



Tuesday, 10 November 2020

Dear Sir/Madam

A meeting of the Housing Committee will be held on Wednesday, 18 November 2020 via Microsoft Teams, commencing at 7.00 pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To Councillors:	L A Ball BEM	J M Owen
	B C Carr (Vice-Chair)	H E Skinner
	T A Cullen (Chair)	E Williamson
	D Grindell	J C Goold
	E Kerry	J P T Parker
	H G Khaled MBE	S A Bagshaw
	J W McGrath	

AGENDA

1. APOLOGIES

To receive any apologies and notification of substitutes.

2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

3. MINUTES

(Pages 1 - 4)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 2 September 2020.

4. APPLICATION FOR HOMES ENGLAND INVESTMENT PARTNER STATUS AND AMENDMENT TO THE RENT SETTING POLICY FOR THE ACQUISITION OF AFFORDABLE HOUSING ON SECTION 106 SITES (Pages 5 - 14)

To seek approval for the Council to submit an application to become an investment partner of Homes England in order to access grant funding and for the Council to charge affordable rents on new homes purchased from house builders through the planning gain/section 106 system.

5. REVIEW OF ALLOCATIONS POLICY (Pages 15 - 50)

To seek Committee approval for the proposed amendments to the Allocations Policy.

6. VOID MANAGEMENT POLICY (Pages 51 - 70)

To seek Committee approval for the reviewed Void Management Policy.

7. GAS AND ELECTRICAL POLICIES (Pages 71 - 86)

To seek approval for updated Gas and Electrical Policies.

8. NEIGHBOURHOOD STRATEGY UPDATE (Pages 87 - 96)

To update the Committee on the progress of the Neighbourhood Strategy and the year one actions and to outline the actions planned for year two.

9. QUESTIONS AND COMMENTS ON NOTING REPORTS

9.1 Noting reports

- Housing Delivery Plan Update
- Performance Management – Review of Business Plan Progress – Housing
- Repairs Review Update
- Grenfell Response Update

10. WORK PROGRAMME (Pages 97 - 98)

To consider items for inclusion in the Work Programme for future meetings.

11. EXCLUSION OF PUBLIC AND PRESS

The Committee is asked to RESOLVE that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of the Act.

12. INDEPENDENT LIVING STOCK OPTIONS

(Pages 99 - 114)

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HOUSING COMMITTEE

WEDNESDAY, 2 SEPTEMBER 2020

Present: Councillor T A Cullen, Chair

Councillors: L A Ball BEM
B C Carr
S J Carr (ex-officio)
D Grindell
J C Goold
E Kerry
H G Khaled MBE
G Marshall (substitute)
J W McGrath
J M Owen
P J Owen (substitute)
H E Skinner
E Williamson

Apologies for absence were received from Councillors J P T Parker and S A Bagshaw

15 **DECLARATIONS OF INTEREST**

Councillor E Kerry declared an interest in agenda item 5 due to renting a garage, minute number 18 refers.

16 **MINUTES**

The Committee confirmed the minutes as a correct record of the meeting held on 3 June 2020, subject to the resolution of minute item 3 being amended to read 'Resolved to adopt the proposed amendment including an additional amendment relating to reclaim decisions with wording agreed by the Chair and Vice-Chair of the Committee.'

17 **HOUSING STRATEGY**

Members welcomed the Strategy based on the Housing Priorities within the Corporate Plan, which included the topics of 'to build more houses on underused or derelict land, invest to ensure our homes are safe and more energy efficient and to prevent homelessness and help people to be financially independent.'

RESOLVED that the Housing Strategy 2020-2024 be approved

18 GARAGE STRATEGY

The Committee discussed the new Garage Strategy and confirmed the Councils approach to the ongoing management and maintenance of garage sites. The Head of Housing to provide further responses to the strategy via email to all Committee Members.

RESOLVED that the Garage Strategy 2020-2024 be approved

19 SANCTUARY SCHEME

The Committee welcomed the policy to provide guidance on how the Council will manage requests for assistance through the Sanctuary Scheme. Members praised the benefits the scheme provided by allowing survivors of domestic abuse to stay in their own homes by providing security improvements.

RESOLVED that the Sanctuary Scheme Policy be approved

20 ASSET MANAGEMENT STRATEGY

The Committee welcomed the Asset Management Strategy that was built upon the work of the recent stock condition survey and to ensure effective management of the Housing Revenue Account assets. Members discussed the key themes in the Strategy including improvements to car parks outside the properties.

RESOLVED that the key themes to be developed and be included in the Asset Management Strategy.

21 NOTING REPORTS

The following reports were noted:

- Performance Management-Review of Business Plan Progress
- Housing Delivery Plan Update
- Fuel Poverty
- Compliancy
- Community Living Network
- Homelessness Services in Broxtowe
- Income Collection, Financial Inclusion and Tenancy Sustainment Update.

22 WORK PROGRAMME

The Committee considered the work programme.

RESOLVED that the Work Programme be approved.

23 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of the Act.

24 INDEPENDENT LIVING STOCK OPTIONS

RESOLVED that Consultation be completed for schemes as listed in appendices 1 and 3 of the report and the phases outlined in appendix 2 of the report be approved.

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Report of the Deputy Chief Executive

APPLICATION FOR HOMES ENGLAND INVESTMENT PARTNER STATUS AND AMENDMENT TO THE RENT SETTING POLICY FOR THE PURCHASE OF AFFORDABLE HOUSING ON SECTION 106 SITES

1. Purpose of report

To seek approval for the Council to submit an application to become an investment partner of Homes England in order to access grant funding and for the Council to charge affordable rents on new homes purchased from house builders through the planning gain/section 106 system, all as set out in appendix 1.

2. Background

The Council is registered with Homes England as a Local Authority Registered Provider and was previously an investment partner. Subject to the approval of this report an application will be made for the Council to reinstate its investment partner status with Homes England. This will allow the Council to access grant funding from the Affordable Homes Programme 2021-2026. It will also allow affordable rents to be charged on homes directly developed by the Council and on homes purchased from house builders through section 106 agreements.

Most Registered Providers let their newly built homes at affordable rent levels. Affordable rents are set at up to 80% of market rent. In order to charge affordable rents Registered Providers must be an investment or strategic partner of Homes England.

The Council has a number of opportunities to work with house builders to purchase affordable housing on larger housing sites. These schemes are normally ineligible for Homes England funding as they are delivered via the planning gain/section 106 system. However, in order for the Council's purchase price to be commercially viable, the Council will need to charge affordable rents instead of social rents for these sites. To charge affordable rents the Council must have investment partner status with Homes England.

By becoming an investment partner of Homes England and entering into the relevant agreements, the Council can access grant funding and charge affordable rents on grant funded schemes and non-grant funded section 106 sites. Amending paragraph 5.4 (and paragraph 5.5 relating to shared ownership rents) of the 2019 approved rent setting policy, as set out in appendix 2, will allow the Council to charge affordable rent on properties delivered through the planning system but which are not eligible for Homes England grant funding.

3. Financial implications

The greater flexibility from being able to charge affordable rents where appropriate should provide additional resources for the HRA and assist with the financing of a proposed development to allow it to become more commercially viable. Any proposed development will be subject to a detailed financial appraisal (including anticipated financing arrangements) before being presented to Members for consideration and approval.

RECOMMENDATION

Committee is asked to,

- 1) RESOLVE to approve the submitting of an application by the Council for Broxtowe to be reinstated as an investment partner of Homes England,**
- 2) RESOLVE to approve amendments to the 2019 rent setting policy, covering affordable and shared ownership rents, as marked in bold on page 5 of appendix 2.**

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Application for Homes England Investment Partner Status and amendment to the rent setting policy for the purchase of affordable housing on section 106 sites

1.0 Background and detail

1.1 Homes England are the funding body for Registered Providers (typically Housing Associations) and provide grant to build new affordable housing. As part of the governments Affordable Homes Programme, Homes England are making available £7.39 billion between 2021 and 2026 to deliver up to 130,000 affordable homes outside of London.

1.2 The Council is registered with Homes England as a Local Authority Registered Provider and was previously an investment partner. Subject to the approval of this report an application will be made for the Council to reinstate its investment partner status with Homes England. This will allow the Council to access grant funding from the Affordable Homes Programme 2021-2026 **and** will allow the Council to charge affordable rents on properties either directly developed or on properties bought from house builders through section 106 agreements.

1.3 Most Registered Providers let their newly built housing at **affordable rent levels**. Affordable rents are set at up to 80% of market rent inclusive of service charges. The intention behind the introduction of Affordable Rent in 2011 was to enable Registered Providers to generate additional capacity for investment in new affordable housing.

1.4 In order to charge affordable rents Registered Providers must be an investment partner (or strategic partner) of Homes England and sign up to a housing supply delivery agreement. Most local Registered Providers are investment partners (or strategic partners) of Homes England and therefore can charge affordable rent on all new housing schemes.

2.0 Section 106 opportunities for the Council and affordable rent.

2.1 The Council has a number of opportunities to work with house builders to directly provide affordable housing delivered through the planning system on section 106 sites. These schemes are normally ineligible for Homes England funding as they will be delivered via the planning gain/section 106 system. However, in order for the Council's offer price to be commercially comparable, the Council will want to charge affordable rents instead of social rents for these sites.

2.2 However, the Council cannot currently charge affordable rents on section 106 sites for two reasons;

2.1.1 The Council's rent setting policy (September 2019) only allows for affordable rents to be charged if grant is received from Homes England to develop new housing (section 106 sites are expected to be delivered without Homes England grant),

2.1.2 The Council is neither an investment partner or strategic partner of Homes England,

3.0 Way forward

3.1 By becoming an investment partner of Homes England and entering into the relevant agreements the Council can access grant funding **and** charge affordable rents on grant funded schemes and non-grant funded section 106 sites.

3.2 By amending paragraph 5.4 of the 2019 approved rent setting policy (as set out in Appendix 2) affordable rents can be charged on properties delivered through the planning system but which are not eligible for Homes England grant funding.

3.3 it is recognised that even affordable rents set at up to 80% of market rents could be too high in more affluent parts of the borough and therefore paragraph 5.4 of the 2019 approved rent setting policy (as set out in Appendix 2) has been amended to ensure affordable rents are set no higher than the Local Housing Allowance.

4.0 Shared Ownership Rents

4.1 To align with Homes England guidance the shared ownership rent calculation in paragraph 5.5 of the rent setting policy has been amended (as set out in Appendix 2).



RENT SETTING POLICY

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1.0 Scope

This policy outlines how the Council will calculate rent for the housing stock that it owns and manages within the Housing Revenue Account.

How rent will be collected is outlined in the Income Collection Policy; how service charges are calculated is outlined in the Leasehold Management Policy and information about garage rents is set out in the Garage Management Policy.

2.0 Purpose

The purpose of this policy is to ensure the rents will be set in accordance with the relevant statutory and regulatory obligations.

The policy will set a clear framework for the setting and reviewing of rent levels for each property.

3.0 Aims and Objectives

The policy will ensure:

- Rents are set at a level which ensures that the Council can meet its obligations to customers, including maintaining the stock at a high standard of repair
- Rent increases are applied consistently and fairly
- The Housing Revenue Account does not fall into a deficit position.
- Council tenants are protected from excess rent increases

4.0 Regulatory Code and Legal Framework

- Housing Act 1985, Sections 24, 102 and 103
- Local Government and Housing Act 1989, Section 76
- Ministry of Housing, Communities and Local Government Rent Policy Statement
- Regulator of Social Housing Rent Setting Guidance
- Social Housing Rents (Exceptions and Miscellaneous Provisions) Regulations 2016
- Welfare Reform and Work Act 2016

5.0 Policy Outline

5.1 Calculation of rent

The Council will charge social rent for all properties, unless the charging of Affordable Rent is required as a condition of grant funding.

Rents will be set according to the formula set out in the in both the Ministry of Housing, Communities and Local Government Rent Policy Statement and Regulator of Social Housing Rent Standard which has consideration for the location, size and value of a property in conjunction with the local earnings. This is called the Formula Rent.

The basis for calculation of formula rent is:

- 30% of a property's rent should be based on relative property values
- 70% of a property's rent should be based on relative local earnings
- A bedroom factor should be applied so that, other things being equal, smaller properties have lower rents

Formula rent (social rent) will be used to set rents for all new tenancies. Where there is a large differential between the previous rent charged and the new rent level the increase will be limited to 10%. This will retain the social rent principle but also protect the Council's income.

5.2 Rent free weeks

Rents will be calculated over 52 weeks and collected over 48 weeks. There are four non-debit weeks per year, two at Christmas and two at the end of March. Tenants will be advised of the dates of the forthcoming rent free weeks each year.

Rent free weeks provide tenants with a clear rent account the opportunity to pay no rent during rent free weeks. Rent free weeks do not apply to tenants in arrears or who have a court order which requires rent to be paid every week.

Where there are 53 Mondays in the financial year, the rent will be calculated over 53 weeks and collected over 49 weeks.

5.3 Rent increases

This policy seeks to strike a balance between the need to keep rents affordable whilst providing sufficient funds to support the Council's need to maintain its housing stock and provide a high standard of customer service. The Council is aware that many tenants have low incomes and aims to provide housing that remains affordable.

Rent will be increase annually in April by CPI + 1%. The CPI as at the September prior to the April of implementation will be used. This is to allow time for the new rents to be calculated and to obtain committee approval.

A report will be presented to Housing Performance Group for comment in November. The report for approval will be presented to Finance and Resources Committee in December to be recommended to Council for approval.

Tenants will be given four weeks notice in writing in accordance with the tenancy agreement. The Council is under no obligation to consult with tenants to vary the rent

amount. The Council's decisions on rent levels are only challengeable by way of judicial review.

5.4 New build properties

Formula rents (social rents) will be charged new build properties wherever possible and all property acquisitions

If the Council is in receipt of grant from Homes England to develop new Council housing for rent, **or where the Council has registered the new properties with Homes England as affordable rented homes**, it is a requirement of the grant, **or agreement with Homes England**, that Affordable Rents are used.

Affordable Rent is set at 80% of market rent. It is typically higher than social rent. The intention behind the introduction of Affordable Rent is to enable Council's to generate additional capacity for investment in new affordable housing. **Affordable rents should not exceed the Local Housing Allowance.**

5.5 Shared Ownership

The Council does not currently own any shared ownership properties, but may in the future. Shared Owners pay both a mortgage on the part they own and rent on the part owned by the Council.

The Rent Standard does not apply to Shared Ownership properties. **If the Council develops this type of properties in the future the yearly rent charged will be based on 2.75% of the value of the unsold equity at the point of initial sale, plus service charges (as per Homes England's requirements).**

6.0 Related Policies, Procedures and Guidelines

This policy should be read in conjunction with the:

- Financial Inclusion Policy
- Rent Collection Policy
- Tenancy Agreement

7.0 Review

This policy will be reviewed every three years or sooner if there is a change in regulation and legislation

8.0 Document History and Approval

Date	Version	Committee Name
18/11/20	2	Housing Committee

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Report of the Chief Executive

REVIEW OF ALLOCATIONS POLICY

1. Purpose of report

To seek Committee approval for the proposed amendments to the Allocations Policy.

2. Background

The Allocations Policy outlines the method in which housing applicants on the waiting list are assessed, who is eligible, how they are prioritised and how properties are allocated.

The Housing Committee approved the Allocations Policy in 2018. It was last reviewed by the Housing Committee who approved some changes, in November 2019.

The Policy is reviewed annually and therefore this report presents the annual review of the terms and suggested amendments.

3. Detail

An Equalities Impact Assessment is provided as appendix 1.

The Allocations Policy with the proposed changes in bold is appendix 2.

The proposed changes to the Allocations Policy are summarised in appendix 3.

Recommendation

The Committee is asked to RESOLVE that the proposed changes to the Council's Allocations Policy be approved.

Background papers

Nil

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Equality Impact Assessment

Public bodies are required in to have **due regard** to the need to:

- **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited under the Act
- **advance equality of opportunity** between people who share a protected characteristic and people who do not share it, and
- **foster good relations** between people who share a protected characteristic and people who do not share it.

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

The **public sector Equality Duty** came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

The new equality duty replaces the three previous public sector equality duties, for race, disability and gender. The new equality duty covers the following **protected characteristics**:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – including lack of belief
- sex
- sexual orientation

It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

Having **due regard** means consciously thinking about the three aims of the equality duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies, including how they act as employers, how they develop, evaluate and review policies, how they

design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to **advance equality of opportunity** involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics
- meet the needs of people with protected characteristics, and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the equality duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve making use of an exception or the positive action provisions in order to provide a service in a way which is appropriate for people who share a protected characteristic.

The Equality Duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore **take account of disabled people's impairments** when making decisions about policies or services. This might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

There is no explicit requirement to refer to the Equality Duty in recording the process of consideration but it is good practice to do so. Keeping a record of how decisions were reached will help public bodies demonstrate that they **considered the aims of the Equality Duty**. Keeping a record of how decisions were reached will help public bodies show how they considered the Equality Duty. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

It is recommended that assessments are carried out in respect of new or revised policies and that a copy of the assessment is included as an appendix to the report provided to the decision makers at the relevant Cabinet, Committee or Scrutiny meeting.

Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics, no further analysis or action is necessary.

Public bodies should take a proportionate approach when complying with the Equality Duty. In practice, this means giving greater consideration to the Equality Duty where a policy or function has the potential to have a discriminatory effect or impact on equality of opportunity, and less consideration where the potential effect on equality is slight. The Equality Duty requires public bodies to think about people's different needs and how these can be met.

EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	Housing	Lead officer responsible for EIA	Richard Smith
Name of the policy or function to be assessed:		Allocations Policy Review	
Names of the officers undertaking the assessment:		Richard Smith	
Is this a new or an existing policy or function?		Existing function	
<p>1. What are the aims and objectives of the policy or function?</p> <p>The Allocations Policy provides guidance on how social housing within the Broxtowe Borough Council is prioritised and allocated</p>			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <p>The review seeks to address some issues in the administration of the Choice Based Lettings scheme that have arisen since the current allocations policy was amended in 2018.</p>			
<p>3. Who is intended to benefit from the policy or function?</p> <p>Applicants for social housing who wish to be housed in the Broxtowe Borough</p>			
<p>4. Who are the main stakeholders in relation to the policy or function?</p> <ul style="list-style-type: none"> • Housing applicants • Housing staff 			
<p>5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?</p> <p>When applicants apply for housing, equality data is collected. It is also kept on record following their housing.</p>			
<p>6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?</p> <p>Information provided on Council records</p>			
<p>7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?</p> <p>None completed for the review of the policy. The review and items changed have in part been brought about by issues in the administration of the policy caused by its effects on certain groups</p>			

<p>8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways?</p> <p>In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:</p>
<ul style="list-style-type: none"> Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified? <p>Applicants must be over the age of 18 to apply, certain exclusions to apply, such as certain homeless clients and care leavers</p> <p>Those who cannot show they meet the eligibility criteria for housing may also be excluded</p>
<ul style="list-style-type: none"> Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified? <p>Yes, provided the eligibility criteria are met and it can be shown that they are met</p>
<ul style="list-style-type: none"> Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function? <p>Support is in place through the Lettings Team to ensure the service is inclusive</p>
<ul style="list-style-type: none"> Could the policy or function promote or contribute to equality and good relations between different groups? If so, how? <p>The policy should not contribute positively or negatively in this area.</p>
<ul style="list-style-type: none"> What further evidence is needed to understand the impact on equality? <p>None</p>
<p>9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?</p>
<p>Age: It is not anticipated that the Council will need to take any further action in order to enable access for this group. The eligibility criteria for housing is defined in legislation. Statutory agencies assist those under 18.</p>
<p>Disability: It is not anticipated that the Council will need to take any further action in order to enable access for this group.</p>
<p>Gender: It is not anticipated that the Council will need to take any further action in order to enable access for this group.</p>
<p>Gender Reassignment: It is not anticipated that the Council will need to take any</p>

further action in order to enable access for this group.
Marriage and Civil Partnership: It is not anticipated that the Council will need to take any further action in order to enable access for this group.
Pregnancy and Maternity: It is not anticipated that the Council will need to take any further action in order to enable access for this group.
Race: It is not anticipated that the Council will need to take any further action in order to enable access for this group.
Religion and Belief: It is not anticipated that the Council will need to take any further action in order to enable access for this group.
Sexual Orientation: It is not anticipated that the Council will need to take any further action in order to enable access for this group.
Head of Service: I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment. Signature of Head of Service:

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ALLOCATIONS POLICY

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1.0 Scope

This policy covers all properties for social rent or affordable rent allocated through the Broxtowe Borough Council's Choice Based Lettings (CBL) system called HomeSearch. The CBL system is shared with Gedling Borough Council and Rushcliffe Borough Council, the three Councils share a website and software system, but they each have their own allocations policy.

Although homeless applicants will be allocated properties through the HomeSearch system this policy does not set out the Council's approach to Homelessness. This is detailed in the South Nottinghamshire Homelessness Strategy, which is shared with Gedling Borough Council and Rushcliffe Borough Council.

This policy does not cover allocations of social housing made by registered providers outside of the HomeSearch system, mutual exchanges or temporary decants to another property.

2.0 Purpose

The purpose of the policy is to set out who can apply for social housing, how priority is given to different applicants and how the housing register is maintained.

This policy does not set out how applicants can apply to HomeSearch or bid for properties. Full details can be found on the HomeSearch website - www.home-search.org.uk/ or by contacting a member of the Lettings Team at Broxtowe Borough Council.

3.0 Aims and Objectives

We aim to make the best use of the social housing stock in the Borough to meet the needs of residents. The aims of the policy are:

- To ensure that all regulatory and legal requirements are met
- To set out the requirements for considering eligibility and qualification
- To ensure that applicants are given choice
- To set out the categories of applicants who will be given reasonable preference
- To set out the categories of applicants who will be given additional preference
- To confirm when local lettings policies and direct lets may be used
- To set out a framework for reviews and appeals

4.0 Regulatory Code and Legal Framework

The 'Allocation of accommodation: guidance for local housing authorities in England' is statutory guidance issued in 2012 to local housing authorities in England under s169 of the Housing Act 1996. Housing Authorities are required to have regards to it in exercising their functions under Part 6 of the Housing Act 1996 and Localism Act 2011.

Additional guidance 'Providing social housing for local people' was issued in 2013 to assist housing authorities to make best use of the flexibilities within allocation legislation to better meet the needs of their local residents and their local communities.

S166A of Housing Act 1996 provides that authorities must have regard to their homelessness and tenancy strategies when framing their allocations scheme.

The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 and the DCLG Statutory Guidance – Right to Move (March 2015) apply where a local authority has introduced a local connection qualification within its lettings policy.

5.1 Definition of an 'Allocation'

Housing Act 1996, Part 6 states a housing authority allocates accommodation when it:

- Selects a person to be a secure or introductory tenant of accommodation held by that authority
- Nominates a person to be a secure or introductory tenant of accommodation held by another housing authority
- Nominates a person to be an assured tenant of accommodation held by a Private Registered Provider

For the purpose of this policy an allocation will be considered to be a nomination if the property has been advertised and shortlisted through the HomeSearch Choice Based Lettings system.

This applies to existing tenants if:

- The allocation is made at the tenants request
- The tenant has reasonable preference (as defined in this policy)

This policy and definition does not apply if the Council initiates a transfer for management purposes.

5.2 Choice

Broxtowe Borough Council is committed to enabling applicants to play an active role in choosing where they want to live whilst continuing to house those in greatest need and making the best use of the social housing stock in the Borough.

Through HomeSearch applicants have a choice about where they wish to live, the type of accommodation they wish to occupy and who they wish to have as a landlord. The promotion of choice to applicants will help create sustainable tenancies and communities.

5.3 Eligibility

There are certain groups of people who are eligible for social housing. The eligibility provisions do not apply to applicants who are already secure, introductory or assured tenants of a private registered provider.

Accommodation will not be allocated to persons from abroad who are ineligible for housing if:

- They are subject to immigration control unless he or she comes within a class prescribed in regulations made by the Secretary of State
- They are to be treated as ineligible for an allocation of accommodation as prescribed in regulations made by the Secretary of State

The term 'person subject to immigration control' is defined in s13(2) of the Asylum and Immigration Act as a person who under the Immigration Act 1971 required leave to enter or remain in the United Kingdom (whether or not such leave has been given)

The following categories of people do not require leave to enter or remain in the UK:

- British citizens
- Certain Commonwealth citizens with a right to abode in the UK
- Irish citizens, who are not subject to immigration control in the UK because the Republic of Ireland forms part of the Common Travel Area with the UK which allows free movement
- EEA nationals, and their family members, who have a right to reside in the UK that derives from EU law
- Persons who are exempt from immigration control under the Immigration Acts

All potential circumstances cannot be included in the policy. The UK Border Agency provides a service to housing services to confirm the Immigration Status of an applicant from abroad. If there is any uncertainty regarding eligibility, enquiries will be made before accepting an application

A joint tenancy, for two or more people, will not be granted if any of the applicants are ineligible. However, if one of the applicants is eligible then the tenancy may be offered to that applicant only. Ineligible family members may be taken into account in determining the size of accommodation which is allocated.

All applicants accepted by Broxtowe Borough Council as homeless will be eligible.

All applicants will sign a declaration to confirm that they are eligible for accommodation.

5.4 Qualification

To join the housing register, applicants must:

1. Be aged over 18, unless due to the following exceptional circumstances:
 - Homeless young people to whom a duty is owed under Housing Act 1996, Part 7
 - Care Leavers with a recommendation from Children's Services
 - Teenage parents

Any tenancy granted to a persons under the age of 18 will be held in trust for them by a responsible adult, appointed to act on their behalf

2. Have been a resident in the borough of Broxtowe for 3 out of the last 5 years, unless one of the exceptions below applies:
 - Members of armed forces who have been discharged within 5 years preceding the allocation of social housing
 - Bereaved spouses and civil partners of members of the armed forces leaving Services Family Accommodation following the death of their spouse or partner
 - Serving or former members of the Reserved Forces who need to move because of serious injury, medical condition or disability sustained as a result of their service
 - Applicants who have been accepted as a reciprocal arrangement with another local authority or registered provider
 - Broxtowe Borough Council care leavers who have been placed outside of the borough
 - Applicants who are permanently employed in the Borough or have confirmation of a permanent job offer in the Borough
 - Applicants who are survivors of domestic abuse who cannot return to their home or require rehousing away from their home due to fear of violence

- Applicants who are part of the UK Protected Persons Scheme (formally known as Witness Protection)
- Applicants that have support needs associated with their household and their housing needs cannot reasonably be met or provided outside of the Borough
- Applicants over the age of 60 who are applying for Independent Living accommodation (these applicants will be placed in Band 4)

Applicants will not qualify if they are not available to occupy accommodation, if they were to be offered a property. This includes prisoners and those in tied accommodation. In these circumstances applicants should reapply when their circumstances change.

If an applicant declares that they have a current or former financial interest in a property, a full review will be completed following the Application from Home Owners procedure to establish if they qualify. Exceptions could include;

- Owner occupiers who live in conditions of disrepair or in unsuitable accommodation who are vulnerable due to age, long-term medical condition or disability
- Owner occupiers who experience a change of circumstances so that their home is at risk. Applicants must have approached their local Housing Options Team or have received independent housing advice and their potential homelessness cannot be prevented

Broxtowe Borough Council will take all the resources available to the applicant into account. Applicant who own or used to own a property and those with equity must declare any interests in land, property or equity that they have.

All applications will be reviewed on an individual basis considering the equity available, ability to resolve their own housing situation and if they are able to access or sell their property. Applicants who have an equity value of over half of the average property price (based on information from the Land Registry) in the Broxtowe Borough will be expected to resolve their own housing circumstances, unless mitigation applies. If the applicants home is outside the Broxtowe Borough, local connection criteria will be applied first. Home owners or those with a financial interest in property may be excluded following the completion of the review.

Home owners over the age of 60 who are applying for Independent Living accommodation only will be exempt from review and will be placed in Band 4.

All applicants will sign a declaration to confirm that they qualify for accommodation.

5.5 Types of applicant

Single applicants – The majority of these applicants will be those who want to live alone, but also includes those who want to live with others but not have a joint application. If a single applicant accepts a tenancy, the tenancy must be granted in their name only.

Joint applicants – Applicants who have a long term commitment to live together. If joint applicants accept a tenancy, the tenancy must be granted in the name of all of the joint applicants.

Family applicants – Applicants who have at least one dependant child (aged up to 18). This includes adopted and foster children. Applicants who are pregnant will be considered as family applicants as soon as their pregnancy has been confirmed.

Applicants no longer wishing to apply jointly – If applicants in a joint application no longer wish to apply jointly, separate applications can be made from the original joint application. Each application will be reassessed. If the applicant is awarded the same or lower band then the original registration date will be used. If they are awarded a higher band then the registration date will be the date that they are placed in the higher band.

5.6 Reasonable Preference

Broxtowe Borough Council is required to give 'reasonable preference' to certain groups over other groups. These groups are:

- Applicants who are homeless (in accordance with Part 7 of the Housing Act 1996 as amended and extended by the Homelessness Act 2002) including those who are intentionally homeless and those who are not priority need
- People who are owed a duty by any housing authority under s190 (2) or 195 (5) of the Housing Act 1996 (or under s65(2) or 68(2) of the Housing Act 1985 or who are occupying accommodation secured by any housing authority under s192 (3)
- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- People who need to move on medical or welfare grounds
- People who need to move to a particular locality in the borough, where failure to meet that need would cause hardship (to themselves or others).

The Allocations Policy has been framed to ensure that the groups listed above have been given reasonable preference within the appropriate band.

5.7 Additional Preference

Housing authorities have the power to frame their allocation scheme to give additional preference to particular descriptions of people who fall within the statutory reasonable preference categories and have urgent housing needs. All housing authorities must consider, in the light of local circumstances the need to give effect to this provision. People with urgent housing need include:

- Those who need to move urgently because of a life threatening illness or sudden disability
- Families in severe overcrowding which poses a serious health hazard
- Those who are homeless and require urgent re-housing as a result of violence or threats of violence, including those escaping domestic abuse

The Allocations Policy has been framed to ensure that groups with urgent housing need, including those listed above have been given additional preference within the appropriate band.

5.8 Armed Forces

Additional preference must also been given to:

- Former members of the Armed Forces
- Serving members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
- Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- Serving or former members of the Reserved Forces who need to move because of serious injury, medical condition or disability sustained as a result of their service

Additional preference will be given to these applicants by awarding the applicant one band higher than if their application was assessed solely on their other circumstances. For example, if an applicant is assessed as Band 3 but is a former member of the armed forces their application will be awarded Band 2.

5.9 Care Leavers

If an applicant is a care leaver then the local connection criteria specified in 5.4 is not applicable. The applicant will qualify if they have previously lived or been placed in local authority care within Nottinghamshire, not just the Borough of Broxtowe.

A care leaver will be given additional priority if they join the scheme and have not found accommodation that is suitable within 8 weeks, this is in accordance with the Nottinghamshire County Wide Care Leavers Protocol.

For any assessment that is completed with the applicant, the applicant must be accompanied by the Care Leaving Service.

5.10 Medical Assessments

Officers will make assessments following the medical assessment procedure to ensure that the appropriate band is awarded. Applicants will be asked to provide supporting information from medical professionals who currently work with them.

If further guidance is needed, or conflicting information has been provided from medical professionals then the Council will make a referral to an independent specialist advisor.

If the Council has evidence or has witnessed that the property will be unsuitable for medical reasons, the offer of the property will be withdrawn. This includes offers that are unreasonable for the reasons of health and safety, such as those in an Independent Living where the only method of escape is by using a lift.

5.11 Banding

Broxtowe Borough Council has a duty to offer choice and to ensure that the needs of reasonable preference and additional preference categories are met. The most appropriate way to achieve this is to operate a needs based banding system with bands arranged to reflect the level of housing need.

The current housing circumstances and needs of each applicant will be the determining factor in deciding which Band an applicant receives. Once placed in an appropriate band, applicants will be ordered within the band by date order so that priority within a band is given to the applicant with the earliest date.

If an applicant's circumstances reflect more than one of the situations in the bands, the situation in the highest band will be used. No additional priority is given if circumstances reflect more than one situation. **However, if an applicant's circumstances reflect two distinctly different characteristics in the same band, that have no relation or impact to each other, the applicant will be awarded one band higher.**

The banding process will ensure that applicants in the greatest need receive the most preference for re-housing. Once an applicant has been assessed and placed into a Band, the applicant will not move to another Band unless there is a change in the applicant's circumstances.

Broxtowe Borough Council has 4 application bands. Criteria for Bands 1, 2 and 3 are shown on the next pages..

Band 1

Urgent Medical Priority	Applicants who have a permanent or chronic illness or disability and as a result of their condition are unable to continue to occupy their current accommodation. This includes both physical and mental health. An applicants current home must be assessed by a housing, health or social care professional as not being accessible or suitable. Priority will only be awarded where their current home is not able to adapted to suitably meet their needs.
Demolition	Applicants whose home is subject to demolition.
Independent Living Stock Options (Broxtowe Borough Council only)	Applicants who are affected by a scheme that is being de-designated and wish to be rehoused in Independent Living accommodation and the current accommodation is being demolished or re-purposed for a purpose that is no longer permanent social housing accommodation.
Category 1 Hazards	Applicants whose home has been assessed by the Council's Environmental Health Team as being subject to a category 1 hazard under the Housing Health and Safety Rating System which cannot be resolved whilst they are in occupation.
Statutory Overcrowding	Applicants whose current accommodation has been assessed as being statutorily overcrowded by an Environmental Health Officer. Priority will only be awarded where this has arisen as a result of natural growth or where proof can be provided that the person who caused the overcrowding had no other option than to move to the property. The Council will also take into account bedroom standard criteria to assess if an household is overcrowded.
Severe Under Occupation	Tenants of one of the HomeSearch partners whose current home is too large for the needs of their household by two or more bedrooms. The Council will use the bedroom standard criteria to assess if an household is under occupied.
UK Protected Persons Scheme	Applicants rehoused at the request of the UK Protected Persons Service (UKPPS), formally the National Witness Protection Scheme
Homelessness – Main Duty	Where the Council has accepted a main homelessness duty i.e. eligible for assistance, have a priority need and unintentionally homeless. Also for those where an applicant is owed the relief duty and would likely be owed the main duty if the relief duty were to end unsuccessfully.
Care Leavers	Care leavers will be placed in Band 1 if they have previously been in Band 2 in accordance with the Policy and Nottinghamshire County Wide Care Leavers Protocol and have not found suitable housing in 8 weeks.

Band 2

Homelessness – Prevention Duty	Where an applicant with a local connection to the Council is owed a prevention duty, where all prevention measures have been exhausted and would likely be owed the main duty if both the prevention and relief duty were to end unsuccessfully.
Harassment	Applicants who are at risk in their current property because they are experiencing serious and sustained harassment, violence or threats of violence and likely to be owed the main housing duty if they were to make a formal homelessness declaration. This includes applicants fleeing domestic abuse.
Succession	Applicants who have succeeded a tenancy owned by one of the HomeSearch partners but the property is unsuitable due to the size or adaptations.
Care Leavers	Applicants who are leaving care, in accordance with the Nottinghamshire County Wide Care Leavers Protocol.
Move on from specialist and supported accommodation	Applicants who are ready to move on to independent living from supported accommodation. Applicants will be awarded this category following confirmation from the accommodation or support provider that they are ready to move on and have the necessary skills to maintain an independent tenancy.
High Medical Priority	Applicants or a member of their household who have a serious, lasting medical condition, illness or disability which is made worse by their current accommodation and as a result of their condition it is not reasonable to continue to occupy their current accommodation on a long term basis. This includes both physical and mental health.
Severe Overcrowding	Applicants whose current accommodation is assessed as being two bedrooms short of the required number of bedrooms. The best use of all rooms in the house will be considered when calculating the number of bedrooms. Priority will only be awarded where this has arisen as a result of natural growth or where proof can be provided that the person who caused the overcrowding had no other option than to move to the property.
Under Occupation	Tenants of one of the HomeSearch partners whose current home is too large for the needs of their household by one bedroom. The Council will use the bedroom standard criteria to assess if an household is under occupied.
Independent Living Stock Options (Broxtowe Borough Council only)	Applicants who are affected by a scheme that is being de-designated and wish to be rehoused in Independent Living accommodation, but the current accommodation is remaining as permanent tenanted accommodation.
Unsuitable accommodation due to adaptations	Tenants of one of the HomeSearch partners whose current home is an adapted property but the adaptation is no longer required.
High Welfare Need	Applicants who experience hardship in their current accommodation and who need to move to improve their situation. This includes applicants who have suffered a traumatic incident in their home.

Band 3

Homeless	<p>This band will be awarded where an applicant is owed either a prevention or relief duty but where they would not be owed the main duty when the prevention and relief duty comes to an end because they have been assessed as likely to be:</p> <ul style="list-style-type: none"> • Not in priority need and/or • Intentionally homeless and/or • Have refused an offer of suitable accommodation as discharge of the Council's main duty, prevention or relief homelessness duties <p>The banding will also be awarded to those applicants who are classed as part of “early interventions” within the homelessness process. This applies when an applicant is not threatened with homelessness within 56 days but is likely to be threatened with homelessness in the near future.</p>
Discharged Homeless Duty	Applicants who have been accepted as being owed a full housing duty following a homelessness application and who have declined an offer of accommodation which was considered by the Council to be a reasonable offer of accommodation suitable to the applicants needs
Lodgers with dependent children	Applicants with dependent children, or who are pregnant and who are lodging with family or friends.
Lodgers who share facilities	Applicants who have to share facilities, such as a kitchen or bathroom, with another household who are not part of their immediate family
Moderate Medical Priority	Applicants whose household includes a person who has an illness or disability which is affected by their current accommodation and whose condition would benefit from alternative accommodation but a move is not essential. This includes both physical and mental health.
Overcrowding	Applicants whose current accommodation is assessed as being one bedroom short of the required number of bedrooms. The best use of all rooms in the house will be considered when calculating the number of bedrooms. Priority will only be awarded where this has arisen as a result of natural growth or where proof can be provided that the person who caused the overcrowding had no other option than to move to the property.
Welfare Need	Applicants who experience hardship in their current accommodation and who need to move to improve their situation. This includes applicants suffering from financial hardship and applicants who need to move to be closer for specialist education, medical facilities or support.
Employment	Applicants who need to move to take up an offer of permanent employment.

Band 4

Applicants with no Housing Need	Applicants who do not meet any of the criteria set out in Bands 1, 2 and 3
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5.12 Verification

All applicants will be required to provide information to enable their application to be processed, this includes:

- Identification which confirms the applicants current address
- Identification which confirms the applicants signature
- Proof of current tenancy status
- Details of previous five years accommodation, including addresses where the applicant was not the tenant
- Details of all household members
- Financial information, including any interest in property

Extra information or evidence will also be required from some applicants, including:

- Assessments made by professionals in support of application
- Proof of pregnancy
- Access to children and evidence of child benefit
- Details of convictions
- Information regarding additional support needs
- Landlord references, including any details of rent arrears
- Confirmation of circumstances regarding the Armed Forces

It is not possible to list every document that may be required. When an application is received it will be assessed by a member of the Lettings Team who will contact the applicant to request any additional supporting evidence. Applicants will only be accepted, awarded a band and allowed to bid once all evidence has been received. The registration date, for allocation purposed is the date that the application was activated following all verifications being completed.

If the applicant is assessed as potentially Band 1 or 2 then a full investigation will be completed as to whether the applicant can be accepted onto the list, this includes previous convictions or anti-social behaviour. If the applicant is assessed as Band 3 or 4 then they will be accepted onto the list and further checks will be completed before an offer of accommodation is made. This distinction has been made due to the level of work involved in completing checks and because applicants in Bands 3 and 4 are likely to be on the list for a longer period of time before an offer of a property is made.

An applicant who has **current and/or former** rent arrears will be accepted. When an offer of property is made the applicant will need to provide proof that a payment plan has been arranged and maintained for a minimum of 12 weeks. Partner landlords

may wish to include **current and/or former** arrears in the terms of their tenancy agreement. Broxtowe Borough Council will do this on all occasions.

Applicants with additional support needs will be supported and assisted to provide the necessary information.

Applicants will be asked to declare if they are a 'related party', these are applicants who are either:

- Staff of any of the partner registered providers
- Local Authority elected members
- Partner registered providers board members
- A relative of any of the above

Applications from related parties will be verified in the same way as other applicants but the banding and any offers of accommodation will be approved by the Head of Housing.

5.13 Pre- tenancy checks and risk assessments

All offers of accommodation made through the HomeSearch system will be provisional offers subject to pre-tenancy checks being completed. The purpose of the checks is to confirm that the applicant is eligible and qualifies for the scheme and has provided the necessary information to complete verification checks. Landlord references will also be taken at this time to confirm tenancy conduct and rent arrears. All pre-tenancy checks will be completed following the pre-tenancy checks procedure.

As part of pre-tenancy checks a risk assessment will be completed. It is important that the location and type of property is known as this informs the assessment. For this reason the checks will be completed once a property has been provisional allocated. All risk assessments will be completed following the risk assessment procedure.

5.14 Application following end of fixed term tenancy

If an applicant is applying to the Council following the end of a fixed term tenancy their application will be assessed on their individual circumstances as set out in 5.11.

5.15 Transfer applicants

To ensure the most appropriate use of housing stock on some occasions priority will be given to applicants who are tenants of any of the HomeSearch partners. On these occasions the advert will clearly state: 'Preference to transfer applicants'. The transfer procedure will set out the criteria that will be used.

This priority will not apply to applicants in Band 1. Priority will continue to be given to those in highest priority banding.

5.16 Independent Living accommodation

Properties that are designated as Independent Living will only be allocated to applicants over the age of 60 unless the applicant has a degree of disability that makes their present home unsuitable and who would benefit from the support available in Independent Living accommodation. Properties that are designated as Independent Living can be offered to those applicants who are under 60 if the property is difficult to let and the applicant is being placed through the Community Living Network or equivalent scheme.

The property advert will state if a property is designated as Independent Living.

5.17 Local Lettings Policies

Section 166A(6)(b) of the Housing Act 1996 enables housing authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories, provided that overall the authority is able to demonstrate compliance with the requirements of the Act.

If this is to be used, a separate local lettings policy will be written. This is particularly appropriate for new build schemes, large estates and areas with problems of anti-social behaviour.

The Council will support registered providers to introduce local lettings policies where there is evidence for a need for a separate policy.

If a property will be allocated according to a local lettings policy the advert will clearly state: 'Allocations will be made in accordance with a local lettings policy'

5.18 Sensitive Allocations

On some occasions it is appropriate that an individual property is allocated sensitively. This would be applicable for one allocation, the same property would not be sensitively let every time it became void. In these cases a Local Lettings Policy would be required.

An example of a sensitive allocation would be reletting a property where the previous tenant had been evicted for anti-social behaviour and the needs of the immediate neighbours need to be considered.

Any properties let as a sensitive allocation must be approved by the Head of Housing and the advert will clearly state: 'Allocations will be made in accordance with sensitive allocations criteria'.

5.19 Direct Allocations

It is expected that the majority of allocations will be made following the bidding process via HomeSearch but there are some cases where it is necessary to make

offers to applicants outside of these arrangements. There are two categories of direct allocations:

Urgent housing management cases – such cases are exceptional and an offer must be approved by the Head of Housing, each case will be considered in regards to its individual circumstances

Lower demand properties – if a property has been advertised and shortlisted via HomeSearch and the property has not been let, then the property can be offered directly to an applicant, in accordance with the Difficult to Let procedure. It is important to note that if direct offers are made by registered provider partners then the allocation is not subject to this policy. All offers made by Broxtowe Borough Council are subject to this policy. The Council may approach the Community Living Network with properties that are difficult to let to assist with the placing of applicants within difficult to let properties.

Property Acquisitions – in exceptional circumstances a property may be acquired to meet the need of an applicant on the waiting list for whom the Council does not currently own a suitable property or a suitable property is unlikely to become available through the homeseach scheme. In this circumstance approval for a direct let of the property will be approved by the Chief Executive in consultation with the Chair of the Housing Committee at the point of final approval to purchase.

5.20 Right to Move

The statutory guidance issued in connection with “Right To Move” states that a local authority should allocate a quota of properties each year for tenants under the “Right To Move”. The suggested quota is 1%. This is the quota that Broxtowe Borough Council will use. The quota is for lets, not adverts. Therefore more than 1% of properties may be advertised with this criteria, if properties are not successfully let to ‘Right to Move’ applicants.

Every quarter, at least one property will be advertised as preference to applicants who meet the ‘Right to Move’ criteria. The advert will clearly state: ‘Allocations will be made in accordance with ‘Right to Move’ criteria. Priority will be given to applicants who meet this criteria.

Under the Right to Move legislation the Council has to disregard the local connection criteria for social housing tenants who need to move into the local authority area where the tenant has:

- Reasonable preference in order to avoid hardship, and
- Employment within the district, or has been offered employment within the district and has a genuine intention to take up the offer

5.21 Change of circumstances

Applicants must inform Broxtowe Borough Council of any change of circumstances. This can be done by telephone or in writing. The applicant may be asked to provide additional information or evidence. If this is required the application will be suspended until the necessary documents have been provided.

An applicants banding may change. If the applicant is awarded the same or lower band then the original registration date will be used. If they are awarded a higher band then the registration date will be the date that they are placed in the higher band.

5.22 Annual Review

On the anniversary of their registration all applicants will receive a review letter. This will ask the applicant to confirm that they wish to remain on the list and that there has not been a change in their circumstances since their application or last review.

If an applicant has not responded within 28 days of the date of their review letter then their application will be cancelled.

Applicants with additional support needs may be contacted differently, for example by telephone.

If the applicants circumstances have changed a review of their new circumstances will be completed. If the applicant is awarded a lower band, then the effective date will remain as the original date. If the applicant is awarded a high band, then the effective date will be changed to the date of the completion of the review.

5.23 Review of urgent applications

All applicants awarded Band 1 will be reviewed every 12 weeks. All applicants awarded Band 2 will be reviewed every 26 weeks.

The purpose of this review is to ensure that appropriate bids are being placed and to monitor any refusal reasons. Applicants will be given advice on how to increase the possibility of an offer of a property.

If an applicant is not placed a bid for 12 weeks and suitable properties have become available for them to bid on within that time, the application will be reviewed to see if further intervention for the team is necessary to assist or whether a review of the banding is appropriate.

5.24 Application suspension

If an applicant fails to respond, or refuses 3 offers of accommodation following placing a bid, then their application will be suspended for 6 months. The suspension of application procedure will be followed.

At the end of the suspension period, a review will be completed.

5.25 Application exclusion

If an applicant displays conduct in a previous tenancy that is of cause for concern for Broxtowe Borough Council, the Council will consider whether exclusion from the register is appropriate. The following circumstances will be considered

- Where upon review, the applicant is a homeowner with significant equity in their home or former home to assist in resolving their own **housing circumstances, in accordance with the Application from Homeowners Procedure**
- Unacceptable behaviour, which would justify possession proceedings of a tenancy, this includes but is not limited to;
 - Anti-social behaviour
 - Criminal behaviour relating to the loss of previous accommodation
 - Perpetrating domestic abuse
 - Tenancy fraud, illegal subletting or abandonment of property
 - Violence or threats of violence or harassment of any staff or agents of the Council or its partners, previous landlords, the Police or any other statutory or voluntary agency
 - Any other conduct that shows the applicant to be unsuitable to be a tenant

The exclusion will only apply to the member(s) of the household who were considered to be participative in the unacceptable behaviour with other members of the family able to make separate applications subject to them meeting the qualification criteria of the Policy.

Exclusion from the register will last for 12 months. The exclusion of application procedure will be followed.

At the end of the exclusion period, a review will be completed to assess whether exclusion should still apply.

Applicants have the right to request a review of the decision to exclude them from the housing register.

5.26 Right to Review

Housing authorities must inform applicants that they have the right to information about certain decisions and a right to review those decisions.

Applicants will be informed in writing of any decision:

- That they are ineligible for an allocation of accommodation under s106ZA(2) or (4)
- That they are not a qualifying person under s 106ZA(7)

Therefore if an application is not accepted following the guidance in sections 5.3 and 5.4 of this policy then the applicant must be informed in writing of the decision. If the applicant has additional support needs then other methods, such as telephone or visit should be used in addition to providing the information in writing.

If an applicant wants to request a review, it is expected that this will be received in writing within 21 days of the decision letter. In exceptional circumstances requests will be accepted via other methods or after 21 days.

Broxtowe Borough Council will complete the review within 28 days. The review will be completed by an officer senior to the officer who made the original decision.

6.0 Related Policies, Procedures and Guidelines

This policy should be read in conjunction with the:

- South Nottinghamshire Homelessness Strategy
- Tenure Strategy
- Voids Management Policy
- People with additional support needs Policy
- Difficult to Let criteria
- Advertising of properties procedure
- Annual review procedure
- Application from home owners procedure
- Direct lets procedure
- Medical assessment procedure
- Pre-tenancy checks procedure
- Sign-up procedure
- Suspension of application procedure
- Tenancy risk assessment procedure
- Transfer procedure
- Use of Autobids procedure

7.0 Review

This policy will be reviewed every year to ensure that it meets current statutory guidance and legislation.

A full review will be completed every 3 years.

8.0 Appendix

Appendix 1 - Size and types of properties that applicants can bid for

9.0 Document History and Approval

Date	Version	Committee Name
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Dec 2017	1	Housing Committee - Draft version for consultation
June 2018	2	Housing Committee – For approval

Size and types of properties that applicants can bid for

	Single Person	Couple	Single/ Couple + 1 Child/ Pregnant	Single/ Couple + 2 Children	Single/ Couple + 3 or more children	Single person with overnight carer
Studio	x					
1 Bed Flat	x	x				
2 Bed Flat			x	x		x
3 Bed Flat				x		
1 Bed Maisonette	x	x				
2 Bed Maisonette			x	x		x
3 Bed Maisonette				x	x	
1 Bed House	x	x				
2 Bed House			x	x		
3 Bed House				x	x	
4+ Bed House					x	
1 Bed Bungalow	x	x				
2 Bed Bungalow			x	x		x
3 Bed Bungalow				x	x	

Properties that are designated for Independent Living will only be allocated to applicants over the age of 60 or applicants with a degree of disability that makes their present home unsuitable and who would benefit from the support available in Independent Living accommodation.

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Allocation Policy Section	Suggested Change	Reason for Change
Suggested Change 5.10 Medical Assessments	<p>To give the Council additional discretion around properties that it believes are not suitable for applicants because of medical reasons.</p> <p><i>If the Council has evidence or has witnessed that the property is unsuitable for medical reasons, the offer of the property will be withdrawn. This includes offers that are unreasonable for the reasons of health and safety, such as those in an Independent Living where the only method of escape is by using a lift.</i></p>	<p>To ensure that applicants are not placed in accommodation which they may struggle to leave in the event of an emergency.</p> <p>Circumstances like this have been identified as of concern by the Health and Safety and Independent Living sections.</p>
Suggested Change 5.11 Banding	<p>To enable applicants that have multiple reasons within the same band to be prioritised over those who only have one. These factors must be independent from each other.</p> <p><i>If an applicant's circumstances reflect more than one of the situations in the same band, the situation in the highest band will be used. No additional priority is given if circumstances reflect more than one situation. However, if an applicant's circumstances reflect two distinctly different characteristics in the band, that have no relation or impact to each other, the applicant will be awarded one band</i></p>	<p>Applicants that for example could not climb stairs and were overcrowded severely would previously not be prioritised over an applicant that had just one of these factors in their household.</p> <p>The change is intended to make the scheme fairer.</p>

	<i>higher.</i>	
Suggested Change 5.11 Banding	<p>The Independent Living Stock Options process has brought about some necessary changes to assist applicants. Within Band 1, the following will apply</p> <p><i>Applicants who are affected by a scheme that is being de-designated and wish to be rehoused in Independent Living accommodation and the current accommodation is being demolished or re-purposed for a purpose that is no longer permanent social housing accommodation.</i></p>	To enable applicants affected by the policy change to be moved more quickly and be eligible for high banding through the Homesearch scheme
Suggested Change 5.11 Banding	<p>The Independent Living Stock Options process has brought about some necessary changes to assist applicants. Within Band 2, the following will apply</p> <p><i>Applicants who are affected by a scheme that is being de-designated and wish to be rehoused in Independent Living accommodation, but the current accommodation is remaining as permanent tenanted accommodation.</i></p>	To enable applicants affected by the policy change to be moved more quickly and be eligible for high banding through the Homesearch scheme
Suggested Change 5.11 Banding	<p>More flexibility for applicants who may soon be homeless within Band 3.</p> <p><i>The banding will also be awarded to those applicants who are classed as part of "early interventions" within the homelessness process. This applies when an applicant is</i></p>	Currently, they may only be Band 4 if the approach the Council and are not threatened with homelessness in 56 days, but are likely to become homeless. Applicants with these circumstances will now be awarded Band 3.

	<i>not threatened with homelessness within 56 days but is likely to be threatened with homelessness in the near future.</i>	
Suggested Change 5,19 Direct Allocations	<p>Change to the suggested application of direct allocations</p> <p><i>Property Acquisitions – in exceptional circumstances a property may be acquired to meet the need of an applicant on the waiting list for whom the Council does not currently own a suitable property or a suitable property is unlikely to become available through the homeseach scheme. In this circumstance approval for a direct let of the property will be approved by the Chief Executive in consultation with the Chair of the Housing Committee at the point of final approval to purchase.</i></p>	This reflects the changes agreed in the Housing Acquisitions Policy approved by the Housing Committee.
Suggested Change 5.23 Review of Urgent Applications	<p>Suggested change to application review clause to clarify that applicants must be bidding on suitable accommodation</p> <p><i>If an applicant is not placed a bid for 12 weeks and suitable properties have become available for them to bid on within that time, the application will be reviewed to see if further intervention for the team is necessary to assist or whether a review of the banding is appropriate.</i></p>	To ensure and clarity for applicants that those are seen as urgent, in bands 1 and 2, are bidding on suitable properties, as their circumstances have been assessed as urgent

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Report of the Chief Executive

VOID MANAGEMENT POLICY

1. Purpose of report

To seek Committee approval for the reviewed Void Management Policy.

2. Background

The Council aims to let its void (empty) properties in the shortest amount of time to minimise waiting times for applicants and to reduce the rent loss that having empty properties incurs.

The Void Management Policy is due for a review as it was last reviewed by the Housing Committee in 2017. The Void Management Policy outlines the processes the Council undertakes to end the previous tenancy, carry out works to let the property again and then the letting of the property.

3. Detail

The Policy outlines

- Tenancy Terminations
- Inspections
- Property Condition
- Allocation of Property
- Difficult to Let Properties
- Transfers

An equality impact assessment is appendix 1. The Void Management Policy is appendix 2. The summary of changes to the Void Management Policy is appendix 3.

Recommendation

The Committee is asked to RESOLVE that the Void Management Policy be approved.

Background papers

Nil.

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Equality Impact Assessment

Public bodies are required in to have **due regard** to the need to:

- **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited under the Act
- **advance equality of opportunity** between people who share a protected characteristic and people who do not share it, and
- **foster good relations** between people who share a protected characteristic and people who do not share it.

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

The **public sector Equality Duty** came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

The new equality duty replaces the three previous public sector equality duties, for race, disability and gender. The new equality duty covers the following **protected characteristics**:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – including lack of belief
- sex
- sexual orientation

It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

Having **due regard** means consciously thinking about the three aims of the equality duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies, including how they act as employers, how they develop, evaluate and review policies, how they

design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to **advance equality of opportunity** involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics
- meet the needs of people with protected characteristics, and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the equality duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve making use of an exception or the positive action provisions in order to provide a service in a way which is appropriate for people who share a protected characteristic.

The Equality Duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore **take account of disabled people's impairments** when making decisions about policies or services. This might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

There is no explicit requirement to refer to the Equality Duty in recording the process of consideration but it is good practice to do so. Keeping a record of how decisions were reached will help public bodies demonstrate that they **considered the aims of the Equality Duty**. Keeping a record of how decisions were reached will help public bodies show how they considered the Equality Duty. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

It is recommended that assessments are carried out in respect of new or revised policies and that a copy of the assessment is included as an appendix to the report provided to the decision makers at the relevant Cabinet, Committee or Scrutiny meeting.

Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics, no further analysis or action is necessary.

Public bodies should take a proportionate approach when complying with the Equality Duty. In practice, this means giving greater consideration to the Equality Duty where a policy or function has the potential to have a discriminatory effect or impact on equality of opportunity, and less consideration where the potential effect on equality is slight. The Equality Duty requires public bodies to think about people's different needs and how these can be met.

EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	Housing	Lead officer responsible for EIA	Richard Smith
Name of the policy or function to be assessed:		Void Management Policy Review	
Names of the officers undertaking the assessment:		Richard Smith	
Is this a new or an existing policy or function?		Existing function	
<p>1. What are the aims and objectives of the policy or function?</p> <p>The Void Management Policy sets out the way in which Broxtowe Borough Council will control and manage void properties within its housing stock.</p>			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <p>The Policy reviews the overall process that the Council takes when administering a void property</p>			
<p>3. Who is intended to benefit from the policy or function?</p> <p>Applicants for social housing who wish to be housed in the Broxtowe Borough</p>			
<p>4. Who are the main stakeholders in relation to the policy or function?</p> <ul style="list-style-type: none"> • Housing applicants • Housing staff 			
<p>5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?</p> <p>The Policy relates to void properties, so it relates to property more than individual people or groups.</p>			
<p>6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?</p> <p>The Policy relates to void properties, so it relates to property more than individual people or groups.</p>			
<p>7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?</p> <p>None completed for the review of the policy.</p>			

<p>8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways?</p> <p>In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:</p> <ul style="list-style-type: none"> Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified? <p>The Allocations Policy and tenancy policies will cover who has access to social housing. This Policy relates to void properties, so it relates to property more than individual people or groups.</p>
<ul style="list-style-type: none"> Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified? <p>The Allocations Policy and tenancy policies will cover who has access to social housing. This Policy relates to void properties, so it relates to property more than individual people or groups.</p>
<ul style="list-style-type: none"> Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function? <p>The Allocations Policy and tenancy policies will cover who has access to social housing. This Policy relates to void properties, so it relates to property more than individual people or groups.</p>
<ul style="list-style-type: none"> Could the policy or function promote or contribute to equality and good relations between different groups? If so, how? <p>The policy should not contribute positively or negatively in this area.</p>
<ul style="list-style-type: none"> What further evidence is needed to understand the impact on equality? <p>None</p>
<p>9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?</p>
<p>Age: It is not anticipated that the Council will need to take any further action in order to enable access for this group. The eligibility criteria for housing is defined in legislation. Statutory agencies assist those under 18.</p>
<p>Disability: It is not anticipated that the Council will need to take any further action in order to enable access for this group.</p>
<p>Gender: It is not anticipated that the Council will need to take any further action in order to enable access for this group.</p>

Gender Reassignment: It is not anticipated that the Council will need to take any further action in order to enable access for this group.

Marriage and Civil Partnership: It is not anticipated that the Council will need to take any further action in order to enable access for this group.

Pregnancy and Maternity: It is not anticipated that the Council will need to take any further action in order to enable access for this group.

Race: It is not anticipated that the Council will need to take any further action in order to enable access for this group.

Religion and Belief: It is not anticipated that the Council will need to take any further action in order to enable access for this group.

Sexual Orientation: It is not anticipated that the Council will need to take any further action in order to enable access for this group.

Head of Service:

I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment.

Signature of Head of Service:

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VOID MANAGEMENT POLICY

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1.0 Scope

This policy applies to all properties let by Broxtowe Borough Council. Including both General Needs and Independent Living. It does not apply the void management of garages which is covered by the Garage Management Policy. **This policy does not apply to mutual exchanges.**

2.0 Purpose

The purpose of this policy is to set out the way in which Broxtowe Borough Council will control and manage void properties within its housing stock. The void period is the time between the date of termination of the previous tenancy and start date of the new tenancy.

3.0 Aims and Objectives

We are committed to meeting housing needs and maximising rental income by having the lowest possible number of empty properties in our stock. The aims of the void management policy are:

- To minimise the time taken to relet properties
- To maximise rental income **by minimising void rent loss**
- To minimise the time taken to complete void property repairs **or modernisations**
- **To ensure properties are let to the requirements set out in the lettable standard**

4.0 Regulatory Code and Legal Framework

Local Government (Miscellaneous Provisions) Act 1982 – Part XII covers the storage and clearance of belongings and will be applicable if belongings are not removed when a tenancy is terminated.

Information on the number of voids and the length of time properties have been vacant is reported annually to the Ministry of Housing, Communities and Local Government through the Local Authority Housing Statistics.

5.0 Policy

5.1 Tenancy Termination

Most properties become void following a notice period of 4 weeks given by the tenant. The Council will aim to receive a full notice period wherever possible.

During the notice period the property will be advertised and pre-allocated. There will be occasions when this is not possible, for example where the void is due to eviction or abandonment. Through effective tenancy management the Council will ensure prompt identification of any abandoned properties.

When termination is due to the death of the tenant or transfer to another property owned by the Council the full notice period will not be enforced and the property will terminate on the Sunday following the receipt of keys.

If keys are handed in by the tenant within the 4 week notice period, the tenancy will not be ended early as it is a term of the tenancy agreement that 4 weeks notice is given. This will be classed as a surrender of the property by the tenant. If the tenant changes their mind, the Housing Operations Manager will decide whether the tenancy can be reinstated. Keys must be returned to the Council by 10am on the Monday following the termination of the tenancy, otherwise another weeks rent will be charged, this in accordance with the terms of the tenancy agreement.

5.2 Inspections

All properties will be inspected prior to works commencing. Inspections will normally be completed when a property becomes void and the keys are returned, but can be carried out in the notice period when possible.

For all tenancies where notice is given, a pre-termination visit will be completed. The purpose of the visit is to discuss how the property should be left to minimise rechargeable works and to identify any potential issues which may affect the relet of the property.

If after inspection it is identified that a property requires major works, such as a new kitchen or bathroom, it will be considered whether this work should be completed during the void period, or whether it is possible to let the property and complete the works as part of a modernisation programme. It is preferable for the works to be completed after the new tenancy has commenced as this reduces the void rent loss.

If works are required to bring the property back to the lettable standard that the Council believes is as a result of tenant neglect, the Council will raise charges and a recovery process will begin to recover those costs.

5.3 Property condition

All properties let will meet the Council's lettable standard. **Decoration packs will be offered as appropriate to assist the new tenant in personalising their new property.**

If non-urgent works have been identified for completion following tenancy commencement, this will be fully explained to the incoming tenant.

If items within the property have been altered or improved by the previous tenant, the Council will decide whether they need to be removed and be returned to their original condition or can remain in the property for the new tenant. The Council will advise the new tenant, in the form of a disclaimer, what items are covered. If the Council does leave certain items in the property, it may not be able to replace or repair them should the need arise.

No tenancies will commence without a gas certificate (where there is gas at the property), electrical certificate and energy performance certificate (EPC)

The Council will ensure that there is means of the new tenant accessing essential services such as gas and electric, this includes the management of debts that may have accrued that are attributed to the previous tenant.

5.4 Allocation of property

Viewings will be completed as early as possible in the process, taking void works into account. This will allow the property sign up to be completed as soon as the property is ready to let. This also provides an opportunity to reoffer the property early in the process if the property is refused.

Two separate appointments for viewing and sign-up will be completed. A sign-up will only be completed on the same day as a viewing in exceptional circumstances.

Once a property has been allocated, the applicant will be kept informed of progress and expected ready to let date.

The Council aim to ensure that every allocation is sustainable, through effective pre-tenancy checks and referrals to appropriate support. Sustainable lettings will reduce the number of terminations and void properties. **The Council will also take rent in advance payments from tenants to ensure that they do not start their tenancy in rent arrears.**

5.5 Difficult to let properties

Through monitoring of refusal reasons and relet times, the Council will identify properties/schemes that are more difficult to let than others. When a 'difficult to let' property becomes void pro-active steps will be taken to identify extra work that could be completed. This will vary between properties and will take into account previous reasons for refusal.

The Lettings Team will prioritise 'difficult to let' properties for pre-allocation.

Average relet time and void rent loss will be monitored on a monthly basis and analysed to identify emerging trends.

5.6 Transfers

Full inspections will be completed prior to transfer. Only in exceptional circumstances will a tenant be allowed to transfer where there is property damage or rent arrears.

Mutual exchanges will be promoted to reduce the number of transfers. When a mutual exchange takes place gas (where there is gas at the property) and electrical checks must be completed but neither property becomes void. Therefore, this policy is not applicable to mutual exchanges.

6.0 Related Policies, Procedures and Guidelines

This policy should be read in conjunction with the:

- Allocations Policy
- Tenancy Termination Procedure
- Transfer Procedure
- Decoration Allowance Procedure
- Difficult to Let Procedure
- Storage and Clearance of Belongings Procedure
- Lettable Standard

7.0 Review

This policy will be reviewed every three years. It is not expected that there will be changes to regulation or legislation which will have an impact on the need to review this policy sooner.

8.0 Document History and Approval

Date	Version	Committee Name
1/11/2017	1	Housing Committee
18/11/2020	Review	Housing Committee

Void Management Policy Section	Suggested Change	Reason for Change
Suggested Change 1.0 Scope	To clarify the scope of the policy and that mutual exchanges are not counted as voids. <i>This policy does not apply to mutual exchanges.</i>	To provide additional clarity
Suggested Change 3.0 Aims and Objectives	Some minor changes have been made to the aims and objectives that do not change the application of the Policy	To provide additional clarity
Suggested Change 4.0 Regulatory Code and Legal Framework	Removal of references to the notice period on tenancy agreements, this is outlined in the Policy wording	To avoid repetition
Suggested Change 5.1 Termination	Suggested change to give greater detail around the termination process and also put practice used into the Policy <i>If keys are handed in by the tenant within the 4 week notice period, the tenancy will not be ended early as it is a term of the tenancy agreement that 4 weeks notice is given. This will be classed as a surrender of the property by the tenant. If the tenant changes their mind, the Housing Operations Manager will decide whether the tenancy can be reinstated. Keys must be returned to the Council by 10am on the Monday following the termination of the tenancy, otherwise another</i>	To update the policy to reflect practice and to reflect what is in the tenancy agreement

	<i>weeks rent will be charged, this in accordance with the terms of the tenancy agreement.</i>	
Suggested Change 5.1 Termination	Removal of the detail around pre-inspections and void works whilst the departing tenant is still in situ, as this is not reflected by the practice of the teams.	To update the policy to reflect practice
Suggested Change 5.2 Inspections	<p>Suggested change to give greater detail around the process and also put practice used into the Policy</p> <p><i>If works are required to bring the property back to the lettable standard that the Council believes is as a result of tenant neglect, the Council will raise charges and a recovery process will begin to recover those costs.</i></p>	To update the policy to reflect practice
Suggested Change 5.3 Property Condition	<p>Suggested change as process around decoration allowance has changed</p> <p><i>Decoration packs will be offered as appropriate to assist the new tenant in personalising their new property.</i></p>	To update the policy to reflect practice

Suggested Change 5.3 Property Condition	<p>Suggested change to outline the disclaimer process</p> <p><i>If items within the property have been altered or improved by the previous tenant, the Council will decide whether they need to be removed and be returned to their original condition or can remain in the property for the new tenant. The Council will advise the new tenant, in the form of a disclaimer, what items are covered. If the Council does leave certain items in the property, it may not be able to replace or repair them should the need arise.</i></p>	To update the policy to reflect practice
Suggested Change 5.3 Property Condition	<p>Suggested change to outline the additional steps taken by the Council that are not reflected in the current Policy</p> <p><i>The Council will ensure that there is means of the new tenant accessing essential services such as gas and electric, this includes the management of debts that may have accrued that are attributed to the previous tenant.</i></p>	To update the policy to reflect practice

Suggested Change 5.4 Allocation of Property	<p>Suggested change to ensure the rent in advance process is reflected in the allocation of properties</p> <p><i>The Council will also take rent in advance payments from tenants to ensure that they do not start their tenancy in rent arrears.</i></p>	To provide additional clarity
Suggested Change 5.5 Low Demand Properties	Suggested to change wording of this section from Low Demand Properties to Difficult to Let Properties	To use the wording that is used in the Allocations Policy

Suggested Change 5.5 Transfers	Removal of the percentage of transfers that was included in the Policy	Fair application of the Allocations Policy could mean that the percentage would not be achievable. We do not give preference to transfer or non-transfer applicants
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Report of the Chief Executive

GAS AND ELECTRICAL POLICIES

1. Purpose of report

To seek approval for updated Gas and Electrical Policies.

2. Background

In November 2018 Housing Committee approved new Gas and Electrical Policies. The policies must be reviewed annually.

3. Detail

The Gas Policy sets out how Broxtowe Borough Council will manage its gas servicing requirements and ensures we comply with the regulatory framework. The Policy sets out how access to undertake annual servicing will be achieved.

The Electrical Policy identifies how electrical installations will be tested to meet current statutory requirements.

Both policies have been reviewed by Morgan Lambert, our external auditors for gas and electrical work. No changes were made to either policies.

Both policies are included in the appendix.

4. Financial implications

The requirements of both policies can be met within existing budgets.

Recommendation

The Committee is asked to RESOLVE to approve the Gas and Electrical Policies

Background papers

Nil

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ELECTRICAL SAFETY POLICY



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1.0 Scope

Broxtowe Borough Council is committed to achieving the highest safety standards for its tenants and properties.

This policy relates to Council-owned homes, communal areas and temporary accommodation. The Council is not responsible for the electrical installations in individual leasehold properties but is responsible for any electrical equipment in communal areas. Whilst we are not responsible for leasehold properties, we may offer a chargeable service for such properties upon request.

2.0 Purpose

The purpose of this policy is to set out specific guidance to ensure the safety of fixed electrical installations and portable equipment (where applicable) in properties we own and manage.

3.0 Aims and Objectives

This policy details how Broxtowe Borough Council's Housing Repairs department will manage and enforce electrical safety within every Council-owned residential property.

Installations in dwellings owned and managed are to be installed, maintained and serviced to required standards and inspected at appropriate intervals to minimise the risk of electrocution, fire, damage to property, injury or death. Installations in communal areas of properties owned and managed by the Housing Team are to be installed, maintained and serviced to required standards and inspected at appropriate intervals to minimize the risk of electrocution, fire damage to property, injury or death.

4.0 Regulatory Code and Legal Framework

The following legislation and guidance will be applicable and will be followed throughout this policy:

- The Housing Acts, 1985, 1988 and 2004
- Health and Safety at Work Act 1974.
- Occupiers Liability Act 1957 and Occupiers Liability Act 1984
- Health and Safety at Work Regulations 1999.

- The Electrical Equipment (Safety) Regulations 2016.
- The Construction (Design and Management) Regulations 2015.
- Regulatory Reform (Fire Safety) Order (England and Wales) Defective Premises Act 1972
- Building regulations (including Part P requirements)
- Current edition of the IET Requirements for Electrical Installations (BS7671)
- Right to Repairs Scheme (introduced 1994)
- Electricity at Work Regulations 1989.
- IET Guidance Note 3 – Inspection and Testing
- Control of Asbestos Regulations 2012

In particular, we are committed to complying with the current edition of the Wiring Regulations. All wiring installations must be designed, constructed, inspected, tested and certified to meet the requirements of BS7671.

5.0 Electrical Servicing Policy – General Principles

- Broxtowe Borough Council is aware of its legal obligations as a landlord and ensures all electrical installations owned by the Council are maintained to all legislative requirements. The Electrical Safety Policy ensures the Council adheres to their legal requirements.
- This policy covers the repair, upgrading, testing and inspection of all electrical installations. All electrical repairs, upgrades and renewals will be categorized to ensure that the correct levels of priority are given. We will take specific account of any vulnerability, or health and safety requirements during the prioritization process for these works. The policy also covers all electrical equipment owned by the Council.
- An electrical installation is made up of all the fixed electrical wiring and equipment that is supplied from the point of the electricity meter and beyond.
- Electrical systems will be repaired, renewed, upgraded and tested in accordance with the industry guidance and manufacturers' recommendations.
 - Typical installations and systems covered include:
 - Domestic electrical installations
 - Communal landlord installations
 - Emergency lighting systems
 - Fixed fire alarm and smoke detector installations
 - Door entry systems

- Electric heating systems, including ground source and air source heat pumps
- Portable equipment owned by the organization
- Photovoltaic units
- Lighting columns

Please note that the above list is not exhaustive

- It is recommended that an electrical installation in a domestic property is inspected and tested at least every 5 years. Resulting in the creation of a DEICR.
- All new installations shall be provided with an Electrical Installation Certificate complete with a schedule of inspections and test results. The documents shall be suitably completed and in full compliance with BS 7671, IET Guidance Note 3 – and all current amendments. All new installations will be added to the asset Management list.

6.0 Monitoring and Review

In order to ensure full compliance, monitoring will be undertaken regularly through the use of a compliance register, documenting all assets and their relevant testing timescales. The Strategy and Performance Team will review the register regularly and a summary will be provided to the Management Team.

Appropriate information will be recorded on our core IT system, Capita Open Housing. Original electrical installation and inspection certificates must be provided to the Qualified Supervisor (Senior Maintenance Officer – Electrical), who will arrange for their review and electronic storage on the relevant IT system, with the originals being stored in a fire-proof lockable cabinet.

Quality of work is to be assessed in four ways:

- Assessment of a 5% of works by the Senior Maintenance Officer (Electrical).
- Assessment of 5% of works by a nominated independent consultant throughout the year.
- Self-assessment and quality assurance by sub-contractors.
- Tenant feedback and satisfaction surveys.

All installation and inspection reports and certificates will be reviewed and checked by the Senior Maintenance Officer (Electrical) to ensure compliance. Refer to separate guidance following audit regarding findings regarding this issue.

External contractors will be expected to have their own internal audit procedures in place. However, the Qualified Supervisor will also undertake monitored post and progress inspections of completed and current contractor works to the same stringent procedures as with the in-house team. Concerns identified as part of this process will be referred to the contractor and monitored accordingly.

There will be an annual review of this policy by Officers and residents.

7.0 Roles and Responsibilities

- The Chief Executive retains the overall responsibility for the implementation of this policy.
- The Head of Housing is responsible for:
 - ensuring that adequate resources are made available to enable the objectives of this policy to be met.
 - the associated procedures; this includes responsibility for monitoring, review; policy development and ensuring risks associated with Gas are managed safely and effectively.
- The Housing Repairs and Compliance Manager (HRCM) is responsible for operational delivery of and compliance with this policy, staff awareness and training, and communication to customers. The HRM will take the lead on contract management for the main service areas involving gas safety and annual servicing.

Any contractor undertaking electrical installation work must be registered by an UKAS Accredited Competent Person Scheme Operator or other accredited body. Individual engineers working on electrical installations must be trained, competent and hold industry recognized qualifications.

In order to ensure electrical works carried out by our in-house team meet the standards expected, we will continue obtain accreditations through UKAS Accredited Competent Person Scheme Operators or other accredited bodies. Additional to this, a comprehensive quality control regime will be followed allowing us demonstrate safety through pre monitored, and post inspections. This will also include quality control of equipment and tools needed to undertake such work.

8.0 Related Policies, Procedures and Guidelines

- Repairs Policy;
- Risk Assessments and Method Statements;
- Electrical Gaining Access Procedure;
- Electrical Servicing Procedure;
- Customers with Additional Support Needs Policy
- Tenancy Agreement

9.0 Appendices

Appendix A – Electrical Safety First Best Practice Guide 4 (Issue 3)

10.0 Document History

Date	Version	Amendments made by
Nov 2019	1.1	Housing Repairs Manager
Dec 2019	1.2	Reformatted by Research Officer
November 2020	1.2	Interim Housing Repairs Manager (no amendments required)

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GAS SAFETY & SERVICING POLICY



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1.0 Scope

This policy details how Broxtowe Borough Council's Housing Repairs department will manage and enforce gas safety and servicing of every relevant gas appliance situated in a council owned residential property.

This policy relates to Council-owned homes, communal areas and temporary accommodation. The Council is not responsible for the gas appliances in individual leasehold properties but is responsible for any gas appliances in communal areas. Whilst the Council is not responsible for leasehold properties, it may offer a chargeable service for such properties upon request.

2.0 Purpose

Broxtowe Borough Council is committed to achieving the highest safety standards for its tenants and properties and to achieve full compliance with relevant legislation.

3.0 Aims and Objectives

- The aim of this policy is to ensure the safety of people in Council-owned homes in relation to gas fired appliances.
- The Council aims to have valid Gas Safety Certificates for 100% of properties with gas appliances or gas pipework.
- The Council aims to protect the health and welfare of all tenants, visitors, staff, contractors and the general public so far as is reasonably practicable. This will be achieved this by compliance with the Gas Safety (Installation and Use) Regulations 1998 and any subsequent amendments.
- The Council will aim to check all relevant gas appliances and flues for safety every 12 months and will hold a valid Landlords Gas Safety Record (LGSR) for each property or communal area. This is to confirm the property is safe and the appliances work in accordance with the manufacturer's instructions.
- The council will also complete servicing works to all relevant gas appliances and document this on the LGSR.

4.0 Regulatory Code and Legal Framework

The following legislation will be applicable and will be followed throughout this policy:

- The Health and Safety At Work Act 1974
- The Housing Act 1985 – Revised 2004.
- The Landlord and Tenant Act 1985 and 1995.
- Gas Safety (Installation and Use) Regulations 1998.

5.0 Gas Servicing Policy – General Principles

- Broxtowe Borough Council is aware of its legal obligations as a landlord to ensures all gas appliances owned by the Council. The Gas Safety Policy ensures the Council adheres to its legal requirements.
- The Housing Repairs Team will carry out a service to relevant gas appliances in conjunction with the gas safety check and promptly complete all required repairs and keep copies of work done to rectify defects identified by the safety check.
- If a property has no gas appliances but has a gas meter and gas pipework, it will have a gas safety check in accordance with this policy.
- Where a property has had the gas meter capped, this property will be subjected to a gas safety inspection annually to ensure that the circumstances have not changed. A full service and safety check will be carried out where necessary.
- The gas servicing programme will run over a 10-month cycle to allow for the robust access procedure to be followed for any properties where there are problems gaining access. Any newly installed appliances will be checked for safety and serviced within 12 months in accordance with the above cycle.
- Gas safety checks and servicing will be carried out by a prior appointment with the resident. This appointment will initially be through a telephone call and letter.
- Where residents are not available during usual working hours, a service will be offered early evening or on a Saturday morning.

- The council will make all reasonable attempts to gain access to complete a gas safety check. If a resident fails to provide access to undertake the necessary checks, the 'Gas servicing and gaining entry' procedure has been followed and the required evidence is available, the case will be referred to the Legal team who will consider issuing a warrant or an injunction to gain access. Legal action will only be taken as a last resort.
- This policy will have an annual review undertaken by Officers and Residents.

6.0 Roles and Responsibilities

- The Chief Executive retains the overall responsibility for the implementation of this policy.
- The Head of Housing is responsible for:
 - ensuring that adequate resources are made available to enable the objectives of this policy to be met.
 - the associated procedures; this includes responsibility for monitoring, review; policy development and ensuring risks associated with Gas are managed safely and effectively.
- The Housing Repairs and Compliance Manager (HRCM) is responsible for operational delivery of and compliance with this policy, staff awareness and training, and communication to customers. The HRCM will take the lead on contract management for the main service areas involving gas safety and annual servicing.
- The Senior Maintenance Officer (Gas) will take day-to-day responsibility for implementing this policy.

7.0 Related Policies, Procedures and Guidelines

- Repairs Policy;
- Risk Assessments and Method Statements;
- Gas Servicing and Gaining Access Procedure;
- Customers With Additional Support Needs Policy
- Tenancy Agreement

8.0 Document History

Date	Version	Amendments made by
Oct 2019	1.1	Housing Repairs Manager
Dec 2019	1.2	Reformatted by Research Officer
November 2020	1.2	Interim Housing Repairs Manager (no amendments required)

Report of the Chief Executive

NEIGHBOURHOOD STRATEGY UPDATE

1. Purpose of report

To update the Committee on the progress of the Neighbourhood Strategy and the year one actions and to outline the actions planned for year two.

2. Background

The Neighbourhood Strategy was approved by Committee in 2019 and is a strategy that runs until 2022. Within the Strategy, there is an action plan for the years that the strategy runs, and these actions were split into year one actions with the rest to be completed throughout the Strategy.

3. Detail

The key purpose of the strategy is to change the way the Council engages with its tenants over neighbourhood issues and to create a series of Priority Neighbourhoods, where resources are concentrated to try to tackle the identified neighbourhood issues within the area.

The report details the progress that has been made on the actions that were agreed by Committee to be completed in year one and outlines the actions from the Strategy that have been identified for inclusion in the year two action plan.

The year one action plan and update is appendix 1 and the year two action plan is appendix 2.

Recommendation

The Committee is asked to note progress on the Neighbourhood Strategy and RESOLVE to approve the year 2 action plan.

Background papers

Nil

APPENDIX 1

Neighbourhood Strategy Year One Action Plan Update**To Improve Neighbourhoods, but Understand that Each Neighbourhood is Different**

Strategy Action	To be achieved in Year 1 of the Strategy	Update on Strategy Action
Create and agree a minimum standard of what is expected to be achieved in each neighbourhood, regardless of whether it has a priority status or not.	Agree minimum standard as a Council through the Housing Performance Group, based around health, safety and environmental factors.	A report is planned for the upcoming Housing Performance Group in January 2021
Identify a series of Priority Neighbourhoods	Identify first Priority Neighbourhood within the Strategy and begin to deliver services accordingly	The measures have been defined and the data gathered. An update will be provided to the Housing Performance Group, along with the minimum standards, to outline the first priority neighbourhood and give an overview of the measures.

Integrate Housing Services at a Neighbourhood Level

Strategy Action	To be achieved in Year 1 of the Strategy	Update on Strategy Action
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Relaunch the Tenancy and Estates service to reflect a neighbourhood management and tenancy sustainment focus.	Introduce a new management approach to neighbourhoods. This will enable the delivery of the necessary improvements to neighbourhoods, particularly priority neighbourhoods.	Progress has been made and a report covering this item is due to be received at the Personnel Committee in December
Increase the presence of staff in neighbourhoods, particularly priority neighbourhoods	Establish at least three weekly housing surgeries where housing staff will be present	These were planned to start in April 2020. COVID-19 restrictions have made the implementation of these at this time impractical. There are no current timescale for these to be started.
Increase the presence of staff in neighbourhoods, particularly priority neighbourhoods	Review the work of the caretaking service and the cleaning service within neighbourhoods to ensure maximum effectiveness	<p>Blocks in general housing are not routinely cleaned. The caretaking service help to tackle matters that are of immediate health and safety concern, such as items fly tipped in communal areas.</p> <p>A schedule of block inspections, based on a triaged approach, has been developed to ensure the planned and repeated inspection of blocks.</p> <p>A structural change to the Cleaning Team has been approved by the Personnel Committee to recruit new Mobile Cleaners. Moving forward, it is planned that these staff will have a role in cleaning general housing blocks. A report separately will be produced to the</p>

		Housing Committee regarding a future meeting.
To work proactively and Intervene Early		
Strategy Action	To be achieved in Year 1 of the Strategy	Update on Strategy Action
Ensure that priority neighbourhoods are being identified correctly and tackling issues in the correct locations	Design a methodology for evaluating priority neighbourhoods and their effectiveness	The methodology has been defined for identifying priority neighbourhoods, the effectiveness of them will be evaluated in Year 3 of the strategy, once they have been implemented and other actions in the strategy are in place.
Assess and evaluate current approaches to resolving common neighbourhood issues	Complete a review and produce recommendations	<p>Procedures have been amended by the teams to change approaches to tackling some neighbourhood issues.</p> <p>The effectiveness of these changes has been difficult to gauge. Many of the new approaches include more engagement with residents about common neighbourhood issues, and this has been difficult to do face to face because of the COVID-19 pandemic.</p> <p>The evaluation of the effectiveness of these will be part of the Year 3 evaluation.</p>

Ensure the effective management of communal areas, putting the health and safety of residents at the forefront	Introduce a new approach and procedure to block inspections and tackling issues in communal areas	<p>Management of communal areas policy has been approved by the Housing Committee.</p> <p>Block inspection procedure has been implemented and schedule and regularity of inspections has been defined</p>
Reviewing lettings arrangements in priority neighbourhoods to improve tenancy sustainment	Consider the usage of sensitive lettings or local lettings policies where necessary to assist in the management of neighbourhoods	<p>Sensitive lets and local lettings policies are within the Housing Allocations Policy and an approval process is in place where required.</p> <p>A review of whether these will be required in order to tackle issues within priority neighbourhoods will be ongoing</p>
Positively engage with the Community within Neighbourhoods		
Strategy Action	To be achieved in Year 1 of the Strategy	Update on Strategy Action
Work with the engagement team to increase Housing's attendance at community events to promote the work of the team and seek feedback about services	Minimum of five community events attended	Community events have not been possible due to the COVID-19 pandemic
Review procedures to see where there may be more opportunities to engage with residents over neighbourhood management issues	Introduce more informal methods of tackling neighbourhood problems and issues and embed these as part of procedural review	<p>Procedures have been changed as previously outlined</p> <p>Usage of Housing Facebook group, along with other new channels of</p>

		communication, will have their utilisation considered as part of this process to ensure the effective engagement with communities.
To Work in and Strengthen Partnerships		
Strategy Action	To be achieved in Year 1 of the Strategy	Update on Strategy Action
Raise the profile of priority neighbourhoods to with partner agencies and departments to try and achieve wider engagement and wider solutions where possible	Once priority neighbourhoods have been identified, ensure that all appropriate departments and agencies are consulted, action plans distributed and teams involved further where necessary.	<p>The neighbourhoods, the measures and standards are yet to be formally agreed and implemented as outlined above.</p> <p>The pressure on local services, stakeholders and departments of the Council as a result of the COVID 19 pandemic has made some partnership work in these areas impractical.</p> <p>The partnership element of the Neighbourhood Strategy will move to Year 3 of the strategy.</p>

APPENDIX 2

Neighbourhood Strategy Year Two Action Plan

To Improve Neighbourhoods, but Understand that Each Neighbourhood is Different	
Strategy Action	To be achieved in Year 2 of the Strategy
Ensure that residents are aware of what is expected of them and what they can expect of the Council within their neighbourhood	Use noticeboards in neighbourhoods and other media to publicise positive behaviours and minimum standards agreed by residents and members across neighbourhoods
Programme of training for officers working in neighbourhoods to ensure that agreed standards are understood	All staff to be training in accordance with agreed standards
Allow officers to make improvements to neighbourhoods based on concerns of residents, using capital investment where necessary	Invest to improve areas where an improvement has been identified, a rationale developed and a community benefit has been identified. Officers will identify areas and issues based on their discussions with residents. However, applications from the Community Fund, which is operated in partnership with the Engagement Team, will also be considered and promoted.
Integrate Housing Services at a Neighbourhood Level	

Strategy Action	To be achieved in Year 2 of the Strategy
Align Housing services more closely, particularly in priority neighbourhoods.	Use priority neighbourhoods to create cross team objectives to be achieved in partnership
Increase support for vulnerable tenants to maximise tenancy sustainment	Increase in resources focussed on tenancy sustainment case management. This is reflected in a report for upcoming Personnel Committee
To work proactively and Intervene Early	
Strategy Action	To be achieved in Year 2 of the Strategy
Ensure information on our performance is provided to customers	Provide performance information using a range of Housing communications. These will be in Housing Communications online and in Newsletters and by targeted communications in the newly defined Priority Neighbourhoods. The new noticeboards will also be used where appropriate so they appear visually around neighbourhoods
Improve communication with residents in neighbourhoods, particularly in priority neighbourhoods	Review communication methods with residents to ensure maximum effectiveness and impact, consulting with residents. Review and implement new ways in which tenants are communicated with around all neighbourhood issues and concerns.

	<p>Consideration of usage of bespoke communication methods for issues to be raised within Priority Neighbourhoods.</p> <p>Customer Portal also being considered as part of the Capita Open Housing system, by which issues can be reported, tracked and messages can be put out by the Council.</p>
Positively engage with the Community within Neighbourhoods	
Strategy Action	To be achieved in Year 2 of the Strategy
Use a variety of communication methods to reach communities within neighbourhoods who have been historically difficult to reach	Develop a targeted marketing campaign around neighbourhood management and positive behaviour in neighbourhoods
Work with the engagement team to embed the use of informal engagement methods throughout the Housing Department	Training provided to Housing Managers on informal methods of engagement and the benefit of this approach to services
To Work in and Strengthen Partnerships	
Strategy Action	To be achieved in Year 2 of the Strategy
Ensure that the Council's objective around the environment and sustainability are promoted and improvements in neighbourhoods are made	Work with the Environment section to boost recycling and reduce negative environmental factors in neighbourhoods

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Report of the Strategic Director

WORK PROGRAMME

1. Purpose of report

To consider items for inclusion in the Work Programme for future meetings.

2. Background

Items which have already been suggested for inclusion in the Work Programme of future meetings are given below. Members are asked to consider any additional items that they may wish to see in the Programme.

2 February 2021	<ul style="list-style-type: none"> • Business Plans and Financial Estimates 2022/24 – Housing • Stock Options • Review of the Lifeline Service • Housing Delivery Update • Acquisitions Policy • Temporary Accommodation Policy • HouseMark Report • Acquisition of affordable housing on land off Coventry Lane, Bramcote
June 2021 (date to be confirmed)	<ul style="list-style-type: none"> • Performance Management–Review of Business Plan outturn

Recommendation

The Committee is asked to consider the Work Programme and RESOLVE accordingly.

Background papers

Nil

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