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To: Chair & Members of the Customer
Services Scrutiny Committee

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Wednesday, 30th November 2022

Dear Councillor

CUSTOMER SERVICES SCRUTINY COMMITTEE

You are hereby summoned to attend a meeting of the Customer Services Scrutiny Committee of the Bolsover District Council to be held in the Council Chamber, The Arc, Clowne on Monday, 12th December, 2022 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 pages 3 and 4.

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

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

**CUSTOMER SERVICES SCRUTINY COMMITTEE
AGENDA**

**Monday, 12th December, 2022 at 10:00 hours taking place in the Council Chamber,
The Arc, Clowne**

Item No.		Page No.(s)
	<u>PART A - FORMAL</u>	
1.	Apologies for Absence	
2.	Urgent Items	
	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	5 - 8
	To consider the minutes of the last meeting held on 10 th October 2022.	
5.	List of Key Decisions and Items to be Considered in Private	9
	<i>(Members should contact the officer whose name appears on the List of Key Decisions for any further information. NB: If Members wish to discuss an exempt report under this item, the meeting will need to move into exempt business and exclude the public in accordance with the Local Government (Access to Information) Act 1985 and Local Government Act 1972, Part 1, Schedule 12a for that part of the meeting only).</i>	
6.	Customer Service Standards and Compliments, Comments and Complaints 2022/23 - 1st April 2022 to 31st September 2022	10 - 42
7.	Rent Arrears Policy	43 - 103
8.	Mobility Scooter Policy	104 - 121

9.	Communal Area Management Policy	122 - 137
10.	Review of Council-owned Adapted Accommodation - Post Scrutiny Monitoring (Interim Monitoring Report)	138 - 150
11.	Local Lettings Policy - New Builds	TO FOLLOW
12.	Customer Services Scrutiny Committee Work Programme 2022/23	151 - 157

PART B - INFORMAL

13.	Review work	
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CUSTOMER SERVICES SCRUTINY COMMITTEE

Minutes of a meeting of the Customer Services Scrutiny Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Monday 10th October 2022 at 10:00 hours.

PRESENT:-

Members:-

Councillor Rose Bowler in the Chair

Councillors Allan Bailey, David Dixon, Ray Heffer and Andrew Joesbury.

Officers: Victoria Dawson (Assistant Director Housing Management & Enforcement), Lesley Botham (Customer Services Manager), Liz Robinson (Customer Standards & Complaints Officer) and Joanne Wilson (Scrutiny & Elections Officer).

CS20-22/23 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Patricia Clough and Rita Turner.

CS21-22/23 URGENT ITEMS OF BUSINESS

There were no urgent items of business.

CS22-22/23 DECLARATIONS OF INTEREST

There were no declarations of interest made.

CS23-22/23 MINUTES OF MEETING HELD ON 18TH JULY 2022

It was noted that Councillor Patricia Clough had given her apologies and the Chair requested these be added for completeness.

Moved by Councillor Ray Heffer and seconded by Councillor Andrew Joesbury
RESOLVED that the Minutes of a Customer Services Scrutiny Committee held on 18th July 2022 be approved as a correct record.

CS24-22/23 LIST OF KEY DECISIONS AND ITEMS TO BE CONSIDERED IN PRIVATE

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

Moved by Councillor Ray Heffer and seconded by Councillor Andrew Joesbury.
RESOLVED that the List of Key Decisions and items to be considered in private document be noted.

CUSTOMER SERVICES SCRUTINY COMMITTEE

CS25-22/23 CUSTOMER SERVICE STANDARDS AND COMPLIMENTS, COMMENTS AND COMPLAINTS 2021/22 - 1ST OCTOBER 2021 TO 31ST MARCH 2022 AND ANNUAL REPORT 2021/22

The Assistant Director of Housing Management & Enforcement, the Customer Services Manager and the Customer Standards & Complaints Officer provided Members with an overview of the Council's performance for Q3/Q4 2021/22 and overall performance for 2021/22, in relation to the Council's customer standards and complaints.

The report presented followed the usual format but it was noted that following the change in delivery for customer standards and complaints it was hoped to provide reports in a slightly revised format and also increase the frequency to quarterly.

Officers focussed on the headline detail in the cover report.

2.1 Customer Service Standards – Telephones

The Council's target was 93% of calls to be answered within 20 seconds. Cumulative performance for 2021/22 was 91%. This was as a result of underperformance in specific service areas across the year – notably Revenues & Benefits, Housing/Community Safety, and Planning.

This section would be amended going forward to also show abortive calls to give a fuller picture of performance against telephone standards.

It was noted that some departments had different targets to reflect the volume of calls dealt with and nature of the enquiries. Contact Centres had a target of 75% answered within 20 seconds. This was currently off target due to staffing issues. It was also noted that the data for Revenues & Benefits was now being split out to show both sections separately, to accurately reflect that they operated to different targets.

2.2 Compliments, Comments and Complaints

Officers went through the summary of performance on pages 15-17.

2.2 Compliments

It was proposed that going forward the data be presented in a summary format showing volume per department, rather than the full written report. Customer Services would then monitor those receiving a large volume of compliments/ regular compliments and acknowledge accordingly.

2.2 Comments

It was proposed to present in a summary format going forward showing volume by department.

2.2 Complaints (Frontline resolution stage 1)

It was proposed going forward to present this in summary format by area, outlining number of complaints against each service category - this would allow easier analysis of trends in data which was welcomed by Members.

Following presentation of the report a brief discussion took place:

CUSTOMER SERVICES SCRUTINY COMMITTEE

Q: What are we doing about face-to-face local contact outside of the Contact Centres, as discussed at a recent meeting?

A: Within the staff at South Normanton CC, a staff member had been identified to take on the role of a Community Customer Advisor to attend sessions at foodbanks and community venues in the south of the District.

Q: Do we have an understanding of the volume of people struggling to access services due to IT issues – is it shown in complaints data?

A: This would show up in the current data gathered and be addressed accordingly. It was hoped to get officers attending local groups across the District, not just in the south, and officers were currently gathering data on local groups/venues. It was also noted that some customers requiring extra help were identified by other means such as careline and the warden service.

Q: Why should we look to analyse the log of abortive calls?

A: Officers would like to trial providing this data to Members for at least a 12 month period. It was already produced as part of the call monitoring reports so did not require extra work and would allow Members to identify service areas that were not performing as expected.

Q: Are we looking to ensure outreach services in all areas without a physical Contact Centre located?

A: Yes that was the intention.

Q: More face-to-face contact with residents would be preferable as transport access to larger towns where Contact Centres are situated is often very limited adding hours to a journey that would be a few minutes by car.

A: It was hoped that further contact could be made with parish clerks via the quarterly Parish Council Liaison meetings. The aim was to agree a partnership approach to how residents could be referred or offered a localised outreach service.

Moved by Councillor Rose Bowler and seconded by Councillor Andrew Joesbury

RESOLVED that (1) the Customer Services Scrutiny Committee note the overall performance on Customer Service Standards and Compliments, Comments and Complaints,

(2) the reports change to a quarterly reporting frequency, with Members agreeing to the revised presentation of the data as proposed by officers,

(3) the report for Q1 & Q2 be scheduled earlier to the December meeting, with Q3 to be scheduled for February 2023.

(Assistant Director of Housing Management & Enforcement/
Customer Services Manager/ Customer Standards & Complaints Officer)

CUSTOMER SERVICES SCRUTINY COMMITTEE

CS26-22/23

LG&SCO AND HOUSING OMBUDSMAN ANNUAL REPORT 2021/22

The Assistant Director of Housing Management and Enforcement presented a report outlining the annual overview from the Local Government & Social Care Ombudsman (LGSCO).

The LGSCO received 10 enquiries and complaints during 2021/22, one of which was subject to a detailed investigation.

The LGSCO decided 10 complaints, of which 1 case was decided 'a service failure', 7 were closed 'with no further investigation' after initial enquiries and in 2 cases there was no 'Maladministration and injustice'.

The Council received three complaints via the Housing Ombudsman (HO) for the same period, one of which was decided during that period. In that case the decision was that there was 'no maladministration'.

A discussion took place in relation to the benchmarking data provided. Currently the Authority was benchmarked against six other authorities from across Derbyshire and Nottinghamshire, within its CIPFA Nearest Neighbour group. There was mixed opinion from Members as to the usefulness of this with some for and against using such a range of authorities. It was agreed that moving forward, the focus would be on comparison with North Derbyshire authorities only (Chesterfield and North-East Derbyshire) rather than a wider group.

Moved by Councillor Ray Heffer and seconded by Councillor Rose Bowler.

RESOLVED that Scrutiny receive and note the report and the Annual Letter from the Local Government & Social Care Ombudsman 2021/22.

(Assistant Director of Housing Management & Enforcement/
Customer Services Manager/ Customer Standards & Complaints Officer)

CS27-22/23

WORK PROGRAMME 2022/23

Committee considered their proposed work programme for 2022/23. It was noted that the programme would be amended to incorporate additional Complaints reports now it had been agreed to move to quarterly reporting. Furthermore, additional policy reports were due to come forward from Housing Management which were yet to be programmed.

Moved by Councillor Ray Heffer and seconded by Councillor Andrew Joesbury.

RESOLVED that the Work Programme 2022/23 be approved and noted.

(Scrutiny & Elections Officer)

The formal part of the meeting concluded at 10:45 hours and Members then met as a working party to continue their review work. The working party concluded at 11:10 hours.



List of Key Decisions and items to be considered in private

The latest version of the Forward Plan can be found here:

<https://committees.bolsover.gov.uk/mgListPlans.aspx?RPId=1147&RD=0&bcr=1>

Members should contact the officer whose name appears on the List of Key Decisions for any further information.

NB: If Members wish to discuss an exempt report under this item, the meeting will need to move into exempt business and exclude the public in accordance with the Local Government (Access to Information) Act 1985 and Local Government Act 1972, Part 1, Schedule 12a for that part of the meeting only.



Bolsover District Council

Meeting of the Customer Services Scrutiny Committee on 12th December 2022

**Customer Service Standards/ Compliments, Comments and Complaints
Report 2022/23 1st April 2022 to 31st September 2022**

**Report of the Portfolio Holder for Assistant Director of Housing Management,
Enforcement and Customer Services**

Classification	This report is Public
Report By	Victoria Dawson Assistant Director of Housing Management, Enforcement and Customer Services Telephone: 01246 242231 Email: Victoria.dawson@bolsover.gov.uk
Contact Officer(s)	Lesley Botham Customer Service Manager Telephone: 01246 242230 Email: Lesley.botham@bolsover.gov.uk Liz Robinson Customer Standards & Complaints Officer Telephone: 01246 242355 E-mail: liz.robinson@bolsover.gov.uk

PURPOSE/SUMMARY OF REPORT

- To provide information on the Council's performance in relation to its customer service standards.
- To provide information on the effective management of complaints and customer requests which is central to excellent customer service and the Council can use to improve its services.
- To provide information on the number of compliments, comments and complaints for the period 1st April 2022 to 31st September 2022
- To provide an Annual Summary on the above.
- To make Elected Members aware of performance in relation to its Customer Service Standards and the effective management of complaints.

REPORT DETAILS

1. Background

- 1.1 The purpose of this report is to make Elected Members aware of performance in relation to its Customer Service Standards and the effective management of complaints.

2. Details of Proposal or Information

2.1 Customer Service Standards

Appendix 1 and 2 provides a breakdown of the key customer service standards by quarterly period, together with the target and the cumulative performance for each standard.

2.1.1 Revenues & Benefits (Appendix 1)

Target – Revenues 65% of incoming calls to be answered within 20 seconds

Revenues ‘direct dial’ achieved 78% and 80% for quarters 1 & 2 respectively

Cumulatively performance is 79% over 2022/23, which exceeds the target of 65%.

Target – Benefits 78% of incoming calls to be answered within 20 seconds

Benefits ‘direct dial’ achieved 92% and 91% for quarters 1 & 2 respectively

Cumulatively performance is 92% over 2022/23, which exceeds the target of 78%.

2.1.2 Contact Centres (Appendix 1)

Telephones

Target - 75% of incoming calls to be answered within 20 seconds

Contact Centres achieved 75% and 73% for quarters 1 & 2 respectively

Cumulatively performance is 74% over 2022/23 which is below the target of 75%.

The slight slippage was due to staff resources being below the minimum required during this period.

E-mails

Target 1 - 100% to be acknowledged within 1 working day

Target 2 - 100% to be replied to within 8 working days

For this reporting period, 1st April 2022 to 30th September 2022:

- 7,711 and 7,571 email enquiries (in Q1 and in Q2) from the public were received through enquiries@bolsover.gov.uk
- All were acknowledged within one working day
- 99% were replied to in full within 8 working days cumulatively for Q1 and Q2.

There were more e-mails (15,282) compared to the same period (12,674) in 2021/22 and this remains a popular method of contact.

Live Chat

Target - 75% of incoming Live Chats to be answered within 20 seconds

Contact Centres achieved 87% and 94% for quarters 1 & 2 respectively

Cumulatively performance is 91% over 2022/23 which is above the target of 75%.

2.1.3 Corporate Telephone Standard (Appendix 2)

Target - 93% to be answered within 20 seconds

Appendix 2 shows the performance between 1st April 2022 and 31st September 2022 by quarterly period.

The report identifies Quarter 1 89% and Quarter 2 89% of incoming calls are being answered corporately within 20 seconds cumulatively.

The majority of departments achieved and exceeded the corporate target of 93%, with the exception of the following departments Revenues and Benefits, Joint ICT and Housing/Community Safety in Quarter 1 and 2, Housing Repairs and the Leaders Office/Partnership team in Quarter 1 Finance and the Directors for Strategy & Development in Quarter 2.

Cumulatively performance is 89% for Q1/Q2 2022/23 which is just below target of 93%.

Target – 5% Unanswered Calls (Abandoned)

Appendix 2 shows the performance between 1st April 2022 and 31st September 2022 by quarterly period. The report identifies Quarter 14% and Quarter 2 13% of incoming calls are not being answered.

The majority of departments are not achieving the target of 5% with the exception of the Joint Performance department in Quarter 1, Planning and the Directors for Resources in Quarter 2, Revenues and Benefits in Quarter 1 and 2 who are all meeting target.

Cumulatively performance is 14% for Q1/Q2 2022/23 which is above the target of 5%.

2.2 Compliments, Comments and Complaints

Compliments

Appendix 3 (A) shows the number of written compliments received for the period by department. In total **78** written compliments were received during Q1 (40) and Q2 (38). Compliments were received from customers who appreciated excellent service.

Comments

Appendix 3 (B) shows the number of written comments received for the period Q1 (7) and Q2 (3). 100% (**all 10**) were acknowledged and passed to the respective department within the target time of 3 working days, for consideration when reviewing their service.

Complaints

Frontline resolution (stage one)

Appendix 3 (C) shows the number of Frontline Resolution complaints received by the Contact Centre service, in total **159** complaints were recorded on the Customer Information System for the period (Q1 70 and Q2 89).

91% of which were responded to within our customer standard of 3 working days.

Formal Investigation (stage two)

Appendix 3 (D,E,F) shows the number of Formal Investigation complaints and M.P. enquiries received by department, **38** formal complaints (Q1 14 and Q2 24) were received and **112** M.P. enquiries (Q1 38 and Q2 74) during this period.

83% Formal complaints and 91% M.P. enquiries were responded to within our customer service standard of 15 working days.

Internal Review (stage three)

Appendix 3 (G) shows the number of stage three complaints received for the period by department. These are complainants who have already made a stage two complaint and still feel dissatisfied. During this period **19** stage three complaints were received (Q1 13 and Q2 6), all of which were responded to within the standard of 20 working days.

Ombudsman

Appendix 3 (H) shows the status of Ombudsman complaints received for Q1/Q2 as at 30th September 2022. During this period only **1** case has been received, with no fault found.

3. Reasons for Recommendation

- 3.1 To note the overall performance on Customer Service Standards and Compliments, Comments and Complaints.

4 Alternative Options and Reasons for Rejection

4.1 None

RECOMMENDATION

1. That the Customer Service and Transformation Scrutiny Committee note the overall performance on Customer Service Standards and Compliments, Comments and Complaints

Approved by the Portfolio Holder – Councillor D Downes

IMPLICATIONS:

Finance and Risk: Yes No

Details:

Whilst there are no direct financial implications with regard to the report, the Council is at risk of recommendations or decisions by the Local Government Ombudsman and the Housing Ombudsman if complaints are not handled well. In cases of maladministration, financial penalties can be imposed by the Local Government Ombudsman or the Housing Ombudsman.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

The Council is at risk of recommendations or decisions by the Local Government Ombudsman and the Housing Ombudsman and, in the case of complaints about Freedom of Information, Data Protection and Environmental Information requests, the Information Commissioner's Office can issue decision notices and impose significant fines. There are no Data Protection implications.

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:

Any complaints linked to environmental issues are dealt with in line with our policies.

Staffing: Yes No

Details:

Not applicable as the report is to keep Elected Members informed.

On behalf of the Head of Paid Service

DECISION INFORMATION

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p>	No

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

<p>Links to Council Ambition: Customers, Economy and Environment.</p>
<p>Increasing customer satisfaction with our services Improving customer contact and removing barriers to accessing information Actively engaging with partners to benefit our customers Promoting equality and diversity and supporting vulnerable and disadvantaged people</p>

DOCUMENT INFORMATION	
Appendix No	Title
1.	Customer Service Standards monitoring
2.	Telephony performance
3.	<p>Compliments, Comments and Complaints:</p> <p>A. Compliments by department 1/04/22 – 31/9/22</p> <p>B. Comments by department 1/04/22 – 31/9/22</p> <p>C. Frontline resolution complaints by department 1/04/22 – 31/9/22</p>

	D. Formal Investigation complaints 1/04/22 – 31/9/22 E. M.P Enquiries 1/04/22 – 31/9/22 F. Internal Review complaints by department 1/04/22 – 31/9/22 G. Ombudsman complaints 01/4/22 – 31/9/22
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Background Papers
None

APPENDIX 1 – Customer Service Standards Monitoring 01/04/22 – 31/09/22

Key Customer Service Standards - Performance Monitoring - 2022/2023

Period	Telephone Standards						E-mail Standards			Live Chat		Written Complaints			
	No. of Incoming Calls	% of Calls Answered within 20 Seconds	No. of Incoming Calls - Contact Centres	% of Calls Answered within 20 Seconds - Contact Centres	% of Calls Answered within 20 Seconds - Revenues	% of Calls Answered within 20 Seconds - Benefits	No. of Emails	% Acknowledged within 1 Working Day	% Replied to within 8 Working Days	No. of Live Chats Contact Centres	% of Live Chats Answered within 20 Seconds - Contact Centres	No. of Complaints Received (Stage Two)	% Responded to within 15 Working Days	No. of M.P. Enquiries Received	% Responded to within 15 Working Days
Target		93%		75%	65%	78%		100%	100%		75%		97%		97%
April to June	27,441	88%	18,751	75%	78%	92%	7,711	100%	99%	929	87%	24	79%	38	89%
Quarter 1 Cumulative	27,441	88%	18,751	75%	78%	91%	7,711	100%	99%	929	87%	24	79%	38	89%
July to September	21,182	89%	18,917	73%	80%	91%	7,571	100%	99%	799	94%	14	86%	74	93%
Quarter 2 Cumulative	48,623	89%	37,668	74%	79%	92%	15,282	100%	99%	1728	91%	38	83%	112	91%
October to December															
Quarter 3 Cumulative	48,623	89%	37,668	74%	79%	92%	15,282	100%	99%	1728	91%	38	83%	112	91%
January to March															
Quarter 4 Cumulative	48,623	89%	37,668	74%	79%	92%	15,282	100%	99%	1728	91%	38	83%	112	91%

APPENDIX 2 – Telephony Performance 01/04/22 – 31/09/22

2022/23 Q1 & Q2 April - Sept In Standard 93% Abandoned 5%	Q1					Q2				
	Total Calls Rcvd	Total Calls Answered	% Answered within 20s	Abandoned calls	% Abandoned calls	Total Calls Rcvd	Total Calls Answered	% Answered within 20s	Abandoned calls	% Abandoned calls
Department (by directorate)										
Resources										
Directors	93	92	99%	20	18%	81	80	96%	3	4%
Contact Centre Managers	171	160	93%	62	27%	182	176	96%	66	27%
Joint Environmental Health	0	0	0%	0	0%	0	0	0%	0	0%
Joint ICT	2012	1784	88%	141	7%	1489	1323	88%	114	7%
Finance	428	422	84%	32	7%	350	344	82%	22	6%
Leisure	1463	1398	95%	388	21%	1290	1234	95%	319	20%
Payroll	83	81	97%	18	18%	35	35	100%	11	24%
Revenues & Benefits	12150	9877	81%	53	0%	8411	6938	82%	36	0%
Streetscene Services	1773	1668	94%	256	13%	1518	1462	96%	190	11%
Housing & Community Safety	3050	2795	91%	530	15%	2391	2178	91%	538	18%
Total	21223	18277	82%	1500	13%	15747	13770	83%	1299	12%
Strategy & Development										
Directors	147	135	97%	10	6%	145	112	77%	9	6%
Communications	77	76	97%	8	9%	115	112	99%	34	23%
Leader's Office & Partnership	26	23	88%	38	59%	32	29	91%	9	22%
Legal, Governance, Scrutiny & Elections	297	289	97%	65	18%	293	284	97%	99	25%
Housing Repairs	3335	3134	92%	256	7%	2680	2513	94%	234	8%
HR & Health & Safety	438	433	98%	60	12%	406	403	99%	68	14%
Property & Commercial Services	803	785	97%	89	10%	780	764	98%	97	11%
Joint Performance	100	100	100%	4	4%	89	89	100%	10	10%
Planning	903	842	93%	56	6%	820	781	95%	30	4%
Economic Development	92	91	98%	17	16%	75	74	99%	18	19%
Total	6218	5908	96%	603	15%	5435	5161	95%	608	14%
Overall Total	27441	8703	89%	2103	14%	21182	7339	89%	1907	13%
<p>Total in standard includes all incoming calls between Monday to Friday 9.00 a.m. until 17.00 p.m.: Answered on the original extension within 20 seconds. Transferred to another extension on divert within 20 seconds. Picked up by a group pick up within 20 seconds Which ring off within 20 seconds are unanswered (Abandoned) Does not meet target </p>										

Appendix 3 (A) Compliments by Department 01/0422 – 31/09/22

Please note that some compliments were for 2 or more departments.

Q1 COMPLIMENTS SUMMARY 2022/23				
MONTH	No. of reports per parish	PARISH	Service Area	Numbers Per Department
APR	1	Unknown	Housing Repairs & Maintenance	1
	1	Stanfree	Street Scene	1
	1	Unknown	Revenues	1
MAY	2	Unknown	Street Scene	5
		Unknown		
	1	Shirebrook		
	1	Newton		
	1	South Normanton	Communications	1
	1	Glapwell	Housing Repairs & Maintenance	2
	1	South Normanton	Contact Centre	6
	2	Bolsover		
	1	Creswell		
	1	Whaley Thorns		
	1	Shirebrook		
	1	Unknown	Planning	1
	2	Bolsover	Housing	2
	JUN	1	Bolsover	Env. Health
1		OOA	Housing	4
1		Bolsover		
1		Shirebrook		
1		Barlborough		
1		OOA	Contact Centre	5
1		Elmton		
2		Shirebrook		
1		Whitwell		
1		Bolsover	Street Scene	5
1		Barlborough		
1		South Normanton		
2		Unknown		
3		Unknown	Communications	3
		Unknown		
		Unknown		
1		Newton	Housing Repair & Maintenance	4
1		Glapwell		
1		Bramley Vale		
1		Tibshelf		
1	Glapwell	Property & Estates	1	
1	Unknown	Partnership Team	1	
1	Unknown	Cllr Steve Fritchley	1	
				45

Q2 COMPLIMENTS SUMMARY 2022/23

MONTH	No. of reports per parish	PARISH	Service Area	Numbers Per Department
JUL	1	OOA	Housing	1
	1	OOA	Revenues	1
	1	OOA	Planning	2
	1	Unknown		
	1	Langwith	Housing Repair & Maintenance	3
	1	Clowne		
	1	Bolsover		
	1	Hilcote	Contact Centre	2
	1	Clowne	Environmental Health	1
	1	Creswell		
	1	Shirebrook	Street Scene	2
	1	Glapwell		
AUG	2	Blackwell	Street Scene	5
	1	Steetley		
	1	Newton		
	1	Pinxton		
	1	South Normanton	Contact Centre	1
	1	Clowne	Revenues	1
	1	Pinxton	Grounds Maintenance	1
	1	Bolsover	Housing Repair & Maintenance	3
	1	Glapwell		
1	South Normanton			
SEPT	1	Newton	Housing Repair & Maintenance	4
	1	South Normanton		
	1	Shirebrook		
	1	Tibshelf		
	1	Clowne	Street Scene	4
	1	New Houghton		
	1	Shuttlewood		
	1	Hardstoft		
	1	Bolsover	Contact Centre	5
	1	Hodthorpe		
	1	Shirebrook		
	1	Clowne		
	1	Pinxton		
	1	Shirebrook	Revenues	5
	2	Unknown		
1	Whaley			
1	Creswell			
				41

Appendix 3 (B) Comments by Department 01/0422 – 31/09/22

Please note that some comments were for 2 or more departments.

Q1 COMMENTS SUMMARY 2022/23					
MONTH	No. of reports per parish	PARISH	Comment Header	Service Area	Numbers Per Department
APR	1	Unknown	When will the energy rebate of £150 be paid.	Revenues	1
MAY	2	Unknown	Location of litter bin	Street Scene	3
			The public footpath at the junction of Deamon Street and The Ridge in Blackwell, significant long standing dumping on both sides		
	1	Newton	There are regularly issues with the bins being missed on Sherwood Street. Could there be a process in place to notify residents of when we will be intending to return		
	1	South Normanton	Wants BDC to stop Parish Council buying Zion Church	Legal	1
JUN	1	Unknown	Comments re. parking at the Arc	Property Services	1
	1	Shirebrook	Could an explanation be given why the £385,000 that was promised for the surgery in Shirebrook, is now being used for a bus route instead	Planning	1
					7

Q2 COMMENTS SUMMARY 2022/23

MONTH	No. of reports per parish	PARISH	Comment Header	Service Area	Numbers Per Department
JUL	1	Barlborough	Customer would like to comment about the use of weed killers in the Barlborough area which are unsafe to animals. Could we not use a non toxic spray instead.	Env. Health	2
	1	Bramley Vale	Customer was so happy to see the other week that the council left a big area unmowed on Stockley Trail for wildlife near the pond at the Bramley Vale side.		
	1	Barlborough	Customer would like to comment about the use of weed killers in the Barlborough area which are unsafe to animals. Could we not use a non toxic spray instead.	Street Scene	3
	1	Bramley Vale	Customer was so happy to see the other week that the council left a big area unmowed on Stockley Trail for wildlife near the pond at the Bramley Vale side.		
	1	Shirebrook	Customer is commenting that there is grounds maintenance work happening between Slant lane and Alder Way. Customer explained this happens every year in very warm weather.		
AUG	0				0
SEPT	0				0
					5

APPENDIX 3 (C) – Frontline Resolution Complaints by Department 01/04/22 – 31/09/22

Please note that some stage 1 informal complaints were for 2 or more departments.

INFORMAL STAGE 1 COMPLAINTS Q1 APR - JUN 22/23				
No. of reports per parish per Department	PARISH	Informal Complaint Issue	Service Area	Total Per Department
7	Barlborough	Missed Bin - Blk	Street Scene	52
		Bin Replacement		
		Hessian Bag - Not returned		
		Bin - Not being returned to presented location		
		Missed Assisted Bin		
		GM - Grass verges		
		Missed Bin - Green		
5	South Normanton	Missed Bin		
		Missed Bin		
		Bin - Not being returned to presented location		
		Bin not emptied fully		
		Bin Replacement		
1	Steetley	Missed Bin		
3	Shirebrook	Bin Replacement		
		Missed Bin		
		Steet Scene - Officer Complaint		
4	Creswell	Clinical		
		Missed Bin		
		Missed Bin		
		Missed Bin		
6	Clowne	Bin - Not being returned to presented location		
		Missed Assisted Bin		
		GM - Tree		
		Street Scene - Officer Complaint		
		GM - Litter		
		GM - Grass verges		
1	Bramley Vale	Missed Bin		
1	Pinxton	Street Scene - Officer Complaint		
2	Tibshelf	GM - Assisted Garden		
		GM - Assisted Garden		

INFORMAL STAGE 1 COMPLAINTS Q1 APR - JUN 22/23

No. of reports per parish per Department	PARISH	Informal Complaint Issue	Service Area	Total Per Department
9	Bolsover	Missed Assisted Bin		
		Missed Bin - Blk		
		New Bin		
		Missed Bin		
		Missed Assisted Bin		
		Bin Replacement		
		GM - Chase Up		
		GM - Litter		
		Bin Replacement		
1	Newton	Refuse - Caddy		
24 3	Whitwell	Missed Assisted Bin		
		New Bin		
		Bin - Not being returned to presented location		
3	Pinxton	Bin Replacement		
		Refuse - Caddy		
		Bin not emptied fully		
3	Hodthorpe	Street Scene - Officer Complaint		
		Missed Bin		
		Missed Bin - Burg		
1	New Houghton	Missed Bin - Burg		
2	Westhouses	Missed Assisted Bin		
		Missed Bin - Blk		
1	New Houghton	Housing - Incorrect Information	Housing	6
1	Bolsover	Housing - Careline		
1	Tibshelf	Housing		
3	Shirebrook	Housing - Officer Complaint		
		Housing - Officer Complaint		
		Housing - Officer Complaint		
1	Shirebrook	Council Tax	Revenues	2
1	Pinxton			
1	Bolsover	Repairs	Repair & Maintenance	4
1	Tibshelf	Property & Estates - Roofing Works		
2	Clowne	Repairs - Unsatisfactory		
		Repairs - Unsatisfactory		

INFORMAL STAGE 1 COMPLAINTS Q1 APR - JUN 22/23

No. of reports per parish per Department	PARISH	Informal Complaint Issue	Service Area	Total Per Department
3	Clowne	Property & Estates - Roofing Works	Property Services	3
		Property & Estates - Roofing Works		
	Whitwell	Property & Estates - Roofing Works		
1	Shuttlewood	Leisure facilities	Leisure	1
1	n/a	CC - Online Payments	CC	1
1	Shirebrook	Env H - Noise	Env Health	1
70				70

25

INFORMAL STAGE 1 COMPLAINTS Q2 JULY - SEPT 22/23

No. of reports per parish per Department	PARISH	Informal Complaint Issue	Service Area	Total Per Department
2	Shuttlewood	assisted bin collections	Street Scene	69
		messy public areas		
11	Bolsover	Assisted bins regulary missed		
		Behaviour of refuse collectors		
		Not been contacted to give qoute for exceptional bulk collecton		
		Complaint about trees		
		missed bins		
		Missed green bin		
		Missed black bins		
		using the burgundy bin to carry waste		
		Missed mop up collection		
		using the burgundy bin to carry waste		
		Crew being rude to the customer		
7	South Normanton	Delay for assisted gardening		
		Bin delivery delays		
		Complaint regarding crew behaviour		
		Clinical waste collections regulary missed		
		missing black caddy		
		Mess left from refuse crew		
		Refund policy for bulk collections		

INFORMAL STAGE 1 COMPLAINTS Q2 JULY - SEPT 22/23

No. of reports per parish per Department	PARISH	Informal Complaint Issue	Service Area	Total Per Department
26 11	Shirebrook	Wrong bin returned		
		Assisted bins regulary missed		
		Disruption in the garden		
		Assisted bins regulary missed		
		Trade waste collection missed		
		bins regulary missed		
		missed green bin		
		missed burgundy bin		
		Missed green bin		
		Missed green bin		
		Green bin not been emptied		
2	Langwith Junction	Assisted bin not returned		
		Missed black bins		
1	Nether Langwith	Presentaion point for bulk collection		
1	Langwith	delay with replacemement bin lid		
5	Clowne	Missing bin caddy		
		Wait time for replacement bin lid		
		Missed black bin		
		Missed assisted - 10 times		
		missed burgundy bin		
1	Hilcote	Side waste not collected		
2	Creswell	Wait time for bin to be delivered		
		waiting for bins to be delivered		
1	Bramley Vale	No action taken on his previous report		
3	Tibshelf	missed burgundy assisted collection		
		Missed bin		
		Noisy bin crew		
4	Stanfree	Waiting for bin to be delivered		
		bin location after collection		
		bin lid delays		
		Missed black bins		
4	Barlborough	Garden not being strimmed		
		Tree that needs cutting down		
		weeds not cut		

INFORMAL STAGE 1 COMPLAINTS Q2 JULY - SEPT 22/23

No. of reports per parish per Department	PARISH	Informal Complaint Issue	Service Area	Total Per Department
		Bins regulary being missed		
1	Newton	Assisted bins keep being missed		
1	Pinxton	No response from assisted gardening request		
1	Hodthorpe	delay in bin delivery		
6	Whitwell	missed bins		
		damage to property		
		Waiting for new bin lid		
		Parking on private land		
		Waiting for grounds maintenance to look at the trees for the customer		
		Bin collections		
1	Scarcliffe	Missed burgundy bin		
27	Westhouses	Bins missed for the past few weeks		
		Black bin is missed every month		
1	Doe Lea	Noisey bin crew		
1	Palterton	Bins regulary being missed		
1	Chesterfield - OOA	Supported living	Housing	10
1	Glapwell	Complaint about ranger		
3	Bolsover	Housing staff		
		carline		
		Damage to posesions		
3	Shirebrook	warden service issues		
		warden services		
		Housing staff contact		
1	Bramley Vale	Issue with housing		
1	Clowne	Another resident		
1	Shirebrook	Poor customer service	Contact Centre	4
1	Tibshelf	Contact centre manager		
1	Duckmanton (OOA)	No help offered at CC		
1	Langwith Junction	Email communication		
1	Shirebrook	Benefit letters	Revenues	1
2	Pinxton	lack of contact	Env H	3

INFORMAL STAGE 1 COMPLAINTS Q2 JULY - SEPT 22/23

No. of reports per parish per Department	PARISH	Informal Complaint Issue	Service Area	Total Per Department
	Newton	Wasps at a property		
1	Rowthorne	Appointment times for EH		
1	Bolsover	Waiting for a job to be completed	Repair & Maintenance	1
1	Pinxton	damage to garden	Property services	1
89				89

Appendix 3 (D) Complaints by Department 01/0422 – 31/09/22

Please note that some stage 2 Formal complaints were for 2 or more departments

Q1 Formal Complaints SUMMARY 2022/23					
MONTH	No. of reports per parish	PARISH	Complaint Header	Service Area	Numbers Per Department
APR	1	Creswell	Not happy with where bins (assisted) are left after collection	Street Scene	2
	1	Bolsover	Unhappy with tree planting		
	1	Unknown	Unhappy with Rangers parking	Housing	3
	1	Bolsover	BDC Housing employees attended his property without permission		
	1	Shirebrook	Complaint about not having permission to install a shed		
	1	Scarcliffe	Complaint about planning application corrections	Planning	4
	1	Bolsover	Complaint about planning application		
	1	Tibshelf	Complaint about planning permission		
	1	Unknown	Complaint about planning permission		
	1	Langwith	Unhappy with cleanliness of changing facilities	Leisure	1
MAY	1	Unknown	Application and review for the correct banding / score within the band	Housing	3
	1	Barlborough	Not happy with decision about trees		
	1	Newton	Concerns of safety for children in the property not feeling safe and secure. Due to problems with neighbours		
	1	Steetley	Bin has been missed over 20 times	Street Scene	3
	1	Barlborough	Not happy with decision about trees		
	1	Clowne	Trespassing on property with a huge flail machine and cutting the grass and hedge roots		
	1	Pinxton	Complaint re advice given/ payment of fuel funding allowance		
	1	OOA	The Council does not accept my account when tenants move in and out of my properties	Revenues	2
1	Newton	Concerns of safety for children in the property not feeling safe and secure. Due to problems with neighbours	Planning	1	
JUN	1	Hodthorpe	Bin hasn't been emptied for 4 weeks	Street Scene	2
	1	Creswell	The Complainant is on the rural bin collection, but her bins are not getting emptied.		
	1	Unknown	Customer not happy with the way they have been dealt with by the Revenues Department	Revenues	1

Q1 Formal Complaints SUMMARY 2022/23

MONTH	No. of reports per parish	PARISH	Complaint Header	Service Area	Numbers Per Department
	1	Whitwell	Further comments from tenant re. housing situation	Housing	1
	1	Unknown	Further comments re. parking at the Arc	Property & Estates	1
	1	Doe Lea	Tenant is not happy that she was left with a non working toilet	Housing Repair & Maintenance	1
	1	Doe Lea	In relation to the unlawful granting of planning permission for XXXXX	Planning	1
					26

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Q2 Formal Complaints SUMMARY 2022/23

MONTH	No. of reports per parish	PARISH	Complaint Header	Service Area	Numbers Per Department
JUL	1	Bolsover	Failure to pollard three trees which run along a public footpath next to Vale Close in Bolsover	Street Scene	1
	1	Creswell	Complainant not happy with the way they were spoken to on the phone by an Housing Inspector	Housing Repairs & Maintenance	1
AUG	1	Barlborough	Too many yoga classes are being cancelled. Far too many to mention recently and some at very short notice.	Leisure	
	1	Hardstoft	Complaint regarding Planning Application XXXXXX – Land North West of XX Barn Cottages, Farm Lane, Hardstoft	Planning	
	1	Bolsover	Constant missed burgundy assisted bin	Street Scene	
	2	Shirebrook	Complaint against 2 Housing Wardens who unplugged the alarm system at the property of XX Hawthorn Avenue, Shirebrook which has unfortunately resulted in the owner having a fall and being unable to contact anyone.	Housing	3
			Housing Application been bidding for 2 years		
1	Bolsover	Anti Social Behaviour in St Lawrence Avenue area in Bolsover.			

Q2 Formal Complaints SUMMARY 2022/23

MONTH	No. of reports per parish	PARISH	Complaint Header	Service Area	Numbers Per Department
	1	Whitwell	Cockerels on Whitwell Parish Council allotments making noise from 4am in a morning	Env.Health	1
	1	Tibshelf	Customer is raising as formal complaint following his informal complaint - he is complaining about how the Contact Centre Manager spoke to him	Contact Centre	1
SEPT	1	Clowne	Building on the site at Rose Avenue, Clowne	Planning	2
	1	unknown	Proposed traveller site on Featherbed Lane		
	1	Bolsover	Air Conditioning in the gymnasium needs investigating	Leisure	1
	1	Bolsover	Regarding Council tax owed on XX Bolsover Hill since 2015	Revenues	1
					11

Appendix 3 (E) MP Enquiries by Department 01/0422 – 31/09/22

Please note that some MP Enquiries were for 2 or more departments.

Q1 MP Enquiries SUMMARY 2022/23					
MONTH	No. of reports per parish	PARISH	MP Enquiry Header	Service Area	Numbers Per Department
32	1	Pinxton	Wants more electric charging points	Economic Development	1
	1	Unknown	Bikes riding on land	Street Scene	1
	1	Unknown	Bikes riding on land	Housing	7
	3	Shirebrook	Wants update on housing application		
			Over payment of CT / HB - Demanding £3000 repayment		
			Update to be provided to see if XXXXXX has recently been assessed		
	1	Newton	Wants a patio door installing	Housing	7
	1	All	Housing Application Form		
	1	Whitwell	Housing Application		
	1	Langwith Junction	Over flow water pipe from neighbouring property	Env. H	1
	1	Shirebrook	Over payment of CT / HB - Demanding £3000 repayment	Contact Centre	1
	1	Shirebrook	Over payment of CT / HB - Demanding £3000 repayment	Revenues	1
	1	Unknown	Funding For Youth Programmes	Partnership Team	1
1	Unknown	Funding For Youth Programmes	Leisure	1	
MAY	1	Clowne	Ants in house and vegetation at side house	Env. Health	3
	1	South Normanton	Concerned about the removal of the Air Quality Management Area in South Normanton		
	1	Bolsover	Neighbour is running a Tractor in there rear yard making lots of noise and fumes		
	2	Bolsover	Not happy a bench has been installed on land behind his house	Property & Estates	2

Q1 MP Enquiries SUMMARY 2022/23

MONTH	No. of reports per parish	PARISH	MP Enquiry Header	Service Area	Numbers Per Department
33			Markham Vale site near Bolsover/Duckmanton issues with regards litter, maintenance of verges and hedgerows, road condition, drains and gulleys.		
	1	Glapwell	Request to widen drive way, so mobility scooter can fit	Housing	6
	1	South Normanton	Request to be rehoused		
	2	Bolsover	Regarding a dispute between neighbours fence blocking access to back garden		
			Neighbour is running a Tractor in there rear yard making lots of noise and fumes		
	1	Creswell	Confirmation status of housing application and priority band.		
	1	Shirebrook	Benefits available due to disabilities and Food support		
	1	Pinxton	Property which is the subject of some question over ownership and responsibility for maintenance	Planning	2
	1	Bolsover	Regarding a dispute between neighbours fence blocking access to back garden		
	1	South Normanton	Council Tax Redemption	Revenues	3
	1	Creswell	Regarding £150 Council Tax Refund		
	1	Shirebrook	Benefits available due to disabilities and Food support		
	1	Shirebrook	Benefits available due to disabilities and Food support	Leisure	1
	1	Shirebrook	Benefits available due to disabilities and Food support	Contact Centre	1
	1	Unknown	How fuel fund is to be paid to those not on DD	Revenues	1
	1	Clowne	Ants in house and vegetation at side house	Street Scene	2
	1	Bolsover	Not happy a bench has been installed on land behind his house		
JUN	1	Unknown	Please advise when the £150 Council Tax rebate will be paid	Revenues	
	1	Bolsover	Progress of locating the owner of XX Haldane Crescent, Bolsover.	Env. Health	
	2	Creswell	Regarding drug activity and anti-social behaviour on Church street, Creswell.	Planning	3

Q1 MP Enquiries SUMMARY 2022/23

MONTH	No. of reports per parish	PARISH	MP Enquiry Header	Service Area	Numbers Per Department
34			Unsure of parking on main road near to Co-op, where do we park near there to shop as side streets are for home parking.		
	1	Unknown	what are the plans for the redevelopment of the former Creswell Colliery site due to concerns with incidents of anti-social behaviour on and near the site.		
	1	Bramley Vale	XXXXXXX M.P. has received letters from children of Bramley Vale Primary School, who are upset over the amount of litter and glass in the surrounding area, like the woods and fields.	Street Scene	4
	1	Creswell	Litter in Creswell		
	1	Tibshelf	Around Pit Lane industrial estate areas, there is lots of rubbish in the undergrowth		
	1	South Normanton	Over hanging Trees in South Normanton Cemetery		
	1	ALL	Lets Chat Mental Health Signs installation	Leisure	2
	1	Creswell	Is there any plans to improve the leisure facilities on Fox Green, Creswell, so that there are more provisions, such as play equipment etc, and things to do for young people in the area.		
	1	Bolsover	Progress of locating the owner of XX Haldane Crescent, Bolsover, S44 6RU	Housing	6
	1	Clowne	MP has asked us to look into XXXXXXX housing application and whether there is a chance for him to move to a property that meets his family's needs in or near Whitwell.		
	2	Unknown	Wants update on constituent's housing status		
			what are the plans for the redevelopment of the former Creswell Colliery site due to concerns with incidents of anti-social behaviour on and near the site.		
	1	South Normanton	Over hanging Trees in South Normanton Cemetery		
	1	Creswell	Regarding drug activity and anti-social behaviour on Church street, Creswell.		

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Q2 MP Enquiries SUMMARY 2022/23

MONTH	No. of reports per parish	PARISH	MP Enquiry Header	Service Area	Numbers Per Department
35 JUL	1	Unknown	Constituent has informed MP XXXXXXXX she was put on the Bolsover Homes housing list in July 2021, but she has not been able to get anywhere at present	Housing	10
	2	Pinxton	Concerns about XX Ash Close, Pinxton might be being used for subletting		
			Please see attached MP Enquiry Regarding his constituent being re accessed for the appropriate re housing		
	2	Shirebrook	For information why a grant permission for sale of Garage Block, Hazel Crescent, Shirebrook has been agreed		
			Maintenance issues to XXXXXX property		
	1	Clowne	Reports of disturbance at night due to her neighbours activities		
	1	Tibshelf	MP Enquiry regarding his constituents request to be re-assessed for house Banding, due to being overcrowded at their current property.		
	1	Langwith	MP has asked us to look into XXXXX housing application and whether there is a chance for him to move to a property that meets his family's needs in or near The Woodlands, Langwith.		
	1	Whitwell	MP has asked us to look into complaints her Mother is being harassed by a BDC employee		
	1	Bolsover	Please see attached MP Enquiry regarding a complaint the Constituent has with the housing repairs of her council housing.		
	1	Clowne	Reports of disturbance at night due to her neighbours activities		
	1	Pleasley	Allotments on Chesterfield Road are an eyesore and whether any action can be taken to improve the aesthetics of the area.	Env. Health	3
	1	Elmton	MP enquiry regarding an additional discretionary facilities grant that has been refused at Markland Farm.		
	1	Unknown	Would like to know if there are any plans to reopen the Creswell Youth Centre	Leisure	2
	1	Bolsover	MP's constituent is concerned about the sale of 'unhealthy' snacks from the vending machines at The Arc and the appropriateness of this in a healthy living centre.		
1	Langwith	Regarding a request for the Council to collect an old fridge freezer from outside the side of her property, which would incur an extra cost	Street Scene	3	
1	Bolsover	Litter through the area of Shuttlewood			
1	Tibshelf	Please see attached MP Enquiry Regarding CCTV being installed on Saw Pit Lane			

Q2 MP Enquiries SUMMARY 2022/23

MONTH	No. of reports per parish	PARISH	MP Enquiry Header	Service Area	Numbers Per Department
36	1	Unknown	FOI request from MP XXXXX, Office of XXXXXXX, MP for Ellesmere Port and Neston & Shadow Minister for Employment Rights and the Labour Market	Performance	1
	1	Shirebrook	For information why a grant permission for sale of Garage Block, Hazel Crescent, Shirebrook has been agreed	Planning	6
	1	Unknown	Would like to know if there are any plans to reopen the Creswell Youth Centre		
	3	Tibshelf	Is there any development plans for the old miners welfare on Newton Road		
			Limited parking options in the Tibshelf area.		
	1	Bolsover	Un happy living next to a building site, being disrupted by the noise, dust and other mess being generated by the building work		
	1	Shirebrook	Maintenance issues to XXXXX property	Housing Repair & Maintenance	2
1	Bolsover	Please see attached MP Enquiry regarding a complaint the Constituent has with the housing repairs of her council housing.			
AUG	1	OOA	XXXXXX XXXXXX@parliament.uk - FOI Request	Performance	1
	1	Clowne	Regarding his Constituent at XX Gray Street, Clowne being unable to keep up with the maintenance of there garden due to there age.	Housing	7
	1	Shirebrook	Please see attached MP Enquiry regarding car repairs BDC advised would be reimbursed as a loose tile from his constituents roof went through the windscreen on there car.		
	1	Bramley Vale	Issues with a homeless man and a few other people drinking, taking drugs and defecating near her home.		
	1	Hodthorpe	Anti-Social Behaviour on King Street, Hodthorpe		
	1	Blackwell	Cannabis smoking and homophobia issues at XX		
	1	Tibshelf	Requesting to relocate homes having been a victim of domestic violence.		
	1	Langwith Junction	MP Enquiry regarding his constituents Daughter who at present is stopping with her abusive former boyfriend who has previously been locked up for domestic violence.		
	1	Shirebrook	Please see attached MP Enquiry regarding car repairs BDC advised would be reimbursed as a loose tile from his constituents roof went through the windscreen on there car.	Housing Repair & Maintenance	3
	1	New Houghton	MP Enquiry regarding 3 roof tiles broken at XX Church View, New Houghton		
1	Bolsover	Doors on properties in the New Bolsover Model Village area not fitting properly			

Q2 MP Enquiries SUMMARY 2022/23

MONTH	No. of reports per parish	PARISH	MP Enquiry Header	Service Area	Numbers Per Department
37	2	Shirebrook	Constituent wanting to know if garage plot to lease or buy on Maunvers Street, Shirebrook Works that were carried out last year extended outside tap and this is consequently leaking. Customer has been advised we can make safe but can not fix it but customer needs this for his animals.	Property & Estates	2
	1	Langwith	Planning Application submitted for 2 holidays lets, received no response from Planning	Planning	2
	1	Langwith Junction	MP Enquiry regarding his constituent being un happy with the Gleeson Homes site. The MP advises that roads and pavements are inadequate.		
	1	Tibshelf	Requesting to relocate homes having been a victim of domestic violence.	Revenues	1
	1	Clowne	Regarding his Constituent at XX Gray Street, Clowne being unable to keep up with the maintenance of there garden due to there age.	Street Scene	8
	1	Stanfree	XXXXX has concerns with stray cats in the street and the overgrown tree outside of her property that needs trimming.		
	1	Tibshelf	A resident of Mill Farm Drive, Tibshelf. has asked about having a Dog Waste and Litter Bin on a amenity park area on the relatively new housing estate.		
	1	Bramley Vale	Issues with a homeless man and a few other people drinking, taking drugs and defecating near her home.		
	2	Bolsover	XXXXXXXX M.P would like to know if the Council has considered installing additional bins throughout the Bolsover North and Shuttlewood areas. Is there going to be dog poo bins on Keepmoat esate?		
	1	Pinxton	MP Enquiry regarding a constituents property being overgrown by vegetation which is attracting rats		
	1	Hodthorpe	XXXXXX tells us he ordered these bins in the middle of June but is still waiting for them. As a result, rubbish is piling up at his home.		
	1	Stanfree	XXXXX has concerns with stray cats in the street and the overgrown tree outside of her property that needs trimming.	Env. Health	5
	1	Unknown	Taxi license provide up to date documents - as license holders concerned about cost implications		
	1	Pinxton	MP Enquiry regarding a constituents property being overgrown by vegetation which is attracting rats		
	1	Tibshelf	Requesting to relocate homes having been a victim of domestic violence.		
	1	Hodthorpe	Anti-Social Behaviour on King Street, Hodthorpe		

Q2 MP Enquiries SUMMARY 2022/23

MONTH	No. of reports per parish	PARISH	MP Enquiry Header	Service Area	Numbers Per Department
38 SEPT	1	Clowne	regarding rent increase and need for financial support	Revenues	4
	3	Shirebrook	Regarding arrears on the property at XX Park road, Shirebrook. The tenant has been informed they need to pay XXXXXXXX right away in order for them not to be evicted.		
			Regarding his constituent applying for a tenancy in Shirebrook. Worried about being able to afford rent and finding a new property		
	1	Pinxton	overpaid Housing Benefit and now BDC have sent an invoice advising XXXXX needs to be paid back	Housing Repair & Maintenance	3
	1	Doe Lea	no cavity wall insulation in the Council property of XX West Street, Doe Lea.		
	1	Creswell	Regarding having a bath fitted at the property instead of a shower	Leisure	3
	1	South Normanton	Drainage issues on the Gleeson development of off Alfreton Road		
	2	Whitwell	The Park on Welbeck Street which is in desperate need of attention. what youth provisions are available in Whitwell.	Property & Estates	1
	1	Bolsover	Kerb stones around the middle street car park in Bolsover which are not stable and could be a trip hazard to those who have difficulties with walking.		
	1	Whitwell	noise complaint from an allotment his constituent lives next to.	Environmental Health	3
	1	Blacwell	improving the unkept and overgrown entrance and surrounding area located at the end of Victoria Drive.		
	1	Unknown	Excessive horse poop being left on footpaths		
	1	Pinxton	long-running issue with large trees on Wharf Road.	Street Scene	7
	1	Stanfree	littering and maintenance of Bolsover Town Centre		
	1	Tibshelf	unable to cut her grass, due to having a fall and ending up in hospital.		
	1	Whitwell	unhappy with verges not being maintained and weeds at the base of walls in the Whitwell area.		
	1	Shirebrook	Large oak tree requiring maintenance between the boarder of Bramble Close, Shirebrook and allotment land of Recreation road, Langwith Junction.		
	1	Shirebrook	concerns presenting bins at the end of Division Road in Shirebrook.		
1	Blacwell	improving the unkept and overgrown entrance and surrounding area located at the end of Victoria Drive.	Planning	4	
2	South Normanton	Drainage issues on the Gleeson development of off Alfreton Road			

Q2 MP Enquiries SUMMARY 2022/23

MONTH	No. of reports per parish	PARISH	MP Enquiry Header	Service Area	Numbers Per Department		
39			Land lying to the west of Chestnut Drive, Broadmeadows, South Normanton, Alfreton, this is a wooded area laying between The Boundary Public House and Chestnut Drive which we believe is a brownfield site				
	1	Hodthorpe	like to see more car parks in Hodthorpe and no more road parking				
	1	Creswell	Concerns about the potential development on Fox Green in Creswell.				
	1	Clowne	Housing Application enquiry				
	1	Pinxton	checking on his housing application as he wishes to relocate from Mansfield to Pinxton.				
	3	Bolsover	requiring an update on the situation of their Housing Association application for a Council property.				
			XXXXXX and XXXXX, who currently live at XX Melciss Road, Wickersley, Rotherham S66 2DB who have applied to the council to move back into social housing in the Bolsover area due to there failing health and now need to be near their family to assist with there care and support.				
			Constituent who offered to sponsor a family from Ukraine for 6 months. He explained the time is coming to an end and the family would like to continue living in the UK.				
	3	Shirebrook	Regarding arrears on the property at XX Park road, Shirebrook. The tenant has been informed they need to pay £2500 right away in order for them not to be evicted.		Housing	14	
			Regarding his constituent applying for a tenancy in Shirebrook.				
			Worried about being able to afford rent and finding a new property				
	1	Glapwell	enquiring to join her Mothers tenancy now her Dad has passed away.				
	2	Creswell	Wanting a bungalow for disabled son but against policy				
			Regarding having a bath fitted at the property instead of a shower				
	1	Whitwell	experiencing problems with a neighbour, XXXXXXXX of XX George Inn Court, since he moved in the flat in March this year.				
1	Doe Lea	no cavity wall insulation in the Council property of XX West Street, Doe Lea.					
1	South Normanton	Regarding drug activity on fields in South Normanton					
1	Whitwell	what youth provisions are available in Whitwell.	Partnership	1			
							96

Appendix 3 (F) Internal Review by Department 01/0422 – 31/09/22

Please note that some Internal Reviews were for 2 or more departments.

Q1 Internal Review SUMMARY 2022/23					
MONTH	No. of reports per parish	PARISH	Internal Review Header	Service Area	Numbers Per Department
APR	1	Creswell	We are treating this as an Internal Review complaint in order to bring it to a conclusion	Housing	1
	1	Elmton	Unhappy with enforcement administered	Planning	1
40	1	Shirebrook	Unhappy Changed Bin Location	Street Scene	3
	1	Bolsover	Unhappy with decision from street scene regarding tree planting		
	1	Steetley	Unhappy with Formal Response regarding missed bins, Requested a new bin for when it is missed		
	2	Bolsover	Raising concerns about an ongoing issue with a shed in the garden of XX Cavendish Road.	Housing	3
			Unhappy with formal response decision		
	1	Creswell	Unhappy with decision on tenancy for the garage		
	MAY	1	Bolsover	Raising concerns about an ongoing issue with a shed in the garden of XX Cavendish Road.	Housing Repair & Maintenance
1		Bolsover	Raising concerns about an ongoing issue with a shed in the garden of XX Cavendish Road.	Contact Centre	1
1		Whaley Thorns	Raising concerns of the Cleanliness of the changing room and toilets	Leisure	1
1		Unknown	Review of the decision to withhold the vehicle registration numbers as previously your council has given us company data - FOI	Performance	1
1		Steetley	Unhappy with Formal Response regarding missed bins, Requested a new bin for when it is missed	Street Scene	1
JUN	1	unknown	Not happy with the information given in the formal response letter regards the banding / score decision	Housing BDC	1
	1	Bolsover	Complaint about planning application	Planning	1
	1	Doe Lea	In relation to the unlawful granting of planning permission for XXXXXX		
					15

Q2 Internal Review SUMMARY 2022/23

MONTH	No. of reports per parish	PARISH	Internal Review Header	Service Area	Numbers Per Department
JUL	1	Clowne	Ongoing issues regarding the Highfields housing estate	Planning	1
	1	Clowne	Ongoing issues regarding the Highfields housing estate	Street Scene	1
AUG 41	1	Barlborough	Customer still dissatisfied. Doing yoga in the dark is not acceptable in winter; the temperature of the room; cancelled classes and late instructors. Please ensure XXXXXX Name remains Anonymous to Leisure Staff	Leisure	1
	1	Hardstoft	Customer still dissatisfied with XXXXX response stating we are allowing planning permission to build on his land.	Planning	1
	1	Creswell	Customer still experiencing issues with his bins and not happy with advise offered from XXXXXX	Street Scene	1
Sept	1	Bolsover	Formal Response is inaccurate and by no means addressers the issues raised in the correspondence that BDC Council received from XXXXX on 1st September 22	Leisure	1
					6

Appendix 3 (G) Ombudsman complaints 01/4/22 – 31/9/22

OMBUDSMAN SUMMARY				
No. of reports per parish per Department	PARISH	Ombudsman Header	Service Area	Numbers Per Department
1	South Normanton	Code of Conduct complaint	Legal	1
				1

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Bolsover District Council

**Meeting of the Customer Services Scrutiny
Committee on 12th December 2022**

Rent Arrears Policy

**Report of Victoria Dawson, Assistant Director Housing Management and
Enforcement**

Classification	This report is Public
Report By	Victoria Dawson, Assistant Director Housing Management and Enforcement , 01246 242231
Contact Officer	Victoria Dawson, Assistant Director Housing Management and Enforcement , 01246 242231

PURPOSE/SUMMARY OF REPORT

The purpose of this report is for the Customer Services Scrutiny Committee to consider and feedback on the updated Rent Arrears Policy. Committees comments will be consider prior to Executive approval of the updated 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 amendments or additions shown by track changes.
- 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 approach to prevention and collection of rent arrears, the updated policy reflects updated staffing, and procedural changes.
- 2.2 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 Councils approach to prevention and collection of rent arrears.

RECOMMENDATION(S)

1. That Scrutiny Members review the attached updated Policy documents and provide comments for consideration as part of the renewal process.

Approved by the Portfolio Holder - Cllr Peake, Portfolio Holder for Housing

IMPLICATIONS:

Finance and Risk: Yes No

Details:

There are no financial implications arising from the Strategy.

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

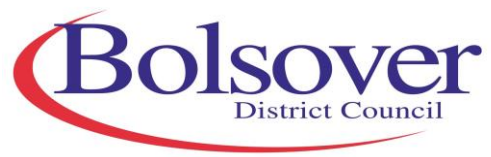
<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	<p>No</p>
<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p>	<p>No</p>

District Wards Significantly Affected	No
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
1	Rent Arrears Policy 2022

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>



Rent Arrears Policy

(November 2022)

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)	

Contents

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14. Appendix 2 – Tenancy Agreement	
15. Appendix 3 - Rent Arrears Recovery Procedure	
16. Appendix 4 – Rent Arrears Recovery Flowchart	
17. Appendix 5 – Equality Act Assessment	
18. Appendix 6 – Former Tenant Arrears Recovery Procedure	
19. Appendix 7 – Former Tenant Arrears Recovery Flowchart	
20. Appendix 8 – Garage, Garage Plots and Parking Bay Arrears Recovery Procedure	
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

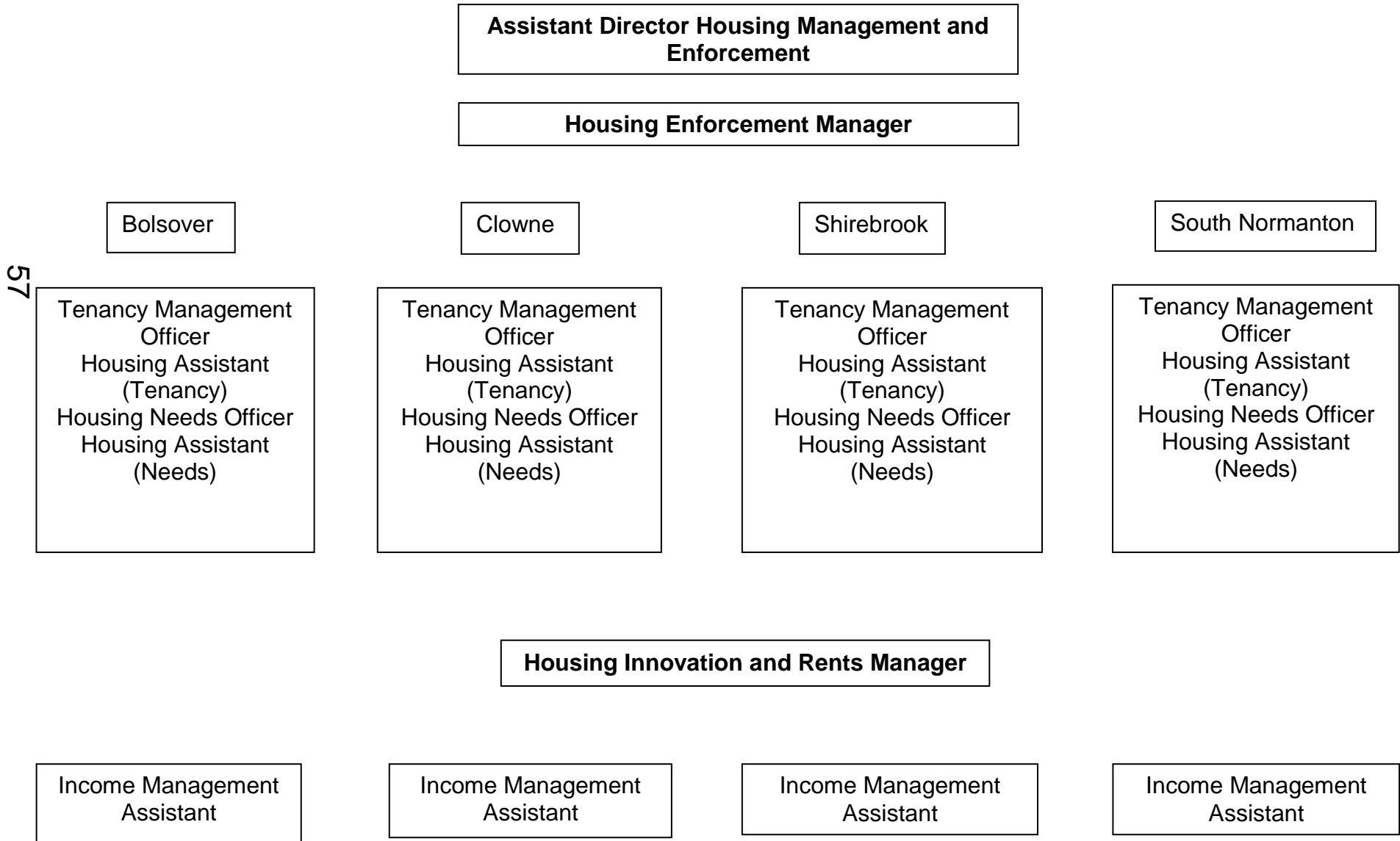
All office interviews will be carried out privately. The information held by the Council about a tenant's rent account will not be disclosed unless with the tenant's permission and/or in accordance with the relevant legislation. Tenant's information is used to manage their rent accounts, payments, arrears 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



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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
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

2.4 Other Household members:

Name	Date of Birth	National Insurance Number
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

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2.5 The address of the Property is

	Postcode
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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
- 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.

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:

- 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.

6. Nuisance and Anti-social behaviour

- 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 legal drugs, storing stolen goods or contraband, benefit fraud, obtaining goods fraudulently, for sexual offences, or for

the storage of

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:

- 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:
- a. 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.
 - b. Under certain court orders made under family law or civil partnership law.
 - c. 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 4 pm 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

Polish

Mówimy Twoim językiem

Slovak

Rozprávame Vaším jazykom

Chinese

我们会说你的语言

large print or another format
please call us on **01246 242424**

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.

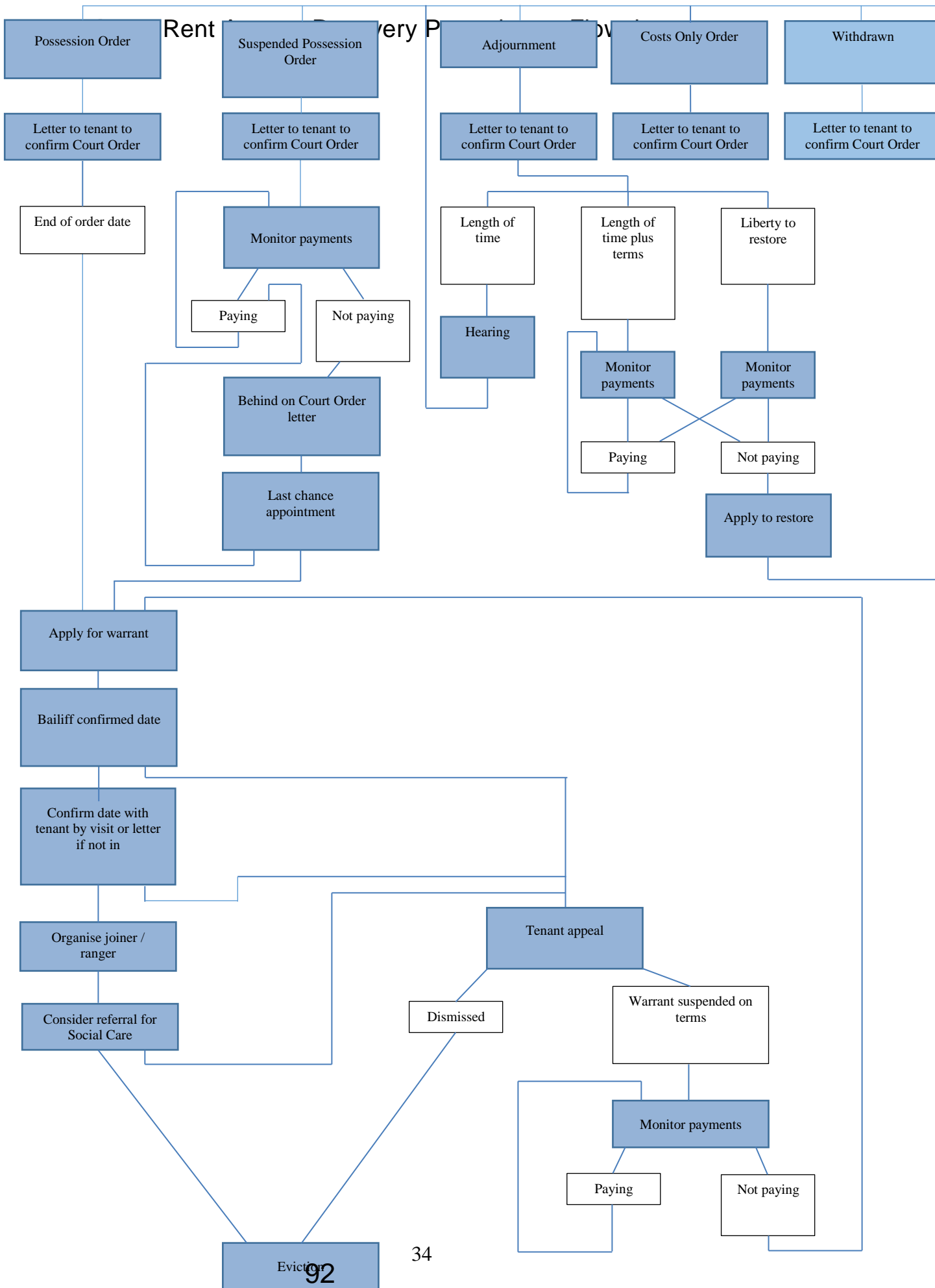
Warrant Arrangement Failed (WARF)

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.



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')			
How were we made aware of the protected characteristic / vulnerability	<input type="checkbox"/> Verbally from tenant <input type="checkbox"/> From other agency / professional <input type="checkbox"/> From housefile <input type="checkbox"/> Other		
Do we have written confirmation of the protected characteristic / vulnerability	<input type="checkbox"/> Yes <input type="checkbox"/> No		

<i>Has the tenant explained how their protected characteristic / vulnerability affects them paying their rent / adhering to the terms of their tenancy / causing ASB</i>	<input type="checkbox"/> <i>No</i> <input type="checkbox"/> <i>Yes – give details below</i>
<i>Could the reason for the arrears / tenancy breach / ASB be attributed to the protected characteristic / vulnerability</i>	<input type="checkbox"/> <i>No</i> <input type="checkbox"/> <i>Yes – give details below</i>
<i>Is the tenant’s health and safety at risk</i>	<input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i>
<i>Is anyone else’s health and safety at risk</i>	<input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i>
<i>Any other comments</i>	

Set out details below of relevant information – and whether you believe that the action being considered / taken is proportionate:

Give details of information regarding the tenant’s protected characteristics / vulnerabilities with relevant dates of discussions / actions etc.

Contact log:

Date	Type of contact (e.g. letter / visit / phone call)	Relevant details (e.g. voicemail left asking for call back)
<i>Example: 01.02.2022</i>	<i>Home visit</i>	<i>Completed referral form and discussed up-and-coming court case</i>
<i>04.02.2022</i>	<i>Telephone call</i>	<i>Left voicemail asking for call back and asking how court went</i>

Lead officer			
Signed		Dated	
Housing Enforcement Manager			
Signed		Dated	

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

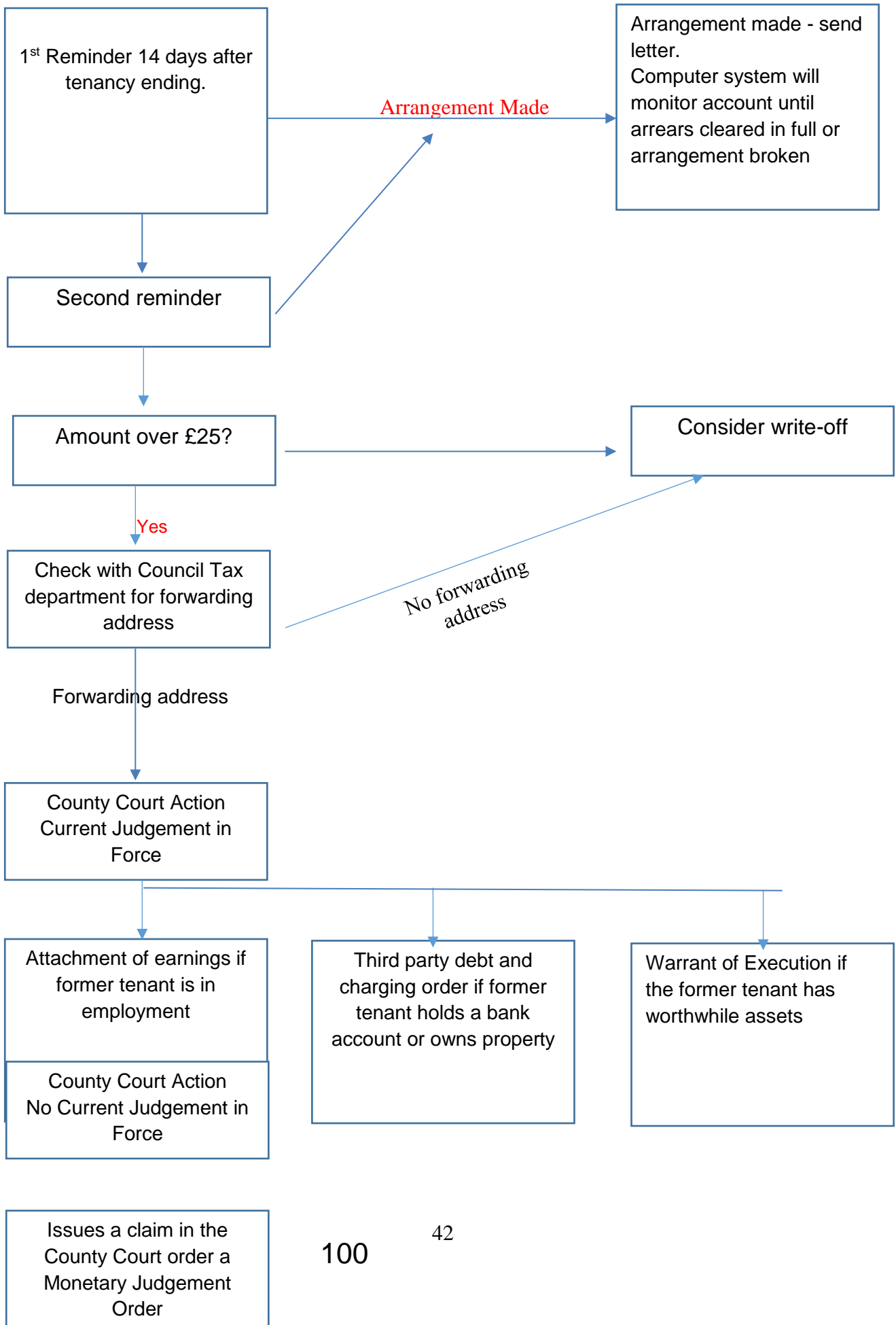
- Issue a claim in the County Court

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.

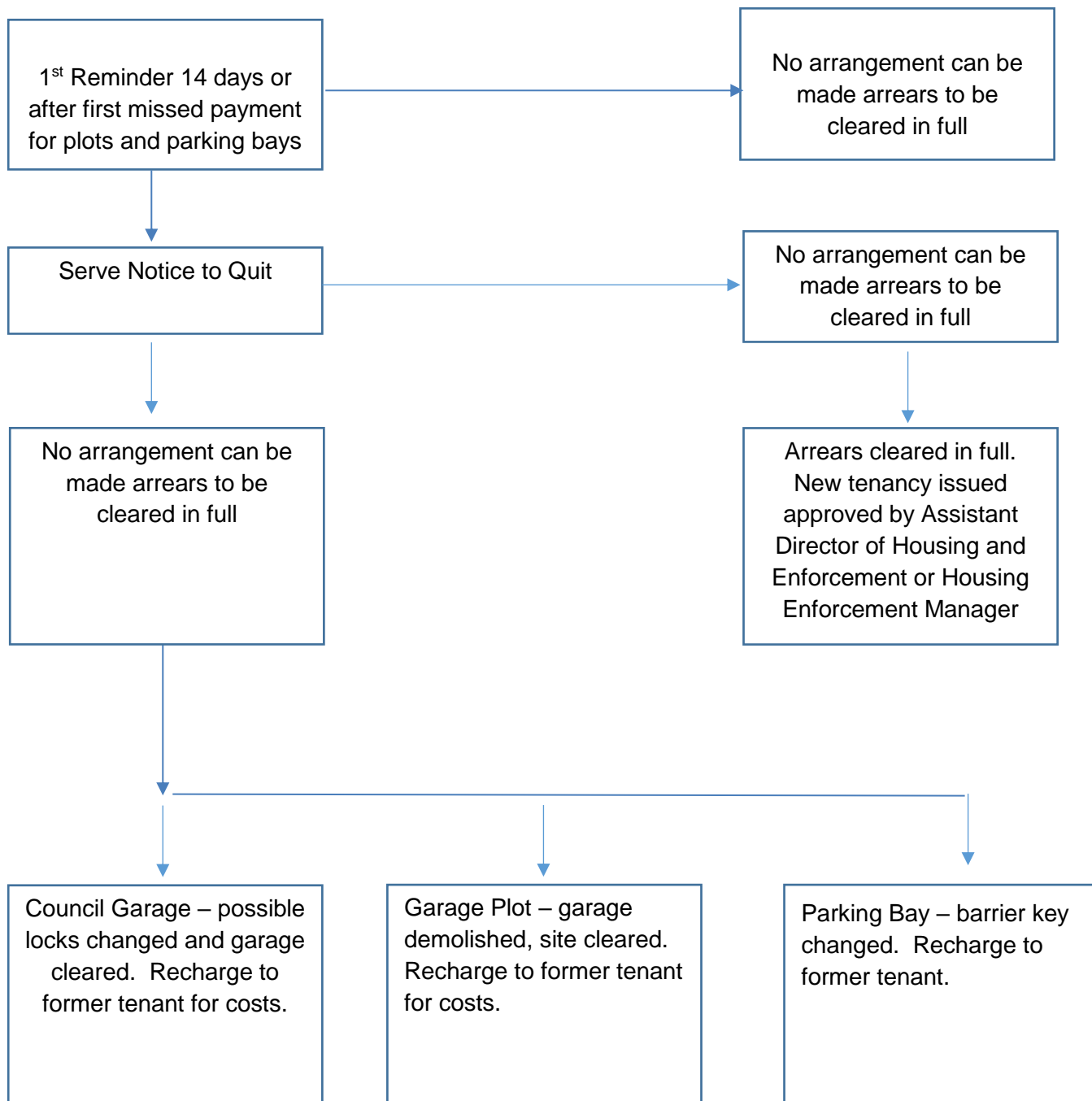
If the tenant makes contact during the notice period and wishes to continue to use the garage, plot or parking bay then the arrears should be cleared in full and with the discretion of the Assistant Director Housing Management and Enforcement or the Housing Enforcement Manager a new tenancy will need 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
keys. For parking bays the former tenant may be charged for replacing the barrier

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



Bolsover District Council

Meeting of the Customer Services Scrutiny Committee on 12th December 2022

Mobility Scooter Policy

Report of Victoria Dawson, Assistant Director Housing Management and Enforcement 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	Deborah Whallett, Housing Enforcement Manager, 01246 593057, Deborah.Whallett@bolsover.gov.uk

PURPOSE/SUMMARY OF REPORT

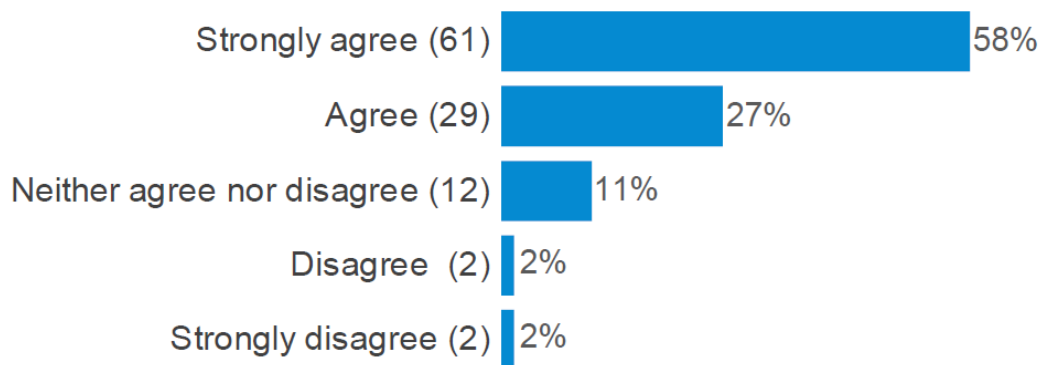
To consider and provide comment on the draft Bolsover District Council Mobility Scooter Policy.

REPORT DETAILS

1. Background

- 1.1 Bolsover District Council has 4,986 properties (at November 2022). Within this stock we have a number of older persons housing schemes, with communal areas. These are Orchard Close, Hides Green, The Paddocks and Sandhills Road, in Bolsover and Pattison Street in Shuttelwood. This comprises of 177 properties in 58 blocks.
- 1.2 In 2021 a number of inspections and fire risk assessments of these schemes were undertaken. This revealed that many communal areas are being used to store and charge mobility scooters. This is an unacceptable health and safety risk and poses a risk in that fire escape routes are being blocked. On some occasions scooters have been seen outside of a property being charged, but with an extension lead through the window of the residential accommodation which is also a recognised fire risk.
- 1.3 It was agreed by Council Officers in conjunction with Councillors at the Housing Stock Management Group, that we needed to commence a piece of work promoting the need for a clean sterile area and a mobility scooter policy to set the Council's expectations around the storage and charging of these.
- 1.4 In September 2021 an unannounced visit to these five schemes on a week day found there to be 14 mobility scooters stored in these communal areas as well as 13 mobility frames or wheelchairs.

- 1.5 Following this survey we wrote to all tenants in the five schemes and invited them to attend a Fire Safety Roadshow event in partnership with Derbyshire Fire and Rescue. We explained the work the Council had undertaken to enhance health and safety within these properties following the fire risk assessments and future plans, including limiting the storage or charging of mobility scooters. Information was collated from those in attendance as to mobility scooter usage and storage provision.
- 1.6 During the period 28th February to 29th April 2022, we undertook an 8 week consultation on a new tenancy agreement. This specifically included a new clause at 4.24 *“you must not keep or charge a mobility scooter in the communal area or communal gardens.”*
- 1.7 A specific question was asked within the consultation *“to what extent do you agree or disagree with the clause that communal areas and fire exits must be kept clear of anything likely to cause an obstacle to anyone, and that mobility scooters must not be stored or charged in the communal areas?”*



- 1.8 The new Tenancy Agreement took effect from 4th July 2022. However, we did advise tenants that we would not actively enforce this mobility scooter clause until January 2023 whilst we worked to try and identify a solution to the storage and charging issue.

2. Details of Proposal or Information

- 2.1 The policy (Appendix 1) sets out clearly to both Council tenants and leaseholders of Independent Living Schemes, Older Person’s blocks and General Needs housing, the responsibilities they have as owners of the mobility scooters. This is in regard to the storage and charging of these scooters within Council premises, and the requirement for written permission to be granted by the Council for both existing owners of scooters and those intending to acquire one.
- 2.2 The policy will ensure that owners of the scooters have somewhere to safely store and charge the scooter. An assessment of the property will be undertaken before permission is granted. At Appendix 2 is a guide for Best Practice for Mobility Scooter Storage.

- 2.3 The number of scooters on any one site will be managed, so as not to compromise the safety of residents or anyone else visiting the site.
- 2.4 Permission will be refused where, for example, there is no safe storage arrangement in the tenant/leaseholder's home and no alternative safe storage and charging space can be provided or a major physical alteration to the premises is required, which the Council believes to be unreasonable in terms of the structural limitations of the building(s) and/ or disruption to other service users.
- 2.5 At the Independent Living Schemes, there is a maximum capacity for the storage of scooters. Blue Badge holding tenants/leaseholders will be given priority for spaces, where there are designated storage facilities for mobility scooters, as and when they become available and then considered in date order of request. Spaces will then be made on a 'first come, first served' basis to existing owners of scooters and then 'first come, first served' to other applicants.
- 2.6 Where adequate storage facilities do not exist, a tenant/leaseholder may seek permission to make alterations to the property. For example, for the provision of storage facilities, ramp, access path or hard standing. The Council will not unreasonably withhold permission for alterations.
- 2.7 As mobility scooters can pose a risk to life, the policy states how the Council reserves the right to withdraw permission to store a mobility scooter at any time if any tenant/leaseholder does not adhere to this policy. They will be asked to remove the mobility scooter immediately, and potentially, permanently.
- 2.8 The Policy will allow for a consistent and common approach to the management of mobility scooters in Council communal areas.
- 2.9 Storage of mobility scooters is an issue for a number of residents, however it is clear that we cannot permit storage and charging of mobility scooters within communal areas and we need to prohibit this. Independent Living Schemes have a number of storage facilities, older persons and general needs housing is more challenging to address – the numbers of flats, dispersed locations, lack of suitable space sufficiently nearby and the low concentration of mobility scooters mean that specialist provision cannot reasonably be provided by the Council.
- 2.10 Residents have the option of providing their own storage facility, subject to the necessary permissions and suitability of locations. Tenants with severe mobility needs will be assessed and considered for a transfer to more suitable accommodation.
- 2.11 We intend to consult with tenants within the Independent Living Schemes, older persons and general needs properties prior to implementing the policy and commencing enforcement.

3. Reasons for Recommendation

- 3.1 Advice from the Fire Authority is very clear, mobility scooters are not to be stored in communal areas because of the risks of fire. Having a robust policy protects the Council, both when it makes decisions to allow mobility scooters and in those limited circumstances when we have no alternative but to refuse the request.

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 position on mobility scooters the process we will follow and provides an appeals process where permission is refused.

RECOMMENDATION(S)

1. That scrutiny review and provide comments on the draft Mobility Scooter Policy prior to any tenant and leaseholder consultation.

Approved by Cllr Sandra Peake, Portfolio Holder - Housing

IMPLICATIONS:

Finance and Risk: Yes No

Details:

There are no additional financial implications arising from this report, consultation can be accommodated within existing budgets

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

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

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: This Policy will significantly reduce the risk of fires within the communal areas.

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

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p>	Yes

<p>District Wards Significantly Affected</p>	<p>(please state which wards or state All if all wards are affected)</p>
<p>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"/></p>	<p>Details: Customer Services Scrutiny</p>

<p>Links to Council Ambition: Customers, Economy and Environment.</p>
<p>Customers – Providing excellent services</p> <p>Supports Targets CUS.08 - Maintain high levels of tenant satisfaction with council housing and associated services</p>

DOCUMENT INFORMATION	
Appendix No	Title
1	Mobility Scooter Policy
2	Best Practice for Mobility Scooter Storage

<p>Background Papers</p>
<p><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></p>
<p>None</p>



Mobility Scooter Policy

2022 - 2025

We speak your language

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01246 242424 or

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CONTROL SHEET FOR [policy title here]

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	Mobility Scooter Policy
Current status – i.e. first draft, version 2 or final version	First draft
Policy author (post title only)	Assistant Director Housing Management and Enforcement
Location of policy (whilst in development) – i.e. L-drive, shared drive	S drive
Relevant Cabinet Member (if applicable)	Cllr Sandra Peake – Portfolio holder for Housing
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	
Final policy approval route i.e. Joint Strategic Alliance Committee, Cabinet/Executive/Council	Executive
Date policy approved	
Date policy due for review (maximum three years)	3 years
Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)	

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Introduction

Bolsover District Council is committed to supporting the quality of life of its residents. In accordance with the Equality Act 2010, residents are permitted to make use of the most appropriate equipment available to them. This includes leasing or buying mobility scooters which enable them to live independently and positively impact on their quality of life.

This policy provides guidance on the use and storage of mobility scooters, how to acquire permission for a mobility scooter from the Council and also promotes responsible ownership mitigating all associated Health and Safety risks.

The Council wishes to ensure mobility scooters are being used legally and safely in individual properties, mobility scooter storage facilities and communal areas of sheltered housing, general needs and leasehold accommodation.

1.1 Aims

The aims of this policy are to ensure:

- The Council meets its statutory obligations.
- Mobility scooters do not cause an obstruction and do not increase the risk of fire spread or block an escape route in the event of a fire.
- Clear guidance is provided on the safe use and storage of mobility scooters in permitted properties and locations in sheltered housing, general needs and leaseholder accommodation.
- Tenants and leaseholders are provided with advice and how to get permission from the Council prior to obtaining a mobility scooter.
- Tenants and leaseholders adhere to their responsibilities relating to the storage, charging and use of mobility scooters once the Council has granted permission.
- Tenants and leaseholders are aware that they are liable for any injury caused to another person and/or damage to mobility scooter stores, communal areas and/or other Council property and/or another person's property as a result of their use of a mobility scooter.

2. Scope

This document is written with the purpose of raising awareness to health and safety and operating issues relating to the use of Mobility Scooters.

The policy is applicable to all tenants, leaseholders and shared owners or members of their household, who wish to store a mobility scooter in their property, mobility scooter store or in an appropriate external area. Any persons visiting these properties should also adhere to the guidance in this policy.

It is imperative, that those using and storing scooters at Council operated Independent Living Schemes adhere to the guidance given by the Scheme Manager along with the guidance contained within this policy.

2.1 Legal Framework

The Council has a duty to comply with the law relating to fire safety. The Regulatory Reform (Fire Safety) Order 2005 applies and covers general fire precautions and fire safety duties which are required to protect people in case of a fire in and around premises.

One of the requirements under the Order is that fire risk assessment, focusing on the safety of occupants and visitors to the building, need to be carried out. Risk assessments have identified mobility scooters as a possible fire hazard when stored within communal areas, particularly near escape routes.

The primary legislation relating to mobility scooters includes:

- Regulatory Reform (Fire Safety) Order 2005
- Equality Act 2010
- Management of Health and Safety at Work Regulations 1999
- Use of Invalid Carriages on Highways Regulations 1988

This Policy will have due regard to relevant national legislation, guidance and local policy such as:

- Disability Discrimination Act 1995
- The Regulatory Reform Order (Fire) 2005
- Local Government Act 2000
- Human Rights Act 1998
- Health and Safety at Work Act 1974
- The National Fire Chiefs Council Mobility Scooter Guidance for Residential Buildings 2018
- The National Fire Chiefs Council Fire Safety in Specialised Housing 2017
- BDC Adaptations policy
- BDC Tenancy agreement
- Tenant Improvement Policy

3. Principles

The Council is committed to delivering an excellent service, ensuring that Council tenants and their household, as far as possible, continue to live safely and independently whilst ensuring well-being and quality of life.

The policy will help to fulfil the corporate priorities by, promoting equality and diversity and supporting vulnerable and disadvantaged people; and improving health and well-being.

4. Statement

4.1 Mobility Scooter Classification

Mobility scooters are defined as an “invalid carriage” under the Use of Invalid Carriages on the Highways Regulations 1988 in which they are divided into three categories:

Class 1 Vehicles

Manually operated wheelchairs not electrically powered.

Class 2 Vehicles

Powered wheelchairs and mobility scooters for pedestrian routes and indoor use that are limited to a maximum speed of 4mph. Class 2 vehicles are not allowed on the public highway.

Class 3 Vehicles

Powered vehicles and mobility scooters that are designed to travel up to 8mph and are used on roads/highways. Class 3 vehicles are not classed as motor vehicles but they are required to be licensed with the Driver and Vehicle Licensing Agency (DVLA) for road use and cannot be operated by anyone below the age of 14.

This policy applies to any Class 2 or 3 vehicles as defined above or any powered wheelchair.

For the purposes of this policy, vehicles that are not specifically designed for mobility use will not be permitted, neither will any equipment that may use an alternative power, including but not limited to, a combustion engine or flammable fuels.

4.2 Ownership of Mobility Scooters

If a resident is considering obtaining a mobility scooter, they must seek permission in writing from the Council first, to agree storage of the scooter.

Whilst permission will not be unreasonably withheld, the Council's responsibility for health and safety of all residents within a block of accommodation must be paramount.

Permission will only be granted if the tenant/leaseholder is able to store the mobility scooter in suitable storage facilities, if they are available where they live, or within their home if they live in general needs housing. This will be assessed and deemed suitable or not by the Council.

The Council will maintain a register of all scooter ownership and this will be renewed annually.

4.3 Requesting Permission

Whether you are considering moving into a Council rented or leased property, or you are an existing tenant or leaseholder and already have a mobility scooter you must seek permission from the Council to keep and store a scooter.

A request for permission must be made in writing, the decision will be made after an assessment of the property has been undertaken. This can be carried out prior to the tenant/leaseholder obtaining a mobility scooter by providing the details of the model they are planning to get.

When considering external storage and charging of mobility scooters, the following conditions must be considered.

The storage building or unit;

- should be constructed of non-combustible material (to minimise the risk of fire spread whilst storing / charging the scooter.)

- must be sited to the rear of the property (this is to protect the street scene, so we don't have sheds visible from the road), located 3 metres from the property (to prevent fire spread to the property), and 1 metre from the property boundary (to enable maintenance of the boundary)
- must be secured to a suitable base consisting of paving slabs, or concrete. (to prevent the building being affected by wind)
- may have electrics installed for charging or lighting. These must be installed by a competent person to current regulations, and the Installation Certificate forwarded to the Council. (to ensure electrical safety and compliance with regulations)
- must have suitable paths installed to allow safe access, consisting of paving slabs or concrete.

All applications must be submitted and approved by the Council in accordance with the Tenant Alteration and Improvement Policy prior to carrying out any works.

The Council reserves its right to not grant permission or withdraw permission to store a mobility scooter at any time should a tenant/leaseholder not adhere to this policy.

Permission will be refused where:

- there is no safe storage in the tenant/leaseholder's property, no Council mobility scooter store is provided at the sheltered housing scheme/general needs site,
- it is unreasonable to make alterations to the physical features of the building/property;
- if the scooter is too large to fit through internal or external entrances to the building/property/lift or storage facility without causing damage;
- if the tenant/leaseholder wishes to keep more than one scooter;
- there are concerns regarding a tenant/leaseholder's ability to use a mobility scooter safely;
- a tenant/leaseholder fails to have an assessed need;
- a tenant/leaseholder fails to provide any documentation requested by the Council.

If permission is refused by the Council, the reasons for refusal will be outlined in writing to the tenant/leaseholder.

4.4 Appeals

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

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

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

4.5 Safe Storage

Mobility scooters must not be stored or charged in communal areas at any time because they could increase the risk of fire or obstruct a fire escape route.

If a mobility scooter is stored within a tenant/leaseholder's property they must ensure there is enough space within the home to store the scooter safely. An inspection may be arranged to assess the need for any additional fire safety requirements. Mobility scooters are not permitted above ground level in Independent Living Schemes or in lifts.

The Council does not have a duty to provide provisions for resident's mobility scooters.

Residents will be responsible for altering access paths/gates and supplying hard standings, sheds, electrical supply and any other associated works connected to accommodating their scooter. Permission from the Council must be obtained first, and where applicable, Building Control and Planning.

Storage units/facilities must be stored within reasonable distance of the user's property, whilst not causing any obstruction or hazard within communal areas, pathways and pedestrian area. To prevent the risk of fire they should not be stored near habitable properties.

Mobility scooters should not block access and fire escape routes for the user and other residents of the building/block, the risk of obstruction/hazard should be minimised.

If there is any reduction in the width of any escape routes, this must be assessed and deemed as legally acceptable by the Council.

The Council will not be responsible for any loss or damage to a mobility scooter kept in a mobility scooter storage facility.

Mobility scooter owners are responsible for making sure the mobility scooter storage facility is left secure, tidy and free from trip hazards, as well as reporting any concerns to the Council.

4.6 Safe Charging

Mobility scooter owners must ensure any manufacturer guidelines and instructions on the safe charging of the mobility scooter are followed.

Mobility scooter owners must only charge their scooter (whether it is stored in a property or a mobility scooter storage facility) in the day time to reduce the potential risk of a fire erupting and/or being undiscovered.

Scooters should not be left on permanent charge, and only charged for the manufacturer's recommended time and not left on charge overnight.

Mobility scooters must be charged directly from the mains electric in the mobility scooter storage facilities. Extension leads are not to be used when charging any mobility scooter.

When charging inside a tenant's/leaseholder's home the door to the property must be shut whilst they are charging their mobility scooter and care should be taken to ensure that the leads will not cause a trip hazard within the property. There must be a working smoke detector in the property.

4.7 Maintenance

It is important that the scooter is properly maintained and serviced regularly. This will prolong its life and reduce the risk of fire and mechanical breakdown. Mobility scooter owners are responsible for ensuring mobility scooters are in a good working condition at all times and are well maintained/serviced regularly in line with the manufacturer recommendations.

Tenants and leaseholders are liable for any injury caused to another person and/or damage to communal areas and/or another Council owned property and/or another person's property as a result of their use of a mobility scooter.

In the event of any damage to a property caused by a mobility scooter user, the Council will seek to recover any costs incurred through the owner's insurance company. If no documentation of insurance can be provided the Council will recover the costs from the mobility scooter user directly.

4.8 Safe driving

Mobility scooter owners should ensure any manufacturer guidelines or instructions on the safe use of the mobility scooter are followed.

Mobility scooters and powered wheelchairs can legally travel at a maximum of 4mph on footpaths or in pedestrian areas. However mobility scooters must be set to their lowest speed when being used in communal areas to avoid accident and injury to the driver, others and damage to property.

Only the mobility scooter owner is allowed to drive the mobility scooter in the communal area, no other persons are allowed on the mobility scooter.

Within the Independent Living Scheme the mobility scooter cannot be driven in the communal areas or corridors, and should only be driven to access the designated storage and charging area by its separate entrance.

5. Monitoring

The Council will keep up to date records for all registered mobility scooter users and this will include:

- A completed risk assessment
- Storage location
- The make and model of the scooter

The register will be reviewed annually.

6. Enforcement

Mobility scooters cannot be stored in properties or on land owned by the Council without prior written permission from the Council as per this policy and the relevant clauses of the Tenancy Agreement.

If permission has not been granted to store a mobility scooter or permission has been withdrawn the tenant/leaseholder will be asked to remove the mobility scooter immediately. Failure to comply will result in the Council removing the mobility scooter for which the tenant/leaseholder will be recharged and could result in enforcement action for breach of tenancy.

The Council reserves the right to withdraw permission to store a mobility scooter at any time if the tenant does not adhere to this policy. The tenant will be asked to remove the scooter, immediately, and potentially permanently.

The Council understands the positive difference to quality of life a scooter can make. However where there is a breach of this policy which also amounts to a breach of tenancy, enforcement action will be taken

7. Rehousing

If a tenant feels that they cannot remain in their own home and live independently without a mobility scooter, and their request for permission is refused, the Council will look favourably upon assisting the tenant into moving to a more suitable property. In these circumstances the tenant should contact the Council's Housing Needs Team on 01246 242424.

8. Responsibility for Implementation

The Policy will be implemented by the Council's Housing Management Team working in partnership with other Council departments,

- Council's Housing Needs Team
- Independent Living Scheme Managers
- Contractors
- Asset Management Team
- Property Services and Repairs Team

Reducing Fire Risk: Best Practice for Mobility Scooter Storage

Mobility scooters are considered a serious fire risk as they have been found in several instances to self-ignite due to battery or wiring faults caused by poor manufacturing or lack of maintenance. This risk is further compounded by the increasing use of lithium-ion batteries which can develop into serious fires if damaged or overcharged, a scenario that can easily occur if an incorrect replacement battery or charger is fitted, for example.

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What You Need to Know

The Fire Safety Act 2005 places an obligation on Landlords to ensure the safety of tenants from fire and FRAs are undertaken regularly. Inspectors have the power to issue enforcement notices and even close a scheme down. Failure to act could lead to prosecution for criminal negligence in the event of a fire occurring.



NFCC
National Fire
Chiefs Council

The National Fire Chiefs Council have issued statutory guidance on storing and charging mobility scooters in residential buildings.

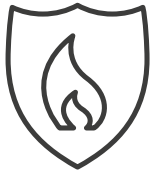
To find out more visit <https://bit.ly/3cau9rK>

Your Options

The National Fire Chiefs Council issued statutory guidance regarding safe storage, allowing for four potential outcomes:

1. Scooters can be kept within a user's flat, as long as their means of escape is not obstructed, charging is not conducted at night-time, and the battery is disconnected when not in use. This should be considered carefully when preparing Personal Evacuation Plans.
2. Dedicated internal scooter rooms can be provided but must be compartmented with fire detection, sprinklers, and fume extraction. The risk of smoke spreading is still present if doors are wedged open.
3. Secure external storage should be considered if other options are not available. These must be located at a safe distance from dwellings to ensure that residents are not put at risk.
4. Scooters are not to be permitted on the scheme if the above options cannot be met, and this may result in users having to be moved to alternative accommodation.

10-Point Plan for Effective Mobility Scooter Storage



1. Internal stores

The NFCC guidance states that scooters must not be stored indoors unless within a **compartmented section of the building of at least 30 minutes' fire-resisting construction** fitted with fire detection and recommends sprinklers and fume extraction.

Any charging in designated storage areas should be subject to portable appliance testing and a risk assessment, including ensuring that the scooters are not charged between the hours of 8pm and 8am.



2. Flats and homes

The landlords **must ensure that the means of escape is not obstructed**. This should be considered in Personal Evacuation Plans. Research suggests that most scooter fires occur during storage – it is recommended the batteries are disconnected when not in use.



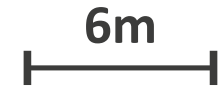
3. Corridors

The NFCC guidance states that mobility scooters should **never be stored in communal areas** such as corridors, stairwells, or lounges due to the risk of self-ignition.



4. External stores

If you have eliminated all internal storage options for mobility scooters, then **external storage may well be the solution**. They are valuable items and are sometimes subject to arson attacks so they should be locked within a robust, weatherproof enclosure.



5. Safety distance

The NFCC guidance recommends that mobility scooters are not stored within 6m of the building, but this can of course be difficult to achieve on confined sites so we recommend measuring this **from any point where a fire could enter the dwelling** (door, window, air vent, boiler flue, soffit or combustible cladding material).



6. Restricted Spaces

If it's impossible to achieve this safety distance, scooters must be secured within a structure providing **30 minutes fire resistance**. This could be a masonry structure or a proprietary unit, ensuring that all parts of the structure including the roof and any doors meet the specified level of fire resistance.



7. Accessibility

A further key requirement is to ensure that the **store can be reached safely by all users**. The facility should be as close to the building entrance as possible without compromising fire safety guidelines and provided with well-lit access paths, compliant ramps, and handrails on any changes of level.



8. Convenience

It will be challenging for mobility scooter users with reduced mobility to access an external storage facility, but this **must be balanced with the need to maintain the safety of all residents**. The challenge can be mitigated by providing automated access doors and increasing the width of the store to give space for users to transfer from wheelchair to scooter.



9. Budget costs

As an approximate guide, we recommend you allow £4,000-£5,000 per scooter, including all necessary groundwork, electrical connections, and all relevant consents. Providing storage for every user may be unrealistic, but **creating a basic level of provision will reduce the risk for landlords**. It also provides a framework to manage who has a scooter, where they store it, and how they pay for this storage and electricity used.



10. Rental

Many landlords charge a **nominal rental fee of £5 per week** to help cover the costs of providing compliant storage and charging facilities for mobility scooters.

Bolsover District Council

Meeting of the Customer Services Scrutiny Committee on 12th December 2022

Communal Area Management Policy

Report of Victoria Dawson, Assistant Director Housing Management and Enforcement 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	Deborah Whallett, Housing Enforcement Manager, 01246 593057, Deborah.Whallett@bolsover.gov.uk

PURPOSE/SUMMARY OF REPORT

To consider and provide comment on the draft Bolsover District Council Communal Area Management Policy.

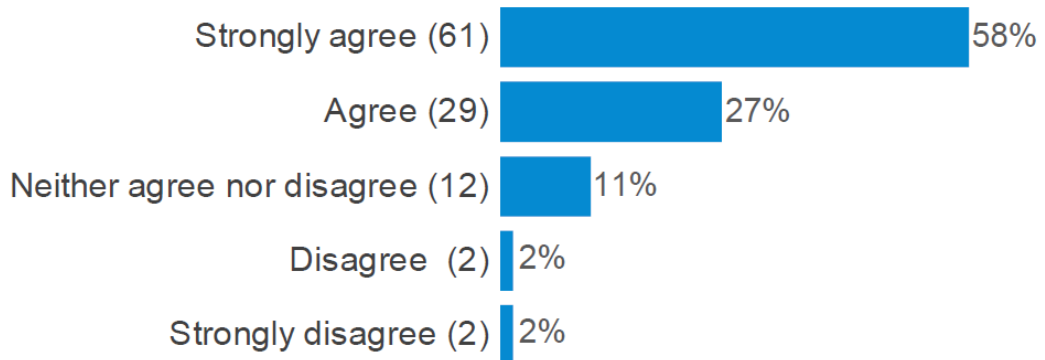
REPORT DETAILS

1. Background

- 1.1 Bolsover District Council has 4,986 properties (at November 2022). Within this stock we have a number of older person's housing schemes, with communal areas. These are Orchard Close, Hides Green, Pattison Street, The Paddocks and Sandhills Lane. This comprises of 177 properties in 58 blocks. In addition we have a number of general needs accommodation with communal areas, this comprises 136 properties in 34 blocks.
- 1.2 In 2021 a number of inspections and fire risk assessments of these blocks were undertaken. This revealed that many communal areas are being used to store personal items which could impede a fire escape as well as a number of items which were flammable in nature.
- 1.3 As a landlord, the Council has a responsibility to ensure all communal areas are accessible and free from hazards so that residents can exit the building safely and as quickly as possible in the event of an emergency.
- 1.4 It was agreed by Council Officers in conjunction with Councillors at the Housing Stock Management Group that we needed to commence a piece of work promoting the need for a clean sterile area.
- 1.5 The Council has always had clauses within its tenancy agreement regarding the use of communal areas but during the period 28th February to 29th April 2022, we undertook an 8 week consultation on a new tenancy agreement. This specifically

included a new stronger clause on this issue at 4.20 “*you must keep the communal areas clean and tidy and free of personal belongings and 4.21 “you must keep the communal areas and fire exits free from anything likely to cause an obstacle to anyone, a fire risk and health and safety hazard or structural damage.”*

- 1.6 A specific question was asked within the consultation “*to what extent do you agree or disagree with the clause that communal areas and fire exits must be kept clear of anything like to cause an obstacle to anyone, and that mobility scooters must not be stored or charged in the communal areas?*”



- 1.7 The new Tenancy Agreement took effect from 4th July 2022.

2. Details of Proposal or Information

- 2.1 The policy (Appendix 1) applies to both internal and external communal areas in general purpose blocks of flats, older person’s blocks of flats, and other types of communal areas.
- 2.2 A Communal Area is any area that is not within the confines of the tenant’s property. Such areas include corridors, stairways, landings, lobbies, meter cupboards, external gardens and entrances to the building, garages and parking areas.
- 2.3 This policy supports the Council’s commitment to fire safety within our communal areas. The Council will ensure that all communal areas are inspected on a regular basis by the Tenancy Management Team. Any issues identified during these inspections will be recorded and appropriate enforcement action taken.
- 2.4 Fire Risk Assessments will be carried out by a competent person (normally an external consultant) for communal areas owned by the Council and are reviewed on a periodic basis (5 years for grouped dwellings), or when changes have been made.
- 2.5 If items are found in a communal area that is considered to be of immediate risk, such as items that present risk of explosion or would present a risk or acceleration of fire, immediate removal and removal without notice to the items owner will be considered.

- 2.6 In all other circumstances the Tenancy Management Team will attempt to locate the owner to have the items removed. Where the owner cannot be located, and the item is considered to be of significant value the Council will store the item whilst enquiries take place to identify the owner.
- 2.7 The Policy will allow for a consistent and common approach to the management of communal areas.
- 2.8 A suggested communal area poster is at Appendix 2.
- 2.9 In order to ensure that communal areas are to an agreed standard we are looking to provide compliant floor coverings, including door mats, redecorate internal surfaces, and regular cleaning of areas including windows and doors. This will be then recharged to the tenants and where applicable leaseholders by way of a service charge.
- 2.10 The intention at this time is that this improvement and maintenance would commence in the older persons schemes and accurate financial data be collated to set a fair service charge. This would be a service charge that tenants would be allowed to claim benefit for.
- 2.11 As part of the implementation of the policy we will consult with affected tenants and leaseholders, on the policy as well as the proposed service charges, although any charges would not take effect until April 2024.

3. Reasons for Recommendation

- 3.1 Communal areas need to be well managed, with clear escape routes and free from any obstacles or flammable items. Having a robust policy protects the Council, both when it takes enforcement action and allows tenant and leaseholders to know the standard the Council expects.

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 position on communal area management and to ensure a fair and consist approach is adopted at all locations.

RECOMMENDATION(S)

1. That scrutiny review and provide comments on the draft Communal Area Management Policy prior to any tenant and leaseholder consultation.

Approved by Cllr Sandra Peake, Portfolio Holder - Housing

IMPLICATIONS:

Finance and Risk: Yes No

Details:

None from this report.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

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

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: This Policy will significantly reduce the risk of fires within the communal areas, as flammable items will not allowed to be stored in communal areas or be removed immediately when discovered.

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"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	No

District Wards Significantly Affected	(please state which wards or state All if all wards are affected):
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.

Customers – Providing excellent services

Supports Targets CUS.08 - Maintain high levels of tenant satisfaction with council housing and associated services

DOCUMENT INFORMATION

Appendix No	Title
1	Communal Area Management Policy
2	Suggested Communal Area Poster

Background Papers

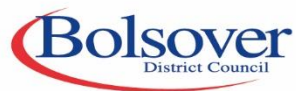
(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).

None



Communal Area Management Policy

2022 - 2025



North East
Derbyshire
District Council

We speak your language

Polish

Mówimy Twoim językiem

French

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CONTROL SHEET FOR Communal Area Management Policy

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	Communal Area Management Policy
Current status – i.e. first draft, version 2 or final version	First draft
Policy author (post title only)	Housing Policy and Intelligence Officer
Location of policy (whilst in development) – i.e. L-drive, shared drive	S drive
Relevant Cabinet Member (if applicable)	
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	
Final policy approval route i.e. Joint Strategic Alliance Committee, Cabinet/Executive/Council	Executive
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1. Introduction

As a landlord, Bolsover District Council (BDC) has a responsibility to ensure all communal areas are accessible and free from hazards so that residents can exit the building safely and as quickly as possible in the event of an emergency.

This will also allow the emergency services easy access to the property or person in need of assistance.

This policy sets out how the Council aims to ensure that internal and external communal areas are managed effectively, kept free from obstructions and safe for other tenants and users of the building.

This policy applies to both internal and external communal areas in general purpose blocks of flats, older person's blocks of flats, other types of communal areas, for example, shared footpaths for shared access and designated parking areas.

A communal area is any area that is not within the confines of the tenant's property. Such areas include corridors, stairways, landings, lobbies, meter cupboards, external gardens and entrances to the building, garages and parking areas.

This policy provides a framework for how communal areas will be managed and what is expected from residents. A zero tolerance approach will be operated when it comes to enforcing this policy.

This policy does not apply to communal areas within Independent Living Schemes.

2. Aims

The aims of the policy are:

- To ensure the health and safety of tenants, leaseholders, staff and visitors when in a communal area
- To give clear advice to residents to minimise the risks of items causing an obstruction to access routes in the event of an emergency
- To give clear advice to residents to mitigate the risk of fire
- To allow communal areas to be used in the best possible way for the benefit of all tenants, leaseholders, staff and visitors
- To ensure that communal areas can be safely evacuated in the event of an emergency
- To advise tenants and leaseholders how the Council will manage and respond to concerns of fire safety in communal areas
- The Council meets its statutory obligations

3. Scope

The policy applies to both tenants of the Council and leaseholders, plus anyone that visits or lives with a tenant or leaseholder. Tenants include those in general housing properties as well as those living in Independent Living Schemes.

Officers of the Council and contractors assigned by the Council should also have due regard to the policy.

3.1 Legal Framework

The policy will have due regard to local policies and procedures as well as national legislation, which include the following, but the list is not exhaustive.

National Legislation;

- Fire Safety Act 2021
- Housing Act 2004
- Landlord and Tenant Act 1985
- Regulatory Reform (Fire Safety) Order 2005
- Health and Safety at Work Act 1974
- Torts (Interference with Goods) 1977
- Building Regulations 2010
- Commonhold and Leasehold Reform Act 2002
- Anti-Social Behaviour Crime and Policing Act 2014

Local policy, procedures and guidance;

- Tenancy Agreement
- BDC Health and Safety Policy and Procedures
- BDC Adaptations Policy
- BDC Mobility Scooter Policy
- BDC Anti-Social Behaviour Policy and Procedures
- BDC Community Safety Partnership Plan 2020 – 2023
- Business Continuity Policy
- General Emergency Plans
- National Fire safety in purpose-built blocks of flats guidance

4. Principles

Bolsover District Council is committed to delivering an excellent service, ensuring that Council tenants and their household, as far as possible, continue to live safely and independently whilst ensuring well-being and quality of life.

The policy will help to fulfil the corporate priorities by;

- Promoting equality and diversity and supporting vulnerable and disadvantaged people
- Providing good quality Council housing where people choose to live
- Improving health and well-being

5. Statement

5.1 Communal Areas in Council Housing

Communal areas are those parts of a house, block of flats, street or estate which tenants have a right to use in common with other tenants or leaseholders and for which a landlord is responsible.

These include:

- communal hallways
- the roof and gutters on a block of flats
- shared stairways, lifts, doors, windows, balconies and access paths
- all doors between a domestic premises and common parts
- gardens or yards, where each property doesn't have its "own" garden or yard
- designated parking areas

5.2 Obstructions and Belongings in Communal Areas

Communal areas should not be used for additional storage, therefore it is the tenant's/leaseholder's responsibility to keep communal areas clear. This also includes any roof spaces as applicable. No personal possessions or unwanted goods should be within communal areas or escape routes.

The following items are examples of items not permitted in communal areas (this is not an exhaustive list)

- Flammable liquids or gases, for example: patio heaters or barbecues, paints or solvent based materials, gas heaters or pressurised cylinders, motorcycles/mopeds, petrol driven gardening equipment
- Mobility scooters, wheelchairs, walking frames
- Any recycling, waste or wheelie bins
- Clothes, shoes, boots, wellingtons etc.
- Any electrical equipment
- Any exercise equipment, for example exercise bike, cross trainer, weights etc.
- Clothes drying equipment
- Gardening equipment
- Festive decorations, Christmas trees etc.
- Prams or buggies
- Bicycles
- Children's toys
- Any items of furniture, for example chairs, tables, storage units, mattresses etc.
- Curtains, net curtains, blinds on communal windows
- Pictures, posters or other flammable wall coverings
- Door mats, carpets, rugs or runners
- Plant pots and plants, artificial flowers
- Any other items identified as a fire hazard or an obstruction to an escape route

Any flammable items, or those which present fire risk should be stored in a garden building 3 meters from the property. Where these are found within the communal area this should be reported to the Council immediately, these are, but not limited to;

- Motorcycles
- Scooters
- gas BBQ's
- petrol lawnmowers
- anything with an engine that uses petrol or diesel, cans of fuel etc.

Any electrical cupboards, meter cupboards and gas cupboards that are in communal areas are to be sterile environments. Due to the potential risk of fire, cupboards must not be used for storage.

To mitigate the risk of fire, mobility scooters must not be positioned in communal areas or stored near habitable properties, see the Council's Mobility Scooter Policy for further information.

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

5.3 Communal gardens, paths and parking areas

Outside areas should be kept clear of personal items and waste as this is land that is not let or sold with the property.

Wheelie bins should be stored in the appropriate bin storage areas or in areas that are not likely to cause an obstruction or nuisance to residents.

Residents should park responsibly in designated parking areas, motor vehicles, trailers, caravans or boats should not be left on grass verges, communal grassed areas, gardens or any Council land used for amenity purposes. The parking of vehicles must not in any way obstruct access to another property, service road, or prevent access for emergency vehicles.

Tenants/leaseholders and their visitors are not permitted to smoke/vape within the internal communal areas. However, residents and their visitors can smoke/vape within an external communal area providing that this does not cause a nuisance or annoyance to other residents. Cigarette ends must be disposed of appropriately and must not be discarded in the external communal area.

5.4 Alterations

Tenants should be aware that changes they make to their home can impact on the fire safety of the block that they live in. Tenants should not;

- Tamper with or remove door closers on fire doors within their property
- Tamper with, cover or remove smoke detectors, carbon monoxide detectors or heat detectors within their property
- Replace existing electrical fittings (light fittings, sockets etc.) without seeking prior permission from the Council
- Make changes to their flat entrance door or door frame, as this could reduce the integrity and fire performance of the door

Where a tenant has made changes to their property that could impact on the fire safety of their property or the block they live in, the Council will recharge the tenant for any remedial works required to restore the property's fire integrity.

5.5 Inspections

As part of the Council's commitment to fire safety within our communal areas, the Council will ensure that all communal areas are inspected on a regular basis by the Tenancy Management Team. Any issues identified during these inspections will be recorded and appropriate enforcement action taken.

Fire Risk Assessments will be carried out by a competent person (normally an external consultant) for communal areas owned by the Council and will be reviewed on a periodic basis (5 years for grouped dwellings), or when changes have been made.

5.6 Enforcement

Under the terms of the Council's Tenancy Agreement tenants must keep the communal areas clean, tidy and free from personal belongings. In addition the communal areas and fire exits must be free from any obstacles or things which amount to a fire risk, or health and safety hazard.

Under the terms of the Council's Leases', leaseholders can use the communal areas provided that such use shall be only for the purpose of quiet enjoyment therein (but not for the purpose of playing games or any other purpose likely to cause offence or constitute a nuisance to other owners lessees or occupiers of the building) and subject to and in conformity with any reasonable regulations which may be imposed from time to time by the Council.

If items are found in a communal area that are considered to be of immediate risk, such as items that present risk of explosion or would present a risk or acceleration of fire, immediate removal and removal without notice to the items owner will be considered.

In all other circumstances the Tenancy Management Team will attempt to locate the owner to have the items removed. Where the owner cannot be located, and the item is considered to be of significant value the Council will store the item whilst enquiries take place to identify the owner. The owner will then have one calendar month to re-claim the item, proof of ownership must be provided and any costs for the removal and storage must be paid prior to the item being returned.

If the item is not re-claimed after one calendar month it will be disposed of accordingly.

Enforcement action may be considered to address a persistent or serious breach of tenancy.

5.7 Reporting Procedure

This policy provides a framework for how communal areas will be managed and what is expected from residents. A zero tolerance approach will be operated when it comes to enforcing this policy.

To report obstructions or serious hazards located in communal areas, in the first instance contact the Council by;

- Telephone: 01246 242424 or;
- email: enquiries@bolsover.gov.uk

6. Prevention

Wherever possible the Council will aim to prevent fire safety issues by educating residents from the beginning of their tenancy and ensuring that information, support and advice is readily available

Where a property sits within a communal block, the Tenancy Management Team will advise new residents about the Communal Area Policy and explain to the residents their responsibilities in adhering to the policy and terms of the tenancy agreement.

7. Responsibility for Implementation

The Policy will be implemented by the Council's Housing Teams working in partnership with other Council departments, for example,

- Property Services and Repairs Team
- Fire Inspection Officers
- Community Safety Team
- Environmental Health Team

Fire Action

IF THE FIRE IS NOT IN YOUR OWN FLAT

- Stay in your own flat unless you are affected by heat or smoke

IF THE FIRE IS IN YOUR OWN FLAT

- Warn everybody in your flat that there is a fire
- Ensure that everybody leaves the flat
- Close the front door behind you to stop the fire spreading

If there is a lot of smoke, stay low or crawl along the floor where the air will be clearer

DO NOT WEDGE FIRE DOORS OPEN

DIAL 999 TO CALL THE FIRE SERVICE

- Give the address of the building on fire



NO SMOKING

It is against the law to smoke in the communal areas of this building

COMMUNAL LANDINGS AND STAIRCASES MUST BE KEPT CLEAR AT ALL TIMES

To comply with the Regulatory Report (Fire Safety) Order 2005

To contact Bolsover District Council

TELEPHONE 01246 242424

ANY ITEMS LEFT IN THE COMMUNAL AREA WILL BE REMOVED

BOLSOVER DISTRICT COUNCIL WILL TAKE ACTION AGAINST ANYONE DUMPING RUBBISH IN COMMUNAL AREAS

Bolsover District Council

Meeting of the Customer Services Scrutiny Committee on 12th December 2022

Review of Council-Owned Adapted Accommodation – Post Scrutiny Monitoring (Interim Report)

Report of the Chair of Customer Services Scrutiny Committee

Classification	This report is Public
Report By	Joanne Wilson, Scrutiny & Elections Officer, 01246 242385, joanne.wilson@bolsover.gov.uk
Contact Officer	Joanne Wilson, Scrutiny & Elections Officer, 01246 242385, joanne.wilson@bolsover.gov.uk

PURPOSE/SUMMARY OF REPORT

- To present the Interim Post-Scrutiny Monitoring Report on the Review of Council-Owned Adapted Accommodation to Customer Services Scrutiny Committee.

REPORT DETAILS

1. Background

- 1.1 The Customer Services Scrutiny Committee agreed to undertake a Review of Council-owned Adapted Accommodation, as part of the 2021-22 Work Programme.
- 1.2 The issue was initially raised via an Executive report in April 2021, highlighting the need to evaluate our supply of family sized adapted accommodation. It was noted that the Council had recently been approached by applicants seeking very specific accommodation as a result of having younger family members with disabilities. Although these applications are relatively rare, they had raised the issue of the supply of family-sized adapted accommodation.
- 1.3 Under the Equality Act 2010 the Council has a duty to make reasonable adjustments for people with disabilities to ensure they receive the same services, as far as this is possible, as someone who is not disabled. A disability under this Act is defined as a physical or mental impairment that has a ‘substantial’ and ‘long-term’ negative effect on the ability to do normal daily activities. ‘Substantial’ and ‘Long-term’ mean:
 - ‘substantial’ is more than minor or trivial, i.e. it takes much longer than it usually would to complete a daily task like getting dressed

- 'long-term' means 12 months or more, i.e. a breathing condition that develops as a result of a lung infection.

2. Details of Proposal or Information

- 2.1 This report constitutes the first monitoring report, six months after approval by Executive.
- 2.2 This report acknowledges progress to date by Officers implementing the recommendations.
- 2.3 The Committee put together nine recommendations which will hopefully assist the Council in improving our policy and procedures in relation to allocation and management of adapted accommodation.
- 2.4 To date 5 out of 9 recommendations have been achieved, 2 are on track, and 2 have been extended but should hopefully complete within the original twelve month monitoring period.

3. Reasons for Recommendation

- 3.1 Members are required to make their report and findings public, in accordance with Part 4.5.17(4) of the Constitution.
- 3.2 Committee is required to monitor implementation of their recommendations in accordance with Part 3.6(1) of the Constitution.

4 Alternative Options and Reasons for Rejection

- 4.1 There are no alternative options. Members are required to note the service's response to progress against the review recommendations.
- 4.2 Committee is required to monitor implementation of their recommendations in accordance with Part 3.6(1) of the Constitution and as such the report cannot be rejected.

RECOMMENDATION(S)

- 6.1 That Members note the progress against the review recommendations.
- 6.2 That Members acknowledge any exceptions to delivery and clarify the additional action required by the service.
- 6.3 That Members make its report and findings public, in accordance with Part 4.5.17(4) of the Constitution.
- 6.4 That Officers continue to implement the recommendations and submit a final report in six months' time highlighting exceptions to delivery.

IMPLICATIONS:**Finance and Risk:** Yes No **Details:** None from this report. Suggested action for the service can be contained within existing budgets.

On behalf of the Section 151 Officer

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

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

On behalf of the Solicitor to the Council

Environment:

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

Details:

As part of Adaptation works, the Council seeks to ensure energy efficient features are installed where applicable, if not already in place.

Staffing: Yes No **Details:** None from this 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>	No
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	No

District Wards Significantly Affected	All
Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Executive <input checked="" type="checkbox"/> SLT <input checked="" type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Details: Detailed consultation with service area and relevant Portfolio.

Links to Council Ambition: Customers, Economy and Environment.

Ambition: Customers

DOCUMENT INFORMATION

Appendix No	Title
10.1	PSM Review of Council-Owned Adapted Accommodation – INTERIM Original Recommendations from Review and Executive’s Response
10.2	PSM Review of Council-Owned Adapted Accommodation – INTERIM Response to Scrutiny Committee on implementation following scrutiny review

Background Papers

(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).

Please contact Scrutiny & Elections Officer where further information is required.

EXECUTIVE RESPONSE TO RECOMMENDATIONS OF SCRUTINY REVIEW

Title of Review:	Review of Council-Owned Adapted Accommodation		
Timescale of Review:	August 2021 – March 2022	Post-Monitoring Period:	12 months commencing May 2022. Interim report due December 2022.
Date agreed by Scrutiny:	April 2022	Date agreed by Executive:	May 2022

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PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
143 CSSC21-22 1.1	That Executive approve and adopt the Adaptations Policy (Council Owned Properties) 2022-2025 as presented.	A revised policy compliant with current legislation which more clearly defines our policy in relation to Adaptations.	May 2022	Assistant Director of Housing Management & Enforcement	Officer time	Draft policy has been presented to the Scrutiny committee and will be put to executive in May 2022.	Recommendation Approved.
CSSC21-22 1.2	That a Welfare Adaptations Procedure is produced to support the revised Policy and clearly define our processes.	A refreshed procedure enabling effective implementation of the revised Policy.	June 2022	Assistant Director of Housing Management & Enforcement	Officer time	During the course of the Review we had devised a draft procedure which can be finalised after the Policy is approved.	Recommendation Approved.
CSSC21-22 1.3	That subsequent to the main Policy, a Mobility Scooter Policy be produced to supplement the Adaptations Policy (Council Owned Properties) 2022-2025, to further define our policy, procedures and duties as an authority.	A clearly defined Policy outlining the Council's duties and policy with regard to use and storage of Mobility Scooters' by Council tenants.	September 2022	Assistant Director of Housing Management & Enforcement	Officer time	The revised Tenancy Agreement is currently out for consultation and has a requirement that Mobility scooters are not stored in communal areas. This policy will supplement this approach.	Recommendation Approved.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
CSSC21-22 1.4	That the postcode data for current and future stock is mapped via the GIS system allowing comparison of vacant/occupied stock.	A refreshed approach to storing adapted stock data	June 2022	Assistant Director of Housing Management & Enforcement Scrutiny & Elections Officer	Officer time Support will be needed from the Scrutiny and Elections officer to progress this recommendation	This will be a useful exercise, to have a pictorial representation of where disabled adapted and substantially adapted housing stock is within the district.	Recommendation Approved.
CSSC21-22 1.5	That a special category be created within the Housing software system, Open Housing, to create more efficient management and allocation processes and ensure adapted stock is easily identifiable.	A refreshed approach to storing adapted stock data, creating greater efficiencies for officers managing stock.	July 2022	Assistant Director of Housing Management & Enforcement	Officer time	A number of system checks still need to take place to ascertain if this is possible. Assuming the system can accommodate this, staff will implement the recommendation.	Recommendation Approved.
CSSC21-22 1.6	That a revised Stock Categorisation Procedure is drafted to ensure effective implementation of the new	A clearly defined procedure for stock categorisation is in place to enable effective management	June 2022	Assistant Director of Housing Management & Enforcement	Officer time	By assessing when significant adaptations to a property mean this is considered a disabled adapted property we can official change the stock categorisation with Housing Stock	Recommendation Approved.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
	Adaptations (Council Owned Properties) Policy and ensure current stock are correctly categorised.	and allocation of stock.				Management Approval.	
CSSC21-22 1.7	That urgent action be taken to assess categorisation of the additional properties identified as potentially qualifying for the fully adapted criteria.	Effective management and allocation of stock	June 2022	Assistant Director of Housing Management & Enforcement	Officer time	To ensure we have up to date and accurate records we need to review the list of significantly adapted properties to see if we can officially change the stock categorisation with Housing Stock Management Approval.	Recommendation Approved.
CSSC21-22 1.8	That Housing services use the ward analysis to assist in pinpointing potential areas for future development.	A greater understanding of the District demographic profile when considering development of future stock.	Ongoing	Assistant Director of Housing Management & Enforcement	Officer time	This will help to build a clear picture of where there are gaps in provision of disabled units across the district and can be used in future Bolsover Homes schemes.	Recommendation Approved.
CSSC21-22 1.9	That this demographic analysis is	A greater understanding of the District	Dependent on release	Assistant Director of Housing	Officer time	Updated information will be useful.	Recommendation Approved.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
	refreshed once the Census 2021 data is released.	demographic profile when considering development of future stock	of Census data - TBC	Management & Enforcement	Support will be needed from the Scrutiny and Elections officer to progress this recommendation		

RESPONSE TO SCRUTINY COMMITTEE ON IMPLEMENTATION FOLLOWING SCRUTINY REVIEW

Title of Review:	Review of Council-Owned Adapted Accommodation					
Timescale of Review:	August 2021 – March 2022	Post-Monitoring Period:	12 months commencing May 2022. Interim report due December 2022.			
Date agreed by Scrutiny:	April 2022	Date agreed by Executive:	May 2022			
Total No. of Recommendations and Sub Recommendations	Achieved	4	On track	2	Extended	2
	Achieved (Behind target)	1	Overdue	0	Alert	0

Key Achievements:

- The revised Adaptations Policy (Council Owned Properties) 2022-2025 has been adopted by Executive. As a consequence the following documents have also been revised and approved:
 - Welfare Adaptations Procedure
 - Stock Categorisation Procedure
- Outstanding stock identified as requiring 'categorisation' have now been dealt with.
- The new Open Housing software system has been adapted to enable officers to apply the correct categorisation to stock, enabling more effective management.

Reasons for non-implementation of Recommendations:

- The completion of the Mobility Scooter Policy was slightly delayed but is due for presentation to scrutiny in December 2022. This will then go out to tenant consultation.
- The mapping of stock data in the Council's GIS system is still under development. This should still be completed within the original twelve month period.
- Further data releases from Census 2021 are required to carry out ongoing updates to the ward and demographic analysis completed during the course of the review. This will be done once the data is available.

PERFORM Code	Recommendation	Lead Officer	Target Date	Completion Date	Status	Resources	Progress/Action
CSSC21-22 1.1	That Executive approve and adopt the Adaptations Policy (Council Owned Properties) 2022-2025 as presented.	Assistant Director of Housing Management & Enforcement	May 2022	May 2022		Officer time	Submitted to Executive in May 2022, and approved and adopted.
CSSC21-22 1.2 42 48	That a Welfare Adaptations Procedure is produced to support the revised Policy and clearly define our processes.	Assistant Director of Housing Management & Enforcement	June 2022	June 2022		Officer time	Completed as part of the development of new Adaptations Policy.
CSSC21-22 1.3	That subsequent to the main Policy, a Mobility Scooter Policy be produced to supplement the Adaptations Policy (Council Owned Properties) 2022-2025, to further define our policy, procedures and duties as an authority.	Assistant Director of Housing Management & Enforcement	Sept 2022			Officer time	Draft Policy to Scrutiny on 12 th December 2022, a period of tenant consultation will be needed prior to any approval – request amended target date of April 2023
CSSC21-22 1.4	That the postcode data for current and future stock is mapped via the GIS	Assistant Director of Housing Management	June 2022			Officer time Support will be needed from the	Initial discussions have taken place with ICT/GIS. Further postcode data is needed and clarification on categorisation

PERFORM Code	Recommendation	Lead Officer	Target Date	Completion Date	Status	Resources	Progress/Action
	system allowing comparison of vacant/occupied stock.	& Enforcement Scrutiny & Elections Officer				Scrutiny and Elections officer to progress this recommendation.	before the work can be completed in MyMaps.
CSSC21-22 1.5 149	That a special category be created within the Housing software system, Open Housing, to create more efficient management and allocation processes and ensure adapted stock is easily identifiable.	Assistant Director of Housing Management & Enforcement	July 2022	November 2022		Officer time	Completed and will be used to assist in developing the mapping of the data as required for recommendation 1.4.
CSSC21-22 1.6	That a revised Stock Categorisation Procedure is drafted to ensure effective implementation of the new Adaptations (Council Owned Properties) Policy and ensure current stock are	Assistant Director of Housing Management & Enforcement	June 2022	June 2022		Officer time	This was incorporated in to the revised Adaptations Policy approved by Executive. This has also be considered and approved by Housing Stock Management Group.

PERFORM Code	Recommendation	Lead Officer	Target Date	Completion Date	Status	Resources	Progress/Action
	correctly categorised.						
CSSC21-22 1.7	That urgent action be taken to assess categorisation of the additional properties identified as potentially qualifying for the fully adapted criteria.	Assistant Director of Housing Management & Enforcement	June 2022	June 2022		Officer time	This was completed during the latter stages of the review and prior to the presentation of the new Policy to Executive. The assessment of the properties helped to shape the final Stock Categorisation Procedure.
CSSC21-22 1.8	That Housing services use the ward analysis to assist in pinpointing potential areas for future development.	Assistant Director of Housing Management & Enforcement	Ongoing			Officer time	Data will be considered as and when future development is programmed for delivery.
CSSC21-22 1.9	That this demographic analysis is refreshed once the Census 2021 data is released.	Assistant Director of Housing Management & Enforcement	Dependent on release of Census data - TBC			Officer time Support will be needed from the Scrutiny and Elections officer to progress this recommendation.	Still awaiting more detailed data release from Census 2021.

Bolsover District Council

Meeting of Customer Services Scrutiny Committee on 12th December 2022

Customer Services Scrutiny Committee Work Programme 2022/23

Report of the Scrutiny & Elections Officer

Classification	This report is Public
Report By	Joanne Wilson, Scrutiny & Elections Officer, 01246 242385, joanne.wilson@bolsover.gov.uk
Contact Officer	Joanne Wilson, Scrutiny & Elections Officer, 01246 242385, joanne.wilson@bolsover.gov.uk

PURPOSE/SUMMARY OF REPORT

- To provide members of the Scrutiny Committee with an overview of the meeting programme of the Committee for 2022/23.

REPORT DETAILS

1. Background

- 1.1 The main purpose of the report is to inform members of the meeting programme for the year 2022/23 and planned agenda items (Appendix 1).
- 1.2 This programme may be subject to change should additional reports/presentations be required, or if items need to be re-arranged for alternative dates.
- 1.3 Review Scopes submitted will be agreed within Informal Session in advance of the designated meeting for Member approval to ensure that there is sufficient time to gather the information required by Members and to enable forward planning of questions.
- 1.4 Members may raise queries about the programme at the meeting or at any time with the Scrutiny & Elections Officer should they have any queries regarding future meetings.

- 1.5 All Scrutiny Committees are committed to equality and diversity in undertaking their statutory responsibilities and ensure equalities are considered as part of all Reviews. The selection criteria when submitting a topic, specifically asks members to identify where the topic suggested affects particular population groups or geographies.
- 1.6 The Council has a statutory duty under s.149 Equality Act 2010 to have due regard to the need to advance equality of opportunity and to eliminate discrimination.
- 1.7 As part of the scoping of Reviews, consideration is given to any consultation that could support the evidence gathering process.

2. Details of Proposal or Information

- 2.1 Attached at Appendix 1 is the meeting schedule for 2022/23 and the proposed agenda items for approval/amendment.

3. Reasons for Recommendation

- 3.1 This report sets the formal Committee Work Programme for 2022/23 and the issues identified for review.
- 3.2 The Scrutiny Programme enables challenge to service delivery both internally and externally across all the Council Ambitions.
- 3.3 The Scrutiny functions outlined in Part 3.6(1) of the Council's Constitution requires each Scrutiny Committee to set an annual work plan.

4 Alternative Options and Reasons for Rejection

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

RECOMMENDATION(S)

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

IMPLICATIONS:

Finance and Risk: Yes No

Details:

None from this report.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

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

On behalf of the Solicitor to the Council

Environment:

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

Details:

None from this report.

Staffing: Yes No

Details:

None from this 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>	No
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	No
District Wards Significantly Affected	N/A
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"/>	Yes Details: Committee Members

Links to Council Ambition: Customers, Economy and Environment.

All

DOCUMENT INFORMATION

Appendix No	Title
1.	CSSC Work Programme 2022/23

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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Previous versions of the Committee Work Programme.
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Rpttemplate/BDC/040222

Customer Services Scrutiny Committee

Work Programme 2022/23

Formal Items – Report Key

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

Date of Meeting	Items for Agenda		Lead Officer
23 May 2022 155	Part A – Formal	• Agreement of Work Programme 2022/23	Scrutiny & Elections Officer
		• Transformation Programme Review	Assistant Director of Development & Planning
	Part B – Informal	• Review work	Scrutiny & Elections Officer
18 July 2022	Part A – Formal	• Operational Update on Waste Collection Services	Assistant Director of Streetscene
		• Consultation on Derbyshire Homelessness & Rough Sleeping Strategy 2022-2027	Assistant Director of Housing Management & Enforcement
		• Operational Update on Customer Services	Assistant Director of Housing Management & Enforcement/ Customer Services Manager
		• Review of Council-owned Adapted Accommodation: Executive Response	Scrutiny & Elections Officer
		• Work Programme 2022/23	Scrutiny & Elections Officer
	Part B – Informal	• Review work	Scrutiny & Elections Officer
10 October 2022	Part A – Formal	• Customer Service Standards and Compliments, Comments and Complaints 2021/22 – 1 st October 2021 to 31 st March 2022 and Annual Report 2021/22	Customer Standards and Complaints Officer/ Customer Services Manager

Date of Meeting	Items for Agenda		Lead Officer
		<ul style="list-style-type: none"> • LG&SCO and Housing Ombudsman Annual Report 2021/22 	Customer Standards and Complaints Officer/ Customer Services Manager
		<ul style="list-style-type: none"> • Work Programme 2022/23 	Scrutiny & Elections Officer
	Part B – Informal	<ul style="list-style-type: none"> • Review work 	Scrutiny & Elections Officer
156 12 December 2022	Part A – Formal	<ul style="list-style-type: none"> • Customer Service Standards and Compliments, Comments and Complaints 2021/22 – 1st April 2022 to 30th September 2022 	Customer Standards and Complaints Officer/ Customer Services Manager
		<ul style="list-style-type: none"> • Rent Arrears Policy 	Assistant Director of Housing Management & Enforcement
		<ul style="list-style-type: none"> • Mobility Scooter Policy 	Assistant Director of Housing Management & Enforcement
		<ul style="list-style-type: none"> • Communal Area Management Policy 	Assistant Director of Housing Management & Enforcement
		<ul style="list-style-type: none"> • Review of Council-owned Adapted Accommodation: Interim Monitoring Report 	Scrutiny & Elections Officer
		<ul style="list-style-type: none"> • Work Programme 2022/23 	Scrutiny & Elections Officer
	Part B – Informal	<ul style="list-style-type: none"> • Review work 	Scrutiny & Elections Officer/ Chief Executive/ Assistant Director Joint ICT
13 February 2023	Part A – Formal	<ul style="list-style-type: none"> • Customer Service Standards and Compliments, Comments and Complaints Report 2022/23 – 1st October 2022 to 31st December 2022 	Customer Standards and Complaints Officer/ Customer Services Manager
		<ul style="list-style-type: none"> • Work Programme 2022/23 	Scrutiny & Elections Officer
	Part B – Informal	<ul style="list-style-type: none"> • Review work 	Scrutiny & Elections Officer
20 March 2023	Part A – Formal	<ul style="list-style-type: none"> • Housing Strategy – Monitoring Update 	Assistant Director Development & Planning; Assistant Director of Property Services & Housing Repairs; Assistant Director of Housing Management & Enforcement

Date of Meeting	Items for Agenda		Lead Officer
		<ul style="list-style-type: none"> • Work Programme 2022/23 	Scrutiny & Elections Officer
	Part B – Informal	<ul style="list-style-type: none"> • Review work 	Scrutiny & Elections Officer