



Scan the code above or visit www.nwleics.gov.uk/meetings for a full copy of the agenda.

Meeting	CABINET
Time/Day/Date	5.00 pm on Tuesday, 3 March 2020
Location	Board Room, Council Offices, Coalville
Officer to contact	Democratic Services (01530 454512)

AGENDA

Item	Pages
1. APOLOGIES FOR ABSENCE	
2. DECLARATION OF INTERESTS	
Under the Code of Conduct members are reminded that in declaring disclosable interests you should make clear the nature of that interest and whether it is pecuniary or non-pecuniary.	
3. PUBLIC QUESTION AND ANSWER SESSION	
4. MINUTES	
Minutes of the meetings held on 4 February and 18 February 2020.	3 - 14
5. REVIEW OF DISCRETIONARY RATE RELIEF POLICY AND GUIDELINES	
Report of the Strategic Director of Housing and Customer Services Presented by the Corporate Portfolio Holder	15 - 38
6. REPAIRS AND MAINTENANCE POLICY	
Report of the Strategic Director of Housing and Customer Services Presented by the Housing and Customer Services Portfolio Holder	39 - 68
7. EXCLUSION OF PRESS AND PUBLIC	
The officers consider that the press and public should be excluded during consideration of the following items in accordance with Section 100(a) of the Local Government Act 1972 as publicity would be likely to result in disclosure of exempt or confidential information. Members are reminded that they must	

have regard to the public interest test and must consider, for each item, whether the public interest in maintaining the exemption from disclosure outweighs the public interest in making the item available.

8. PROCUREMENT UPDATE ON TELEPHONY PROJECT

Report of the Strategic Director of Housing and Customer Services
Presented by the Housing and Customer Services Portfolio Holder

69 - 72

Circulation:

Councillor R Blunt (Chairman)
Councillor R Ashman (Deputy Chairman)
Councillor R D Bayliss
Councillor T Gillard
Councillor N J Rushton
Councillor A C Woodman

MINUTES of a meeting of the CABINET held in the Board Room, Council Offices, Coalville on TUESDAY, 4 FEBRUARY 2020

Present: Councillor R Blunt (Chairman)

Councillors R Ashman, R D Bayliss, T Gillard and A C Woodman

In Attendance: Councillors J Clarke, D Everitt, J Legrys, C A Sewell and S Sheahan

Officers: Mr J Arnold, Mrs T Bingham, Mr A Barton, Mrs B Smith, Miss E Warhurst, Miss A Wright, Mr T Delaney, Mrs R Wallace and M D'Oyly-Watkins

77. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor N J Rushton.

78. DECLARATION OF INTERESTS

There were no interests declared.

79. PUBLIC QUESTION AND ANSWER SESSION

There were no questions received.

80. MINUTES

Consideration was given to the minutes of the meeting held on 14 January 2020.

It was moved by Councillor R Blunt, seconded by Councillor R Ashman and

RESOLVED THAT:

The minutes of the meeting held on 14 January 2020 be confirmed as a correct record and signed by the Chairman.

Reason for decision: To comply with the Constitution

81. MINUTES OF THE COALVILLE SPECIAL EXPENSES WORKING PARTY

The Community Services Portfolio Holder presented the report to Members.

He thanked Members and officers for the continued great work undertaken in the Coalville Special Expense area. He was pleased to see that the Friends of Coalville Park had attended the previous meeting and was enthusiastic about the work that had been done and the inspirations for the future. He also acknowledged the work undertaken on 'Coalville in Bloom' and supported the request for further funding.

It was moved by Councillor A Woodman, seconded by Councillor R Blunt and

RESOLVED THAT:

The recommendations made by the Coalville Special Expenses Working Party be noted and the recommendations as summarised at paragraph 3.0 be approved.

Reason for decision: To consider the recommendations made by the Coalville Special Expenses Working Party.

82. GENERAL FUND AND SPECIAL EXPENSES REVENUE BUDGET PROPOSALS FOR 2020/21

The Head of Finance presented the report to Members.

She advised Members of the Section 151 assurances and the recommendations to Council to amend the General Fund fees and charges, the General Fund and Special Expenses Revenue budgets for the next financial year, the freeze of the District's share of council tax and the transfer of budgeted surplus to the self-sufficiency fund. Members were informed that the public consultation on the budget proposals had concluded earlier that day and any comments received since the report had been published were included in the additional papers.

The Head of Finance made Members aware of a report being considered by Council in February in relation to the Independent Remuneration Panel's recent recommendations to amend Members Allowances. This would have a financial impact on both the HRA and General Fund, and would be factored into the final budget report to Council.

To conclude, the Head of Finance highlighted the changes to the precept increases for the Special Expenses area following the confirmation of the council tax base in January.

It was moved by Councillor R Blunt, seconded by Councillor R D Bayliss and

RESOLVED THAT:

1. The Assurance Statement by the Section 151 Officer be noted.

RECOMMENDED TO COUNCIL THAT:

2. The amendment to the General Fund fees and charges as detailed at Appendix B be approved.
3. The General Fund Revenue Budget for 2020/21 as summarised at Appendix C be approved.
4. The Special Expenses Revenue Budget for 2019/20 as summarised at Appendix D be approved.
5. The District Council's share of Council Tax be frozen in 2020/21.
6. The budgeted surplus income over the expenditure in 2020/21 be transferred to the Self-Sufficiency Reserve.

Reason for decision: To enable the Council to set a balanced budget for 2020/21 as required by statute.

83. HOUSING REVENUE ACCOUNT (HRA) BUDGET PROPOSALS FOR 2020/21

The Housing and Customer Services Portfolio Holder presented the report to Members.

He advised Members of the Section 151 assurances and the recommendations to Council to approve the proposed rents and charges and the HRA budget for the next financial year. Members were once again reminded of the conclusion of the public consultation on the budget proposals and that any comments received since the report had been published were included in the additional papers. It was noted that 72 percent of responders were accepting of the rent increases and 62 percent were accepting of the changes to the service charges.

It was acknowledged that there was an increase in surplus from the draft budget position. The surplus would be contributed to the Debt Repayment Reserve but there would be flexibility to utilise it in future years when opportunities arose.

Members were once again reminded of the financial impact of the changes to Members allowances which would be factored into the final budget report to Council in February.

It was moved by Councillor R D Bayliss, seconded by Councillor R Blunt and

RESOLVED THAT:

1. The Assurance Statement by the Section 151 Officer be noted.

RECOMMENDED TO COUNCIL THAT:

2. The following changes to rents and charges for 2020/21 be approved:
 - a. Increase council house rents by up to 2.7% as detailed at paragraph 4.1
 - b. Decrease charges by an average of 0.96% as set out at Appendix C.
 - c. Increase service charges by an average of 0.44% as set out in Appendix D.
3. The Housing Revenue Account budget for 2020/21 as summarised at Appendix A be approved.

Reason for decision: To enable the Council to set a balanced Housing Revenue Account budget for 2020/21.

84. 2020/21- 2024/25 CAPITAL PROGRAMMES AND 2020/21 CAPITAL STRATEGY

The Head of Finance presented the report to Members.

It was noted that plans for the General Fund for the next financial year totalled 12.9 million pounds and included building the new leisure facility, redevelopment of Appleby Magna Caravan Site, demolition of hall site following the relocation of the market in 2020 and installation of new inclusive toilets at Coalville Cemetery. The Housing Revenue Account Capital Programme was 10.2 million pounds and included the continued Home Improvement Programme, a reduced Council New Housing Supply Programme and provision for regenerating an existing council housing estate.

It was acknowledged that the HRA programme included an additional 50 thousand pounds for off-street parking as a result of comments from the Head of Finance and the Corporate Scrutiny Committee in January.

Members were once again reminded of the conclusion of the public consultation on the budget proposals and that any comments received since the report had been published were included in the additional papers.

It was concluded that the Capital Strategy set out the Council's priorities and approach to capital investment and it's financing over a five year period in line with statutory requirements.

As the Ward Member, Councillor R Blunt was pleased that progress was being made on the Appleby Magna Caravan Site. He also felt strongly about the new fund for council estate improvements as he believed it was important for tenure neutrality.

It was moved by Councillor R Blunt, seconded by Councillor R D Bayliss and

RESOLVED THAT:

1. The estimated General Fund and HRA Capital Outturn for 2019/20 and financing at Appendices B and C be noted.
2. The proposed procurement routes in respect of vehicles, equipment and plant be noted, and authority to award these contacts and any associated agreements be delegated to the Strategic Director in Consultation with the Portfolio Holder, subject to final approval of the Capital Programmes in February 2020.

RECOMMENDED TO COUNCIL THAT:

3. The 2020/21 Capital Strategy included in Appendix A be approved in line with the prudential code.
4. That the Capital Programmes 2020/21 as detailed at Appendix B – General Fund Capital Schemes and Appendix C – HRA Capital Schemes be approved.

Reason for decision: To enable projects to be included in the programmes for approval at Council.

85. 2020-2025 MEDIUM TERM FINANCIAL PLAN

The Head of Finance presented the report to Members.

Members noted the summary of the revisions to the Council's Medium Term Financial Plans which aligned with the final budgets presented to Cabinet. The position included Journey to Self-Sufficiency savings of 5.1million pounds and if they were not delivered the deficit would be significantly higher.

It was moved by Councillor R D Bayliss, seconded by Councillor R Blunt and

RESOLVED THAT:

1. The revised Medium Term Financial Plans be approved.
2. The progress of the Journey to Self Sufficiency Programme be noted.

Reason for decision: To keep Members up to date in respect of the Council's five-year financial projections.

86. INVESTMENT STRATEGY - SERVICE AND COMMERCIAL 2020/21

The Head of Finance presented the report to Members.

Members were advised that the strategy set out how the Council would support local public services by lending to them or buying shares in them, and how it would earn an investment income. The approved limits had been set to limit the amount the Council would lend and invest. It was noted that the strategy also set out the Council's current commercial property investments.

It was moved by Councillor R Ashman, seconded by Councillor R Blunt and

RECOMMENDED TO COUNCIL THAT:

The Investment Strategy – Service and Commercial 2020/21 at its meeting on 25 February 2020 be approved.

Reason for decision: To ensure the Council meet the requirements of the statutory guidance issued by the government in January 2018 under Section 15(1)a of the Local Government Act 2003.

87. TREASURY MANAGEMENT STRATEGY STATEMENT 2020/21 AND PRUDENTIAL INDICATORS 2020/21-2022/23

The Head of Finance presented the report to Members.

She advised that the strategy was related to how the Council invested its surplus cash which was available as a result of day to day activities, and it complied with statutory, regulatory and professional requirements. The strategy retained the flexibility for the Council to invest in a range of asset classes and the covering report set out the ways to diversify further into different asset classes to achieve a higher yield. This was one of the ways that savings would be delivered under the Journey to Self-Sufficiency Programme.

Members were referred to the table at paragraph 10.1 of the report which projected the Council's treasury position to 2025, aligned with the Council's budgets and Medium Term Financial Plan.

Councillor R Blunt thanked the Head of Finance and her team for the work undertaken on the budget proposals and financial planning.

It was moved by Councillor R Blunt, seconded by Councillor R D Bayliss and

RECOMMENDED TO COUNCIL THAT:

The Treasury Management Strategy Statement 2020/21, the Treasury Management Prudential Indicators – Revised 2019/20 and 2020/21 – 2022/23, and the Annual Minimum Revenue Provision be approved.

Reason for decision: To meet the requirement of the Chartered Institute of Public Finance and Accountancy's 'Treasury Management in the Public Services Code of Practice' 2017 Edition (the CIPFCA Code).

88. PROPOSED ARTICLE 4 DIRECTION - KEGWORTH HOUSES IN MULTIPLE OCCUPATION

The Planning and Infrastructure Portfolio Holder presented the report to Members.

He advised that Councillors B Harrison-Rushton and C Sewell, along with Kegworth Parish Council had expressed concerns regarding the high concentration of Houses in Multiple Occupation (HMO) in the village, and the negative impact they were having on its character, well-being and housing profile. Therefore, it has been requested that the District Council consider issuing an Article 4 Direction to manage the creation of new small HMOs which could be set up without planning permission. The Article 4 Direction would remove certain permitted development rights, which would mean that a small HMO would require planning permission.

It was noted that officers had not been able to identify any demonstrable evidence to link amenity issues directly to HMOs but it was clear that there was a clear concentration of such properties in the village, representing approximately 10 percent of all properties in the village. This largely, although not exclusively, seemed to relate to students who

attended the nearby Nottingham University Campus at Sutton Bonnington. As the university intended to increase the student numbers, the concern was that the demand would also increase the need for HMOs and would take properties out of the family housing market.

He explained that there were two types of Direction; an immediate Direction, which would come into place immediately or a non-immediate Direction, which would come into place between 12 and 24 months. He referred Members to section eight of the report which highlighted the advantages and disadvantages of both. The Portfolio Holder recommended that a non-immediate Direction be used to come into force after 12 months. He felt it would reinforce the intention of the Council to protect the mix of housing in Kegworth.

It was noted that Councillor C Sewell had originally submitted a question on the matter to Cabinet but as the item was being considered at the meeting, it had been withdrawn.

Councillor R Blunt acknowledged that the current amount of HMOs had changed the social composition of Kegworth with an increasing transient population.

Councillor A Woodman raised the concerns from the Chairman of Kegworth Parish Council that HMO properties would not be required to pay the Parish Council Tax precept. He believed this was a matter currently being looked at on a national level.

It was moved by Councillor R Ashman, seconded by Councillor Blunt and

RESOLVED THAT:

1. The making of a Non-Immediate Article 4 Direction to be applied to the village of Kegworth to remove permitted development rights for the change of use of a dwelling house (C3 use) to small Houses in Multiple Occupation (C4 use) be approved.
2. The Non-Immediate Article 4 Direction to be brought into force after 12 months.
3. Notice of the Non-Immediate Article Direction be publicised for a period of at least six weeks to allow members of the public to submit comments on the proposals.
4. At the end of the representation period, a further report be brought to Cabinet to consider any comments received and to decide whether to confirm the Non-Immediate Article 4 Direction.

Reason for decision: In accordance with the Council's Constitution, making an Article 4 Direction fall within the remit of Cabinet.

89. CORPORATE PEER REVIEW

The Chief Executive presented the report to Members.

She advised that the review process was a positive experience for both Members, staff and stakeholders, and the outcome would help shape the Council's journey of improvement. The core components of the review was made up of five key questions, these were detailed at paragraph 2.2 of the report. The Peer Review Team recognised the positive feel to the Council, as well as the enthusiastic staff and committed Councillors who were striving to do their best for their communities. The key recommendations were detailed at paragraph 3.4 and draft action plan was attached at Appendix A.

The journey to improve the scrutiny function was also recognised, as well as a need to support Members in understanding their role and maximising the benefits that effective scrutiny could bring to the Council. Therefore, it was recommended that a cross party working group be established to oversee actions and improvements to the scrutiny function.

Councillor R Blunt was pleased with the Council's change of ambition and the outcome of the peer review. He also felt positively about the cross party working group.

In response to a question from Councillor R D Bayliss, the Chief Executive explained that 'ward walkabouts' would involve both ward members and officers. Councillor R Blunt fully supported the proposed Ward Walkabout Programme as it would help Ward Members to understand what was happening in their wards and how issues could be addressed. He added that focus would be on the new members initially. Councillor T Gillard echoed the comments.

It was moved by Councillor R Ashman, seconded by Councillor R Blunt and

RESOLVED THAT:

1. The Corporate Peer Team's feedback and recommendations be noted and accepted.
2. The action plan at Appendix A be approved.

Reason for decision: To allow the Council to progress the proposed action plan in response to the corporate peer review feedback report.

90. CORPORATE ACCOMMODATION UPDATE

The Housing and Customer Services Portfolio Holder presented the report to Members.

It was noted that the Council's corporate accommodation on Whitwick Road had not benefited from substantial refurbishment for a significant period of time and in many cases it featured the original finishes. A full condition survey was carried out which outlined the scale and estimated costs of remedial and preventative maintenance required to keep the building operational in its current state.

Members were reminded that in 2019 the Council declared a climate emergency, making a commitment to become carbon neutral. The Council's accommodation in its present state was not energy efficient, with uninsulated cavities, single glazing and traditional sources of space heating and power.

Members were referred to the alternative options and opportunities detailed a section 5.0 of the report.

Councillor R Blunt felt that it was important to look at the carbon impacts of the corporate accommodation and that the proposed cross party working group was essential to assist with the project. He added that the public expected us to be a green Council and it was important to lead by example.

Councillor R Ashman reiterated comments made by Councillor R Blunt and stressed the importance of involving the community so that it felt like a building for all not just the Council. He also commented on the necessity for proper maintenance.

Councillor A Woodman commented on the unanimous Council decision to support the climate change emergency motion and he believed it was essential to look at the corporate accommodation.

It was moved by Councillor R D Bayliss, seconded by Councillor R Bluntand

RESOLVED THAT:

1. The report be noted.
2. An informal proportional cross party working group, chaired by the Housing and Customer Services Portfolio Holder and supported by the Strategic Director of Place and officers of his delegation, be established.

Reason for decision: The Council has had a full condition survey completed which details several million pounds of work required.

91. EXCLUSION OF PRESS AND PUBLIC

RESOLVED THAT:

In pursuance of Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the remainder of the meeting on the grounds that the business to be transacted involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act and that the public interest in maintaining this exemption outweighs the public interest in disclosing the information.

Reason for decision: To enable the consideration of exempt information.

92. AUTHORITY TO AWARD HOUSING CONTRACTS

Councillor R D Bayliss presented the report to Members.

It was moved by Councillor R D Bayliss, seconded by Councillor R Bluntand

RESOLVED THAT:

Subject to final approval of the HRA Revenue Budget and Capital Programme by Council, the authority to award housing contracts as detailed within the report be delegated to the Strategic Director (Housing and Customer Services) in conjunction with the Housing and Customer Services Portfolio Holder and Section 151 Officer, specifically:

1. Award of contract for mobility scooter storage facilities in sheltered housing schemes.
2. Award of contract for structural repairs as detailed within the report.
3. Award of contract for drainage services.
4. Award of contract for the replacement of the hardwired link to central control response for sheltered schemes

Reason for decision: The level of expenditure on proposed contracts exceeds the authority threshold in the scheme of delegation.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.50 pm

MINUTES of a meeting of the CABINET held in the Board Room, Council Offices, Coalville on TUESDAY, 18 FEBRUARY 2020

Present: Councillor R Blunt (Chairman)

Councillors R Ashman, R D Bayliss, T Gillard, N J Rushton and A C Woodman

In Attendance: Councillors J Clarke, D Everitt, M D Hay, J Legrys, C A Sewell and S Sheahan

Officers: Ms E Tomlinson, Mr J Arnold, Mrs T Bingham, Mrs B Smith, Mr T Delaney, Mr C Elston and R Helliwell

93. APOLOGIES FOR ABSENCE

There were no apologies for absence.

94. DECLARATION OF INTERESTS

In accordance with the Code of Conduct, Members declared the following interests:

Councillor N J Rushton declared a non-pecuniary interest in Item 3 – Midlands Engine Development Corporation as a member of the Oversight Board of the Development Corporation.

Councillor R Ashman declared a non-pecuniary interest in Item 3 – Midlands Engine Development Corporation as a member of the Oversight Board of the Development Corporation.

95. MIDLANDS ENGINE DEVELOPMENT CORPORATION

The Planning and Infrastructure Portfolio Holder, Councillor R Ashman presented the report to Members.

He explained the purpose of this report was to update Members on the Development Corporation programme and seek endorsement for the next steps, including the statement of intent.

Councillor Ashman explained that as East Midlands Airport in North West Leicestershire was one of the three proposed sites, the establishment of the Development Corporation would have an impact on the Council. Therefore, it was important that Councillors support the ongoing involvement of the Council in the development of the business case as the work progresses.

Councillor Ashman explained that if established and supported with the required resources and expertise, the Development Corporation would attract nationally and internationally significant investment and development into the East Midlands. This would support the developments at East Midlands Airport with improvements to connectivity on a scale and at a pace that could not be achieved by the Council or the airport acting alone.

Councillor Ashman explained that the report provided background on the Development Corporation proposition, details of the three sites to be included at Toton, Radcliffe Power Station and East Midlands Airport and the programme's governance

Councillor Ashman identified the potential risk that the Development Corporation could progress through east Midlands Engine without North West Leicestershire's involvement,

meaning the Council would not have a seat at the table to shape the vision for the Development Corporation and its impact on North West Leicestershire and the region. Therefore, it was important the Council continued to be involved in order to play a key role in shaping the Development Corporation to ensure the delivery of maximum benefit for North West Leicestershire and the region.

Councillor Ashman also acknowledged several uncertainties around exact implications such as on planning powers and business rates. He drew attention to the statement of intent included as appendix 1 and explained its intention to mitigate these concerns in lieu of the level of detail available at present. He added that as further details emerge, further reports and updates would be provided to members as required.

Councillor Ashman also explained that financial implications in relation to business rates arising as a result of the Development Corporation would be assessed, he added it was not intended that existing rates received by the Council would be redirected to the Corporation.

Councillor Ashman then outlined the proposed next steps going forward.

He explained that the Development Corporation Project Team would submit the outline business case to the Government in Spring 2020. He added that due to the required legislation changes to enable the establishment of the type of locally led development corporation being proposed, it was unlikely it would be in place until 2022 at the earliest.

Councillor Ashman explained that the Chief Executive and Officers from the Council continued to be engaged in weekly conference calls as well as focussed workshops to help shape the final stages of the outline business case. Additionally, he would attend the Oversight Board to ensure the ambitions of North West Leicestershire and partners were reflected.

He then explained that there was a proposal for an interim structure to be established to ensure that momentum would be maintained. He elaborated that it was proposed that this structure would have a board of shareholders made up of local authorities in the areas directly affected including North West Leicestershire District Council. He added that as further details of this emerged they would be shared with councillors for approval as required.

Councillor Ashman also advised Cabinet that the report had been considered by the Community Scrutiny Committee on Wednesday, 12 February and drew their attention to the minutes of that meeting included in their additional papers.

He explained that the Committee had received a presentation from Mr Ken Harrison from the Development Corporation Programme providing background information on the proposition and proposed sites.

Councillor Ashman outlined several concerns members of the Committee had expressed, in particular the level of detail in relation to the statement of intent, infrastructure and connectivity, sustainable transport, the level of growth considering the Council's movement towards zero carbon, the need for new housing, community engagement and local consultation, and engagement with members. Councillor Ashman confirmed he had noted these comments and would lobby for more detail on all these concerns.

Councillor Ashman then set out several details of the proposed Member Working Group, that it would be cross-party, formed along committee proportionality lines and include Members whose wards were directly affected, and that it would be chaired by himself as Portfolio Holder. Furthermore, terms of reference would be required and meetings would be arranged on a quarterly basis, or as and when needed, to give the Working Group the

opportunity to have an input into key decisions in advance of the establishment of the locally led Development Corporation.

Councillor Ashman then commended the recommendations on page 4 of the report. Furthermore, he proposed an additional recommendation that the Working Group report its views to Cabinet.

The Chairman, Councillor R Blunt invited Cabinet to make comments.

Councillor Blunt acknowledged he had initially hoped this would not have happened as the Council had always endeavoured in northern wards to balance growth and quality of the areas as a place to live and this had not been a difficult balance.

He explained that ultimately they could not ignore momentum behind the proposals, as walking away risked losing the ability to influence the decisions due to be taken. He acknowledged that there was a lot that could go well and a lot that could go wrong, and that the Development Corporation had many ambitions. He stated that it was best to be at the table for both officers and members.

Councillor Blunt also expressed a desire for the Working Group to appoint a deputy chairman who, when appropriate, could present to Cabinet the views of the Working Group outside Cabinet.

He further stated that there was a need to improve the links between backbenchers and Cabinet and the Development Corporation presented a chance to do so.

Councillor Blunt then reinforced that it was important for the Council to be in a position to influence the Development Corporation as it was set to happen regardless of whether the Council was involved and the proposals were the best way to ensure influence was maintained.

Councillor Blunt also acknowledged concerns about a lack of detail about the proposals at this time and observed that the proposals had to be light in detail in order for them to move forward to the next stage. In addition, that as government aspirations and funding came forward this would enable more details to be set down.

Councillor N J Rushton spoke in support of the proposals and stated that in order to influence the shape of the Development Corporation, North West Leicestershire would be better on the inside than observing from the side. In particular, this would allow the Council to influence infrastructure that would come alongside the Development Corporation. Councillor J Rushton particularly identified the needs of the northern wards potentially impacted by a number of jobs being created. Both in terms of housing for those living in the District and improvements in transport infrastructure for commuters from pockets of unemployment.

Councillor A Woodman spoke in support of the proposals, he stated that East Midlands must be taken as a region that needed projects like the Development Corporation to be able to compete with projects in the West Midlands. He also observed that the West Midlands was receiving a large amount of investment as a result of the presence of a Combined Authority and Mayor.

Councillor Woodman also observed that the Development Corporation could work well alongside the proposals for a Freeport at East Midlands Airport and other opportunities for economic growth.

Councillor R D Bayliss spoke in support of the proposals and observed that it was difficult to have a debate when members were in agreement, he also added that concerns about a

lack of detail could be best resolved by being at the table and involved in discussions to decide those details.

Councillor T Gillard echoed the comments of the rest of Cabinet and confirmed his full support for the proposals.

It was proposed by Councillor R Ashman, seconded by Councillor N J Rushton and

RESOLVED THAT:

- A) The Statement of Intent (Appendix 1) which has been agreed by relevant local authority chief executives and which sets out the shared aspirations of the local authorities for the Development Corporation proposition be endorsed.
- B) North West Leicestershire's participation and involvement in the establishment of a suitable interim delivery structure created to undertake development activities in advance if the establishment of a statutory locally-led Development Corporation be endorsed.
- C) A Member Working Group be established to be regularly consulted on the progress of the Development Corporation work over the next two years, during the period of the interim delivery vehicle.
- D) And that the established Member Working Group report their recommendations to Cabinet.

Reason for decision: If established and supported with the required resources and expertise, the DC would attract nationally and internationally significant investment and development into the East Midlands. This would support the developments at East Midlands Airport (EMA) with improvements to connectivity on a scale and at a pace that could not be achieved by the Council or EMA acting alone.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.11 pm

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 3 MARCH 2020



Title of Report	REVIEW OF DISCRETIONARY RATE RELIEF POLICY AND GUIDLINES	
Presented by	Councillor Nicholas Rushton Corporate Portfolio Holder	
Background Papers	Cabinet – January 2014 Review of Revenues and Benefits Policies (Non Domestic Rates (NDR) - Discretionary Rate Relief and Hardship Relief - Alignment of Partnership Policies and Guidelines).	Public Report: Yes/No
		Key Decision: Yes/No
Financial Implications	<p>Currently the Council awards £162,000 of Discretionary Rates Relief to 104 organisations.</p> <p>The council funds 40% of these awards through the current 50% Business Rates Retention System, with precepting authorities and central government sharing the remaining 60% impact.</p> <p>The level of relief awarded from April 2021 is dependent on re-application of current awardees and new applicants. It is anticipated however, that the total relief awarded will be of a similar value to the value currently awarded under the policy.</p>	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	<p>Ratepayers currently in receipt of Discretionary Rate Relief require a 12 month notice period to any changes to their awards, under Sections 47 and 48 Local Government Finance Act 1988 and the Non-Domestic Rate (Discretionary Rate Relief) Regulations 1989.</p> <p>Ratepayers currently in receipt of relief will be written to in March 2020 and invited to re-apply for Discretionary Relief from April 2021.</p>	
	Signed off by the Deputy Monitoring Officer: Yes	
Staffing and Corporate Implications	None.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	For Cabinet to approve on proposed Discretionary Business Rates Relief Policy.	
Reason for Decision	Cabinet approval of new policy required.	
Recommendations	THAT CABINET APPROVE THE DRAFT POLICY	

1. BACKGROUND

- 1.1 Discretionary Rates Relief is a discretionary form of business rates relief that the Council is able to award to certain types of non-profit-making organisations and can be up to 20% if the organisation already receives some form of charitable relief or up to 100% if only discretionary relief is allowed.
- 1.2 Discretionary Relief is often awarded alongside Mandatory Relief. Mandatory Relief is the main source of charitable relief. Both reliefs are awarded upon application and funded through the current 50% Business Rate Retention System, with the Council therefore funding its portion of the relief through its share of retained business rates (circa 40%).
- 1.3 Each Local Authority has its own procedures and criteria for awarding Discretionary Relief. The Council's existing Discretionary Rates Relief policy and associated award criteria was last updated in 2014. The existing award criteria lists a mix of organisation type as well as named organisations. There has been some difficulty in utilising the criteria in recent years where new applicants have not fallen in to one of the existing organisation type categories or is of a similar type of organisation to a named organisation on the list but is not themselves listed. Under the current policy, the Council has the ability to award Discretionary Relief on individual merit, with reference to an organisations' demonstrable exceptional circumstances and benefits to the local community and this will be retained in the proposed revised policy.
- 1.4 The Community Scrutiny Committee considered the draft policy at its meeting on 12 February 2020. Members of the committee were supportive of the policy but were unclear as to the reasons for differentiation in reliefs awarded to Community Amateur Sports Club (CASC's), sports and social clubs and other charitable groups who have access to a bar. Whilst the levels of award are not proposed to be changed (with the exception of an enhancement as outline in 2.2 below) additional information has been added to the award categories featured in Appendix 2 to explain why certain groups receive a prescribed level of relief, with the categories of organisation also streamlined.
- 1.5 The proposed new policy is included in Appendix 1. A copy of the existing policy can be found via the link to background papers as set out above.

2. CHANGES TO THE CRITERIA FOR AWARDING DISCRETIONARY RELIEF

- 2.1 The revised policy (Appendix 1) presents a comprehensive and consistent set of guidelines and criteria for awarding relief based on organisation type.
- 2.2 There is one change to the general principles of the current policy now set out in the new guidelines, this is to award Discretionary Relief to ratepayers falling under category 3 ('Charities where members have regular access to licensed bar facilities'). This change has been included on the basis of not penalising sports and social clubs who have not gained Community Amateur Sports Club (CASC) status, taking note of the potential for earnings by having a bar and with reference to the 20% discretionary relief available to all other charities not fitting into the other categories.
- 2.3 The table at Appendix 2 shows the existing categories (where it has been possible to identify them), the award under the current policy and the proposed award under the new policy. As detailed above, the table has also been updated following feedback from the Community Scrutiny Committee, to explain why certain groups receive a prescribed level of relief and reasons for removing two categories.

- 2.4 A review of ratepayers currently in receipt of Discretionary Relief has identified a small number of organisations whose award is in excess of the award currently given to organisations of the same category and that which would be awarded under the new policy. This is because these applications have been considered in the past with relevance to those organisations' exceptional circumstances and benefits to the local community. The Council will retain the ability to award Discretionary Relief on individual merit, with reference to an organisations' demonstrable exceptional circumstances and benefits to the local community.
- 2.5 The revised policy will be implemented from April 2021, allowing for a full 12 month notice period to organisations currently awarded discretionary relief, whose relief could change (subject to application) and sufficient time for these organisations to apply for the relief from April 2021.
- 2.6 The revised policy will also include a new requirement to review awards every three years. This will involve writing to all ratepayers in receipt of Discretionary Relief, requiring re-application.

Policies and other considerations, as appropriate	
Council Priorities:	Supporting Coalville to be a more vibrant, family-friendly town Support for businesses and helping people into local jobs Developing a clean and green district Local people live in high quality, affordable homes Our communities are safe, healthy and connected
Policy Considerations:	The draft policy at Appendix 1 would replace the existing policy approved in 2014.
Safeguarding:	N/A
Equalities/Diversity:	N/A
Customer Impact:	Organisations currently in receipt of Discretionary Relief will be invited to reapply for relief awarded from April 2021. All ratepayers in receipt of award will be asked to reapply every three years following implementation of this policy.
Economic and Social Impact:	As detailed in the report
Environment and Climate Change:	N/A
Consultation/Community Engagement:	Community Scrutiny Committee 12 February 2020
Risks:	As detailed in the report
Officer Contact	Tracy Bingham Head of Finance tracy.bingham@nwleicestershire.gov.uk

This page is intentionally left blank

NON-DOMESTIC RATE DISCRETIONARY RELIEF POLICY

North West Leicestershire District Council

Introduction

Whilst the local authority is under a statutory duty to award mandatory relief, the award of discretionary rate relief is at the discretion of the local authority.

Each authority will have its own procedures for when to award discretionary relief and for how long it is to be awarded. These need to be regularly reviewed and updated to take account of new legislation and policy changes within each authority.

This policy sets out the decision making process of the Council when dealing with applications for discretionary rate relief. This includes applications from:

- Charities;
- Community Amateur Sport Clubs;
- Not-for-profit organisations;
Rural businesses (village shops, post offices, food stores, petrol filling stations, public houses and other small rural businesses); and
- Other businesses in North West Leicestershire

Legislation

The Council has discretionary powers with regard discretionary rate relief under:

- The Local Government Finance Act 1988; The relevant provisions regarding the award of discretionary relief are set out in Sections
- 47 and 48 Local Government Finance Act 1988 and the Non-Domestic Rate (Discretionary Rate Relief) Regulations 1989 (S.I. 1989/1059). * see above
- Section 69 of the Localism Act amends section 47 of the Local Government Finance Act 1988 to replace the limited circumstances in which local authorities can currently give discretionary relief with a power to grant relief in any circumstances but can only grant relief if it would be reasonable to do so having regard to the interests of council tax payers in its area and
The Local Government and Rating Act 1997. The relevant provision provides for mandatory and discretionary relief for certain hereditaments in rural settlements.

European Union competition rules generally prohibit Government subsidies to business and relief from taxes, including non-domestic rates, can constitute state aid. Consideration must be had to this when granting discretionary rate relief.

Relief for charities and non-profit making bodies is not normally considered to be state aid because the recipients are usually not in market competition with other businesses. However, if the charities or non-profit making bodies are engaged in commercial activities, or if they are displacing an economic operator or if they have a commercial partner, rate relief could constitute state aid, and EU rules will apply.

Other

It should be noted there are other reliefs available to a ratepayer. These can be summarised as follows:-

Small Business Relief

A local authority is under a statutory duty to award small business relief (subject to certain conditions being satisfied) if a ratepayer occupies a hereditament that has a rateable value below a prescribed sum. As a consequence, the local authority has no discretion in the matter. However, if the ratepayer is entitled to mandatory relief, they would then not qualify for small business relief.

Part-Occupied Relief

A local authority is entitled to award part-occupied relief when a hereditament is part-occupied for a 'short-time' only. There is no definition of a 'short-time' and it is open to the local authority to interpret the period.

There are separate procedure notes for staff when administering part-occupied relief.

Hardship Relief

A local authority is entitled to reduce or remit the non-domestic rate (NDR) on the grounds of hardship if it is satisfied:-

- The ratepayer would sustain hardship if the authority did not do so; and
- It is reasonable for the authority to do so, having regard to the interests of persons subject to its council tax (Ctax).

There is a separate set of guidelines for staff when administering hardship relief.

Aim of this policy

Through this policy, North West Leicestershire District Council seeks to support the achievement of its objectives as set out in its Council Delivery Plan.

Each case will be assessed on its own merits having regard to:

- The eligibility criteria set out in these guidelines;
- The benefit that the organisation or business brings to the local community; and
- The cost to the Council Taxpayer of awarding the relief.

CHARITIES, COMMUNITY AMATEUR SPORTS CLUBS (CASC'S), AND NOT-FOR-PROFIT ORGANISATIONS

Eligibility Criteria

We will expect organisations to:

- Be open to all sections of the community, except where legitimate restrictions apply.
- Have membership rates set at levels that do not exclude the general community.
- Demonstrate that the criteria by which it considers application for membership is consistent with open access.

We will also consider:

- Whether the organisation actively encourages membership from particular groups in the community
- Whether facilities are made available other than to members
- Whether the organisation provides training or education for its members, or schemes for particular groups to develop their skills.
- How the organisation acquired its premises and facilities
- If the organisation is run primarily by volunteers and not paid staff
- What would happen to the organisations assets in the event that it should cease to exist
- Whether the organisation is involved in the local or national development of its interests through affiliation to, or membership of a relevant Council, governing or representative body or similar organisation.

Information that will be required to support an application for discretionary rate relief:

- A copy of the organisations constitution.
- Copies of the last 2-years audited accounts.

Organisations not eligible for Discretionary Rate Relief

The Council is not permitted to award discretionary rate relief to a precepting authority (i.e. County, or parish councils) unless they are acting as trustees (section 47 (9) of the Local Government Finance Act 1988) or itself as a billing authority.

In addition, under this policy, the following organisations will not normally be eligible:

- Schools, including academies, voluntary aided and voluntary controlled.

Additional criteria where either a licence exists, or may be granted, that permits alcohol to be available on the premises

Rate relief will **not** be reduced where a premises licence, club premises certificate or Temporary Event Notice exists, or is granted under the Licensing Act 2003, **providing** alcohol is only available on occasions when the premises are used for a function to raise funds for the club or organisation. Relief will be reduced in all other cases as set out in Appendix A of this policy. This will prevent full discretionary rate relief being given where members of an organisation have regular access to licensed bar facilities.

Levels of Rate Relief

Rate relief is awarded at different levels for the different categories of qualifying organisations and businesses. These are shown at Appendix A.

Period of Discretionary Rate Relief Award

Discretionary Rate Relief will be granted to 31 March of the financial year for which the award relates. Continuation of relief will be subject to reapplication or review.

Discretionary Rate Relief will be granted for a period of one financial year at a time and 12 months notice will be provided if the level of award is to be adjusted or removed.

Therefore where an application is received prior to 1 October it can be backdated up to 1 April of the previous financial year or the date of occupation whichever is the later or if its received after 30 September the relief can only be awarded from April 1 of the current financial year or the date of occupation whichever is the later.

RURAL RATE RELIEF

The districts Rural Settlement List is reviewed annually, and designates settlements within a rural area which have a population of 3,000 or less.

Rural Rate Relief is available for post offices, village shops, public houses and petrol filling stations subject to rateable value restriction, where they are the only business of that type in the rural settlement.

The Chancellor announced in the Autumn Statement on 23 November 2016 that rural rate relief will double from 50% to 100% from 1 April 2017.

The government has confirmed that it intends to amend the relevant primary legislation to require local authorities to grant 100% Mandatory Rural Rate Relief, but to ensure that ratepayers are not unfairly penalised, they have announced a scheme to allow Council's to use their powers under section 47(3) of the Local Government Finance Act 1988 to award discretionary relief to the relevant cases which meet the specific criteria for this relief.

For further information regarding this additional relief, please see pages 10-11.

Other business in a defined rural settlement may apply, but will need to demonstrate some exceptional nature of business, or benefit to the local community.

HARDSHIP RELIEF

The Local Government Finance Act 1988 permits discretionary relief to be awarded on the basis of hardship, with consideration to the interest of local taxpayers.

We will consider written applications for Hardship Relief from ratepayers whose business if it were to cease trading would have a detrimental effect on the local community, including local employment.

Every case will be considered on its own merit, and we will have particular regard to evidence of exceptional or unforeseen circumstances to justify reduction.

Applications will need to be supported by:

- Details of the reason for an application, including evidence of any exceptional or unforeseen circumstances
- Details of the business and its importance to the local community
- Copies of the last 2 years audited accounts
- Nature of the hardship
- Other evidence that the rate payer feels supports their application
- Details of the number of people who are employed by the business who reside in North West Leicestershire.

Any award of hardship relief will be exceptional, and will be time-limited.

Any reduction will be short term assistance and should not be considered to be a means of reducing rates liability in the longer term.

LOCAL DISCRETIONARY DISCOUNTS

The Localism Act 2011 introduced a new power for local authorities to be able to grant discounts on business rates as they think fit, providing they are fully funded locally.

Every case will be considered on its own merit. Any award will be the exception rather than the rule, and will be time-limited.

Written applications will need to be supported as a minimum by:

- Clear reasoning for the request, including a statement of the business type and the impact on the local community if the business were to come into the area/move away from the area.
- Details of the business and its importance to the local community, including an explanation as to what is unique and how the business sets itself apart from other businesses.
- Copies of the last 2 years audited accounts.
- Copy of any business plan.
- Details of any other support already received from other sources, or reasons why support was not forthcoming.
- Details of the number of people who are, or will be, employed by the business who reside in North West Leicestershire. Information about future employment opportunities and business growth.
- Any other evidence that the rate payer feels supports their application and that would assist us to be satisfied that the granting of the relief would be in the interest of the local council taxpayer.

Specific local schemes, determined by Corporate Portfolio Holder in conjunction with the Section 151 Officer, that are in place at any time will be included as Addendums to this Policy.

SECTION 44A, PARTLY OCCUPIED PREMISES

A ratepayer is liable for the full non-domestic rate whether a property is wholly occupied or only partly occupied. Where a property is partly occupied for a short time, we have discretion in certain cases to award relief in respect of the unoccupied part.

Written applications must be supported by:

- Detailed maps which outline the whole property and indicate the partly occupied section.
- Details of the planned period of time for the part occupation.
- Details of future intentions.
- Details of the cause for the part occupation.

In the first instance it will be considered if a split of the assessment is appropriate, and if so a report will be referred to the Valuation Office Agency to consider amending the valuation list entry. If it is not capable of being separately assessed then the application for Section 44A will be considered.

A site visit will normally be undertaken.

Making an Application

Any Non-Domestic Rates payment due must be paid in line with the most recent bill until such time as any relief is awarded.

Applications must be accompanied by evidence as outlined in these guidelines. Where necessary the ratepayer may be required to provide additional information to support their application.

Failure to provide requested information will cause delays in the decision making process as this is used to determine the decision to be made.

State Aid

The award of discretionary rate relief is considered likely to amount to State Aid. State Aid is the means by which the European Union regulates state funded support to businesses. Discretionary Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulations EC 1407/2013. The De Minimis Regulations allow an undertaking to receive up to €200,000 aid over a rolling three year period.

Businesses applying for Discretionary Relief will be required to sign a declaration to confirm that, including any relief award, they will not have received more than €200,000 in total of De Minimis aid within the current financial year, or the previous two financial years.

Further information on State Aid can be found at <https://www.gov.uk/state-aid>

Timescales

Wherever possible applications should be made within the financial year for which the relief is being sought.

Requests for backdating will be considered at the discretion of the Council. However, in accordance with the Local Government Finance Act 1988, applications must be determined within 6 months of the end of the financial year for which the relief is being sought.

Decision Making

Applications will be administered within the Business Rates Team.

Decisions in respect of applications for discretionary relief for the following categories will be made by officers: -

- Charity,
- Community Amateur Sports Clubs (CASC's),
- Non-Profit Making Organisations
- Rural Rate Relief
- S44A Partly Occupied Premises

Decisions will be made by the Corporate Portfolio Holder in respect of individual applications for: -

- Hardship Relief
- Local Discretionary Discount

The decision making process in respect of schemes introduced under the Localism Act is set out for each relevant scheme included as Addendums to this Policy.

Successful applicants will be notified of the amount of discretionary rate relief awarded by the issue of a new rates bill. The relief will be shown as a reduction on the bill. If the account is in credit as a result of the award, a refund will be made to the ratepayer.

Unsuccessful applicants will be notified in writing and the reason for the decision will be provided.

Complaints and appeals

Any customer who feels that they have not been correctly dealt with can use the Customer Feedback procedure to make a complaint.

Rating Law does not allow for a ratepayer to appeal a decision by the Council on discretionary rate relief. However in the interest of natural justice and in keeping with good customer care practice and principles of open government, this policy provides a mechanism for review of any decision. If a ratepayer is unhappy with the decision made, full details should be submitted, in writing to the Business Rates Team within 30 days of notification of the decision.

The case will be reviewed, and where the outcome remains the same the case will be referred to the Revenues and Benefits Manager for further consideration with the Head of Finance.

We aim to conclude any review within 30 days.

Discretionary Rate Relief Award Criteria

	Category of Ratepayer	Reliefs	
		Mandatory Relief	Discretionary Relief
1	Charity Shop	80%	20%
2	Aided Schools	80%	20%
3	Charities where members have regular access to licensed bar facilities	80%	10%
4	Any charities not covered in the categories above	80%	20%
5	Registered Community Amateur Sports Clubs (CASC's) where members have regular access to licensed bar facilities	80%	Nil
6	Registered CASC's with no bar on site	80%	10%
7	Sports/Social Club Organisations without charitable status with bar and meets qualifying conditions *	Nil	80%
8	Sports/Social Club Organisations without charitable status without bar and meets qualifying conditions *	Nil	90%
9	Any other Non-Profit Making Organisation	Nil	100%
10	Any business meeting the rateable value criteria in North West Leicestershire which demonstrates exceptional circumstances and benefits to the local community	Nil	Individual merit
11	Hardship relief, and Local Discretionary Discount	Nil	Individual merit

*Qualifying conditions

This shall be a club, other than a Registered Community Amateur Sports Club, without charitable status, or other organisation without charitable status, that meets each of the following criteria:

1. Its facilities are open to the whole community without discrimination (except as a necessary consequence of the requirements of a particular sport) and the level of fees (if any) are set at a level that does not pose a significant obstacle to membership or use of those facilities by the general public
2. It is organised on an amateur basis and is non-profit making (i.e. any surplus income or gains are reinvested in the club/organisation, or donated to a charity or similar amateur sports club/organisation).
3. It has, as its main purpose, the provision of facilities for, and promotion of participation in, one or more sports that are capable of improving **physical health and fitness** (i.e. those sports which, if practised with reasonable frequency, will tend to make the participant healthier and fitter).

Addendums

The following local discount schemes are currently in place, and are administered under the provisions of Section 47 of the Local Government Finance Act 1988, as inserted by Clause 69 of the Localism Act 2011

(Please refer to page 6 of this policy for State Aid requirements and Timescales for applications and backdating restrictions)

Addendum	Scheme	Pages
1	Rural Rate Relief	10-11
2	Local Newspapers	12-13
3	Supporting Small Business	14
4	Locally Administered Business Rates Relief	15-16
5	Retail Discount	17-18

Addendum 1 Rural Rate Relief

Rural Rate Relief is available for post offices, village shops, petrol filling stations and public houses subject to rateable value restriction, where they are the only business of that type in the rural settlement.

The Government announced in the Autumn Statement on 23 November 2016 that the relief will double from 50% to 100% from 1 April 2017.

As a measure for 2017/18 the government is not changing legislation, instead local authorities are required to adopt a local scheme and decide each individual case using their discretionary relief powers introduced by the Localism Act (under Section 47 of the Local Government Finance Act 1988).

Eligibility Criteria

Properties that will benefit from the relief will be hereditaments that:

- Are those which are located in a rural settlement with a population of less than 3,000 and are either
- The sole general store, food shop or post office with a rateable value of up to £8,500

or

- The sole public house or petrol filling station with a rateable value of up to £12,500

The districts Rural Settlement List is reviewed annually, and designates settlements within a rural area which have a population of 3,000 or less. The Rural Settlement List currently includes Ashby Woules, Coleorton, Long Whatton and Diseworth and Worthington parishes in North West Leicestershire ..

Amount of Rural Rate Relief available

Anyone who is entitled to mandatory Rural Rate Relief will be eligible for the increased level of discount to 100% off their business rates bill.

Recalculation of Rural Rate Relief

The amount of relief awarded will be recalculated in the event of a change in circumstances, including a backdated change to the rateable value or the hereditament, whether arising during the year in question or during a later year.

Application for Rural Rate Relief

Where possible ratepayers entitled to relief under this local scheme will be identified by North West Leicestershire District Council.

Ratepayers who believe they might be entitled to this relief should contact the Business Rates team.

Amounts of Rural Rate Relief awarded under this policy will be notified by the issue of a rates bill.

State Aid

Recipients of this relief may be required to sign a declaration to confirm that, including the amount of rural relief under this scheme, they will not have received more than €200,000 in total of De Minimis aid within the current financial year, or the previous two financial years. Further information on State Aid can be found at <https://www.gov.uk/state-aid>

Decision Making

Decisions in respect of Rural Rate Relief will be made by officers.

Complaints and Appeals

Will follow the process set out see page7 within these guidelines.

Addendum 2

Relief for Local Newspapers

The Government announced it would provide a business rates discount of up to £1,500 a year for a period of 2 years from 1 April 2017 to business rates accounts for office space occupied by local newspapers up to a maximum of one discount per local newspaper title and per hereditament. This relief was extended for a further year making it available for the 2019/20 financial year. Local Authorities are required to adopt a local scheme and decide each individual case using their discretionary relief powers introduced by the Localism Act (under Section 47 of the Local Government Finance Act 1988).

North West Leicestershire District Council will use the Government criteria to determine qualifying ratepayers which will be reviewed for 2020/21.

Eligibility Criteria

Properties that will benefit are those that meet the following criteria:

- The property must be occupied by a local newspaper and must be wholly or mainly used as office premises for journalists and reporters
- The local newspaper must be what is considered to be a 'traditional local newspaper'; the relief is not available to magazines.

'Wholly or mainly' is a test on use rather than occupation. Therefore, properties which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

Amount of Relief available

Up to £1,500 relief a year for a period of 3 years from 1 April 2017 is available. The amount of relief is limited to a maximum of one discount:

- Per newspaper title (e.g. per newspaper name)

And Per hereditament (property) that is wholly or mainly occupied by the local newspaper

Recalculation of Relief

The amount of local newspaper relief awarded will be recalculated in the event of a change in circumstances, including changes to occupation of premises by the local newspaper or identification that the relief has been applied on additional accounts.

Application for Local Newspaper Relief

Where possible ratepayers entitled to local newspaper relief under this local scheme will be identified by North West Leicestershire District Council.

Ratepayers who believe they might be entitled to this relief should contact the Business Rates team.

Amounts of relief awarded under this policy will be notified by the issue of a rates bill.

State Aid

Recipients of this relief may be required to sign a declaration to confirm that, including the amount of local newspaper relief under this scheme, they will not have received more than €200,000 in total of De Minimis aid within the current financial year, or the previous two financial years.

Further information on State Aid can be found at <https://www.gov.uk/state-aid>

Decision Making

Decisions in respect of Local Newspaper Relief will be made by officers.

Complaints and Appeals

Will follow the process set out see page 7 within these guidelines.

Addendum 3

Supporting Small Business Relief (SBRR)

At the Spring 2017 Budget, the Chancellor announced that a scheme of relief scheme would be made available to those ratepayers facing large increases as a result of the loss of small business or rural rate relief.

North West Leicestershire District Council will administer the scheme in line with Government guidance set out in Annex A of Business Rates Information Letter (4/2017) using its discretionary powers under section 47 of the Local Government Finance Act 1988 to grant relief to eligible businesses.

Eligibility Criteria

Ratepayers facing large increases in their rateable value due to revaluation who are losing some or all of their small business rate relief or rural rate relief. The scheme will last for a period of five years from 2017 to 2018 until 2021 to 2022.

In the first year of the scheme, 2017 to 2018, this means all ratepayers losing some or all of their small business rate relief will see the increase in their bill capped at £600. The cash minimum increase is £600 per year (plus inflation) thereafter. This means that ratepayers who were paying nothing under small business rate relief and are losing all of their entitlement to relief would under this scheme be paying an additional £600 each year taking this to a final increase of £3,000 (plus inflation) by year 5.

Application for Supporting Small Business Relief

Written applications are required. Those ratepayers who are likely to be eligible have been contacted and invited to make application.

Successful applicants will be notified of the amount of discretionary relief awarded by the issue of a new rates bill.

Ratepayers will remain in the Supporting Small Business relief scheme for either 5 years or until they reach the bill they would have paid without the scheme.

Conditions of the award

In the event of a change in circumstances Supporting Small Business Relief will be recalculated. A change of ratepayer will not affect eligibility, but eligibility will be lost if the property falls vacant or becomes occupied by a charity or Community Amateur Sports Club (CASC).

State Aid

Applicants for Retail Relief may be required to sign a declaration to confirm that, including this Supporting Small Business Relief they will not have received more than €200,000 in total of De Minimis aid within the current financial year, or the previous two financial years.

Further information on State Aid can be found at <https://www.gov.uk/state-aid>

Decision Making

Decisions in respect of applications for Supporting Small Business Relief will be made by officers.

Complaints and Appeals

Will follow the process set out see page 7 within these guidelines.

Addendum 4

Locally Administered Business Rate Relief Scheme

Guidelines

These guidelines set out the Council's intentions for dealing with the new discretionary rate relief for businesses most affected by the 2017 Business Rates Revaluation

This scheme seeks to provide a transparent, fair and consistent approach to affected businesses across the district to the award of rate relief. There is no differentiation between types of business, and all businesses that meet the eligibility criteria will be awarded relief.

Business Rates remain due and payable in accordance with the most recent bill, until such time as any relief is awarded.

The scheme

In 2017/18 business ratepayers facing an increase in their rates bill as a result of the revaluation will have the increase limited to £600 where the ratepayer meets qualifying criteria. Entitlement to discretionary relief is determined with reference to an increase in the rates bill due to the April 2017 revaluation.

In addition where a ratepayer of a small business (RV under £51,000) has an occupied business rates liability, after all other reliefs have been applied. This scheme will end in March 2021.

This locally administered relief will be calculated and awarded after all other relief that the ratepayer is entitled to has been applied to the rate bill.

Ratepayers will be notified of the amount of local discretionary rate relief by the issue of a revised rates bill.

The level of financial support drops dramatically across the 4 years that the Government is funding.

Qualifying Criteria

Eligible Ratepayers will: -

- Be in occupation of a qualifying business property on 31 March 2017 and 1 April 2017,
- Have an increase in the net amount of rates payable (the amount after all relief and other reduction has been applied) on 1 April 2017 compared to 31 March 2017 as a result of the 2017 revaluation.

A qualifying business property will: -

- Have a Rateable Value (RV) on 1st April 2017 of less than or equal to £130,000.

The following will not be eligible under this scheme: -

- Properties that are empty.
- Charities, non-profit making organisations
- Schools, including academies, voluntary aided, voluntary controlled, church or grant aided.
- Local and Precepting Authorities
- Ratepayers where the award would mean a business exceeds state aid de-minimus level (currently €200,000).
- New occupiers who take on a qualifying business property on or after 1 April 2017.

Changes in liability will affect this relief

Eligibility for the relief will be assessed and calculated on a daily basis. Relief will be adjusted, including retrospective adjustment, in cases where the amount of rates payable changes.

All qualifying businesses and organisations are required to notify the Council of any change in circumstances that may affect their entitlement to Discretionary Rate Relief.

If a business moves address within the period that they are receiving rate relief (whether within or outside of the district), relief will not be carried forward to the new property as the business will have had an opportunity to consider the rates before moving. The relief is intended to cushion the effects of the revaluation only.

Application for Locally Administered Business Rate Relief

Those business that have been identified as potential recipients for this relief were contacted and where appropriate invited to make a written application and complete a state aid declaration.

Period of Award

The award period will be for a period of no more than 12 months and in any case will end on 31 March of the relevant financial year. Continuation of relief will be subject to any review of the scheme, in line with the level of funding available until such time as the scheme ceases.

Qualifying businesses will be notified of the amount of the Discretionary Rate Relief award by the issue of a new Rate Demand Notice. The rate relief will be awarded by means of a reduction in liability shown on the business rates bill issued to the ratepayer.

Annual Review of Relief Award

The Guidelines will be reviewed yearly and qualifying businesses will be awarded the relief and the amount will be shown on their adjusted rates bill.

State Aid

Applicants for local discretionary rate relief may be required to sign a declaration to confirm that, including this relief award, they will not have received more than €200,000 in total of De Minimis aid within the current financial year, or the previous two financial years.

Further information on State Aid can be found at <https://www.gov.uk/state-aid>

Hardship

This scheme includes provision for hardship relief applications to be made by ratepayers facing hardship as a direct result of an increase in their rates bill due to revaluation, and who is in occupation of a property with a Rateable Value less than or equal to £130,000.

Applications must be made in writing and provide supporting information and evidence, including copies of accounts. Each case will be considered on its own merit, and in order to reach a decision further information might be requested.

Decision Making

The scheme will be administered by the Business Rates team. Decisions in respect of applications for Locally Administered Business Rate Relief will be made by officers.

Complaints and Appeals

Will follow the process set out see page 7 within these guidelines.

Addendum 5

Retail Discount (Autumn Budget 2018)

The Government announced in the Budget on 29 October 2018 that it will provide a business rates Retail Discount scheme for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019-20 and 2020-21. The value of the discount should be one third of the bill, and mandatory relief and other Government funded reliefs.

North West Leicestershire District Council will administer the scheme in line with Government guidance set out in it's Retail Guidance (link below) using its discretionary powers under section 47 of the Local Government Finance Act 1988 to grant relief to eligible businesses
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/768205/Retail_Discount_Guidance.pdf

Which Properties will benefit from relief?

Properties that will benefit from the relief will be occupied hereditament with a rateable value of less than £51,000, that are wholly or mainly used as shops, restaurant, cafes and drinking establishments.

We consider shops, restaurant, cafes and drinking establishments to mean:

(i) Hereditaments that are being used for the sale of goods to visiting members of the public:

- Shops (such as: florists, bakers, grocers, greengrocers, jewellers, stationers, off licences, chemists, newsagents, hardware stores, supermarkets, etc)
- Charity Shops
- Opticians
- Post offices
- Furnishing shops/ display rooms (such as carpet shops double glazing, garage doors)
- Car / caravan show rooms
- Second hand Car lots
- Markets
- Petrol Stations
- Garden centres
- Art galleries (where art is for sale/hire)

(ii) Hereditaments that are being used for the provision of the following services to visiting members of the public

- Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc.)
- Shoe repairs/ Key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Laundrettes
- PC/TV/domestic appliance repair
- Funeral directors
- Photo processing
- Tool hire
- Car hire

(iii) Hereditaments that are being used for the sale of food and/ or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich Shops
- Coffee Shops
- Pubs
- Bars

To qualify for the relief the hereditament should be used wholly or mainly used as a shop, restaurant, cafe or drinking establishment. The test is on use rather than occupation, therefore hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

The list set out above is not exhaustive as it would be impossible to list as many varied retail uses that exist. As the administering local authority North West Leicestershire will determine whether particular properties not listed are broadly similar in nature to those above and, if so, consider them eligible for the relief. Conversely properties that are not broadly similar in nature to those listed above will not be considered eligible for the relief.

The list below sets out the types of uses that the Government does not consider to be retail use for the purposes of this relief. Again as the administering local authority North West Leicestershire will determine whether particular properties are broadly similar in nature to those below and, if so, consider them not eligible for relief.

(i) Hereditaments that are being used for the provision of the following services to visiting members of the public:

- Financial services (e.g. banks, building societies, cash points, bureaux de change, payday lenders, betting shops, pawn brokers)
- Other services (e.g. estate agents, letting agents, employment agencies)
- Medical services (eg. Vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents / financial advisers, tutors)
- Post office sorting offices

(ii) Hereditaments that are not reasonably accessible to visiting members of the public

Generally speaking, the government also does not consider other assembly or leisure uses beyond those listed to be retail uses for the purposes of the discount. For example cinemas, theatres and museums are outside the scope of the scheme, as are night clubs and music venues. Hereditaments used for sport or physical recreation (e.g gyms) are also outside the scope of the discount.

State Aid

Applicants for local discretionary rate relief may be required to sign a declaration to confirm that, including this relief award, they will not have received more than €200,000 in total of De Minimis aid within the current financial year, or the previous two financial years.

Further information on State Aid can be found at <https://www.gov.uk/state-aid>

Decision Making

The scheme will be administered by the Business Rates team. Decisions in respect of applications for Retail Discount Relief will be made by officers.

Complaints and Appeals

Will follow the process set out see page 7 within these guidelines.

Comparison of Awards under Current and Proposed Policy

	Category of Ratepayer	Policy Considerations	Current		Proposed	
			Mandatory Relief	Discretionary Relief	Mandatory Relief	Discretionary Relief
1	Charity Shop	No change from former policy - Relief awarded on charitable status	80%	20%	80%	20%
2	Aided Schools	No change from former policy - Aided schools are not fully state funded and their charity status qualifies them for discretionary relief	80%	20%	80%	20%
3	Charities where members have regular access to licensed bar facilities	Relief increased from 0% to 10% on the basis of not penalising sports and social clubs who have not gained Community Amateur Sports Club (CASC) status but who have the potential to make a profit through the sale of alcohol	80%	Nil	80%	10%
4	Any charities not covered in the categories above	No change from former policy - Relief awarded on basis of charity status	80%	20%	80%	20%
5 37	Registered Community Amateur Sports Clubs (CASC's) where members have regular access to licensed bar facilities	No change from former policy - Discretionary relief not awarded on the basis that a CASC has access to national funding and the potential to make a profit through the sale of alcohol	80%	Nil	80%	Nil
6	Registered CASC's with no bar on site	No change from former policy - Discretionary relief not awarded on the basis that a CASC has access to national funding	80%	10%	80%	10%
7	Sports clubs that could register as CASC's but fail to do so, with a bar on site	Removed from former Policy post Scrutiny to streamline groups – any organisations falling under this category would also fall under categories below	Nil	20%	Nil	20%
8	Sports clubs that could register as CASC's but fail to do so, with no bar on site	Removed from former Policy post Scrutiny to streamline groups – any organisations falling under this category would also fall under categories below	Nil	40%	Nil	40%
9 7	Sports/Social Club Organisations without charitable status with bar meets qualifying conditions *	No change from former policy - Relief awarded on basis that organisation does not have access to national funding and has the potential to make a profit through the sale of alcohol	Nil	80%	Nil	80%
10 8	Sports/Social Club Organisations without charitable status without bar meets qualifying conditions *	No change from former policy - Relief awarded on basis that organisation does not have access to national funding and has the potential to make a profit through the sale of alcohol	Nil	90%	Nil	90%

44 9	Any other Non-Profit Making Organisation	No change from former policy – Relief awarded on basis of charitable status	Variable	Variable	Nil	100%
42 10	Any business meeting the rateable value criteria in North West Leicestershire which demonstrates exceptional circumstances and benefits to the local community	Relief awarded on demonstrable and exceptional circumstances and benefits to the local community	Nil	n/a	Nil	Individual merit
43 11	Hardship relief, and Local Discretionary Discount	Separate policy	Nil	n/a	Nil	Individual merit

***Qualifying conditions**

This shall be a club, other than a Registered Community Amateur Sports Club, without charitable status, or other organisation without charitable status, that meets each of the following criteria:

1. Its facilities are open to the whole community without discrimination (except as a necessary consequence of the requirements of a particular sport) and the level of fees (if any) are set at a level that does not pose a significant obstacle to membership or use of those facilities by the general public
2. It is organised on an amateur basis and is non-profit making (i.e. any surplus income or gains are reinvested in the club/organisation, or donated to a charity or similar amateur sports club/organisation).
3. It has, as its main purpose, the provision of facilities for, and promotion of participation in, one or more sports that are capable of improving **physical health and fitness** (i.e. those sports which, if practised with reasonable frequency, will tend to make the participant healthier and fitter).

Title of Report	HOUSING REPAIRS AND MAINTENANCE POLICY	
Presented by	Councillor Roger Bayliss Housing, Property & Customer Services Portfolio Holder	
Background Papers	None.	Public Report: Yes
		Key Decision: Yes
Financial Implications	Whilst these areas have no direct financial implications from adopting the policy, costs occurred by delivering the Repairs and Maintenance Service are covered by existing budgets.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	While there are changes to the repair sections of the policy, as there are no significant changes to the legal aspect of the policy, there are no change to the legal risks involved.	
	Signed off by the Deputy Monitoring Officer: Yes	
Staffing and Corporate Implications	None	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	The purpose of the report is to provide information to Cabinet for the purpose of adopting the revised Housing Repair and Maintenance Policy V4.	
Reason for Decision	To adopt the policy as a framework for the Housing Repair and Maintenance Policy V4	
Recommendations	FOR CABINET TO ADOPT THE REVISED HOUSING REPAIRS AND MAINTENANCE POLICY V4	

1. BACKGROUND

- 1.2 North West Leicestershire District Council Housing Service is committed to ensure tenants homes are well maintained by an efficient and effective Repairs and Maintenance Service.
- 1.3 The Housing Repairs and Maintenance Policy serves to define, in broad terms, the principles that guide the repair and maintenance activities and the service standards that shall be implemented.

- 1.4 The Housing Repairs and Maintenance Policy is amongst the most critical working documents. Over time the policy has been developed to meet the legislative and regulatory requirements, to respond to tenant's needs, and improve satisfaction with the homes they live in.
- 1.5 The policy currently in force was adopted in 2013. There was a review in 2017 with no significant changes arising, so no formal approval was required. It is now due for review to ensure that the content is relevant to the repair activities now being carried out, that delivery standards accord with tenants changing expectations and is consistent with the contents of other linked policies and relevant service documents.
- 1.6 The policy currently in force covers a wide breadth of asset management functions which creates some ambiguity for staff and tenants in respect of the repairs and maintenance obligations and standards. Therefore, this policy has been streamlined for the purpose of providing a clear and concise policy which guides operational decision making and delivery.

2 CONSULTATION

- 2.1 The review of the Housing Repairs and Maintenance Policy has taken in to account feedback recently obtained from tenants during Pop-up events and the 2019 STAR Survey, specifically, in respect of the repairs and maintenance service. Although it was good to see tenants report incremental improvement with the repairs service over the last few years, outcomes of those surveys that highlighted tenants concerns with the service have been incorporated into the review of the policy. For example, the 2019 Star Survey indicated that tenants were least satisfied with the 'time taken before work started' and the 'repair being done right first time.' A repair 'taking too long' was also raised during the Community Pop-up events.
- 2.2 The Pop-up events also identified that some tenants felt our communication during the repair process was not as good as they wished it to be and there was inconsistent quality of repairs.
- 2.3 The following groups have been directly consulted, specifically in relation to the relevancy and content of the policy currently in force:
 - Landlord Services Working Group
 - In-House Repairs Team
 - Asset Management
 - Asset Management Service Support
 - Housing Management
- 2.4 The Landlords Services Working Group met on a number of occasions to provide comments and concerns regarding the existing policy. A smaller task and finish group was organised to develop and consider amendments to the concerns raised by the tenants that sit on that group and to review and refresh the landlord and tenant repair responsibilities.

- 2.5 Concerns raised by the tenant members of the Landlord Services Working Group included:
- the time it takes to start a repair from the date the repair was reported (including inspections to ascertain the work required); and
 - a lack of communication of the proposed repair date when the work had been identified.
- 2.6 Colleagues across Housing Services worked together to review the current policy. Issues that were important to them included:
- Empty Homes and the Lettable Standard were not included or referenced in the current policy.
 - Instances of 'No Access' required strengthening in the policy.
 - Providing clarity in respect of the repair responsibilities, especially for the tenant.
- 2.7 Amendments have been made to the policy to address the issues raised by tenants and staff.
- 2.8 Housing Services Senior Team Managers, including the Commercial Services Team Manager responsible for delivering the repairs service in accordance with the policy, have contributed to and agreed to the principles and contents of this revised policy.

3 HIGHLIGHTS FROM THE POLICY REVIEW

- 3.1 Over several years of policy iterations, the Housing Repairs and Maintenance Policy has evolved into a blend of; a policy document, Asset Management Strategy, a process guide and a tenant information document. The revised policy has been stripped back to broader principles to enhance clarity but in sufficient detail to still provide sufficient direction and guidance to operationally deliver the service.
- 3.2 Where relevant policies, strategies or specific documents contain more detail, these have been identified and referred to in the revised policy rather than duplicate them in a substantial part or in full.
- 3.3 To help organise repairs efficiently, respond to customer needs and fulfil our legal and regulatory repairing obligations, repairs are organised by priority groupings. The current repair priorities have changed following consultation with the Landlords Services Working Group as follows:
- 3.3.1 **High Priority** – This priority combines the previous 'Emergency Repair' priority with repairs that fall under the 'Right to Repair' scheme (a regulatory obligation). Whilst emergency work will continue to be at least made safe within 24 hrs of the request, this priority reduces the maximum time that repairs under the Right to Repair will be completed from 7 working days to 3 working days. Feedback from tenants was that the word 'emergency' could make the tenant feel unsafe. It has therefore been removed.

3.3.2 Tenants Choice – This priority replaces the previous ‘Urgent’ and ‘Routine’ priority, whereby, depending on the work required the target for completion was a maximum of 20 working days. The new priority allows the tenant to choose an available appointment date, and time slot, that is convenient for them and not be constrained by an arbitrary minimum or maximum date range.

3.3.3 Scheduled Repairs – This priority replaces the current ‘Minor Works’ priority. This priority enables more complex and similar repairs to be batched and planned. More complex or batched repairs require trades to be sequenced, ordering of plant, equipment and/or materials in advance of work starting and when some degree of specialist contractors are required. The new arrangements will mean that contact will be made with the tenant to appoint the repair within 20 working days of the repair request. This wasn’t defined in the policy currently in force. All work will be completed within 60 working days which is similar to the current ‘Minor Works’ timeframe. An inspection timeframe of no more than 10 working days, from the date that scheduled works have been identified, has been introduced; details regarding Repairs Inspections generally, have been added as a new section in the policy. All of the above have been introduced in response to tenants concerns regarding a lack of communication and lack of surety about the date a bigger or more complex repair might start.

3.4 The policy currently in force provides some detail regarding planned investment programs and Landlords Health and Safety Compliance obligations. As housing investment programs, such as cyclical and planned work are steered by the Asset Management Strategy, such work has been referenced in the revised policy but the detail has been removed. Those details will be developed and contained in the Housing Asset Management Strategy when it is reviewed during 2020. Similarly, as Landlords Health and Safety Compliance has become more onerous, these areas also need working up into separate policies under the Asset Management Strategy umbrella. These will also be developed in 2020. As such the revised Housing Repairs and Maintenance policy makes reference to the Landlords Health and Safety obligations rather than the detail.

3.5 Amendments to parts of the current policy and the adding of new sections during the review have been undertaken to ensure, as far as possible, symmetry with linked policies or published documents such as the Repairs Handbook. The sections that have been enhanced or added include:

3.5.1 Compensation

A summary of NWLDC Compensation policy in relation to the Repairs and Maintenance Service has been added into the revised policy as the information in the current policy was sparse. The revision provides guidance to tenants and operational clarity to decide the outcome of a claim in respect of failure of repairs that are our responsibility and any failures in standards of service delivery. This new section also provides managers within the service discretion to offer a payment for a failure that has affected more than one tenant without all tenants having to make individual claims.

3.5.2 Undertaking work on behalf of the tenant

This section appeared in the Repairs Handbook but had not been included in the policy currently in force. By bringing this into the new policy we are guiding staff to promote that service as part of the growth in the Housing Commercial Services activities. This new section notes that this will not be a subsidised service as all allowable charges will be made for undertaking work. This service will only be offered if there is sufficient capacity to complete the work within the agreed timeframe. We hope this supplementary service will add to tenant satisfaction and potentially lead to growth opportunities to expand that offer to other residents, private landlords or businesses.

3.5.3 Empty Homes and the Lettable Standard

This is a new section which sets the broad parameters of undertaking work when one tenancy ends and before the next one starts. Due allowance has been made of circumstances that requires some work to be delayed until after the tenant has moved in. This can occur when a tenant needs to move in quickly. The 'Lettable Standard' is not referenced in the previous policy and has been added to the revision. This is an important standard that provides a guide to staff and new tenants.

3.5.4 Recharges

A separate section on recharges has been added into the revised policy as previously recharges were interlaced into parts of the policy currently in force. Greater clarity is provided regarding the reasons why tenants may be recharged, how the recharge is costed and explains why the service may decline to undertake a rechargeable repair. Reference is made to the Rechargeable Works Policy which is due to be reviewed in 2020. Consideration of the review of that policy has been taken when drafting the new section in the revised Housing Repairs and Maintenance Policy.

3.5.5 No Access

Whilst the policy currently in force referred to the need for a tenant to provide access in the tenant responsibilities section, it did not provide direction for staff in relation to actions required to resolve issues of repeated no access, including, where appropriate and as a last resort, the use of legal action. This new section provides clarity for operational and administrative support staff as well as outlining the responsibility placed on the tenant to provide access.

3.5.6 Cancelled and Missed Appointments by the tenant

Cancelled and missed appointments were not referred to in the policy currently in force. Whilst the arrangements for, and consequences of cancelled and missed appointments are contained within the Rechargeable Works Policy this section is included in this revised policy to direct staff to recover costs when these circumstances arise.

- 3.6 The introduction and contents of the above sections aims to provide greater clarity for the staff working in the service to make operational decisions efficiently and consistently. This in turn provides greater transparency and understanding for tenants of the standards and activities the repairs and maintenance service will deliver.

- 3.7 The landlord and tenants repair responsibilities have been drafted in conjunction with the Landlord Services Working Group and Housing Services staff. For the purposes of this report the indicative list is provided to help understand the importance of clearly identifying the separate responsibilities – **Appendix B & C**
- 3.8 The ‘Lettable Standard’ has been drafted in consultation with the Landlords Services Working Group and staff involved in the process of turning around empty homes. The draft revised standard will be worked up in to an easy to read guide and checklist for staff and new tenants – **Appendix D**

4 COMMENTS RECEIVED FROM CORPORATE SCRUTINY COMMITTEE

- 4.1 The draft policy was presented to the Corporate Scrutiny Committee at its meeting on 12TH February 2020. An exact from the draft minutes of this meeting can be found in **appendix E**.
- 4.2 No changes were made to the draft policy following the committee comments.

5 NEXT STEPS

- 5.1 Once this policy is adopted, some amendments will be required to existing linked policies. To avoid disrupting any existing policy review timeframes, already planned for 2020, it is expected that policies requiring amendment will be completed by the end of the year.
- 5.2 Should the policy not be approved, this could negatively impact the build of the new QL housing software system that is due to go live June 2020. A more costly and disruptive work around will be required if approval of the policy is delayed.
- 5.3 Work to incorporate the details flowing from the revised policy in to a relaunch of the Repairs Handbook will be completed once the policy has been approved.
- 5.4 Communications with staff and tenants of the revised policy will be undertaken, once approved, using a variety of media. Where hardcopies are required to be provided, to minimise costs, best use will be made of scheduled mailshots of other pieces of information or literature, such as Intouch.

Policies and other considerations, as appropriate	
Council Priorities:	<ul style="list-style-type: none"> - Local people live in high quality, affordable homes - Our communities are safe, healthy and connected
Policy Considerations:	<p>The policy was partially reviewed in 2017 but no formal changes were made. This review is based on the 2013 Housing Repairs and Maintenance Policy. Consideration has been taken of the current repair and maintenance activities and any that are on the horizon prior to the next review, including potential growth. The policy review has taken into account changing tenant demands and expectations of the Repair and Maintenance Service.</p> <p>The following policies have been considered as part of the review:-</p> <ul style="list-style-type: none"> Rechargeable Works Policy Housing Compensation Policy Corporate Complaints Procedure Health and Safety Policy <p>The Repairs Handbook has also been considered as part of the review.</p>
Safeguarding:	No direct safeguarding impacts, as the operational processes for safeguarding are not affected by the revised policy.
Equalities/Diversity:	As part of the process an Equalities Impact Assessment was undertaken. This identified no negative impacts and two positive impacts; in relation to age and disability.
Customer Impact:	Provides enhanced clarity in regards to the tenants repair responsibilities and obligations the repair and maintenance service they can expect from the Housing Commercial Services Team.
Economic and Social Impact:	No direct impacts in relation to the adoption of the revised policy. However, by providing high quality homes, this improves the tenant's social environment and promotes sustainable tenancies.
Environment and Climate Change:	No direct impacts in relation to the adoption of the revised policy. The review has been mindful of the Climate Emergency declared by this Council during this review. Whilst there is limited consequence of Climate Emergency on the contents of this policy, the operational delivery of the service actively engages with the need to reduce the use of carbon through a variety of ways including material or appliance choice, use of packaging by suppliers and the fleet required to run the service.

<p>Consultation/Community Engagement:</p>	<p>The revised policy has been developed based on feedback received through surveys in 2019 directly from tenants and staff.</p>
<p>Risks:</p>	<p>The revision has focused the policy on the Repair and Maintenance activities and legislative and regulatory obligations of providing that service. As such, risks from uncertainty or ambiguity have been reduced. Risks relating to Landlord Health and Safety Compliance have been identified and the development of specific policies to cover those areas in 2020, under the Asset Management Strategy, have been set out in this policy. The policy review has had due regard of Health and Safety during the review and no specific risks have been identified.</p>
<p>Officer Contact</p>	<p>Councillor Roger Bayliss Tel: 01530 455011 roger.bayliss@nwleicestershire.gov.uk</p> <p>Strategic Director Tel: 01530 454819 andrew.barton@nwleicestershire.gov.uk</p> <p>Head of Housing and Property Tel: 01530 454780 chris.lambert@nwleicestershire.gov.uk</p>

HOUSING REPAIRS AND MAINTENANCE POLICY			
Area	: Housing Service		
Department	: Housing Commercial Services		
Subject	: Housing Repairs and Maintenance Policy		
Procedure Ref:		Owner:	Housing Commercial Services Manager
Date approved:		Effective date:	

Please state what policies and strategies (if any) this policy is linked to (a list of policies and procedures can be found at [policies and strategies](#))

linked to

- Tenancy Agreement
- Compensation Policy
- Rechargeable Works Policy
- Complaints Policy
- Health and Safety Policy
- Equality Impact Assessment relating to the Repairs and Maintenance Policy.

Version	Date	Details of amendment	Creator/ amender	Approved by	Next review due
1					
2					
3					
4					

Copies of this document are available upon request and can be obtained in large print or translated into other languages, if required.

HOUSING REPAIRS AND MAINTENANCE POLICY

Contents

1. Reasons for Policy	3
2. Legislative Context	3
3. Objectives of the Policy	3
4. Definitions	3
5. Responsible Party	4
6. Landlord and Tenant Repair Responsibility	4
7. Permissions for tenants to make property alterations	6
8. Repair Priorities	6
9. Reporting Repairs	7
10. No Access	7
11. Recharges	8
12. Compensation	8
13. Empty Homes	9
14. Cyclical and Planned Maintenance and Landlords Health & Safety	9
15. Compliments and Complaints	10
16. Equality and Diversity	10
17. Implementation and Monitoring	10
18. Key Performance Indicators	11
19. Service Standards	11
20. Right to Review	11

1. Reasons for Policy

- 1.1 This policy sets out how the Council will meet its legal and regulatory duties as a landlord in respect of repairing and maintaining its Council housing stock; all as part of a wider Asset Management Strategy. This policy should therefore be read in conjunction with the Asset Management Strategy (due to be revised in 2020) and other policies and documents referred to in this policy.
- 1.2 The policy also provides the broad parameters to deliver an excellent repairs and maintenance service that enables people to live in well maintained, warm and safe homes.

2. Legislative Context

- 2.1 This policy is governed by a large number of regulations and statutory law. They set out the duties that need to be undertaken to provide a repairs and maintenance service. They include (but not limited to):

Construction, Design Management 2015 (as amended)
Section 11 of the Landlord and Tenant Act 1985
Public Health Act 1963
Housing Act 1985
Home Standard 2015
Environmental Protection Act 1990
Equality Act 2010
Human Rights Act 1998
Commonhold and Leasehold Reform Act 2002
Secure Tenants of Local Housing Authorities Regulations
Gas Safety (Installation and Use) Regulations 1998
Fire Reform Regulations 2005
Guidance specifically the Regulatory Reform (Fire Safety) Order 2005
The Control of Asbestos Regulations 2012 (as amended)
Health and Safety at Work Act 1974
The Management of Health and Safety at Work Regulations 1999
Control of Substances Hazardous to Health Regulations 2002 (as amended)
Water Supply (Water Fittings) Regulations 2018 (as amended)

3. Objectives of the Policy

- 3.1 The objectives of this policy is to enable an efficient and effective repairs service that maintains the properties we let as a decent place to live. To achieve this, we will: -
 - Be clear about the repair and maintenance responsibilities for the Landlord and the Tenant.
 - Enable repairs to be reported in a number of ways.
 - Organise repair priorities that balances operational needs and tenants' requirements; aiming to deliver a right first-time approach that achieves good value for money.
 - Deliver a consistent and equitable service to our tenants.
 - Make best use of performance information to continually improve the service.
 - Ensure that the health and safety of all concerned are at the forefront of what we do.

4. Definitions

Decent – The Decent Homes Standard from the Ministry of Housing, Communities and Local Government provides the minimum standard of housing conditions that all our housing must

meet. The standard focuses on the condition of external structural components such as roofs, chimneys, windows, and doors, and internal fixtures such as kitchens, bathrooms, and central heating systems, ensuring all of these components are kept 'decent'.

EIA – this stands for Equalities Impact Assessment. EIA's are used by the Council to examine our services and policies to see whether they have the potential to affect people differently. The main purpose is to identify and address existing or potential inequalities resulting from policy and practice development to ensure there is no negative affect on a particular group.

Improvement works – is the term used for works carried out on the property where a key component is replaced i.e. a new kitchen, bathroom, roof etc

Lettable Standard – is the standard that a property will meet before the start of each new tenancy.

Recharges – is the costs that may be charged to the responsible tenant due to repairing damage or neglect to our properties, in accordance with the Rechargeable Works Policy.

Repairs Handbook – is a guide to help tenants understand their repair and maintenance responsibilities and helps them to report repairs.

Responsive Repairs - are defined as work requested by the tenant to existing elements of their property. These are considered as day to day repairs and do not include: -

- Planned cyclic maintenance, e.g. lift maintenance, electrical testing or cyclical painting.
- Planned capital work, e.g. external painting, guttering, paving and fencing
- Planned property improvements e.g. such as new kitchens and bathrooms
- Empty homes / Void property work
- Aids and Adaptation work
- Landlord health and safety compliance such as gas servicing,

Right First Time – is the term used for responsive repairs that have been completed on the first visit to undertake a repair. The Right First Time definition is periodically reviewed and agreed with the appropriate tenant groups.

5. Responsible Party

- 5.1 The Commercial Services Team Manager is responsible for the operational delivery of services in accordance with this policy.

6. Landlord and Tenant Repair Responsibilities

6.1 Landlord Repair Responsibilities

The Council are responsible for the repairs and maintenance of the main structure and common parts of the building. We will:

- a) Keep the following in good repair and repair any damage that has not been caused by the tenant, anyone living at the property or visitors to the property.
- The structure and exterior of the building including roofs, chimneys, external windows and doors, built in garages.

- Drains, external pipes and guttering.
- Sewers, which are not the responsibility of another person or body.
- Paths, steps or other access routes that connect the front of the property to the front door and the front door to the back door.
- Sanitary fittings in the property, such as baths, basins and WC's.
- Heating and hot water.
- Communal areas including entrance halls and stairways.

b) Maintain any installation provided by the Council for water and space heating and for supplying water, gas and electricity (excluding meters). The Council will also arrange for gas and solid fuel appliances owned by the tenant to be serviced annually. The Council will make all reasonable efforts to enable access to carry out the work.

6.2 Right to Repair

The Council will meet its legal requirement under the Right to Repair. The relevant statutory timescales are set out in that scheme and included in the Repair Handbook.

6.3 Leasehold Properties

The Landlords repairing responsibilities for leasehold properties are detailed in each individual lease.

6.4 Tenant Repair Responsibilities

Tenants are to comply with all conditions laid out in section 6 of the Tenancy Agreement, relating to repairs and maintenance. Tenants repair responsibilities are provided in more detail in the Repairs Handbook.

It is the tenants responsibility to report repairs promptly, to avoid causing further damage to the property or risk of injury to tenants or others. Failure to report repairs may be considered neglect of the property and is a breach of the Tenancy Agreement.

Tenants are responsible for: -

- Providing access to the property in accordance with section 5 of the Tenancy Agreement.
- Repairing and maintaining any alterations or improvements which they have carried out to the property following approval from the Council.
- Repairing any damage to any part of the property caused by the deliberate or careless actions or omissions of the tenant, anyone living at the property or visitors to the property.
- Keeping the property in good internal decorative order, including making good any internal decoration affected by home improvement works or repairs.
- Anything installed or fitted by the previous tenant following a mutual exchange.

6.5 Undertaking work on behalf of the tenant

A tenant may ask the Council to undertake small repairs for which the tenant is responsible, for example internal decoration.

A request will only be considered subject to:

- the tenant not being in breach of any relevant part of their Tenancy Agreement.
- the tenant not having any outstanding recharges.
- the availability of our In-House Repairs Team (or sub-contractors) to undertake the work within the tenant's timescale.

- prior agreement to the cost by the tenant.

As this is not a subsidised service the cost agreed will cover all costs the Council is permitted to charge.

7. Permission for tenants to make property alterations

- 7.1 A tenant may make alterations to their home providing they have obtain permission from the Council prior to works taking place. Permission may contain conditions that the tenant is required to comply with to ensure that the work is completed to an acceptable standard and in accordance with all relevant regulations and other necessary consents, such as obtaining planning permission.
- 7.2 A condition of any permission may also require the tenant to remove any permitted alteration where it has failed to meet the required standard, where the alteration has deteriorated beyond economic repair, and reinstate the property as if the alteration had not taken place. This may occur at any time during or at the end of a tenancy.
- 7.3 The Council will not withhold permission without due cause but reserves the right to refuse a request to make an alteration.
- 7.4 Depending on the nature of the work the Council may inspect the work during and/or on completion. Minor work, such as replacing taps, will not be inspected.
- 7.5 Tenants are responsible for the repair and maintenance of the alteration during the tenancy.
- 7.6 In accordance with the Housing Service Compensation Policy when a tenant leaves their home, under “The Secure Tenants of Local Authorities (Compensation for Improvements) Regulations 1994”, compensation for improvements they have made can be paid, upon request. The value of the compensation is determined through an assessment process laid down in the regulations.

8. Repair Priorities

- 8.1 Repair priorities will cover all of the landlord’s repair responsibilities including statutory repairing obligations. Repairs priorities are defined as:

8.1.1 High Priority

These are repairs where there is a potential to cause significant risk to the tenant or the property. A ‘High Priority’ repair includes emergencies that cause total loss of power (excluding power cuts), total loss of water caused by a problem at the property, leaking pipes and/or appliances, blocked toilets and soil pipes, repairs to keep a property secure and those that fall under the Right to Repair Scheme. Depending on the type of repair, work will be completed within 1 to 3 days. The timeframe for each type of High Priority repair is listed in the Repairs Handbook.

8.1.2 Tenants Choice

Where a repair is not high priority but requires completing relatively quickly, an appointment will be made from a range of available dates that suits the availability of the tenant. A ‘Tenants Choice’ repair includes those that are needed to ensure the property and the tenant remain safe, warm and

dry and/or prevents a repair becoming larger or causing associated damage. The timeframe to complete this type of repair will be determined by the appointment date selected by the tenant.

8.1.3 Scheduled Repairs

Scheduled Repairs are those that fall outside of the 'High Priority' or 'Tenant Choice' category. They are generally larger scale repairs or replacements which can often be grouped together to create more economic programs of work. Examples of work that fall under this category is listed in the Repairs Handbook.

The start date for the work will be agreed with the tenant within 20 working days from receipt of the repair request. The work will be completed in no more than 60 working days from receiving the repair request.

8.2 Repair Inspection

The majority of repair requests are raised based on the information obtained during a telephone call with the tenant. It is not always possible to fully diagnose or determine the work required from the information provided during the repair call. When there is a requirement to measure, scope or inspect work, where it is convenient for the tenant a repair inspection appointment will be agreed and booked with the tenant to be carried out within 10 working days of the tenant request. When the work has been fully diagnosed the priority for the work will be agreed.

9. Reporting Repairs

9.1 Reporting Repairs during office hours.

The Council offers a range of ways for reporting repairs, including emergency repairs. Tenants are able to report repairs by telephone, or in person, during office hours, by email, or in writing. A new Housing (including Repairs) system is planned to go live shortly after the effective date of this policy. That system will increasingly enable tenants to report repairs online via a tenant's portal without the need to wait for office hours.

9.2 Reporting Emergency repairs outside of normal office hours.

Tenants are able to report emergency work to the Councils out of hours helpline by telephone or by emailing the Councils central control desk. These are repairs where there is a potential to cause significant risk to the tenant or property that cannot wait until the next working day. As described in paragraph 8.2, above, developments in online tenant portals in the future will also extend to reporting emergency repairs.

10. No Access

10.1 If the tenant fails to provide access for a pre-arranged appointment, a missed appointment card will be left at the address, requesting the tenant rearrange the appointment within 7 days. If contact is not made a further attempt to communicate, by the tenants preferred contact method, will be made.

10.2 The repair or inspection will be cancelled after 7 days of the second communication, if the tenant has not rearranged the appointment. If the tenant makes contact after this time the repair, or inspection, will be treated as a new request.

- 10.3 In the case of an appointment to undertake a Landlords Health and Safety check, such as to the gas installation, the service will liaise with Housing Management to use all avenues available, including the use of legal action, to gain access and complete the check.

11. Recharges

11.1 Rechargeable Work

All repairs that are caused by damage whether intentional, accidentally or as a result of negligence will be recharged to the tenant in accordance with the Rechargeable Works policy.

Tenants can be charged for the following reasons: -

- Repairing any damage caused to the property, garden or communal area
- Replacement of fixtures and fittings that are beyond repair
- Reporting Emergency Repairs that are not an emergency
- All associated costs incurred as a breach of Tenancy Agreement conditions
- All associated costs incurred as a result of neglecting the upkeep of a garden
- Where the removal of rubbish, goods and belongings is required to clear a property left behind by the former tenant. The cost of storing former tenants' belongings will be made in accordance with the relevant policy.
- An additional call out charge will be added for out of hours call outs where the repair is rechargeable

All costs associated with the repair will be recharged including an administration fee and vat.

Where there are outstanding charges or other breaches related to the tenancy agreement the right is reserved not to attend to subsequent chargeable repairs.

11.2 Cancelled and Missed Appointments by the Tenant

Costs associated to missed appointments negatively impacts on the Councils funds. Where appropriate, missed appointments may result in a recharge to recover any costs incurred by a missed appointment / late cancellation where that is allowed for in line with the Rechargeable Works Policy.

12. Compensation

12.1 The Housing Service Compensation Policy describes when there has been a failure in the delivery of Housing Services which has resulted in inconvenience to a tenant, or when a proven complaint, which has been investigated under the Council complaints procedure, is serious enough to require the payment of compensation.

12.2 Compensation is considered to be a remedy for inconvenience or distress caused by a service failure, and claims will be considered on a case-by-case basis.

12.3 Compensation payments will be considered where:

- There has been a failure in standards of service delivery.

- Where NWLDC has failed in its repairing obligations as a landlord, or has failed to meet a repairs deadline as specified below.
- There has been loss or damage to persons, or personal property where liability is not in dispute.

12.4 Compensation relating to the repairs service that may become due includes: -

- a missed appointment, without prior notice, by Council staff or one of its contractors.
- use of electricity required to dry out a property where there has been water damage.
- not completing a repair within the specified timescale.
- loss of heating or hot water that continues after 24 hours.

12.5 Compensation will only be paid if requested by the tenant and the failure is the fault of the service.

12.6 Managers of the service have discretion to pay compensation to tenants that have not requested compensation. This will be when an incidence of service failure has affected more than one tenant, such as the loss of heating and/or hot water, which serves or affects more than one property.

13. Empty Homes

13.1 When a tenancy ends, work is undertaken to bring the property up to the Empty Homes Lettable Standard prior to the next tenant moving in. This is to ensure that the property is safe, secure, clean and in a good state of repair. The work will be carried out as efficiently as possible to reduce the time that incoming tenants are waiting to move into their new home and to minimise any rent loss between tenancies. Therefore, occasionally, it may be practical to postpone some repairs or improvements until the new tenant has moved in. This will be discussed and agreed with the incoming tenant.

13.2 The Lettable Standard is reviewed with the appropriate tenant groups and staff from across the Housing Service.

13.3 The Lettable Standard will be reviewed every 3 years or when changes to legislative, regulatory or operational need requires an intermediate review.

14. Cyclical and Planned Maintenance and Landlords Health and Safety

14.1 The Councils cyclical, planned maintenance and Landlords Health and Safety obligations are covered by the Asset Management Strategy and, as such, are not included in this policy. These include but not limited to: -

- Cyclical Painting and Decoration
- Asbestos Management Plan
- Aids and Adaptations
- Gas Safety and Servicing
- Water Testing and Treatment
- Electrical Safety Testing
- Housing Stock Investment, including home improvements
- Estates Improvements

14.2 Adapted properties

Where properties have been adapted, the adaptation will be maintained and replaced, when required, providing that the adaption is still needed.

15. Compliments and Complaints

15.1 Tenants views are actively encouraged, and all tenants have the opportunity to provide feedback regarding the service they have received.

15.2 All complaints received in respect of the service covered by this policy will be determined whether they are a compliant or a request of service.

15.3 Complaints will be dealt with in accordance to the Council Complaints Policy.

15.4 Both compliments and complaints have equal merit to help improve the services we deliver and identify good working practices to share with others.

15.5 Compliments and complaints information is collected by colleagues that are not directly involved in the repairs service.

16. Equality and Diversity

16.1 We aim to ensure that our policies and procedures are fair and transparent; and that we work towards achieving balanced and sustainable communities in accordance with our equality and diversity goals.

16.2 This policy has been subject to the Council's Equalities Impact Assessment (EIA) screening matrix and no negative impacts have been identified; two areas showed positive impacts for age and disability.

16.3 We aim to work with other stakeholders both internal and external to ensure the needs, requirements and circumstances of each tenant are considered, this includes any identified health or mobility issues.

17. Implementation and Monitoring

17.1 The Strategic Director is responsible for implementing and monitoring of this policy.

17.2 This Policy will be reviewed every 3 years (from the date approved), to ensure its continuous suitability, adequacy and effectiveness. An intermediate review may be required by the introduction of new legislation, regulatory or operational changes.

17.3 The relevant working group(s) have been consulted in the development of this policy and will be consulted with for all future changes or revisions.

17.4 Managers of the Repair and Maintenance Service are responsible for making sure that all relevant employees are aware of the contents and responsibilities of this policy.

18. Key Performance Indicators

- 18.1 The Council is committed to ensure that its repairs and maintenance services are delivered to a high standard and they produce high levels of customer satisfaction.
- 18.2 Performance will be periodically bench marked against similar organisations against a range of appropriate key performance indicators.
- 18.3 The performance and delivery of the service is monitored and reported through reporting structures.
- 18.4 The performance of the In-House Repairs Team Trades Staff is also measured under a Pay and Productivity Agreement. These measures include: -
- The operative's contribution to turnover generated against targets
 - How the repairs operatives deliver the Council Values.
 - How the operatives deliver a positive image of the service.
 - The effective and appropriate use of plant, equipment and materials, including stock.
 - Quality of work
- 18.5 Quality of work will be determined through inspections by the supervisory line managers. Those inspections will include inspections during and on completion of work, at a frequency suitable to the work type and value. Value for money assessments are completed after each repair by operational reviews which assess the use of resources and the overall cost of a repair.
- 18.6 All key performance indicators will be reviewed annually and agreed prior to the start of each financial year. To ensure consistency, once set, the changing of measures will not be made during a financial year without good reason.

19. Service Standards

- 19.1 Service Standards relating to this policy are provided in the Repairs Handbook. These will be reviewed every 3 years unless there are operational or legislative changes which may prompt an intermediate review.

20. Right to Review

- 20.1 Tenants may request access to information relevant to repairs under the Freedom of Information act.
- 20.2 Tenants are entitled to challenge decisions made under this policy using the Complaints and Members / MP enquiry process.

This page is intentionally left blank

Housing Repairs and Maintenance Policy - APPENDIX B

Landlord Repair Responsibilities – indicative list for the proposed Repairs Handbook

The Landlord is responsible for the repairs and maintenance of the main structure and common parts of the building. We will:

- a) Keep the following in good repair and repair any damage that has not been caused by the tenant, anyone living at the property or visitors to the property;
 - The structure and exterior of the building including foundations, ventilation, roofs, chimneys, soffits, fascias, external doors, windows and associated fittings, integral garages;
 - Drains, external pipes and guttering;
 - Sewers, which are not the responsibility of another person or body;
 - Paths, steps or other access routes that connect the front of the property to the front door and the front door to the back door;
 - Sanitary fittings in the property, such as baths, basins, including taps and WC's;
 - Communal areas including entrance halls and stairways;
 - Where applicable, gas cooker connection point;
 - Extractor fans, fire alarms and CO detectors supplied by NWLDC;
 - Electrical fires, surrounds and hearths, solid fuel appliances supplied by NWLDC;
 - Floor boards / floor panels (not laminate flooring) included where they are affected by woodworm;
 - External meter cupboards;
 - Stairs, banisters and handrails;
 - Fences, gates, garden walls fitted by NWLDC;
 - Concrete washing line posts, if erected at the time of a new tenancy;
 - Outbuildings;
 - Aids and Adaptations installed by NWLDC, including external ramps and hard-standings;
 - External render and major plaster replacement affected by damp or perished;
 - Kitchen cupboards and worktops for fair wear and tear;
 - Wall tiling / aqua board installed by NWLDC;
 - Loft Insulation;
- b) Maintain any installation and associated fitting provided by the Landlord for water and space heating and for supplying water, gas and electricity serving the property from and excluding the suppliers pipework, wiring, meters or stop taps. The Landlord will also arrange for gas and solid fuel appliances owned by the tenant to be checked for safety and serviced, at least annually.
- c) All elements that NWLDC provided to supply the property with electric such as wiring, consumer unit, sockets, switches, light pendants, cooker connection point and storage heaters. This does not include fittings that have been installed by the tenant with written permission from the Council.
- d) Repair damage to the property following an infestation of pests.
- e) Garages owned and leased by the Landlord, outside the curtilage of any domestic property
- f) In respect of Sheltered Schemes we will also maintain
 - appliances supplied by the Landlord in communal areas;
 - communal areas;
 - door entry systems, lifts, fire alarms and emergency lighting.
 - communal TV systems up to the TV aerial point within each property;

- External drying areas and appliances provided by the Landlord for washing and drying clothes;
- External decoration and internal decoration of the communal areas;

Housing Repairs and Maintenance Policy - APPENDIX C

Tenants Repair Responsibilities – indicative list for the proposed Repairs Handbook

The tenant is responsible for the following:

- Replacement plug(s) and chain(s) on any sink, bath or basin
- Replacement shower curtains
- Replacement Toilet Seats
- All work required to gain access when locked out of any lock
- Washing lines / Rotary air dryers except those provided by the Landlord in communal areas
- Keeping the garden tidy and maintained
- Sheds and none permanent structures installed by the tenant
- Small cracks and holes in plasterwork
- Internal doors and associated ironmongery
- Any adjustments to Kitchen base units and wall cupboards
- Skirting boards, picture rails, architrave and battens
- Dustbins – these are provided by NWLDC Waste Services
- Carpets and other flooring finishes excluding the bathroom and kitchen and those in communal areas
- Damage caused by infestations of pests that could have been prevented by the tenant
- 'Key safes' not provided by the Landlord
- Replacement and additional keys or fobs for any lock or entry system
- Replacement of fluorescent tubes and starters and light bulbs of any type apart from bulbs in sealed fittings
- The effects of mould and condensation that isn't caused by a defect that is the Landlords responsibility
- Cost of clearing blockages from toilets, wastes, wet room gullies, external gullies and drains that are not caused by wear and tear of the drainage system or the responsibility of the Water Authority
- Damage to Landlords fittings or appliances caused by frost
- Internal decoration other than to communal areas
- Bleeding any radiator that are air locked
- TV Aerials, TV provided by cable and satellite dishes other than communal systems
- Domestic appliances unless provided by the Landlord
- Monthly smoke & CO detector test
- Power failure due to the tenants faulty electrical items and including resetting or replacing fuses
- Obtaining and maintaining gas and electricity supplies
- Telephone line and points after the initial installation
- Solid fuel tools
- Minor repairs and maintenance appropriate to a person acting in a tenant like manor.

This page is intentionally left blank

NWLDC Empty Homes Lettable Standard

The purpose of this document is to ensure that a consistent, minimum lettable standard is achieved and that all our properties are offered in a good state of repair and are clean, safe and secure.

External Windows and Doors

- Windows and doors will be secure, watertight and able to open and close freely.
- We will change the external locks and you will receive 2 keys for each external door to the property.
- Fit window restrictors to the upstairs windows as long as this is not breaching any fire regulations and in line with Fensa guidance.
- Misted double glazed units will be identified and referred to the repairs team for replacement.

Internal Woodwork

- The staircase will be safe to use with a secured handrail on one-side for the length of the staircase.
- Internal woodwork will be free from decay and defects excludes decorative finish.
- Any damaged floorboards will be replaced and loose floorboards secured.
- Internal doors will open and close freely.
- All skirting boards, architraves and door frames will be securely fitted.

Ceilings, Wall & Floors

- Blown plaster will be patch repaired or areas renewed for large areas
- Polystyrene ceiling tiles will be removed and ceiling made good. This excludes decorative finish.
- Ceilings, walls and floors will be free of cracks. This excludes cracks which can be filled with decorative filler.
- In kitchen and bathroom we will replace any damaged floor tiles/ flooring with the closest match available.
- Other flooring areas will be levelled and made good ready for the new tenants flooring.

Kitchens

- The kitchen will be functional and serviceable. Units, doors, drawers, worktops will be securely fitted to allow for the incoming tenant to maintain.
- Kitchen cupboard doors and drawers will open and close freely.
- Taps will be securely fitted and free from leaks / drips.
- A [sure stop](#), or similar isolator valve will be fitted to the incoming main to allow the water supply to be isolated and prevent excessive damage being caused in the event of a leak. This is to be in an accessible location which can include inside a cupboard as long as it is at the front of the cupboard, to ensure quick access.
- In Sheltered and secured properties lever taps will be fitted, if not present.
- A space will be provided for a cooker with either an electric or gas connection with one electric cooker switch. You will need to arrange for a gas safe engineer or a qualified electrician to install your cooker.
- We will provide a space for a fridge depending on space available.
- Where space allows, a space will be left for a washing machine with access to a washing machine connector via a hole in the carcass. Washing machine connections will not be provided if there is a laundry room provided within the building.
- Kitchen areas will be left clean condition.

Bathrooms

- Each property will have a wash hand basin, toilet and either a bath or shower with plugs and chains provided.

- Bathroom and toilet fittings, including taps will be in a clean condition without leaks.
- The toilet seat, shower head, curtain and hose will be replaced. You should run your shower for at least 5 minutes prior to using it for the first time and every 4 weeks, if the shower is not used.
- In Sheltered and secured properties lever taps will be fitted, if not present.
- The toilet will work properly and all sanitary fittings will be securely fitted and free from leaks / drips.
- There will be at least two rows of tiled splash back to the bath and basin, providing the basin is not directly below a window, in which case one row may have to be fitted. All mastic seals will be in good condition.
- For wet rooms, any flooring and tiling that is installed will be adequate for shower use.

Services

- British gas will be your gas and electricity supplier at the beginning of your tenancy. Once you have moved in you may change your supplier at any time.
- You will receive copy of the Gas Safe, Electrical and Energy Performance certificates in your property pack. For solid fuel properties you will receive a service certificate dated within the last 12 months and the property will be rechecked during the empty homes process.
- For your safety, we are legally required to check and service the gas boilers every year, solid fuel every 6 months and periodic checks of your electrics. As part of your tenancy agreement you are required to give access to your property for these visits.
- All smoke alarms and Carbon CO alarms will be installed and operational in line with current guidelines. You will be shown how to test these at your property showing visit.
- Disabled adaptations will remain where suitable. Where not required by the incoming tenant, stair lifts will be removed.
- Properties installed with gas - You will be required to contact our helpdesk on 01530 454635 to arrange your gas uncap and tenant education visit.
- Properties installed with Air Source Heat Pumps – You will be required to contact our dedicated contractors helpdesk on 800 8030041 to arrange your commissioning and tenant education visit.
- Properties with storage heaters – as part of your property showing visit you will be shown how the storage heaters work.

Decorations

- Existing decorations will be left intact wherever possible if it is deemed to be clean and in good condition, although it may not be to your taste.
- Decorating vouchers may be available to incoming tenants where decoration has not met the required standard. This would need to be agreed with your housing officer.

Cleanliness

The property will be cleaned throughout. However, dust may have settled by the time you move in.

Property Externals

- Roofs, chimneys, fascia's and soffits, will be secure and watertight.
- Gutters and pipe work will be secure and free of leaks and blockages.
- Outbuildings attached to the property will be structurally safe with a working door and lock.
- Free standing brick / prefab outbuildings will be structurally safe with a working door and lock. These are classed as a non standard items and will be maintained until they are beyond economic repair. At which point they will be removed and the area made good.
- Driveways will be left in place where there is a dropped kerb and in good condition as long as they meet the current regulations and were installed correctly. Where existing driveways do not meet the required standard they are classed and treated as hardstanding's.
- Integral Garages- will be structurally safe with a working door and lock.

- Pathways – We will repair / replace damaged paving slabs or concrete areas that lead to the front door, side or back door that could cause a trip hazard. Other hardstanding areas that are in good condition will be left at the property. However these may be removed if they become unsafe in the future.
- Other hard standings not deemed to be safe will be removed and not replaced at the empty homes stage.

Gardens

- The garden will be cleared of rubbish. It is your responsibility to tidy the garden and keep it tidy.
- Damaged Fencing – Small areas will be repaired / replaced during the empty homes stage. Large areas of fencing will be completed within a timescale to be agreed with yourself.
- Where required, hedges and bushes will be cut to a manageable level, so the incoming tenant can maintain.
- A rotary dryer holder will be located in all rear gardens for the tenants own rotary dryer.

Permissions and Property Alterations

Other than basic painting decorations, if you wish to make changes to your home you will need to follow the 'Tenants guide to permissions and property alterations' found online and located in your property pack. Basic decoration does not include removing door frames, skirting and architrave as these require permission.

Fixtures and Fittings

Where an outgoing tenant has left fixtures or fittings in the property that are in a reasonable state of repair and are of benefit to the incoming tenant; the Council will maintain these whilst it is economical to do so.

At the point that the fixture or fitting is no longer economical to repair it will normally be removed and any resulting work completed to make good. Alternatively at this point the tenant may apply for permission to take responsibility for the item and maintain or replace at their own expense. Permission will not be unreasonably withheld.

A list of items to which this section relates will be clearly agreed with the tenant before the tenancy starts.

This page is intentionally left blank

MINUTE EXTRACT of a meeting of the COMMUNITY SCRUTINY COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 12 FEBRUARY 2020

Present: Councillor D Harrison (Chairman)

Councillors K Merrie MBE, C C Benfield, T Eynon, B Harrison-Rushton, G Hoult, M B Wyatt and M D Hay (Substitute for Councillor J Geary)

In Attendance: Councillors R Canny, J Legrys and A C Saffell

Portfolio Holders: Councillors R Ashman and R D Bayliss

Officers: Mr J Arnold, Mrs T Bingham, Mr T Delaney, Mr C Elston, Mr C Lambert, N Picksley and Mrs R Wallace

29. REPAIRS AND MAINTENANCE POLICY

The Head of Housing and Property highlighted key points of the report and introduced the Repairs and Maintenance Manager, who provided further details on the proposed changes to the policy.

Councillor R D Bayliss, Housing and Customer Services Portfolio Holder, was invited to address the Committee by the Chairman and spoke in support of the policy.

Councillor M B Wyatt commented that in the past, some tenants had been told that issues with the quality of repair work was the fault of the contractor not the Council. He asked if going forward contractors would be chased and penalised. The Head of Housing and Property reported that contractors were now used infrequently as repairs were completed by council employed staff in the majority cases. On the occasion that contractors were used and complaints were received, the appropriate investigation and action would always take place.

In response to a question from Councillor M B Wyatt, the Head of Housing and Property explained that there would be flexibility in the policy for tenants that could not physically carry out the maintenance they were responsible for and this would be assessed on an individual basis.

Following some confusion on the expectations of tenants to carry out monthly tests for smoke and CO detectors, the Head of Housing and Property explained that the test consisted of pressing the button on the alarms to ensure they were working. Any problems should then be reported so that replacements could be made. He added that it was not practical for repair operatives to test all the alarms for every property each month, however an annual test was undertaken as part of the heating servicing contract.

In response to a question from Councillor M Hay, the Repairs and Maintenance Manager stated that there was still a set timescale for undertaking a repair, however there was now more flexibility with operatives and tenants availability taken into account. Overall the new policy has reduced the target times from 28 days to 20 days for tenant choice repairs and from 90 days to 60 days for other jobs, so work would be done quicker.

Councillor T Eynon commented on the importance of ensuring that staff were clear on the instances when a tenant could request support with repairs that should be their responsibility. She also asked that it be made clear in the tenants' handbook too.

In response to a question from Councillor C Benfield, the Repairs and Maintenance Manager explained that smoke and CO alarms were not always attached to a property's electric mains in the first instance but any faulty battery operated alarms were replaced to electric mains alarms. There were no current plans to complete a programme of mains powered replacements for all properties.

Councillor C Benfield raised concerns for vulnerable tenants who could not test the fire alarms and the risk of a death due to a fire because of an untested faulty alarm. The Head of Housing and Property explained that Support Officers did visit our most vulnerable tenants periodically and previous procedure was to carry out tests to alarms. He would however check that this was still common practice as it was important.

It was moved by Councillor G Hoult, seconded by Councillor T Eynon and

RESOLVED THAT:

The report be noted.

Councillor B Harrison - Rushton left the meeting at 7.38pm

Councillor M B Wyatt left the meeting at 7.53pm

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.08 pm

Likely to contain exempt information under paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank