

## Report of the Housing Portfolio Holder

**INCOME MANAGEMENT POLICIES**1. Purpose of Report

To seek approval for updated Income Management Policies.

2. Recommendation

**The Cabinet is asked to RESOLVE that the updated policies be approved.**

3. Detail

The purpose of the Financial Inclusion Policy is to support tenants and applicants to have access to affordable financial products and services that meet their needs, and to reduce their outgoings. The policy is included at appendix 1 and a table of changes at appendix 2.

The Income Collection Policy at appendix 3 sets out the approach to the management and collection of rent for properties and garages. A table of changes is included at appendix 4.

The Rent Setting Policy outlines how the Council will calculate rent for the housing stock that it owns and manages within the Housing Revenue Account. The policy is included at appendix 5 and the table of changes at appendix 6.

All three policies were originally written in 2019, and are reviewed every three years as stated in the policies. There have been no significant changes in the Council's approach to income management.

4. Financial Implications

The Rent Setting Policy sets out how rents will be calculated and charged, the principle of this remains the same as the last Rent Setting Policy as government guidance has not been amended.

5. Legal implications

The statutory framework for income collection and recovery of council rent is set out in the Housing Acts 1985 and 1988, which provide legal grounds for seeking possession of tenanted properties. The Council must also have regard to related legislation including the Protection from Eviction Act 1977, the Law of Property Act 1925, the Data Protection Act 1984 (as amended 1998), the Human Rights Act 1998 and the Equality Act 2010 in the application of its income recovery procedures. The legal grounds for possession are set out in the Housing Acts 1985 and 1988. Section 21 of the Housing Act 1988 gives the landlord an automatic right of possession once a fixed term tenancy has expired, and Schedule 2 of that act provides Grounds 8, 10 and 11 (as amended by the

Housing Act 1996) for assured short hold tenancies. Schedule 2 of the 1985 Act governs secure tenancies. The County Court Civil Procedure Rules set out the requirements for making applications for possession, money judgments, and other debt recovery orders.

The Council is under a duty to maintain a Housing Revenue Account and prevent a debit balance, in accordance with Part VI of the Local Government and Housing Act 1989. Part VI requires the council to prepare proposals relating to the income generated through the collection of rents and other charges, expenditure in respect of repairs, maintenance, supervision and management of Housing Revenue Account property and other prescribed matters. The Council has a power to make reasonable charges (rent) for the tenancy or occupation of its dwelling-houses pursuant to section 24 of the Housing Act Housing Revenue Account Budget (HRA) Budget and Rent Setting Report 2022/23 Report No 1985 and is required to keep under review, the rent it charges. The Council may increase the rent it charges, in accordance with the current tenancy agreement, by giving its tenants a minimum of 28 days' prior written notice as permitted by section 102(1)(b) of the Housing Act 1985.

The Council, in setting its annual rents, should also have regards to the Government's policy on Rents for Social Housing 2020.

Having a clearly defined policies ensures consistency of approach and ensures that no tenant or resident is treated any more fairly or unfairly than any other.

6. Equality Impact Assessment

As this is a change to policy an equality impact assessment is included at appendix 7 to this report.

7. Background Papers

Nil.