

Bolsover District Council

Executive

6th December 2021

Tenant Alteration and Improvement Policy

Report of the Portfolio Holder for Housing

Classification: This report is public

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

Contact Officer: Andrew Clarke – Operational Repairs Manager

PURPOSE / SUMMARY

To advise Members of the updated Tenant Alteration and Improvement Policy and to seek formal approval of the Policy.

REPORT DETAILS

1. Background

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

2. Details of Proposal or Information

- 2.1 Having reviewed the request for alterations and improvements over the past 12 months the Council has been able to update the policy and make it more straight forward for tenants and officers alike. In addition, the internal procedure when dealing with requests to make this a quicker and more streamlined procedure, has been reviewed. These internal amendments are reflected within the Policy.
- 2.2 All requests must be made in writing, providing sufficient detail to be able to consider the request. The Council has a preferred form to be completed which is attached at appendix 1 of the Policy. If appropriate, permission is confirmed in

writing, together with any conditions which are required. A form is enclosed with this letter which the tenant is required to complete and return when the work is completed. Permission is granted for 12 months and if work is not commenced within that time, a tenant would need to re-apply.

- 2.3 In order to simplify the process, a list of alterations or improvements which would have “automatic” approval, and which we would not need to inspect after the work has been completed, has been added. In these cases, a tenant is required to submit a request for permission form but a letter would be sent to confirm permission is granted and any specific condition that is to be followed. For example, a tenant does not need formal permission to have a shed no bigger than 6ftx 4ft but the location of this needs to be 1 metre from the boundary line and 3 metre from the property.
- 2.4 For some requests permission will be granted on conditions and an officer will need to inspect the work has been done to the correct standard and complies with any conditions. For these types of cases, the permission letter has been amended to make it very clear what those conditions are.
- 2.5 For some of the more complex requests an officer may be required to attend the property prior to any work being carried out to discuss with the tenant their plans before permission can be granted.
- 2.6 The Policy explains that whilst the Council will not unreasonably refuse permission, there are some situations where permission cannot be granted. Examples are given within the policy to aid a tenant both generic e.g. which would breach planning legislation, as well as more specific examples e.g. the installation of a pond.
- 2.7 The Policy sets out the internal procedure in terms of inspecting any alterations or improvements and sets out how we will calculate recharges if the work needs to be put right or removed, as well as the recovery process that will be followed. This mirrors the approach set out in the Rechargeable Repairs Policy.
- 2.8 In some cases, tenants are entitled to compensation for work that they have carried out to their home at their own expense. This compensation is only available should the tenant leave the property and takes into account depreciation and wear and tear. The policy sets out the legislation on this and how any compensation would be calculated and paid to the tenant.
- 2.9 There is a formal appeals process where a tenant is given an opportunity to challenge the reasons of the decision to refuse permission or the conditions imposed for recharge or the recharge amount. Appeals are directed to the Repairs Team and decisions are made jointly with the Operational Repairs Manager and the Housing Enforcement Manager. If this is challenged further, it is dealt with as a complaint in accordance with the Council’s Complaints procedure.
- 2.10 A copy of the draft, updated Policy is attached as **Appendix 1**, with amendments shown by way of track changes.

3. Reasons for Recommendation

- 3.1 It is considered good practice to have a policy which sets out the Council's approach to tenant alterations and improvements.
- 3.2 The policy which sits alongside and supplements the tenancy agreement ensures that all tenants are aware of their rights and responsibilities, but also ensures that officers involved in housing repairs and tenancy management, adopt the same fair but firm approach and takes account of the need to consider equality and proportionality when taking any action.

4. Alternative Options and Reasons for Rejection

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

RECOMMENDATIONS

1. That Members approve the updated Tenant Alteration and Improvement Policy.

IMPLICATIONS

Finance and Risk: Yes No

Details:

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

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

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

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details:

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

On behalf of the Head of Paid Service

DECISION INFORMATION

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

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

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

DOCUMENT INFORMATION

| Appendix No | Title |
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| 1 | Draft Tenant Improvement and Alteration Policy |
| Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers) | |
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