vans may only be parked on a private drive or within the Property boundary where previously approved in writing by the Council and in such a way that they do not cause a nuisance to neighbours, road users or pedestrians.
- 4.58 You must only access your Property with a Motor Vehicle via a properly installed dropped kerb.

5. Repairs and Maintenance

- 5.1 You must notify the Council immediately if any repairs are required at the Property which are the Council’s responsibility.
- 5.2 You are responsible for the repair, replacement and renewal of anything that does not form part of the structure or exterior of the Property and which is not an installation for the supply of

water, gas and electricity, sanitation or space and water heating including (but not limited to) the following items:

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- a. the internal decoration or your Property.
 - b. plugs to sinks, baths and wash hand basins and replacing toilet seats;
 - c. plugs for electrical appliances;
 - d. replacement light bulbs and tubes;
 - e. replacement of fuses or resetting trip switches;
 - f. keys;
 - g. batteries for appliances;
 - h. adjustments to central heating clocks;
 - i. clearing blocked wastes to sinks, wash hand basins and baths and external gullies;
 - j. replacement of cracked or broken glass;
 - k. fences and gates unless adjacent to the public highway;
 - l. cooking facilities;
 - m. sweeping of chimneys;
 - n. draining down water systems during periods of absence in the winter months;
 - o. paths, other than those that serve the front and rear entrance to the Property.
- 5.3 You must pay the whole cost of any works or repair arising from any damage to the Property caused by you or anyone living in or visiting the Property.
- 5.4 You have an obligation to take care of the Property internally and externally, and in the case of flats or properties with shared facilities, all communal areas.

- 5.5 The Council will replace and renew as appropriate the items detailed below as soon as reasonably possible:



- a. the structure and exterior of the Property (including communal areas in the case of flats);
- b. the decoration of communal areas (this may be subject to a service charge);
- c. the fitting for the supply of water, gas and electricity;
- d. bathroom and toilet fittings (excluding toilet seats);
- e. room heating systems;
- f. water heating systems.

5.6 You must allow the Council and/or its contractors and/or agents access to your Property on 72 hours' written notice for the purposes of carrying out a Property inspection; inspecting for repairs, carrying out repairs, servicing equipment and/or for any other reasonable housing management purpose.

5.7 The Council reserves the right to enter the Property without notice in cases of emergency, and to carry out urgent repairs, where to fail to do so would lead to Property damage or where there is a risk to your health and safety or the health and safety of others. The Council will attempt to contact you prior to obtaining emergency access.

5.8 The Council reserves the right to enter onto your Property to fix, attach and maintain any wires, poles, cables, brackets, fixtures and fittings in, over or under the Property for the purpose

of supplying radio and television diffusion services to the Property or any other works at the Property.

5.9 The Council reserves the right to install and maintain and improve the cables wires fixtures or other equipment for the purpose of provision of emergency alarms security systems or fire detection.

5.10 The Council reserves the right to erect scaffolding at the Property for the purpose of carrying out works at the Property.

Alterations and Additions

5.11 Alterations, additions or installations to the Property must only be carried out with the Council's prior written permission and in accordance with the Council's Tenant's Alteration and Improvement Policy.

5.12 You must not erect any shed, garage, greenhouse or similar structure without the Council's prior written permission.

5.13 You must not undertake any permanent decorative finish (such as wood cladding, render or tiling) to the interior or exterior of the Property without the Council's prior written permission.



5.14 You must not install any security system or CCTV without permission and you must comply with relevant legislation.

contraband, benefit fraud, obtaining goods fraudulently, for sexual offences, or for the storage or

6. Nuisance and Anti-social behaviour

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- 6.1

You must act reasonably and have consideration for your neighbours. We will not tolerate anti- social behaviour, harassment, or domestic abuse and we will take firm action to deal with those carrying out this unacceptable behaviour.
- 6.2

As a tenant you will be held responsible for any form of unacceptable behaviour carried out by you, your family, and any other people living at your home, and, friends or visitors to your home. You will also be held responsible if you incite, instruct, allow or encourage anyone to act for you.
- 6.3

You must make sure that you, your family, any other people living at your home, friends or visitors to your home do not:

a.

Cause, or behave in such a way as is likely to cause, harassment, alarm, distress, a nuisance, an annoyance, or disturbance to anyone within Bolsover District, including people in the locality of your Property and other tenants or residents, either directly or indirectly. This includes, but is not limited to, any direct or indirect communication by letter, telephone, text message, email or social media (such as Facebook or Twitter).

b.

Cause or behave in such a way as is likely to cause harassment, alarm, distress, a nuisance, annoyance, or disturbance to anyone within Bolsover District including people in the locality of your Property, because of colour, race, ethnic origin, sexuality, disability, health, age, religion, culture, immigration status, gender, or for any other reason.

c.

Engage in conduct which is detrimental to vulnerable individuals or groups of individuals including, but not limited to, the elderly, those with physical or mental health disabilities, or children.

d.

Be violent or abusive, either physically or emotionally, towards anyone else in the locality.

e.

Make threats, harass, be violent or abusive towards any Council employee, any contractor or anyone working on our behalf, any consultant or Councillor by any means either directly or indirectly, by letter, telephone, text message, email or social media (such as Facebook or Twitter) or any other electronic messaging service. This includes when you telephone or visit any Council office or office of Bolsover District Council, if you are visited at your home, or in any other situation.

f.

Use your home or neighbourhood for any activity which is unlawful including, but not limited to drug dealing, drug production, use of illegal drugs, storing stolen goods or



keeping of illegal guns or other weapons. This clause applies irrespective of whether there is a prosecution and/or conviction of a criminal offence.

- g. Engage in any form of domestic abuse, including but not limited to coercive or controlling behaviour, physical, sexual, financial or emotional abuse. Such behaviour is unacceptable and will not be tolerated regardless of gender or sexuality.

Drugs, knives and other serious incidents

6.4 Neither you, nor anyone residing in or visiting your home, may do any of the following when in your home or in the neighbourhood:

- a. possess, use, store, keep, or produce drugs
- b. supply or offer to supply drugs to another person
- c. possess drugs with the intention of supplying them to another person
- d. possess, use, store, or keep knives or other weapons, other than for domestic use
- e. possess knives, implements or other weapons with the intention of supplying them to another person, other than for domestic use.

6.5 We will always consider applying for possession of your home (which would end your tenancy) if there is a breach of any part of this condition, and/or if you or a person residing in or visiting your home:

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- a. is convicted of an offence of carrying an article with a blade or a point or an offensive weapon in a public place without lawful authority or reasonable excuse in the locality of your home
 - b. is convicted of an offence of unlawfully and intentionally threatening another person with an offensive weapon or bladed article in a public place in the locality of your home
 - c. is convicted of any firearms offence or imitation firearms offence
 - d. is convicted of an offence of perverting the course of justice
 - e. does co-operate with the police without good cause, if you have evidence of drug, gun or knife crime
 - f. commit any offence relating to the Modern Slavery Act 2015
 - g. does engage in any tenancy related support or referrals for support following any breaches of your tenancy agreement or attend any tenancy related support programmes following any breaches of your tenancy agreement
 - h. is responsible for triggering any of the conditions as set out in Section 84A Housing Act 1985, enabling possession to be sought (Absolute Ground for Possession).
 - i. Possession proceedings will be issued using an appropriate legal route and in all cases, you

should seek independent legal advice.



- 6.6 You must inform the Council if you have a firearms licence and are keeping a registered firearm at the Property.

7. Moving Home or Ending Your Tenancy

Assignment

- 7.1 Assignments may only take place in limited circumstances set out by law:
- By mutual exchange – providing you have obtained written permission from the Council prior to the mutual exchange, and the person with who you are exchanging has also obtained written permission from their landlord. If you do not have our written consent this is an unauthorised assignment. We may take court proceedings against you.
 - Under certain court orders made under family law or civil partnership law.
 - To a person entitled to succeed to the tenancy provided that you have obtained written permission from the Council which will not be unreasonably withheld.
- 7.2 You must provide reasons why you would like the assignment to take place. Each assignment will be considered on a case by case basis and must not be carried out until approval has been obtained.
- 7.3 Certain tenancy changes will also be considered for secure tenants, such as a new joint tenancy being created with a person that would be capable of succeeding to your tenancy. Each request will be considered on a case by case basis.

Succession

- 7.4 If you have a joint tenancy the surviving tenant will automatically take over the tenancy upon the death of the other joint tenant. The surviving tenant will be their successor and there will be no further right to succeed because succession can only happen once.
- 7.5 If you are a sole tenant who has not succeeded the tenancy, then your tenancy can be passed onto your spouse or civil partner as long as they are living with you when you die. If there is no spouse or civil partner then other members of your family can succeed to the tenancy if you die, providing they have lived with you for 12 months ending at your death.

Giving Notice to end your tenancy

- 7.6 You must give the Council four full weeks' notice in writing to terminate this agreement.
- 7.7 You must return all keys to the Council on or before 10am on the date agreed by the Council that this Agreement ends.
- 7.8 You must give vacant possession of the Property.

- 7.9 Fixtures installed by the Tenant(s) with prior consent of the Council will become the Property of the Council. Unauthorised installations must be removed by the time this Agreement ends, a failure to do so will lead to the Council removing and recharging the Tenant in accordance with the Rechargeable Repairs Policy.
- 7.10 You must leave the Property in good repair and in a clean and tidy condition and shall permit the Council and its Agents access to the Property prior to the end of this Agreement in order for the Council to assess the condition of the Property and evaluate any works which may be necessary before the Property can be re-let to a new tenant.
- 7.11 You must pay for any repairs or replacement if damage has been caused to any Council Property or the Property, howsoever caused, prior to the keys being in the possession of the Council in accordance with the Rechargeable Repairs Policy.
- 7.12 Should it be necessary for the Council to do any work at the Property for clearance, cleaning or repairs then the Council reserves the right to charge the Tenant in accordance with the Rechargeable Repairs Policy.

Termination by the Council

- 7.13 The Council reserves the right to seek to recover possession on the grounds set out in Schedule 2 of the Housing Act 1985 (as amended) for any breach of the tenancy after first giving the Tenant(s) Notice of its intention to apply to the Court for an order seeking possession of the Property.
- 7.14 The Council reserves the right to recover possession on the absolute ground for possession set out in section 84(A) Housing Act 1985 after giving the appropriate notice.

8. Notices

- 8.1 Notices to the tenant will be served at the Property address.
- 8.2 Notice to the Council should be served on Bolsover District Council by sending or delivering to Bolsover District Council, The Arc, High Street, Clowne, S43 4JY
- 8.3 Where notice is posted by first class post it will be deemed received 48 hours after posting.
- 8.4 Where notice is hand delivered to the address above before 4pm it will be received on that day.



9. Signature/declaration

9.1 By signing this tenancy agreement you confirm that you have read and understand the terms of this agreement. You are entering into a legal contract with the Council and agree to abide with the terms of the tenancy, and to accept that you are responsible for all breaches even if that were committed by someone else living with you, your children or visitors.

9.2 Tenants signature

Name of First or Sole Tenant	
Signature	
Date	

Name of Second and joint Tenant	
Signature	
Date	

9.3 Signed on behalf of the Landlord, Bolsover District Council

Name of officer signing on behalf of Council	
Position	
Signature	
Date	

Equalities Policy Statement

Bolsover District Council is committed to equalities as an employer and in all the services provided to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminate all forms of discrimination in compliance with its Equality Policy.

The Council also has due regard to eliminate discrimination and to proactively promote equality of opportunity and good relations between persons of different groups when performing its functions.

Access for All statement

You can request this document or information in another format or language by:

- ▶ Phone - 01246 242424
- ▶ Email – enquiries@bolsover.gov.uk
- ▶ BSL Video Call – a three way video call with us and a BSL interpreter. It is free to call Bolsover Derbyshire District Council with Sign Solutions, you just need wifi or mobile data to make the video call, or call into one of our Contact Centres.
- ▶ Call us with Relay UK - a free phone service for anyone who has difficulty hearing or speaking. It’s a way to have a real time conversation with us by text.
- ▶ Visit to one of our offices at Clowne, Bolsover, Shirebrook and South Normanton



We speak your language

Bolsover
District Council

Polish

Mówimy Twoim językiem

Slovak

Rozprávame Vaším jazykom

Chinese

我们会说你的语言

If you require this publication in **large print** or another format please call us on **01246 242424**

Designed by Bolsover District Council 22-734



Appendix 3 - Rent Arrears Recovery Procedure

The arrears process is followed as set out in this policy, and the computer systems used by the department have been designed to follow the stages for all accounts that are in arrears. The arrears process programs are run weekly and for each case the computer system will suggest the next stage where appropriate, unless an agreement is in place and this has not been broken. This process is referred to as an extract. At each contact with the tenant we will strive to make an arrangement with the tenant to pay the rent and arrears, and if appropriate make referrals to agencies that can assist with money management and debts.

If the tenancy is a joint tenancy then individual letters and rent statements will be sent separately to each tenant.

Income Management Assistants

The aim of the Income Management Assistants is to prevent a case escalating to court action. By having early engagement with tenants, assistance can be given to maximise benefit entitlement and support those who may be vulnerable.

- The first arrears extract
Accounts are checked to make sure the tenant(s) is not a monthly payer. If payments are not being made or the incorrect amount is being paid then an Arrears Reminder 1 (ARR1) letter will be sent. This is sent to anyone who hasn't made a prior arrangement. This case will be moved to the ARR1 stage and will be recorded automatically on the computer system.
- If, after two further extracts no payment has been made or any contact from the tenant(s) has been received then telephone contact will be attempted, this may take the form of a text message. An email may be sent if the email address is known and the tenant has agreed for us to contact them using this method. The tenant(s) will be advised and encouraged to set up an arrangement to pay.

If the tenant(s) made an incorrect payment they will be encouraged to make the correct payment. The case will be moved to the TEL1 stage and will be recorded automatically on the computer system

- In the next extract, the account is monitored for payments. The account will be checked if this is a regular monthly payer. If this is the case this will be recorded as such on the computer system.

If no payment has been made or any contact from the tenant(s) has been received then an Arrears Reminder 2 (ARR2) letter will be sent. This case will be moved to the ARR2 stage and will be recorded automatically on the computer system.

- If, after two further extracts, no payment has been made a visit will be carried out to those still in arrears unless they are keeping to an agreed arrangement. A record of this visit will be kept on the computer system.

At the visit the Tenancy Checklist will be completed on the officer's tablet which will automatically update the computer system. The aim of this will be to check the details of the tenant(s) and other occupants of the household and if there are any vulnerabilities / disabilities or experiencing any other issues we are not aware of. An action plan will be agreed if any issues are reported.

Referrals will be made to money advice agencies or Social Care as agreed or as required. Referrals and signposting can also be made to the Citizens Advice Bureau and Derbyshire Law Centre. This case will be moved to the VISI stage and will be recorded automatically on the computer system.

- In the next extract, if the account is still in arrears the Pre Notice Warning (PNSP) letter will be produced. At all stages of the arrears process it is important that we attempt to engage with tenants and if the attempts to engage with the tenants on the VISI stage was unsuccessful then the PNSP will be hand delivered. However if the VISI stage was successful but the account is still in arrears or the agreed arrangement is not being kept then the PNSP can be delivered by the postal service. This case will be moved to the PNSP stage and will be recorded automatically on the computer system.
- The Income Management Assistant will look at all cases at the PNSP stage and complete and sign the Equality Act Assessment using information stored on the computer system, paper records that have been downloaded onto the Housefile, and their direct knowledge of the tenants.
- After two further extracts, the Income Management Assistant will decide if it is appropriate for the Notice of Seeking Possession (NSP) to be prepared. This will be handed to the Tenancy Management Officer along with the Equality Act Assessment for their authorisation and signature.
- The NSP is hand delivered by the Income Management Assistant or another officer if appropriate. A certificate of service is completed and kept on the housefile. This case will be moved to the NSP stage and will be automatically recorded on the computer system. Where there are joint tenants, a NSP must be served on each.
- After two further extracts, contact is attempted via telephone with the tenant(s). This may take the form of a text message. An email may be sent if the address is known. The tenant(s) will be advised and encouraged to set up a payment plan or they would run the risk of being entered into court for the Council to seek possession of their home. The tenant will also be reminded that a Notice of Seeking Possession has already been served, the matter is serious and is the first step towards potential court action. The case will be moved to the Pre Court Telephone Contact PCTEL stage.

For each case, the computer system will suggest the next stage where appropriate unless an agreement is in place and this has not been broken. At each contact with the tenant we will strive to make an arrangement with the tenant to pay the rent and arrears.

- After the Notice of Seeking Possession is served and the Pre Court Telephone Contact has taken place the Income Management Assistant will start to work on the case with the Tenancy Management Officer and they will discuss any potential legal action against the tenancy.
- If the tenant(s) is still not paying then a Court Warning letter will be sent. Included in this will be a copy of the Pre-Action Protocol for Possession Claims by Social Landlords which is produced by the Ministry of Justice.
- A referral will be made to the Homeless Triage Officer by email. This case will be moved to the COURW stage and will be automatically recorded in the computer system and the case will be passed to the Tenancy Management Officers.
- The court application stage (COURA) will be the next suggested stage, 2 weeks after the COURW stage was committed.

Direct Debit Payers

All tenants paying by direct debit are covered by the Direct Debit guarantee which sets down the guidelines which we must follow to enable us as a landlord to use this service.

If a direct debit is returned to us a “refer to payer” then we must write to the tenant advising them of this. At the stage a direct debit is returned for the first time the account could be up to 4 weeks in arrears, we will try and make contact with the tenant by telephone to either obtain payment or come to an arrangement. If this contact is unsuccessful a DDARR1 is sent out. This letter informs them of the returned direct debit and gives them ** days in which to make the payment.

Should the direct debit be returned for a second time as “refer to payer” and the first missed payment has not been made we will again try and make contact by telephone to obtain payment or make an arrangement. If this attempt is unsuccessful and the account could be up to 8 weeks in arrears a DDARR2 is sent out. This letter informs them that the Council, as a landlord, has now cancelled their right to pay by direct debit.

From this point the usual arrears procedure will be followed commencing with the VISI stage.

Should the tenant already be subject to a Notice of Seeking Possession or Court Order then the Tenancy Management Officer will be consulted and the next arrears stage will be agreed with them.

Tenancy Management Officer

The aim of the Tenancy Management Officer is to prevent the tenant(s) being evicted. By continuing to engage with tenants to address rent arrears we hope to prevent the need for court action and possible eviction.

- A copy of the existing Equalities Act Assessment will be made available. This will be updated and signed by the Tenancy Management Officer and a decision made as to whether the tenant(s) will be entered into court and the details input onto the Possession Claim Online system (PCOL). The case will be moved to the Court Application (COURT) stage when the PCOL information is completed. This will be automatically recorded on the computer system.
- Once input on PCOL the following documents will be produced
 - Letter for tenant(s) to confirm the date of the hearing
 - Witness Statement
 - Rent Statement for both court and the tenant(s)

The following documents will be provided to court

- Witness Statement
- Rent Statement
- Copy of the letter sent to the tenant(s) to confirm the date of the hearing
- Copy of the Notice of Seeking Possession
- Copy of the Tenancy Agreement

The following documents will be provided to the tenant(s)

- Letter for tenant(s) to confirm date of the hearing
 - Information leaflet explaining the court process and possible outcomes
 - Rent Statement
 - Copy of the Notice of Seeking Possession
 - Copy of the Tenancy Agreement
- After the court application has been submitted and before the court date a further visit will be made to the tenant(s) and the extract will prompt the VISPC stage.
 - Prior to the court date it will be decided what order will be requested at the hearing. This decision can be made by the Tenancy Management Officer or in consultation with the Housing Enforcement Manager.
 - A further copy of the existing Equalities Act Assessment will be made and this will be updated and signed by the Tenancy Management Officer.
 - Following the court hearing the case will be moved to the relevant stage depending on the outcome, this will be automatically recorded on the computer system.

Possible Court Outcomes

The possible court outcomes are as follows:

- OPOS Outright Possession
- SPO Suspended Possession Order
- ADJDS Adjourned for a specified amount of days
- ADJTS Adjourned on Terms
- ADJLIB Adjourned with Liberty to Restore
- COSTS Costs Only Order
- WTHDS Withdrawn

Outright Possession Order (OPOS)

An outright possession order specifies the date by which a tenant is required to leave the property. The date is usually 14 days after the order is made. A tenant can ask for the date for possession to be delayed for a maximum of 6 weeks if it would cause them hardship to leave earlier.

Once the time period of the Outright Order has expired an application for a warrant of Possession of Land can be made.

A letter will be sent to the tenant(s) confirming the order obtained, and advising where they can seek assistance for rehousing. The details of the court order will be input into the computer system. Any court costs will be added to the rent account.

The Equalities Act Assessment (EAA) will be updated and a decision made as to whether the warrant will be applied for. This decision can be made by the Tenancy Management Officer or in consultation with the Housing Enforcement Manager.

The Housing Enforcement Manager must sign the EAA prior to the application of the warrant. If the warrant is to be applied for the case will be moved to the Apply for Warrant (AWAR) stage.

Suspended Possession Order (SPO)

A possession order may be granted but suspended on terms. The tenant(s) is allowed to remain so long as they adhere to the terms.

A letter will be sent to the tenant(s) confirming the order obtained and setting out the terms for compliance and consequence of the breach. The details of the court order will be input into the computer system which will create a court arrangement and the case will be moved to the Court Arrangement Made (CAMS) stage. Any court costs will be added to the rent account.

The system will monitor this arrangement. If the tenant is making the correct payments no action will be suggested. If the tenant is not making the correct payments it will suggest the Court Arrangement Broken (CAMF) stage.

Adjourned for a specified amount of days (ADJDS)

The Court may adjourn the determination of a case for a specified amount of days e.g. when a Housing benefit or Universal Credit claim is being processed.

A letter will be sent to the tenant(s) confirming the order obtained, and if appropriate tell the tenant(s) what they need to do before the next hearing. This case will stay at the ADJDS stage until the amount of days given in the court order has expired when there will be a new hearing.

If the date has not been set by the court this will have to be followed up with the court. If the hearing has been set the case will be moved to the Adjourned Hearing (ADJHE) stage and the details input.

Once the Adjourned hearing has been conducted the court outcome will be recorded and the relevant stage selected.

Adjourned on Terms (ADJTS)

On occasion the court may adjourn for a specified amount of time, as set out above, but also require that the tenant(s) adhere to specific terms e.g. payment of rent or contributions to rent.

A letter will be sent to the tenant(s) confirming the order obtained and explain what terms they are required to adhere to. The details of the court order will be input into the computer system which will create an adjournment arrangement and the case will be moved to the Adjourned on Terms Arrangement Made (ADJAR) stage.

The system will monitor this arrangement and suggest the Re-list (RLISTS) stage if the payments are not made correctly.

Adjourned with Liberty To Restore (ADJLIB)

A possession claim can be adjourned generally with liberty to restore the claim at a later date. This is often on terms. A letter will be sent to the tenant(s) confirming the order obtained and if required any terms. This case will stay at the ADJLIB stage whilst the payments are being monitored.

Whilst the payments are being made correctly there is no further need for action and the case will remain at this stage.

If the payments are not being made correctly and it has not gone past the date when this can be applied for, a decision will be made as to whether an application to restore the possession claim is needed. This decision can be made by the

Tenancy Management Officer or in consultation with the Housing Enforcement Manager.. This application will be made via the PCOL system.

If the hearing is applied for, once the date is received, this case will be moved to the ADJHE stage.

Once the adjourned hearing has been conducted the court outcome will be recorded and the relevant stage selected.

Costs Only Order (COSTS)

A letter will be sent to the tenant(s) confirming the order obtained and costs will be added to the rent account.

The payments for the rent account will have to be monitored and any credit balances transferred to the court costs account. An email will be sent to the Income Management Team to transfer the credit.

Withdrawn (WTHDS)

A letter will be sent to the tenant(s) confirming the order obtained. The letter must include the reasons for the withdrawal from court and the terms of the agreement if one has been made.

Court Arrangement Broken (CAMF)

The CAMF stage will be suggested if the Suspended Possession Order is not being kept to.

The Behind on Court Order (BCAM) stage can be used to remind tenant(s) of their court order obligations once they have breached them and give them the opportunity to catch up with them. The moving to this stage will be completed manually. The letter will include details of the court order, the amount of rent and how far behind the tenant is with the court order.

The Last Chance Appointment (LCAP) stage can be used to remind tenants of their court order obligations by discussing the situation with the Tenancy Management Officer and to give them the chance to catch up with their obligations. The moving to this stage will be completed manually. The letter will include details of the appointment made.

If the tenant(s) does not comply with the terms of the court order once the reminder has been given then the EAA will be updated and a decision made as to whether the warrant will be applied for. This decision can be made by the Tenancy Management Officer or in consultation with the Housing Enforcement Manager.

The Housing Enforcement Manager must sign the EAA prior to the application of the warrant. If the warrant is to be applied for the case will be moved to the Apply for Warrant (AWAR) stage.

Warrant Application (AWAR)

If there is not a suspended warrant already in place an application for a warrant will be completed via PCOL. The details of the warrant application will be input onto the system. The case will remain at this stage until the date is confirmed by the bailiff.

If the warrant is already suspended and it has been no longer than one year since it was suspended, there will be an application to re-issue the warrant. The details of the warrant application will be input onto the system. The case will remain at this stage until the date is confirmed by the bailiff.

If the warrant is already suspended and it has been longer than one year since the warrant was suspended then a new application will have to be made. The details of the warrant application will be input onto the system. The case will remain at this stage until the date is confirmed by the bailiff.

The Tenancy Management Officer must complete a Bailiff's confirmation of date court form and a risk assessment, which must be filed at court.

Once the date is confirmed this will be moved to the Bailiff Date Confirmed (BALC) Stage.

This date also needs to be confirmed with the tenant(s). The case will be moved to the Confirm Bailiff Date with Tenant (CBAL), this will generate a letter.

The Tenancy Management Officer must make arrangements for any support required at the eviction (e.g. Police, Enforcement Rangers) and the lock change to be completed.

Tenant Application 1

At any time after the tenant(s) is informed of the eviction date up to the actual eviction, the tenant(s) can apply to the court for an application to suspend the warrant. The court will deal with this matter at a hearing. When the court contacts the Council to inform us of this hearing the case will be moved to the TAPP stage.

There are 3 potential outcomes to this hearing

- Tenant(s) application is dismissed
- The warrant is suspended on terms, indefinitely
- The warrant is suspended on terms with a review date in the future. This is often when the tenant(s) is required to make payment or submit additional information to assist with a benefit claim.

If the application is dismissed the eviction will be executed as arranged. If the warrant is suspended then the case will move to the Warrant Suspended on Terms (WSUS) stage.

Warrant Suspended on Terms (WSUS)

A letter will be sent to the tenant(s) confirming the order obtained and any terms they need to adhere to.

The details of the court order will be input onto the computer system which will create a court arrangement and the case will be moved to the Warrant Arrangement (WARM) stage.

The system will monitor this arrangement. If the tenant is making the correct payments no action will be suggested. If the tenant is not making the correct payments it will suggest the Warrant Arrangement Failed (WARF) stage.

Warrant Arrangement Failed (WARF)

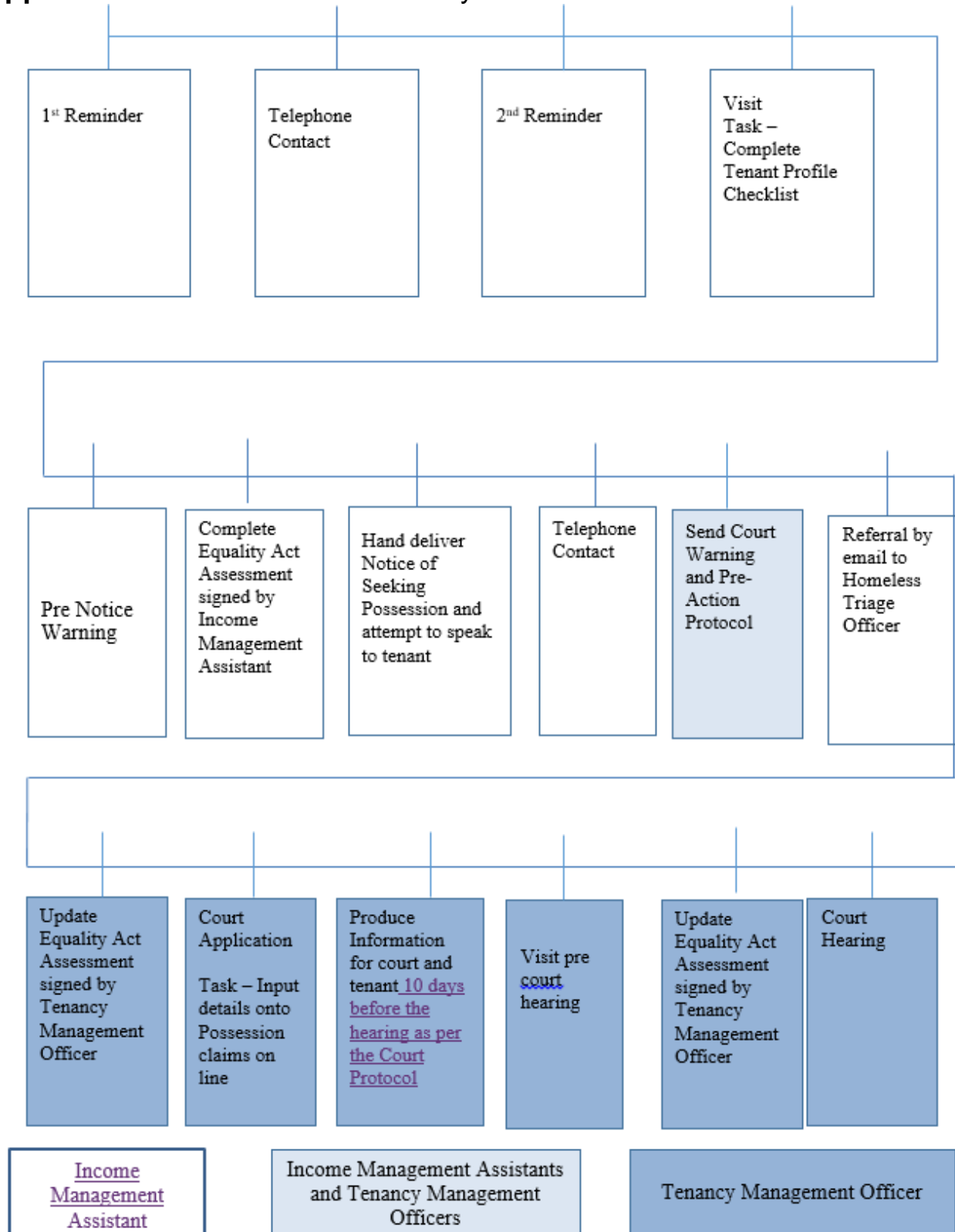
If the warrant is to be applied for, the case will be moved to the Apply for Warrant (AWAR) stage.

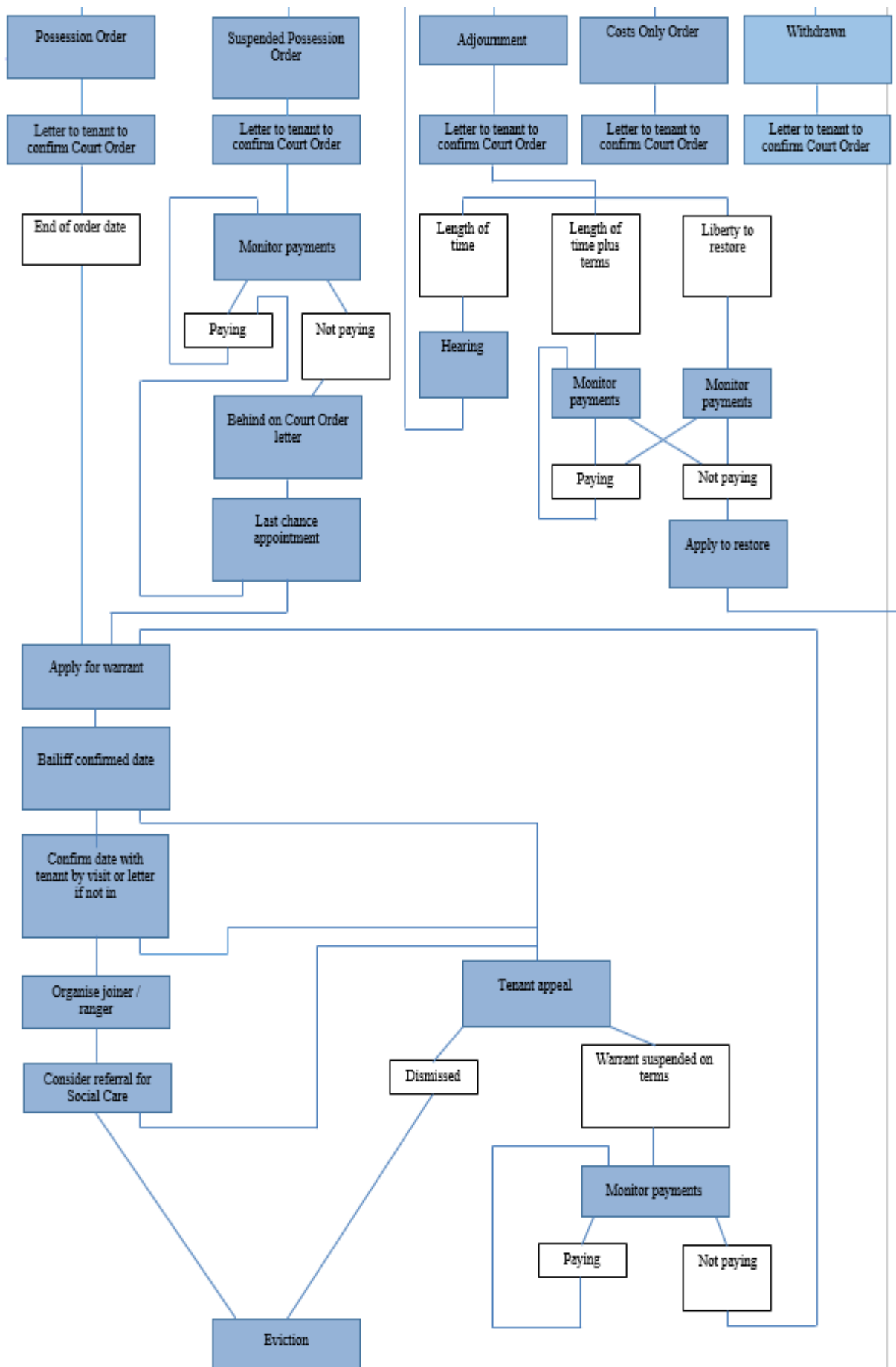
Arrangements

Once an arrangement is made with the tenant(s) the details will be input into the computer system. The system will monitor the payments. If the payments are made correctly then the system will not prompt any further action or change of stage.

If the arrangement is broken because the payments have not been made correctly the system will return the case back into the rent arrears procedure and prompt the relevant stage.

Appendix 4 - Rent Arrears Recovery Procedure – Flowchart





Appendix 5 – Equality Act Assessment

EQUALITY ACT 2010 – CASE ASSESSMENT

Tenant/s Name/s:			
Property address:			
Tenancy Type:	Introductory <input type="checkbox"/> Secure <input type="checkbox"/> Other <input type="checkbox"/>	Tenancy start date:	
Total number of occupants:		Of which under 18:	
Reason for action:	Rent arrears <input type="checkbox"/> ASB <input type="checkbox"/> Other tenancy breach <input type="checkbox"/>		

Assessment commencement date:		Assessment update date:	
--------------------------------------	--	--------------------------------	--

Does the tenant have any protected characteristics, and/or vulnerabilities or warning markers:	
<input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Gender reassignment <input type="checkbox"/> Marriage / civil partnership <input type="checkbox"/> Pregnancy / maternity <input type="checkbox"/> Race <input type="checkbox"/> Religion or belief <input type="checkbox"/> Sex <input type="checkbox"/> Sexual orientation <input type="checkbox"/> Bankruptcy / debt relief order <input type="checkbox"/> Literacy support needs	<input type="checkbox"/> Children safeguarding <input type="checkbox"/> Adult safeguarding <input type="checkbox"/> Hoarding <input type="checkbox"/> Substance misuse <input type="checkbox"/> ASB victim <input type="checkbox"/> Asylum seeker / refugee <input type="checkbox"/> Interpreter required <input type="checkbox"/> Physical / mobility issues <input type="checkbox"/> Other – specify below
Provide details below:	
Are there any occupants with protected characteristics / vulnerabilities that will impact on the tenant's ability to maintain a tenancy – if YES provide details below (if no put 'N/A')	

Guidance Notes

Equality Act 2010

If a tenant has protected characteristics / vulnerabilities it does not mean we cannot take legal action, however we must be able to show that the treatment is a proportionate means of achieving a legitimate aim

This assessment will help to evidence that we have conscientiously focussed on our statutory requirements, the Act and the tenant's needs.

Protected Characteristics

AGE

- A reference to a person who has a particular protected characteristic is a reference to a person of a particular **age group**.
- A reference to persons who share a protected characteristic is a reference to persons of the **same age group**.
- A reference to an age group is to a group of persons defined by reference to age, whether by reference to **a particular age or to a range of ages**.

DISABILITY

A person (P) has a disability if P has a physical or mental impairment, and the impairment has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities

- Substantial means it must have more than a minor effect. The condition does not have to stop a person from doing something completely but it must make it more difficult
- Long-term means it must have an adverse effect for 12months OR likely to last longer than 12months OR likely to last the rest of a person's life if their life expectancy is less than 12months

GENDER REASSIGNMENT

A person has the protected characteristic of gender reassignment if the person is: "proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.

MARRIAGE & CIVIL PARTNERSHIP

All persons who are married or in a civil partnership have the protected characteristic of marriage and civil partnership. For the purposes of protection under the Equality Act:

- Marriage covers any formal union which is legally recognised in the UK as a marriage. Therefore, marriage between a man and a woman and between a same-sex couple are covered.
- A civil partnership under the *Civil Partnership Act 2004* is between same sex partners and, since 2 December 2019, opposite-sex partners in England and Wales and, since 1 June 2021, opposite-sex partners in Scotland (see *Civil partnerships between opposite-sex couples*).

Single people and people in relationships outside of marriage or civil partnership (whether or not they are cohabiting) do not have this characteristic. Nor, according to the explanatory notes, do divorcees or people whose civil partnerships have been dissolved.

PREGANCY AND MATERNITY

NB there is no definition / explanation under the Equality Act of pregnancy and maternity

Appendix 6 - Former Tenancy Arrears Recovery Procedure

All tenants when terminating their tenancies are encouraged to pay any outstanding arrears of rent and will be advised of the implications involved if rent arrears are not paid in full by the time the tenancy ends.

Former tenants in arrears unable to clear the sum due by the tenancy end date will be encouraged to agree a repayment plan that is affordable and sustainable.

Within 14 days of identifying arrears, consideration will be given to the best course of action, taking into account the level of the debt, if we have a forwarding address and whether the tenant is deceased. At this point where no forwarding address is available the trace process begins. This will include checks with utility companies, electoral registration and other contacts available through our records.

Notice of Termination Received

When a tenant submits a Notice of Termination of Tenancy to us we will check the balance on the rent account and provide the tenant with a statement detailing the amount due to be paid upon the date of the termination.

We will record tenant's new addresses and telephone numbers on our system so that we are able to make contact with them should payment not be made.

We will seek an agreement from the tenant for payment of the amount due by the date of termination of the tenancy.

Tenancy Ended

When the tenant(s) returns the keys for the property we will check the balance on the account and ask the tenant for payment or an arrangement for payment of any balance.

The rent account will be checked for the forwarding address or contact number. If a phone number is available this will be tried and if possible a forwarding address will be obtained from the tenant.

Stage One - First Letter

Within 14 days of the account terminating FTA1 will be sent to all customers requesting payment or contact within 14 days.

If the customer is deceased the letter FTADEC will be sent to the executors or next of kin informing them of the debt and requesting payment from the estate.

Should the customer have been unable to clear the account in full, either because there is no estate or due to financial difficulties a reasonable offer of repayment will be accepted, taking into account income and expenditure. An arrangement is more likely to be adhered to if it is reasonable and affordable.

Stage Two - Second Letter

If no response is received after 14 days, tenants owing £25.00 or more will be issued with a reminder letter giving them a further 7 days to make full settlement. This letter will give the former tenant details of the action we will take if the account is not cleared within 7 days. Balances of less than £25.00 will be written off.

Stage Three – Council Tax checks

For balances over £25.00 checks are made to the Council Tax section to see if they have a forwarding address.

Stage Four – Consideration for Write-Off

If the case is returned from the Council Tax section as no trace, a decision will be taken at this stage whether to write-off the debt taking into account the following:

- Do we know where the tenant lives?
- The tenant(s) are deceased and have left no estate
- The tenant(s) are in long term hospital care or serving a long term prison sentence
- Where the debt is £25.00 or less after receiving the first former tenant arrears letter
- Where the debt is £25.00 or less after receiving the first and second reminder letters
- The age of the debt
- Level of the debt

The process of writing-off former tenant's arrears or credit balances is an accounting procedure and this does not mean that the tenant's liability has ended. If staff become aware of the current whereabouts of a former tenant then recovery will still be pursued.

Likewise should a former tenant make a claim for repayment of credit balances then we are required to reimburse that former tenant.

Stage Five – Recovery through the County Courts

There are a number of methods of recovery through the County Courts, depending on the level of arrears and if a Judgement has already been obtained.

Judgement in Force

- Request an Attachment of Earnings, if the customer is in employment
- Third party Debt and Charging Order, if the customer holds a bank account or owns property
- Warrant of Execution, if the customer has worthwhile assets

No Judgement in Force

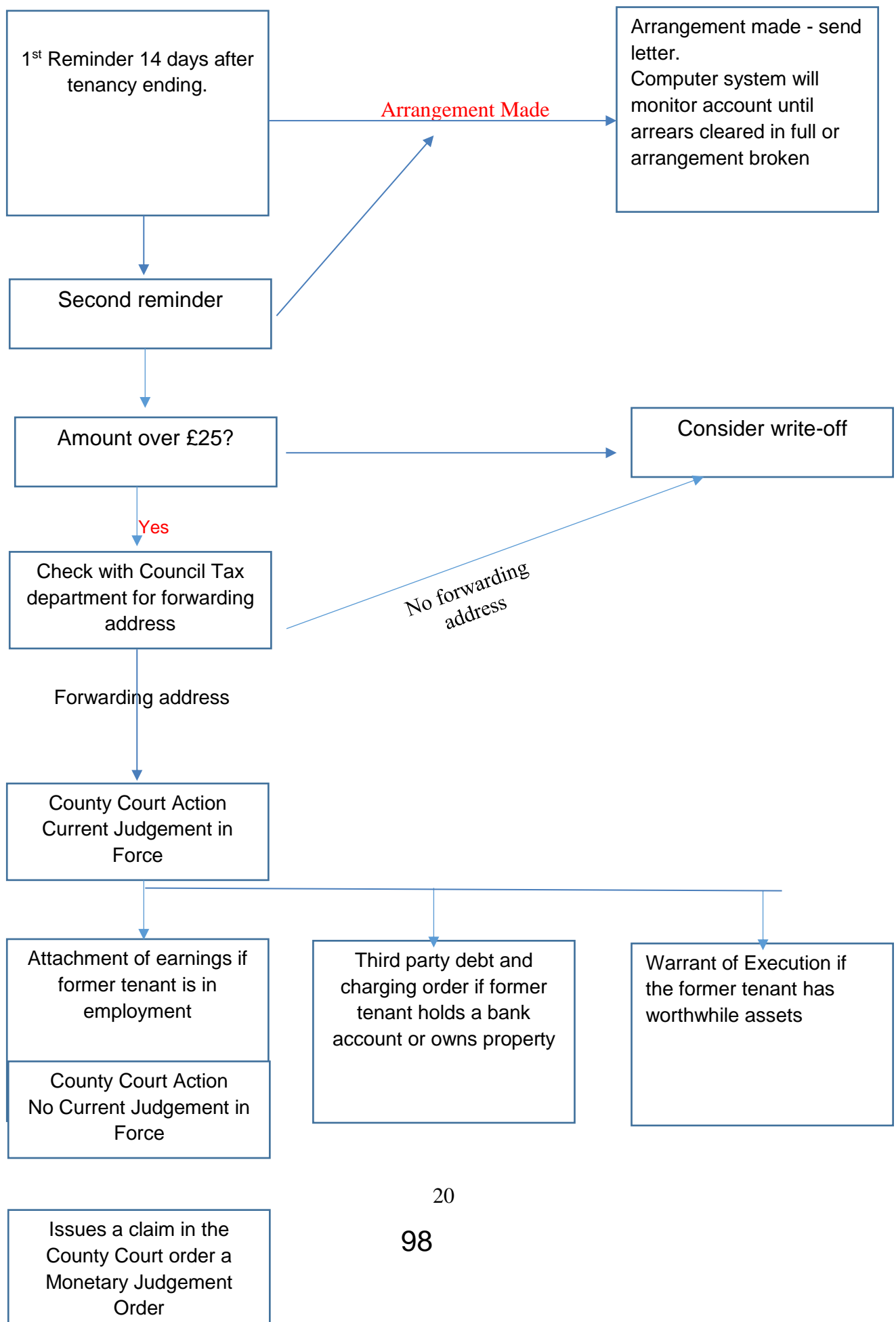
- Issue a claim in the County Court

In the above instance if the Court finds in favour of the Council they will award a Monetary Judgement Order which means the customer is ordered to repay the debt at an agreed rate and intervals.

Stage Six – Write-Off

If all methods of recovery have been unsuccessful the debt will be written-off. However, our records will still show the customer has an outstanding debt with us and the recovery process can begin at any time.

Appendix 7 – Former Rent Arrears Recovery Procedure – Flowchart



Appendix 8

Council Owned Garages, Garage Plots and Parking Bay Arrears

Garage, garage plot and parking bay rent accounts that are in arrears are monitored by the Housing Assistant (Tenancy). As with tenancy arrears the garage arrears process is followed and the computer systems have been designed to follow the stages for tenancies in arrears.

- The first arrears extract is suggested when a council-owned garage is 14 days in arrears or for garage plots and parking bays after one missed monthly payment.
- Accounts are checked to make sure the tenant(s) is not a monthly payer. If payments are not being made or the incorrect amount is being paid then a Reminder 1 (GC1) letter will be sent. This is sent to anyone who hasn't made a prior arrangement. This case will be moved to the GC1 stage and will be recorded automatically on the computer system.
- If, after two further extracts no payment has been made or any contact from the tenant(s) has been received then a notice to quit will be served.

The Notice to Quit gives the tenant one week to hand in the keys, clear the site or return the barrier key.

If the tenant makes contact during the notice period and wishes to continue to use the garage, plot or parking bay then the arrears should be cleared in full and with the discretion of the Assistant Director Housing Management and Enforcement or the Housing Enforcement Manager a new tenancy will need to be signed. If the new tenancy is denied the tenant will be served a Notice for storage and charged for use and occupation until such time that the garage is cleared.

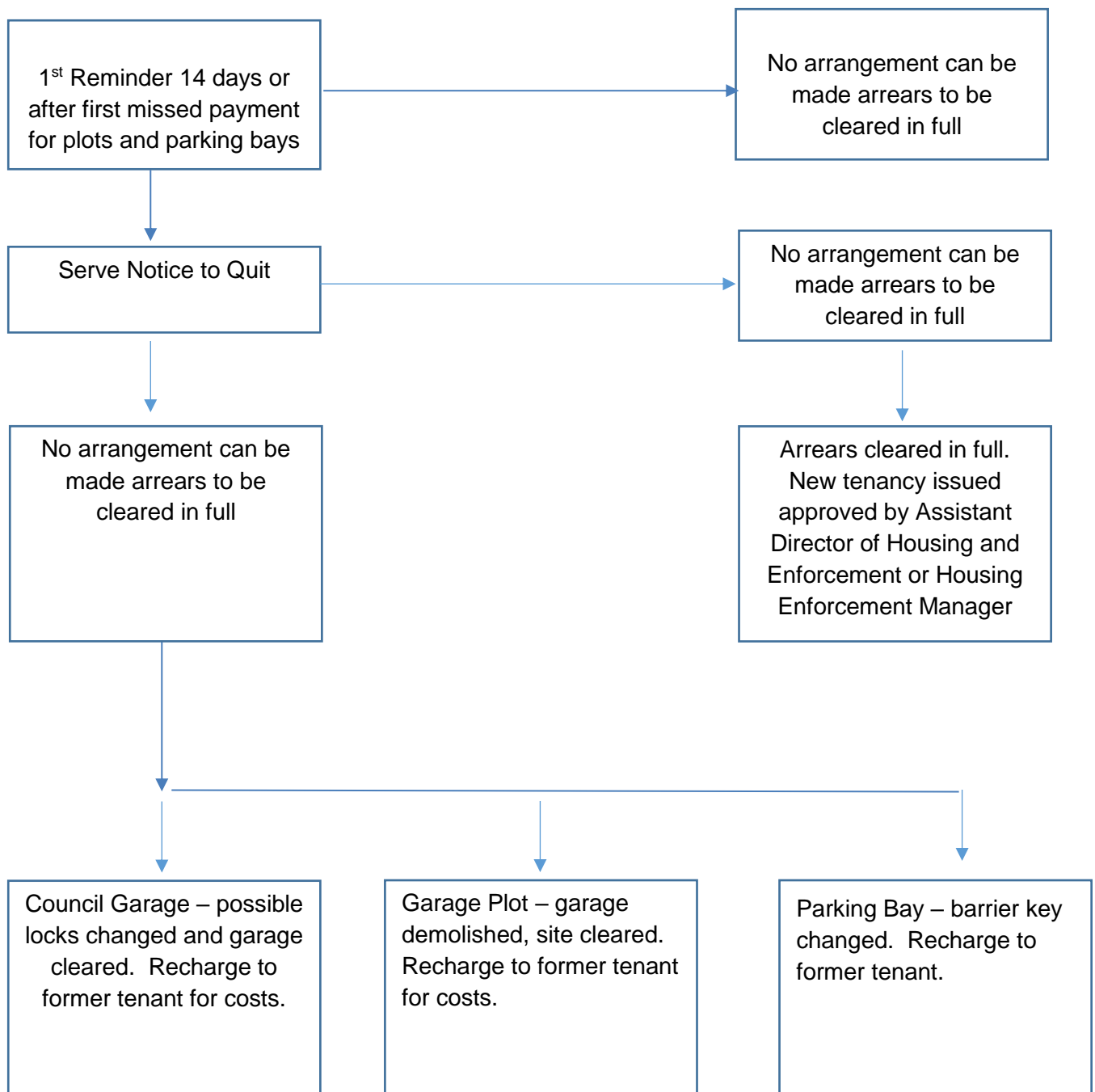
If the account is not cleared at the expiry of the Notice to Quit

for council-owned garages the locks may be changed on the garage and the tenant may be charged for this along with any costs for clearing the garage

of the site For garage plots the tenant may be charged for the demolition and clearance

For parking bays the former tenant may be charged for replacing the barrier keys.

Appendix 9 – Garage, Garage Plot, Parking Bay Rent Arrears Recovery Procedure – Flowchart



Bolsover District Council

Meeting of the Executive on Monday 30th January 2023

Appointment of Security and Concierge Contractor for Commercial Property

Report of the Portfolio Holder for Growth / Economic Development

Classification	This report is Public
Report By	Sally Lovell Business Estates Manager sally.lovell@bolsover.gov.uk 01246 242308
Contact Officer	As above

PURPOSE/SUMMARY OF REPORT

- To inform Executive of a procurement exercise which is currently being undertaken to appoint a contractor to deliver the Security and Concierge contract for Commercial Property.
- To seek approval for the delegation to the Assistant Director for Development to appoint the first or second choice supplier when the evaluation of tender submissions and clarification interviews have been completed.

REPORT DETAILS

1. Background

- 1.1 The provision of Security and Concierge services for Commercial Property has been contracted out since September 2012.
- 1.2 A procurement exercise was undertaken in September 2021 to appoint a new supplier. The appointment of the preferred supplier was taken to the Executive in January 2022 and the decision to award a contract was approved, however due to performance issues the contract was terminated in August 2022 under delegated decision.
- 1.3 A further delegated decision, was approved on 22 August 2022 to agree a 6-month temporary contract with the previous supplier – IPM FM Group Ltd. This has enabled a continuation of providing the security services at the Council's commercial and corporate properties whilst a new tender exercise is completed. This temporary contract terminates on 31 March 2023
- 1.4 An Invitation to Tender (ITT) was issued on 9 December 2022 to re commission a specialist experienced Security organisation who can work with Bolsover District Council to continue to achieve security and effective operational objectives with regards to their business parks and business centres, namely Pleasley Vale Business Park and The Tangent Business Hub. It also requires

CCTV Monitoring and Key Holder responsibilities in relation to other property owned by the Council. The deadline for submission of tenders is 23 January 2023.

2. Details of Proposal or Information

- 2.1 In summary the council is seeking an organisation who is capable of providing:

CCTV Monitoring, including alarm response
(Mon-Fri 5pm – 9am and weekends):

Pleasley Vale Business Park
The Tangent Business Hub
The Arc (BDC office)
Riverside Depot (alarm response only)

Key Holding Service:

Pleasley Vale Business Park
The Tangent Business Hub
The Arc (BDC Council office)
Bolsover Contact Centre (BDC)

Meet and greet Concierge Service/Reception service:

Pleasley Vale Business Park
The Tangent Business Hub

An annual CCTV Maintenance programme for the CCTV

Pleasley Vale Business Park
The Tangent Business Hub

- 2.2 The Council has reserved the right to add and/or remove sites to this contract, and any inclusion of sites would be based on the rate specified in the tender response of the appointed company.
- 2.3 The Invitation to Tender (ITT) is advertised on the procurement portal and site visits are to be held on 6th and 10th January 2023 for interested companies to have the opportunity to see and familiarise themselves with the sites included in the Invitation to Tender. The deadline for the submission of tenders is 23 January 2023.
- 2.4 Tenders will be evaluated between 23 January and 6 February 2023 using the evaluation matrix on a cost and quality basis: Cost 45% / Quality 55%. The quality elements include: method statement (15%); operational instructions (8%); implementation (15%); Contract Management (12%); Learning and Development (3%); Service Development (2%).
- 2.5 The evaluation of tenders and results of the scoring matrix will identify the preferred supplier.

3. Reasons for Recommendation

- 3.1 To offer a continuation of the Security Industry Authority (SIA) accredited security and concierge service across the commercial premises, allowing for the provision

of concierge, out of hours CCTV monitoring, as well as alarm response and key holding for the commercial properties.

- 3.2 The Assistant Director for Development is to be given the delegated authority to appoint the first and second choice supplier, based on the evaluation of tender submissions and results of the scoring matrix. This will enable a contract to be awarded and the new contractor to be in place following the expiry of the temporary contract.
- 3.3 The contract will commence 1 April 2023 for 3 years with the option to extend for a further 2 years in two one-year extensions.

4. Alternative Options and Reasons for Rejection

- 4.1 To bring the service back in house, however this would be at a significantly greater cost and we don't currently have the resource to run without having the SIA accreditation for the CCTV monitoring.
- 4.2 To bring the concierge element of the contract back in house, however the staffing costs would be higher due to the need to employ more than two staff members for holiday and sickness cover etc. This would also mean a period of delay in the service provision as it would take time to recruit and appoint qualified staff. We would also still require a contractor for the CCTV monitoring with the SIA accreditation.

RECOMMENDATION(S)

1. The Assistant Director for Development is given delegated authority to appoint the preferred supplier and to enter in to a contract agreement, to be drafted and issued by Legal Services. The delegation will extend to include the appointment of the second supplier on the shortlist if for any reason contracts are not agreed with the preferred supplier.
2. The Assistant Director for Development is given delegated authority to implement the two one-year extensions based on satisfactory performance from the contractor and also an acceptable pricing proposal going forward.

Approved by Councillor Liz Smyth, Portfolio Holder for Growth / Economic Development

IMPLICATIONS:

Finance and Risk: Yes ☒ No ☐

Details: Following receipt of tender applications, if there is an increase in cost which cannot be accommodated within existing budgets then a report will be taken to Council to seek an increase in the budget

On behalf of the Section 151 Officer

<u>Legal (including Data Protection):</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Details: The contract is to be awarded in compliance with the Council's Contract Procurement Rules. The Rules require contracts with a value over Key Decision levels to be considered by the Executive, however, the Executive is able to delegate this power on a case by case basis where appropriate.		
On behalf of the Solicitor to the Council		
<u>Environment:</u> Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.		
Details: N/A		
<u>Staffing:</u>		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Details: <div style="text-align: right; padding-top: 10px;">On behalf of the Head of Paid Service</div>		

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: Revenue - £75,000 <input checked="" type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	Yes
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	Yes

District Wards Significantly Affected	All
Consultation: Leader / Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	No Details:

Links to Council Ambition: Customers, Economy and Environment.
This procurement contributes to the Economic priorities of: Making the best use of our assets; and, ensuring financial sustainability and increasing revenue streams.

DOCUMENT INFORMATION	
Appendix No	Title

Background Papers
<i>(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 Executive you must provide copies of the background papers).</i>