

Report of the Portfolio Holder for Housing

Leasehold Management Policy1. Purpose of Report

To seek Cabinet approval for an updated Leasehold Management Policy.

2. Recommendation

Cabinet is asked to RESOLVE that the updated Leasehold Management Policy be approved.

3. Detail

The Council currently has 316 leaseholders. This number increases each year as tenants purchase their property via the Right to Buy.

The purpose of the Leasehold Management Policy is to provide clarity and consistency by outlining clearly the responsibilities and obligations of leaseholders and the Council's approach to delivering our contractual obligations in line with the lease and in adherence with leasehold legislation and regulations.

Although the Council has previously had a Leasehold Management Policy, the new Policy is very different to the previous Policy, containing different information, headings and content. The Policy has been completely rewritten, rather than just updated. Therefore, a change table has not been provided to outline the changes as this would be a long document and would not assist with the review. The Leasehold Policy is contained within Appendix 1.

4. Key Decision

This report is a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 as it is significant in terms of its effects on communities living or working in an area comprising two or more Wards or electoral divisions in the Council's area.

5. Updates from Scrutiny

Not applicable.

6. Financial Implications

The comments from the Head of Finance Services were as follows:
There are no additional financial implications to consider in approving the updated Leasehold Management Policy. Income and expenditure associated with Leaseholders is managed within the Housing Revenue Account (HRA). It is therefore important that all applicable costs, including repairs, insurances and

management and administrative expenses, are fully recovered from leaseholders through the annual service charges.

7. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

The relevant legislation is set out in the policy, as the number of leasehold properties will increase over time due to the right to buy scheme it important for the Council to have a policy in place that sets out the responsibilities and obligations of both the Council as the freeholder, and the leaseholder. Leasehold management is guided by legal framework, lease agreements, case law, regulations, and sources of good practice. The Council as the freeholder has an interest in ensuring that leasehold properties are managed in a compliant manner, that the leaseholder adheres to the terms of the lease agreement, and where there are breaches take appropriate enforcement action.

8. Human Resources Implications

The comments from the Human Resources Manager were as follows:

Not applicable.

9. Union Comments

The Union comments were as follows:

Not applicable.

10. Climate Change Implications

The climate change implications are contained within the report.

11. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

12. Equality Impact Assessment

As this is a change to Policy an equality impact assessment is included in **Appendix 2** to this report.

13. Background Papers

Nil.