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Meeting	<b>COMMUNITY SCRUTINY COMMITTEE</b>
Time/Day/Date	6.30 pm on Thursday, 4 April 2024
Location	Abbey Room, Stenson House, London Road, Coalville, LE67 3FN
Officer to contact	Democratic Services

## AGENDA

Item	Pages
<b>1. APOLOGIES FOR ABSENCE</b>	
<b>2. DECLARATION OF INTERESTS</b>	
Under the Code of Conduct members are reminded that in declaring interests you should make clear the nature of that interest and whether it is a disclosable pecuniary interest, registerable interest or other interest.	
<b>3. PUBLIC QUESTION AND ANSWER SESSION</b>	
To receive questions from members of the public under rule no.10 of the Council Procedure Rules. The procedure rule provides that members of the public may ask any question on any matter in relation to which the Council has powers or duties which affect the District, provided that three clear days' notice in writing has been given to the Head of Legal and Support Services.	
<b>4. MINUTES</b>	
To approve and sign the minutes of the meeting held on 8 February 2024	<b>3 - 6</b>
<b>5. UPDATE ON ZERO LITTER AND LAUNCH OF LOVE YOUR NEIGHBOURHOOD</b>	
The report of the Head of Community Services	<b>7 - 44</b>
<b>6. HOUSING POLICIES</b>	
The report of the Head of Housing	<b>45 - 158</b>
<b>7. ITEMS FOR INCLUSION IN THE FUTURE WORK PROGRAMME</b>	
To consider any items to be included in the work programme. The plan of forthcoming Cabinet decisions and the current work programme are attached for information.	<b>159 - 170</b>

Circulation:

Councillor T Eynon (Chair)  
Councillor M Blair-Park (Deputy Chair)  
Councillor M Ball  
Councillor M French  
Councillor K Horn  
Councillor S Lambeth  
Councillor P Lees  
Councillor A Morley  
Councillor E Parle  
Councillor L Windram

MINUTES of a meeting of the COMMUNITY SCRUTINY COMMITTEE held in the Forest Room, Stenson House, London Road, Coalville, LE67 3FN on THURSDAY, 8 FEBRUARY 2024

Present: Councillor T Eynon (Chair)

Councillors M Blair-Park, M Ball, M French, K Horn, S Lambeth, P Lees, A Morley and E Parle

In Attendance: Councillors R Johnson, J Legrys and P Moulton; Miss C O'Neil (guest from Gatherwell), Mr P Wright (guest from Gatherwell)

Officers: Mr J Arnold, Mr C Elston, Mr J Gaynor, Knight, Mr J Knight, Mr P Sanders, Mrs E Trahearn and Mr T Devonshire

## **26. APOLOGIES FOR ABSENCE**

There were no apologies received.

## **27. DECLARATION OF INTERESTS**

There were no interests declared.

## **28. PUBLIC QUESTION AND ANSWER SESSION**

There were no questions received.

## **29. MINUTES**

Consideration was given to the minutes of the meeting held on 7 December 2023.

It was moved by Councillor M Blair-Park seconded by Councillor K Horn, and

RESOLVED THAT:

Subject to amendment, the minutes of the meeting held on 7 December 2023 be approved as an accurate record of proceedings.

## **30. COMMUNITY LOTTERY SCHEME**

The Head of Community Services presented the report, with support from the Community Focus Team Leader.

Several Members questioned the set up costs, projected sales figures, what feedback from other local authorities who were engaged in such schemes had been solicited, and how the money spent on each ticket was distributed.

Officers, with assistance from the representatives from Gatherwell, gave the following advice. There was a one-off £5000 budgeted for an External Lottery Manager to cover most of the initial set up costs, administration and applications for necessary licences; sales were projected to be around 12000 a year once the scheme was up and running; money from each ticket was split 40p to selected good cause, 20p to the Council's grant fund, and 18p to Gatherwell, plus 18p allocated to cash prizes and 4p is a VAT element. As for consultation, other local authorities such as Blaby and Charnwood had been approached and they had suggested that their lottery schemes had been successful. Member nevertheless requested more clarity in the Cabinet report on financial details such as projections for the first five years of the scheme, and the nature of VAT costs.

A couple of Members inquired about the procurement process, how transparent it had been, and how rigorous it had been when looking for alternative providers and considering value for money. The Head of Community Services advised that the Legal and Finance Teams had been heavily involved in the crafting of the Lottery Scheme and had considered these issues thoroughly. Ultimately Gatherwell was the specialist provider in this area, and this necessarily impacted the nature of the procurement process. Furthermore, this was an annual contract so would be regularly reviewed, and the outcomes of the Scheme would be regularly reported to the Community Scrutiny Committee.

A Member expressed some concern that the Lottery Scheme would promote gambling, at a time when problem gambling was recognised as a growing social issue in Britain.

The Head of Community Services advised that problem gambling was something which Gatherwell would be responsible for robustly mitigating. A representative from Gatherwell then set out the mechanisms in place to do so, and explained for Members why this sort of scheme was low risk when it came to problem gambling: the vast majority of players had a standing monthly direct debit, the average number of tickets purchased per week was 1.8, and there were stringent rules in place with regards to how many tickets players could buy in a certain time frame.

Several Members inquired about how this would be promoted and tickets would be sold, how new and in particular smaller charities would be signed up and how this would impact on Officer's time. In response, Officers and a representative from Gatherwell advised that the process was largely digitalised, with a phone line for those also available for less technologically literate residents, and that it was an easy to use platform which actually democratised charity funding for smaller charities. The incentive structure operated to reward charities who maximised their own promotion of the scheme. They also advised that the aforementioned External Lottery Manager provided by Gatherwell would be providing lots of support, but some NWLDC staff time would be required. Members suggested that an impact assessment be carried out at the end of year 1, to appraise the actual impact on local charities, and that greater clarity on the impact on staffing within the Community Focus Team be provided in the Cabinet report.

A Member suggested that the proposition was broadly sound, the risks and start-up costs were low, and that the scheme would soon become self-sustainable. Furthermore, if there was displacement of existing donations it would be good to displace funding from national to local causes.

A Member asked whether Lottery funding would be factored into grant requests, and the Head of Community Services advised that no, the two were separate, and grants would follow the standard grant funding process, though the grant fund would be increased by this scheme.

The Chair set out some of her concerns, that the scheme could allow the reduction of funding currently offered through the Council's grant scheme, that the startup funding for the scheme was insufficient, that it could create a negative perception amongst residents of the District, she also echoed the concerns around burden on staff time raised by other Members, and she suggested that funding conditions should include that registered charities had spent all previous money from the Council in approved way, as had been the case in the Lottery Scheme enacted by Sevenoaks Council. She then invited the Portfolio Holder to speak.

The Portfolio Holder said that this was an easy way for charities to raise money, that the more active they were in marketing it the more they would receive, and most crucially the money would remain within the District.

The Chair thanked Members for their comments, which would be presented to Cabinet on 27 February.

### **31. GRANT REVIEW**

The Head of Community Services presented the report, with support from the Community Focus Team Leader.

A couple of Members sought assurances about how effectiveness was quantified and how outcomes were measured, even when this information was not presented to the Committee. The Head of Community Services advised that grant outcome measures were targeted quite specifically to each grant, from the largest to the smallest grants which they gave out. He added that if Members wished he could bring another report to the Committee on the largest grants, or ask for representatives of those charities to attend a Community Scrutiny meeting.

A Member queried the value of signposting and asked whether the solution to problems, rather than advice on who could solve problems, was measured as an outcome, and how was this quantified. In response, the Community Focus Team Leader advised that that signposting people to appropriate solutions was a valuable part of a wider approach to problem solving.

The Chair noted that Members had previously requested the Grant Review reports present more narrative impact data, oriented around specific case studies, especially for the smaller grants, and she reiterated this request.

The Chair thanked Members for their comments.

### **32. NWL LOCAL CYCLING AND WALKING INFRASTRUCTURE PLAN AND STRATEGY**

The Head of Community Services presented the report, with support from the Leisure Services Team Manager, and the Health and Wellbeing Team Leader.

A discussion was had amongst several Members about specific routes within the plan, at Moneyhill and Nottingham Road in Ashby, and local issues which they felt arose from these routes. In response, the Health and Wellbeing Team Leader advised that this was a flexible and emerging document which would be frequently reviewed in light of new information; the specifics of particular routes could also be examined in greater detail later in the process. The Leisure Services Team Manager echoed this and added that Members should approach the two of them to discuss specific changes to particular routes.

The Chair emphasised the importance of a holistic transport strategy with a clear purpose for the district as a whole, which factored in planned future developments such as the Ivanhoe Line. The Leisure Services Team Manager concurred, and advised that the document, in tandem with the proposed Local Plan, provided a framework to ensure that new developments link in to and contribute to the existing network. Furthermore, this document was vital to attain funding from Central Government.

The Chair thanked Members for their comments.

### **33. THE EFFECTIVENESS OF PLANNING ENFORCEMENT - UPDATE**

The Head of Planning and Infrastructure presented the report, with support from the Planning Enforcement Team Leader.

The Chair noted some of the previous problems with Planning Enforcement and the harm scoring procedure. In response, the Head of Planning and Infrastructure said that the new harm scoring procedure and enforcement plan was currently in the draft stage. He also said that now the Team was fully staffed they had reduced reliance on agency staff, compared to 2022, and were hoping to end the use of them entirely once new Team Leader was settled in.

A Member felt the targets were unclear. The Head of Planning and Infrastructure advised that there was quite an irregular pattern to enforcement cases, so it was hard to set effective targets, but they were intending to present enforcement reports to the Planning Committee bi-annually moving forwards.

A Member detailed some problems he had been aware of with regards to getting long-standing enforcement issues resolved, and he suggested that this was an emotive issue of significant public concern. He asked whether Officers now believed that the system in place now would demonstrate to residents that Officers and Members were taking concerns on board. In response, the Planning Enforcement Team Leader set out some of the reasons that cases remained open for some time, and the mechanisms open to officers to deal with enforcement matters which would be set out within the Local Enforcement plan.

Members requested an improved line of communication between Officers and the public on the nature of the planning process and available enforcement mechanisms. A Member specifically suggested a digital dashboard similar to the one used to report pot holes at Leicestershire County Council. The Head of Planning and Infrastructure said that he would look in to the suggestion. More generally, the Planning Enforcement Team Leader advised that the current plan has a flowchart which sets out the process, and which they planned to update and maintain; time scales varied but he concurred that it was important that residents felt they had not been forgotten about. Communication with the public was something that they were certainly working on.

The Chair thanked Members for their comments.

#### **34. ITEMS FOR INCLUSION IN THE FUTURE WORK PROGRAMME**

Consideration was given to items on the Work Programme.

The Strategic Director of Place advised the Committee that Leicestershire County Council would be providing information on the topic of highways, potholes and footpaths.

The meeting commenced at 6.30 pm

The Chair closed the meeting at 8.34 pm

## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COMMUNITY SCRUTINY COMMITTEE – THURSDAY, 4  
APRIL 2024

<b>Title of Report</b>	<b>UPDATE ON ZERO LITTER CAMPAIGN AND LAUNCH OF LOVE YOUR NEIGHBOURHOOD</b>	
<b>Presented by</b>	Paul Sanders Head of Community Services	
<b>Background Papers</b>	<a href="https://www.nwleics.gov.uk/agenda-for-cabinet-on-tuesday-11th-january-2022-5.00-pm-north-west-leicestershire-district-council">Agenda for Cabinet on Tuesday, 11th January, 2022, 5.00 pm - North West Leicestershire District Council (nwleics.gov.uk)</a>	<b>Public Report:</b> Yes
<b>Financial Implications</b>	Zero Litter and Love Your Neighbourhood campaigns are being delivered from existing budgets. The Love Your Neighbourhood project includes an application to the Bardon Quarry Community Fund and £5,000 allocation of UK Shared Prosperity funding.	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	No direct legal implications arising from the report.	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	No direct staffing or corporate implications arising from the report.	
	<b>Signed off by the Head of Paid Service:</b> Yes	
<b>Reason Agenda Item Submitted to Scrutiny Committee</b>	To provide Community Scrutiny with an update on the completed Zero Litter campaign including an evaluation.  To give Community Scrutiny an overview and opportunity to comment on the proposed Love Your Neighbourhood campaign.	
<b>Recommendations</b>	<b>COMMUNITY SCRUTINY COMMITTEE IS REQUESTED TO:</b>  <b>1. NOTE THE UPDATE AND EVALUATION OF THE ZERO LITTER CAMPAIGN</b> <b>2. PROVIDE COMMENTS AND ANY RECOMMENDATIONS ON THE LOVE YOUR NEIGHBOURHOOD CAMPAIGN TO CABINET AHEAD OF ITS CONSIDERATION OF THE MATTER ON 23 APRIL</b>	

## **1.0 BACKGROUND**

- 1.1 Littering in the district spans across a number of Council services such as Street Cleansing and Environmental Protection. In order to tackle littering in the best possible way a task force was set up with representatives from these services. The taskforce implemented several changes to how littering was dealt with. These included:
- Introducing a new litter picking procedure for communities to litter pick safely and be collected by the Council in blue bags
  - Distributing over £6,000 of litter picking kit to 23 town/parish councils and individual litter pickers
  - Investigating littering and fly tipping cases and issuing FPNs where appropriate through regular patrols to hot spot areas
  - Holding educational talks with workers at a large employer in Coalville to advise them not to drop cigarette ends during breaks
- 1.2 The group developed the Zero Litter campaign. The campaign ran for two years and included partnership working, education, litter bins, enforcement and communication.
- 1.3 The Zero Litter campaign Action Plan covered the following themes: Changing Behaviour, Litter Infrastructure, Enforcement and Joint Working. Some of the actions included participation in local and national campaigns, litter bin usage and technology options, the use of CCTV cameras in hotspot areas and partnership working with colleagues across the county.
- 1.4 The campaign was agreed at Cabinet in January 2022. The Campaign and Action Plan can be seen in the background papers via the link above.

## **2.0 EVALUATION**

- 2.1 At the end of the Zero Litter campaign, the task force reviewed the actions to evaluate the successes and take on board any learning using an evaluation template. On the whole, the Zero Litter campaign was very successful particularly in relation to the following:
- The County-wide fly tipping campaign
  - The Keep Britain Tidy Big Spring Clean resulted in 1,250kg of waste being collected over the 2 years
  - As a result of this campaign there are now nearly 600 volunteer litter pickers
  - Over 19,000 bags have been given out to volunteer litter pickers
  - Over the two years the campaign has attracted 319 new volunteer litter pickers
  - 28 FPNS and one prosecution for littering from vehicles
  - Successful deployment of the matrix trailer covering 132 miles of the County
  - 34 deployments in 23/24 of the matrix trailer in North West Leicestershire
  - Litter pick on the A42 resulted in 38 tons of sweepings and detritus and 15 tons of litter picked
- 2.2 A detailed evaluation of each action can be found in Appendix 1.

## **3.0 Love Your Neighbourhood**

- 3.1 The working group set up in the Zero Litter campaign, continue to meet and have included more teams from across the Council including Parks and Council Housing. They have built on the success of the Zero Litter campaign and taken on board the evaluation and learning from the campaign and have developed a three year Love



Your Neighbourhood (LYN) campaign. The aim of this campaign is to continue with the education but also leave a legacy.

3.2 An action plan for the first year of the campaign has been developed and the themes are:

- Changing behaviour
- Enforcement
- Community Engagement
- Weekend of action.

This will be evaluated and the second and third year action plan will be developed from the findings of the year one action plan.

3.3 The LYN project will be funded from existing resources. However, applications will be made to the Bardon Aggregates Community Fund and £5,000 has been allocated from the UK Shared Prosperity funding (UKSPF).

3.4 The new topic for this campaign is the Weekend of Action.

3.5 The weekend of action will be held on 6 and 7 of July across the district and additional support will be provided in three targeted areas. The areas have been chosen because they have lower than normal recycling rates and the highest data for localised fly tipping and littering issues. The areas are:

- Thringstone
- Greenhill
- Measham

3.6 The three targeted locations will receive additional officer support to allow for pop up events. The themes and activities being developed in the three targeted areas include the following:

- Low recycling rates
- Fly tipping
- Accumulations in gardens and fire risk – bulky waste
- Community litter picks
- Pavement parking
- Dog fouling

3.7 The draft LYN document and first year action plan can be found in Appendix 2.

3.8 The LYN campaign is being presented to Cabinet on 23 April to seek approval to launch the campaign in early May. Any comments from Community Scrutiny will be included in the Cabinet report.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	Clean, Green and Zero Carbon.
Policy Considerations:	Any enforcement action taken will follow the Council's approved enforcement policy.
Safeguarding:	Any safeguarding concerns raised will be referred as appropriate.
Equalities/Diversity:	An equality impact assessment has been completed.
Customer Impact:	Residents will have the opportunity to take part in improving the environment they live in.

Economic and Social Impact:	The LYN campaign is targeting areas where there are reduced recycling rates, high levels of littering and fly tipping. These communities will have an opportunity to apply for funding through grants.
Environment, Climate Change and zero carbon:	The work will contribute towards improving the environment in North West Leicestershire by reducing enviro crime and educating the residents.
Consultation/Community Engagement:	The LYN campaign will involve working with communities to improve the environment.
Risks:	As part of its Corporate Governance arrangements, the Council must ensure that Risk management is considered and satisfactorily covered in any report put before elected Members for a decision or action.
Officer Contact	Paul Sanders Head of Community Services <a href="mailto:paul.sanders@nwleicestershire.gov.uk">paul.sanders@nwleicestershire.gov.uk</a>

Zero litter theme	Zero litter action	Lead team	What went well?	What did not go so well?	What have we learnt from this?	Based on learning, what should we do next / in the future?
Changing Behaviours	1.1 Participate in the countywide fly tipping campaign	Environmental Protection	<ul style="list-style-type: none"> <li>All local authorities in Leicestershire participated, including the City</li> <li>Raised awareness across the county in relation to waste which is not always associated with fly tipping, such as garden waste</li> <li>NWLDC reduced fly tipping during the campaign</li> <li>NWLDC Issued 2 fines in relation to fly tipping</li> <li>NWLDC engaged on social media with over 8000 impressions.</li> <li>Joint working with H&amp;B on fly tipping issued on the border</li> </ul>	<ul style="list-style-type: none"> <li>No report from the lead authority and limited feedback from the other authorities on their data and activities. This means we can only show results from our campaign</li> <li>Very little presence on social media by the other authorities</li> </ul>	<ul style="list-style-type: none"> <li>The Leicestershire Waste Partnership group would be best equipped to take a lead on collecting the data from each authority. This is now in place for 2024/25</li> </ul>	<ul style="list-style-type: none"> <li>A lead has been confirmed for the forthcoming campaigns</li> </ul>
	1.2 Undertake a roadside litter campaign each month	Environmental Protection	<ul style="list-style-type: none"> <li>Consistent patrols</li> <li>Staff participation</li> <li>Offences witnessed</li> </ul>	<ul style="list-style-type: none"> <li>Needed to increase the use of social media to promote patrols by officers</li> </ul>	<ul style="list-style-type: none"> <li>The public could of been made more aware that officers proactively patrol hotspot areas for littering and dog fouling</li> </ul>	<ul style="list-style-type: none"> <li>Increase the use of social media to highlight enforcement patrols to show officers are proactively out on the district</li> </ul>
	1.3 Participate in the Keep Britain Tidy (KBT) annual Big Spring Clean	Environmental Protection	<p>KBT Big Spring Clean was another successful campaign in terms of numbers of volunteers and volumes of waste collected. See figures below</p> <p>2022/23</p> <ul style="list-style-type: none"> <li>107 volunteers</li> <li>12 streets covered plus open spaces</li> <li>73 bags of waste collected weighing in at 530kg</li> </ul> <p>2023/24</p> <ul style="list-style-type: none"> <li>104 registered volunteers</li> <li>24 Streets covered</li> <li>86 Bags of waste collected weighing in at 720kg</li> </ul>	<ul style="list-style-type: none"> <li>By being slightly out of line with KBT dates, it meant the campaign did not have as much impact. This was due to capacity within the team</li> </ul>	<ul style="list-style-type: none"> <li>To bring the dates of our community litter pick in the Spring back in line with KBT's Big Spring Clean</li> </ul>	<ul style="list-style-type: none"> <li>Community litter pick for 2025/26 will be in line with KBT Big Spring Clean</li> </ul>
	1.4 Use social media to promote homeowner responsibilities when disposing of waste	Environmental Protection	<ul style="list-style-type: none"> <li>N/A</li> </ul>	<ul style="list-style-type: none"> <li>Unable to action this as the Council were unable to have their own Facebook page due to Facebook rules. This came to light early on so other means for promoting home owner</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>	<ul style="list-style-type: none"> <li>The group is now aware that Facebook cannot be used so the group will continue with other social media sources and press releases etc</li> </ul>

				responsibilities on social media channels were found.		
1.5	Distribute litter picking equipment to volunteers	Environmental Protection	Continued to receive a large number of requests for volunteer litter picking equipment. Here are the figures: 2022 – 2024 <ul style="list-style-type: none"> <li>• Total of 591 volunteers</li> <li>• 319 litter pickers given out.</li> <li>• 304 hi vis vests supplied.</li> <li>• 19,765 bags given out.</li> <li>• 319 new volunteers.</li> <li>• 20 group litter picks consisting of a total of 419 volunteers.</li> <li>• Supported KBT, Big Spring Clean – see 1.3</li> </ul>	<ul style="list-style-type: none"> <li>• Increases in cost for equipment and bags</li> <li>• Capacity within the team to deliver equipment and bags</li> </ul>	<ul style="list-style-type: none"> <li>• Officers encouraged to make deliveries in conjunction with their other duties</li> <li>• Officers from other team are willing to help with deliveries</li> </ul>	<ul style="list-style-type: none"> <li>• Due to the benefits of the volunteers and all of the work they do to support keeping the District cleaner and greener, the Council will continue to support individual volunteers and groups such as the North Leicestershire Litter Wombles</li> </ul>
1.6	Refresh dog watch rural	Environmental Protection	<ul style="list-style-type: none"> <li>• 16 landowners participated</li> <li>• Positive feedback from social media posts</li> <li>• Positive feedback from the landowners</li> <li>• Fresh new design for sign encouraging landowners to report issues</li> <li>• Fresh new design for signs to encourage dog walker to pick up and dispose of bagged waste responsibly</li> </ul>	<ul style="list-style-type: none"> <li>• Confusion with other agencies promoting 'stick and flick'</li> </ul>	<ul style="list-style-type: none"> <li>• Collecting data for measuring the outcome of the campaign is difficult and time consuming</li> <li>• Landowners reluctant to come forward</li> </ul>	<ul style="list-style-type: none"> <li>• A new impact assessment is currently being prepared to improve outcome measures</li> </ul>

Zero litter theme	Zero litter action	Lead team	What went well?	What did not go so well?	What have we learnt from this?	Based on learning, what should we do next / in the future?
Litter Infrastructure	2.1 Monitor if additional vehicles and staff are required to help with demand of bin emptying/litter picking	Waste Services	<ul style="list-style-type: none"> <li>Waste Services review initiated. This will be a review of our current services and operational requirements</li> </ul>	<ul style="list-style-type: none"> <li>Sickness levels remain high and deployment of staff to ensure coverage is widely practised</li> <li>Industrial action affecting waste collection staff created priority of statutory duties and distribution of qualified staffing</li> </ul>	<ul style="list-style-type: none"> <li>Further procedural review and policy changes are required to manage sickness and absence levels</li> </ul>	<ul style="list-style-type: none"> <li>HR supporting through review of current sickness and absence policy</li> </ul>
	2.2 Monitor litter bin technology i.e. solar and funnel and trial in appropriate areas	Waste Services	<ul style="list-style-type: none"> <li>Footfall analysis confirmed North West Leicestershire district are predominately rural, main towns do not produce footfall for expense and maintenance programme for equipment</li> </ul>	<ul style="list-style-type: none"> <li>Expense of equipment</li> <li>Maintenance support annual fees unsupported through financial requirements</li> </ul>	<ul style="list-style-type: none"> <li>Continue to monitor litter levels and plan for installation of equipment if required</li> <li>Continuous monitoring of market development for future improvements</li> </ul>	<ul style="list-style-type: none"> <li>Continue to monitor and explore developing products available to the market in support of further recycling avenues</li> </ul>
	2.3 Monitor litter bin usage and remove if not needed	Waste Services	<ul style="list-style-type: none"> <li>Identified areas that require further support and utilised grant funding</li> </ul>	<ul style="list-style-type: none"> <li>New product development on the market place has not satisfied placement investigations within North West Leicestershire District. Products are aimed at high traffic city centres</li> </ul>	<ul style="list-style-type: none"> <li>Current system and supply of litter bins adequate for usage at present levels</li> </ul>	<ul style="list-style-type: none"> <li>Explore recycling street litter bins to ensure we are supportive of legislation changes and maximising capacity to recycle more</li> </ul>

Zero litter theme	Zero litter action	Lead team	What went well?	What did not go so well?	What have we learnt from this?	Based on learning, what should we do next / in the future?
Enforcement	3.1 Undertake a roadside litter campaign each month	Environmental Protection (EP)	<ul style="list-style-type: none"> <li>Offences witnessed</li> <li>28 FPN's issued for littering</li> <li>1 prosecution for littering, £220 fine, total costs £1,118.00</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>	<ul style="list-style-type: none"> <li>Continue to undertake the campaign as it was successful</li> </ul>	<ul style="list-style-type: none"> <li>Campaign very successful and we will continue to use this approach to catch people who litter in the District</li> </ul>
	3.2 Use the Council's technology e.g. cameras, CCTV to investigate hot spot areas	Environmental Protection	<p><u>Matrix Trailer</u></p> <ul style="list-style-type: none"> <li>The Matrix trailer was will have been deployed on 34 occasions during 2023/24 and in line with the pre-planned schedule.</li> <li>Supporting the A42 Litter pick</li> <li>Supporting LWP with the "Its all fly tipping" campaign covering 132 miles across the county.</li> <li>Supporting district events for example Party in the Park.</li> <li>Supporting Community Safety Partnership in Ashby over the Christmas period giving "Stay Safe advice"</li> </ul> <p><u>Cameras</u></p> <ul style="list-style-type: none"> <li>Trail cameras have been deployed on 14 occasions in hotspot locations in an attempt to catch offenders committing fly tipping offences</li> <li>The pod camera has been deployed on three occasions capturing two offences with quality images from 73m</li> </ul>	<p><u>Matrix trailer</u></p> <ul style="list-style-type: none"> <li>Wet weather conditions resulting in wet and soft verges have hampered the deployment.</li> </ul> <p><u>Cameras</u></p> <ul style="list-style-type: none"> <li>Difficulties in find suitable pod camera locations.</li> <li>Weather conditions not only affects the lens but hampers deployment.</li> </ul>	<ul style="list-style-type: none"> <li>Consider using Council owned land with hard standing where a matrix trailer cannot be deployed, without a permit and at short notice</li> <li>Consider using private land to install pod cameras</li> </ul>	<ul style="list-style-type: none"> <li>Be flexible with the schedule to enable the matrix trailer to be deployed without the need of a risk of going onto soft verges</li> <li>Contact landowners in rural areas to assist in deploying pod cameras</li> <li>Look into modifying the matrix trailer so a pod camera can be fitted</li> </ul>
	3.3 Look at external campaigning funding to support the work of the Taskforce around cleaner and greener District	Zero litter campaign working group members		<ul style="list-style-type: none"> <li>Although no external funding was secured as North West Leicestershire were not eligible for external funding at the time, the Zero Litter group did stay within budget and were able to deliver all of the relevant campaigns</li> </ul>	<ul style="list-style-type: none"> <li>North West Leicestershire District Council was not eligible due to the criteria of some of the funding sources at the time</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>

	3.4 Investigate reports of littering/fly tipping where sufficient evidence is available	Environmental Protection	<ul style="list-style-type: none"> <li>Although evidence is often difficult to find there has been good success from fly tips visited by EP</li> <li>Seven FPN's for fly tipping offences</li> <li>Toolbox talks arranged with the Parks Team and Street Cleansing on best practise evidence gathering which resulted in six quality statements and evidence being presented to EP from the Parks Team</li> </ul>	<ul style="list-style-type: none"> <li>Enforcement is difficult and involves a lot of Officer time</li> <li>Cases are totally reliant on evidence found</li> </ul>	<ul style="list-style-type: none"> <li>Finding evidence is crucial so the tool box talks have helped</li> <li>Education to prevent fly tipping in the first place is essential</li> </ul>	<ul style="list-style-type: none"> <li>Continue tool box talks to support other teams to identify evidence</li> <li>Encourage more members of staff to report fly tipping and littering</li> </ul>
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Zero litter theme	Zero litter action	Lead team	What went well?	What did not go so well?	What have we learnt from this?	Based on learning, what should we do next / in the future?
15	4.1 Waste Services and Environmental Protection will meet on a bi-monthly basis	Waste Services and Environmental Protection	<ul style="list-style-type: none"> <li>Established Zero Litter working group to deliver the campaign, this also included other departments</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>	<ul style="list-style-type: none"> <li>Involving multiple teams improves the way we tackle enviro crime and improve the District</li> </ul>	<ul style="list-style-type: none"> <li>Continue to work together and involve more teams to further improve the District i.e. Housing</li> </ul>
	4.2 Partnership working with the District and Parish Councils	Community Focus (CF)	<ul style="list-style-type: none"> <li>Utilising Parish monthly newsletters to provide information and updates on campaigns</li> <li>Parish Fair workshop (18 attended) and information stand September 2022</li> <li>May 2022 Enviro-crime workshop attended by 13 councillors and clerks</li> <li>CF officers' regular meetings with parish Councils and providing intelligence to EP on local issues</li> </ul>	<ul style="list-style-type: none"> <li>Parish fair was attended by 42 clerks and councillors throughout the evening, which is considered a low attendance in relation to the number of councillors elected across the district.</li> </ul>	<ul style="list-style-type: none"> <li>Information sharing is key, enables parishes to communicate scheme and initiatives to the wider community using their own social media.</li> <li>They feel included and informed.</li> </ul>	<ul style="list-style-type: none"> <li>Consider opportunity for EP officers to attend district days</li> <li>Consider the use the trailer for pop up events in hot spot areas</li> </ul>
	4.3 Debrief from annual litter pick of A42 – intelligence from Street Cleansing	Waste Services and Environmental Protection	<ul style="list-style-type: none"> <li>Litter pick went ahead and was completed as planned</li> <li>Volume of waste collected: Sweepings and detritus – 38.620T, Litter picked waste – 15.440T</li> </ul>	<ul style="list-style-type: none"> <li>Takes a lot of time due to when the work can be carried out</li> </ul>	<ul style="list-style-type: none"> <li>Better understanding of what waste has been discarded</li> </ul>	<ul style="list-style-type: none"> <li>Can make the enforcement campaign more targeted now we have more detail on waste type and location</li> <li>Undertaking a Countywide campaign on A roads through Love Your Neighbourhood</li> <li>Regular enforcement patrols in the lay-bys on "A" roads with the CCTV van</li> <li>Continue with matrix sign on slip roads to educate road users</li> <li>Looking to use the pod camera with matrix sign</li> </ul>

							<p>to catch perpetrators who litter from vehicles</p> <ul style="list-style-type: none"><li>• Improve signage in lay-bys</li></ul>
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# LOVE YOUR NEIGHBOURHOOD

April 2024 - March 2027




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This document and action plan is managed and implemented by the following teams:

- Waste Services
- Environmental Protection
- Communications
- Community Focus
- Parks and Open Space
- Health and Wellbeing
- Housing Management





## Executive Summary

**During 2022 to 2024, we ran a Zero Litter campaign which involved taking a 'one team, one council' approach to reduce litter, change behaviour and educate people about the impact of littering.**

This campaign was very successful, and to continue its success and expand into a bigger campaign involving more teams from across the council Love Your Neighbourhood has been developed.



This is a three year campaign to continue the focus on reducing litter, changing behaviour and educating people, and it also includes a weekend of action across the whole district.



To continue the success of Zero Litter and take on board the learning from it, we have developed a three year 'Love Your Neighbourhood' campaign that involves work from across the authority.

## The national picture

The government's Anti-Social Behaviour Action Plan, published in May 2023, is committed to increasing on the spot fines for certain offences. On 31 July 2023 these regulations came into force in England, increasing upper limits on the following Fixed Penalty Notices (FPNs):

- The maximum amount those caught fly-tipping could be fined would increase from £400 to £1,000
- The maximum amount those who litter could be fined would increase from £150 to £500
- The maximum amount those caught fly-posting and graffitiing could be fined would increase from £150 to £500
- The maximum amount those who breach their household waste duty of care could be fined would increase from £400 to £600.

Regarding waste and recycling collections, the government has confirmed a national recycling target of 65% by 2035 in England. To help meet this target, councils will be required to collect the following:

- Food waste and tetra packs from 2025 onwards
- Plastic bags and wrapping from 2027 onwards.

## Local context

In line with the Government's Anti-Social Action Plan the upper limits and early repayment discounts for the following Fixed Penalty Notices for 2024/25 are as follows and came into force on the 1 April 2024.

- The maximum amount for those caught fly-tipping could be fined will increase from £400 to £600, discounted to £535 if paid within 10 days of issue
- The maximum amount those who litter could be fined will increase from £150 to £225, discounted to £200 if paid within 10 days
- The maximum amount those caught graffitiing or fly-posting could be fined will increase from £150 to £225, discounted to £200 if paid within 10 days
- The maximum amount those who breach their household waste duty of care could be fined will increase from £400 to £600, discounted to £525 if paid within 14 days.

# Introduction

## Enforcement data:

### 2022-2023

- 587 reported incidents
- Seven Fixed Penalty Notices Issues for fly tipping related offences
- 33 Fixed Penalty Notices issued for Duty of Care offences (commercial)
- 39 Fixed Penalty Notices issued for litter related offences
- Three Fixed Penalty Notices issued for breaches in PSPO's (dog-related)
- 16 vehicles removed for abandonment
- 12 deployments of the matrix sign including support for the annual A42 litter pick

### 2023–2024 (excluding February and March)

- 459 reported incidents
- Seven Fixed Penalty Notices Issues for fly-tipping-related offences
- Two Fixed Penalty Notices issued for Duty of Care offences (commercial)
- 28 Fixed Penalty Notices issued for litter related offences
- 16 vehicles removed for abandonment
- 24 deployments of the matrix sign including support for the annual A42 litter pick
- Seven deployments of the matrix sign countywide to support the countywide 'It's all Littering' campaign

## Volunteer litter pickers and equipment given out 2022-2024:

- 591 volunteers
- 319 litter pickers given out
- 304 hi vis vests supplied
- 19,765 bags given out
- 319 new volunteers
- 20 group litter picks consisting of a total of 419 volunteers.

## To tackle this issue we have:

- 2 senior enforcement officers
- 2 enforcement officers
- 591 volunteer litter pickers
- 13 street cleansing staff
- 10 vehicles including sweepers and vans
- One CCTV van
- Seven trail cameras
- Two pod cameras
- Drone



## Street cleansing

It is our responsibility as a litter authority to ensure that our district (or land for which we are responsible) is, so far as is practicable, kept clear of litter and refuse. The street cleaning team regularly empties litter bins, litter picks, removes fly tipping, and sweeps road networks, footpaths and public areas including car parks.

The team operates three different sized sweepers - two large HGVs, a medium sized sweeper for roads and car parks, and two pavement sweepers. These follow regular routes and are on a rota system covering main urban and rural roads.

Our pavement sweepers also follow a more intricate rota to ensure our town and village centres and areas where the larger sweepers cannot safely operate, remain cleansed seven days a week. In addition, the services operate in response to weekend social activities, periods of high foot fall and support for community events.

Litter picking and harder to reach areas such as heavily parked streets, narrow walkways are cleared using pushed collection barrows.

A range of vehicles is used following fly tipping reports. Before the removal, the crew must complete an analysis of the waste being collected and identify any evidence of where the waste has originated from to pass to our enforcement team. The crews use a variety of collection vehicles, from caged tippers to hiab lorries, which use a crane loading system. On average our crews collect a weekly tonnage of five tonnes for the removal of fly tipping occurrences across the district.

Our programme of litter collections takes place on a weekly basis along the A42 road network. This is a 15 mile stretch of major trunk road, connecting the east midlands between the M1 and M42. Each week our team collects over a tonne of litter from laybys along this stretch of road. Every year we carry out an extended litter pick of the verges under the guidance and approval of the highways agencies and traffic management companies who partially close live traffic lanes to allow our teams to operate safely.

## Litter bins

During the Zero Litter campaign, we increased the number of council-owned litter bins from 500 to 600. The street cleansing team ensures these bins are emptied on a regular schedule, and we dispose of around 0.5 tonnes on a weekly basis.

The standard bins are easy to install and can be removed without causing any damage to the highway. Post-mounted bins are installed in areas that do not need a large capacity bin or where the footpath is not wide enough.

Litter bin installation requests are dealt with on an individual basis, to assess safety installations and emptying.

Placement of bins in laybys attract fly tipping and abuse, therefore if there are problems with litter in these areas the approach is to litter pick more frequently and to develop targeted communication and enforcement.

Technological advances for litter bins mean the world of litter collection is continuously evolving. As part of this action, the team will consider several options including suitability, cost, efficiency and safety. The team will also consider installing trial bins in appropriate areas and monitor before investing in more.

## Our recycling focus

Our Recycle more... campaign was adopted in 2019 to encourage people to recycle more materials, more often. Since it was adopted, some of the following has been introduced and achieved:

- A weekly food waste collection trial for 4,000 households on selected streets in Coalville, Whitwick, Measham and some rural parts of the district
- The introduction of household battery and mobile phone recycling at the kerbside for all households
- Exploring the type of recycling containers residents will use in the future, with 500 households already trialling two different recycling container systems.

The LYN project will help to identify areas of the district where recycling participation is lower, enabling Recycle more... and its aims to be delivered and focused at a local and community-based level, supporting residents to recycle more.



## Zero Litter – how successful were we?

- Participated in the county-wide fly tipping campaign
- The Keep Britain Tidy Big Spring Clean resulted in 1,250kg of waste being collected over the two years
- There are now nearly 600 volunteer litter pickers – 319 have been recruited during the two years of the campaign
- Over 19,000 bags have been given out to volunteer litter pickers
- 28 FPNS and one prosecution for littering from vehicles
- 34 successful deployments of the matrix trailer covering 132 miles of the county
- Litter picking on the A42 resulted in 38 tons of sweepings and detritus and 15 tons of litter picked

As part of the evaluation of Zero Litter, we have recognised that more teams from across the council need to be involved. Therefore Parks and Open Spaces and Housing Management have been included in LYN.

## Community engagement

Opportunities to represent the district council at events to educate and share information on the campaign include large community events such as Picnic in the Park, Jims Tractor Run, the Emergency Services Open Day, Christmas in Coalville, which are well attended by 2000+ people and have high engagement levels.

Smaller pop-up events working in partnership with smaller parish councils and events groups and resident involvement team for our own social housing scheme event.

The VCSE Newsletter will continue to be published every three weeks and circulated to over 500 community groups, village halls and charitable organisations across the district. Organisations are encouraged to share the content with their members and service users.

Monthly parish newsletters will be circulated to all parish and town councils across the district. Articles relating to the scheme will highlight updates and success stories throughout the term of the campaign. Parish and town councils will be encouraged to share this information with their residents.

Quarterly Parish Liaison meetings are an opportunity to provide information directly and in person.







## Love Your Neighbourhood

By evaluating Zero Litter, the working group has developed four key themes for Love Your Neighbourhoods first year. These are:

- **Changing behaviour**
- **Enforcement**
- **Community engagement**
- **Weekend of action**

# Action Plan 2024 / 2025

Theme one	Task	Action				Outcome / Measurable	Lead Team
		Q1	Q2	Q3	Q4		
Changing behaviour	Working with schools delivering a series of enviro- crime and recycling workshops.	Contact schools and local groups e.g. Scouts to arrange delivery of two workshops on enviro crime and recycling  Produce a detailed project campaign plan with communication plan	Confirm the schools and local groups for the workshop  Prepare workshop materials.  liaising with the Recycling Officers	Deliver the series of workshops	Send out questionnaires to the schools and local groups that participated to evaluate the use of the workshops	Workshops delivered in five primary school classes, five secondary school classes and local groups e.g. Scouts	Environmental Protection

# Action Plan 2024 / 2025

Theme one	Task	Action				Outcome / Measurable	Lead Team
		Q1	Q2	Q3	Q4		
Changing behaviour  27	Deliver recycling and enviro-crime awareness at summer fetes	Identify the fetes in the district and prioritise those with the greatest opportunity for impact e.g. Picnic in the Park  Produce information for the engagement with the public at the fete liaising with the Senior Enforcement Officers  Produce a detailed project campaign plan with communication plan	Attend the fetes throughout the district	Evaluate campaign – how effective was the use of attending summer fetes		Level of engagement at fete  Measure footfall to the stands and engagement  Number of Fetes attended	Waste Services Development Officer

# Action Plan 2024 / 2025

Theme one	Task	Action				Outcome / Measurable	Lead Team
		Q1	Q2	Q3	Q4		
Changing behaviour	Attend staff roadshows and team briefings to encourage staff to report incidents of enviro-crime and volunteer as a litter picker	Develop a presentation on reporting enviro-crime and engaging as a volunteer litter picker	Attend one roadshows or team briefings To encourage reporting enviro-crime and becoming a volunteer litter picker	Attend one roadshows or team briefing to encourage reporting enviro-crime and becoming a volunteer litter picker	Evaluate number of individual and group litter picks	Increased number of enviro- crime reports received from members of staff to help tackle enviro- crime	Environmental Protection
		Look to streamline statements online and supporting evidence for staff	Supply information on the quantity of litter picked by staff volunteers	Supply information on the quantity of litter picked by staff volunteers	Number of reports made Enviro Team.	Staff attendance at the Roadshows, number of Team Briefings attended and number of staff and group litter picks	
		Engage with Team Managers to attend team briefings	Publish the presentation on the staff intra- net so staff that could not attend can access the information	Publish the presentation on the staff intra- net so staff that could not attend can access the information	Publish competition results (pending feasibility from Q1)		
		Look at feasibility of running staff competition for number of reports received					

# Action Plan 2024 / 2025

Theme one	Task	Action				Outcome / Measurable	Lead Team
		Q1	Q2	Q3	Q4		
Changing behaviour  29	Develop an Enviro charter with businesses within NWL	Identify two hotspot areas within the district to sign up to the charter. Produce a detailed project campaign plan with communication plan to assist with developing the charter  Laise with the Economic Development and Regeneration Team to identify businesses to develop and sign up to the charter	Identify two businesses within each of the specific hotspot areas to sign up to the charter and launch the charter at their premises  Develop a launch event with a communication plan	Work with the businesses that have signed up to the charter with their launch event and use media to publicise their launch event	Evaluate campaign and continue to engage with businesses signed up and build on success ready for 2025/26	Environmental Protection	

# Action Plan 2024 / 2025

Theme one	Task	Action				Outcome / Measurable	Lead Team
		Q1	Q2	Q3	Q4		
SO	Design and develop a LYN, 'No Littering' and 'No Fouling' signs	Produce a detailed project campaign plan with communication plan to produce new signs to deter littering and dog fouling.  'It's All Littering'	Launch new designed enviro signage along with social media messages	Deploy signs in areas where concerns have been raised  Continue awareness messages on social media	Evaluate success and feedback and continue work from Q3	Number of signs on the district  Social media messages engagements  Have reports increased or decreased in comparison with previous year(s)	Environmental Protection
	Deploy Matrix sign at key locations throughout the district to communicate and educate the public on littering	Detailed plan to include major events around the district and to apply for relevant permits for the year  Produce information for other council's to use the matrix sign for a fee to generate income to contribute to costs	Deploy matrix sign at key locations and events  Investigate the feasibility to promote the use of the matrix sign with other Leicestershire and neighbouring councils to generate income	Continue deployment of the matrix sign at key locations and events	Continue deployment of the matrix sign at key locations and events  Evaluate success and feedback from use of the sign	Number of deployments  Number of social media messages/ engagements	Environmental Protection

# Action Plan 2024 / 2025

Theme two	Task	Action				Outcome / Measurable	Lead Team
		Q1	Q2	Q3	Q4		
Enforcement	Raise awareness of Duty of Care with householders including the requirement for waste carriers to be licensed	Produce a detailed project campaign plan with communication plan  Send out information to all households through the council tax annual billing system advising households on their duty of care.  Include S.46 information, requirements to present waste in line with legislation	Continue communications around householders' duty of care using social media platforms available	Continued communications around householders' duty of care using social media platforms available	Evaluate campaign,  Plan and design information for 2025/26 around householders' duty of care through the council tax annual billing system. Include S.46 information, requirements to present waste in line with legislation	Number of reaches to householders and social media engagements	Environmental Protection

# Action Plan 2024 / 2025

Theme two	Task	Action				Outcome / Measurable	Lead Team	
		Q1	Q2	Q3	Q4			
32	Enforcement	Deliver fly tipping campaign targeting rural and private land.	Identify hot spot areas through analysing data and encourage landowners to report fly tipping on their land	Support and work with landowners. Raise awareness on social media It's all fly-tipping. Install cameras on private land to support landowners	Continue to support and work with landowners. Raise awareness on social media. It's all fly-tipping Install cameras on private land to support landowner	Evaluate campaign  Evaluate the use of cameras on private land	Number of private landowners, compare with previous years  Have cameras worked as a deterrent? and number of offences capture	Environmental Protection
	Undertake fortnightly enforcement patrols for littering and dog fouling	Identify hot spot areas for littering and dog fouling and produce a schedule for the patrols Produce communication information to publicise the outcome of the patrols so the public are aware and to act as a deterrent	Identify hot spots areas for the next quarter Undertake patrol and publicise the outcome Potential use of technology from matrix sign to cameras	Identify hot spots areas for the next quarter Undertake patrol and publicise the outcome Potential use of technology from matrix sign to cameras	Evaluate campaign Continue... Identify hot spots areas for the next quarter Undertake patrol and publicise the outcome Potential use of technology	Number of fixed penalties issued Evaluate any improvement in the areas that were patrolled Social media engagements Number of technology related deployments	Environmental Protection	



# Action Plan 2024 / 2025

Theme two	Task	Action				Outcome / Measurable	Lead Team
		Q1	Q2	Q3	Q4		
Enforcement	Deliver a Bag it and Bin it RURAL Campaign.	Produce a detailed project campaign plan with communication plan  Continue to monitor areas and work with landowners already signed up from 2023/24  Identify further hotspot areas within a rural environment using social media, signage and leaflets	Carry out assessment visits and install signage as required within any new hotspot areas  Use social media, radio to promote best practices when walking in the countryside	Continue with assessment visits and install signage as required within any new hotspot areas  Use social media, radio to promote best practices when walking in the countryside	Evaluate campaign  Continue with assessment visits in this quarter and install signage as required within any new hotspot areas  Use social media, radio to promote best practices when walking in the countryside	Number of rural landowners engaged  Number social media engagements  Number of Fixed Penalty Notices issue	Environmental Protection

# Action Plan 2024 / 2025

Theme three	Task	Action				Outcome / Measurable	Lead Team
		Q1	Q2	Q3	Q4		
Community Engagement	Work with Housing Associations and NWL housing team to change waste disposal behaviours	Produce a detailed project campaign plan with communication plan	Develop a working group with Recycle More, Housing, environmental Protection and Communications teams	Deliver the educational workshops within identified hotspot areas to engage local community groups, parish councils, schools and clubs	Evaluate campaign	Reduction in fly tipping	Waste Services
34		Work collaboratively with NWL housing team to identify the issues and hot spots	Work alongside Recycle mores existing projects which identify hotspots and educational interaction within that community			Increase use of bulky waste services	
		Engage the Housing Associations to identify the issues and hot spots	Create further educational workshops within identified hotspot areas to engage local community groups, parish councils, schools and clubs			Encourage re-use	
		Devise campaign	Use social media outlets to highlight issues, share success and progress			Increased recycling	

# Action Plan 2024 / 2025

Theme three	Task	Action				Outcome / Measurable	Lead Team
		Q1	Q2	Q3	Q4		
Community Engagement	Work with Parks and Open Spaces and Waste Services to reduce abuse of public litter bins	Produce a detailed project campaign plan with communication plan which includes the Green Flag award  Target known hotspots; identify potential hotspots.  Create signs for bins. Late in Q1, get ready for summer  Engage with local community groups	Use social media out put to highlight issues  Deploy enforcement cameras where possible  Engage schools prior to holidays  Tie in with keep Britain Tidy (Green Flag)	Engage public at council event  Deploy enforcement cameras where possible  Continue with social media out put during summer months  Use matrix sign if needed.  Review information ready for the Q3,4	Ramp up social media output for Christmas holidays and post Christmas clear outs  Early in October - engage schools	Reduce abuse of public litter bins  Number of camera deployments	Parks

# Action Plan 2024 / 2025

Theme three	Task	Action				Outcome / Measurable	Lead Team
		Q1	Q2	Q3	Q4		
Community Engagement	Engage with People Zones / Projects	<p>Develop a campaign to include identifying opportunities for funding and new initiatives.</p> <p>Use social media to highlight issues and engage with community groups / parish council to promote positive activities</p> <p>Work alongside Recycle mores existing projects which identify hotspots and educational interaction within that community</p>	Engage schools and community groups prior to holidays. Tie in with district, county and national campaigns	Work with NWL housing team, Community Safety, EP, Parish Councils and community groups to identify the issues and hot spots	Engagement, evaluation and planning for the next year	Reduction in fly tipping and enviro crime, Evaluate any improvement in the areas, Response to community engagement. Yearly evaluation of the area	Health and Wellbeing Team and Community Focus

# Action Plan 2024 / 2025

Theme three	Task	Action				Outcome / Measurable	Lead Team
		Q1	Q2	Q3	Q4		
Community Engagement	Big Spring Clean	Participate in a district wide Big Spring Clean engaging with parish and town councils, volunteer litter pickers and Leicestershire Wombles	Encourage and support volunteers  Design a sign - LYN, this area has been litter picked by volunteers	Encourage and support volunteers	Participate in the Keep Briain Tidy Big Spring Clean engaging with parish and town councils, volunteer litter pickers and Leicestershire Wombles	Number of volunteers, new and current  Number of bags and equipment given out	Environmental Protection
Community Engagement	Implement the Community Lottery Scheme (Gatherwell)	Cabinet to agree for the scheme to go ahead.  Start the process with Gatherwell, this will take 20 weeks	Final checks, development of the website. The launch of the scheme to be held end of September (VCSE / Parish Fair)	Delivering marketing on the scheme and encourage 'causes' to sign up and generate ticket sales  Monitoring of data	Monitoring of data.  Engagement with causes  Marketing of the scheme	40 community groups set up causes via the Community Lottery Scheme website  100 ticket sales	Community Focus

# Action Plan 2024 / 2025

Theme four	Task	Action				Outcome / Measurable	Lead Team
		Q1	Q2	Q3	Q4		
Weekend of action	To hold a day of action in targeted areas to engage with residents and improve the area	<p>Review data to identify areas</p> <p>Data sets to include: fly tipping, street cleansing rounds, volunteer litter pick areas, recycling rates, complaints</p>	<p>Develop a plan for the day of action to include working with local community groups, parish councils, parks and open spaces, waste services, Enviro crime, volunteer litter pickers, housing estate teams, community focus, communications team</p> <p>Key themes to tackle will include dog fouling, littering, fly tipping and taking pride in the area</p> <p>Use this as an opportunity for other services within the council to promote their services</p> <p>Promote other initiatives e.g. free trees / bulbs that are appropriate at the time and lottery</p>	<p>Deliver the day of action</p> <p>Promote using social media, radio</p>	<p>Evaluate the day of action</p> <p>Number of people / groups engaged on the day</p> <p>Number of bulbs / trees planted</p>	<p>Day of action held</p> <p>Opportunity to engage with residents on issues specific to each area</p> <p>Through community engagement, evaluate the impact of the day of action and gauge the buy-in from the community</p> <p>Leave behind a legacy for residents to 'Love their Neighbourhood'</p> <p>Recycling rates</p> <p>Number of volunteers</p> <p>Number of dog fouling, littering and fly tipping reports</p>	<p>Environmental Protection, Housing Resident Involvement and Community Focus</p>

# Monitoring

The learning from the evaluation of the Zero Litter campaign has highlighted a need to improve the monitoring and measurement of the outcomes and outputs.

Taking the learning from Zero Litter into LYN, the group has established some Key Performance Indicators (KPIs) so we are able to measure the outcome and the outputs from the campaign. This will help in future years in terms of shaping campaigns ensuring we are targeting resources and establishing key priorities for the district.

The group has also improved the detailed action plans that the group uses to deliver the actions on the ground to include SMART measurements so we can understand if a campaign has made a difference, been effective and good value for money.

A number of KPIs have been developed to monitor the progress of LYN.

## Theme 1 - Changing behaviour

Ref	Task	KPI	Outcome
1.1	Working with schools to deliver educational programme on littering	Deliver the programme to five local primary schools and five secondary / youth groups. Reach a satisfaction score from post talk survey of 80% or more.	Children educated on enviro crime and recycling to reduce litter and increase recycling
1.2	Attend NWLDC Staff Roadshows to promote recycling and educate on enviro crime	Attend two roadshows or briefings, one in Q2 and one in Q3. Reach a satisfaction score from post roadshow survey of 80% or more.	Staff briefed on how to report littering and have a better understanding on recycling
1.3	Deploy the matrix trailer	To see an improvement in the level of littering through the assessment score, before and after the deployment.	Residents and visitors to the district understand the penalties of committing enviro crime. The matrix trailer acts as a deterrent to enviro-crime

## Theme 2 – Enforcement

Ref	Task	KPI	Outcome
2.1	Participate in the countywide 'It's all fly-tipping' campaign	To see an improvement in the level of fly tipping through the assessment score, before and after the campaign	Reduced fly tipping and raised awareness
2.2 40	Undertake enforcement patrols in lay-bys with substantial littering throughout the district	To see an improvement in the level of littering through the assessment score, before and after the patrols	FPNs have been issued to offenders and enforcement officer presence is a deterrent
2.3	New impact assessment form developed for 'Bag it bin it rural' campaign	10% reduction in dog fouling	Dog fouling reduction in the campaign areas

## Theme 3 – Community engagement

Ref	Task	KPI	Outcome
3.1	Work with Parks and Open Spaces and Waste Services to reduce abuse of public litter bins	To see a reduction in the amount of abuse of public litter bins using an assessment score	Reduced levels of litter and less incidents of abuse of litter bins
3.2	Community Lottery Scheme delivered	40 community groups set up causes via the Community Lottery Scheme website 100 ticket sales	Communities have benefited from the lottery scheme



## Theme 4 – Weekend of action

Ref	Task	KPI	Outcome
4.1	Hold a weekend of action	To see an improvement in all areas using an assessment score. 100% of the grant is allocated	That community volunteers come together to improve the area where they live and create a visual impact.  That volunteers are provided with the equipment they need to continue to volunteer in their area



## Future years

Towards the end of 2024/2025 the working group will evaluate and review the success of the first years action plan along with statistics such as fly tipping collection, complaints etc and develop the 2025/2026 action plan.





## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COMMUNITY SCRUTINY COMMITTEE – THURSDAY, 4  
APRIL 2024

<b>Title of Report</b>	<b>HOUSING POLICIES</b>	
<b>Presented by</b>	Jane Rochelle Head of Housing	
<b>Background Papers</b>	Current versions of Anti-Social Behaviour Policy, Repairs Policy, Decant Policy, Compensation Policy and Rechargeable Repairs Policy appended to this report	<b>Public Report: Yes</b>
<b>Financial Implications</b>	The proposed recharging of repairs charge will require Cabinet approval of the charge and the amount or basis of the charge for 2024/25. There are no other direct financial implications arising from the review of the policies, however, any indirect financial implications will need to be monitored and considered as part of the budget setting process.	
	<b>Signed off by the Section 151 Officer: Yes</b>	
<b>Legal Implications</b>	The legal service has reviewed the draft policies.	
	<b>Signed off by the Monitoring Officer: Yes</b>	
<b>Staffing and Corporate Implications</b>	None directly	
	<b>Signed off by the Head of Paid Service: Yes</b>	
<b>Reason Agenda Item Submitted to Scrutiny Committee</b>	To introduce a number of revised and updated housing policies to Community Scrutiny Committee and to seek its comments.	
<b>Recommendations</b>	<b>THAT COMMUNITY SCRUTINY PROVIDE COMMENTS ON THE FOLLOWING POLICIES AHEAD OF THEIR CONSIDERATION BY CABINET ON 23 APRIL 2024:</b> <ul style="list-style-type: none"> <li>• <b>ANTI-SOCIAL BEHAVIOUR POLICY</b></li> <li>• <b>REPAIRS POLICY</b></li> <li>• <b>DECANT POLICY</b></li> <li>• <b>COMPENSATION POLICY</b></li> </ul>	

**1.0 BACKGROUND**

- 1.1 The social housing sector is in a period of significant change and the Council's housing service is responding accordingly. On 1 April 2024 a new national customer standards for social housing will be introduced and the Council is embarking on a new

partnership to deliver its responsive repairs programme with the Wates Group. The housing service has taken the opportunity to begin reviewing key policies to ensure it is best placed to provide services to Council tenants, in line with the new consumer standards.

- 1.2 The Social Housing (Regulation) Act 2023 (Clause 42 'Social housing leases: remedying hazards') also introduced Awaab's Law to ensure that social landlords responded appropriately to hazards in social housing such as damp and mould. This has been reflected in the revised policy documents.

## **2.0 POLICIES UNDER REVIEW**

- 2.1 There are four policies that form the first phase of this review, although work has begun on others that have interdependencies to ensure consistency of service. A summary of the policies and changes is set out below:

- Anti-social behaviour Policy
- Repairs Policy
- Decant Policy
- Compensation Policy

- 2.2 A new corporate policy template is due to be launched between Scrutiny Committee and Cabinet. The intention is that the policies will be updated to reflect the corporate policy template once approved and ahead of approval by Cabinet.

## **3.0 ANTI-SOCIAL BEHAVIOUR POLICY**

- 3.1 The Anti-Social Behaviour Policy sets out how the Council addresses reports of anti-social behaviour across the district. This is a single policy shared with community safety and applies to all residents regardless of tenure.
- 3.2 The Policy is being refreshed to ensure that terminology is aligned to changes to legislation (such as removal of references to the community trigger which has now had its name changed to an ASB case review.) At the same time the Council is taking the opportunity to refresh outdated partner details. The Council has also reviewed the service standards to complement the new tenant satisfaction measures introduced by the housing regulator.

## **4.0 REPAIRS POLICY**

- 4.1 The Repairs Policy sets out how the Council prioritises and carries out its day-to-day repairs. Several changes are proposed as well as the consolidation of other policies. Key changes include:
- Updating the repairs response time and, at the same time, increasing the proportion of jobs which will be given an appointment at the time of reporting.
  - Clarifying how the Council will manage jobs that need to be inspected prior to repairs being raised.
  - Consolidating the approach to recharging into one single document; removing the need for a separate rechargeable repairs policy. Necessary amendments to the fees and charges register will form part of the Cabinet report.

- It is proposed that an admin fee of £40 will be charged on top of the prevailing schedule of rates in use at the time of the repair.
- Clarifying how the Council will manage reports of hazards under the housing health and safety rating system to ensure that its response is compatible with The Social Housing (Regulation) Act 2023. Including the circumstances in which tenants with repairs issues will be decanted to include where there is an identified serious hazard in the property as well as where repair work is being carried out.
- Review of the lettable standard and tenants' responsibilities for repairs.

## 5.0 DECANT POLICY

- 5.1 Minor changes are proposed to the Decant Policy so that the Policy focusses on how a decant will be facilitated rather than when it is necessary. The latter is covered in the Repairs Policy above.

## 6.0 COMPENSATION POLICY

- 6.1 The Compensation Policy has been reviewed to ensure it is compatible with the direction being set by the Housing Ombudsman.

- 6.2 Particular regard has been given to the following key areas as directed by the ombudsman:

- Recognising **stress and inconvenience**.
- Ensuring the **impact** on the customer is recognised.
- Taking full account of the customer's **personal circumstances**.
- The Policy does not stipulate monetary values.
- Each case is **unique** and is assessed on its merits.
- Publishing amounts can set **false expectations** for customers, although the Council will, of course, detail exactly how it has calculated compensation amounts when making payments.
- Levels of compensation will be affected by **external factors**, such as energy prices. Flexibility is needed when calculating payments.

## 7.0 ENGAGEMENT TO DATE

- 7.1 A discussion about the policy reviews was held at the Tenant and Leaseholder Consultation Forum in February 2024? and a survey was produced and promoted to all tenants for whom the Council has an email address or mobile phone number. To date, over 380 responses have been received. The survey focussed on the Repairs Policy and Compensation policy and both a copy of the questions (Appendix One) and a summary of responses (Appendix Two) are included with this report.

- 7.2 The Council was particularly interested to understand tenants' views on tenants' responsibility for repairs and the current lettable standard which underpin the Repairs Policy and are therefore now included as appendices of the repairs policy itself. Whilst the majority of respondents agreed with the current tenant responsibilities, there were a small number of comments suggesting the Council ought to take into account the ability of the tenant to carry out such works due to age or other vulnerabilities. The Policy has been amended to reflect the circumstances where a reasonable adjustment may be necessary to meet the Council's Equalities Act responsibilities, such as waiving a recharge that would otherwise be due.

- 7.3 In terms of the lettable standard, tenants seemed to broadly support the current standard. The comments suggested that a small number of respondents (four in total) didn't consider properties always met the published standard rather than the standard was deficient.
- 7.4 A specific question was asked around the approach to decorating in the property and the possibility of moving away from paint packs in favour of decorating prior to relet. Survey responses can be seen below.

Continue to provide decorating packs where needed	44.65%
Ensure that the kitchen, bathroom and living room are painted magnolia and white	47.06%
Other	8.29%

- 7.5 Of the respondents who chose "other," a number of comments related to the need for walls to be in a sufficient condition to paint and others of the need to decorate throughout where necessary. As a result of all engagement, the standard has been amended to "The decoration will be in good order throughout. Where this is not the case basic painting will be carried out."
- 7.6 A second specific question was asked about the provision of rotary dryers in private gardens where space allowed. This was supported by over 70% of respondents and is proposed to be incorporated into the lettable standard. It is felt this will support tenants to reduce unnecessary condensation in their homes.
- 7.7 A member workshop was carried out on 14 March 2024? where an overview of the policies and proposed changes was presented. As a result of the workshop, a number of further proposed amendments to the lettable standard and tenant responsibilities have been tabled including the provision of washing machine plumbing wherever possible and the fact that tenants are expected to maintain their gardens to the standard at which they were handed over.
- 7.8 Community Scrutiny Committee is now being asked to provide feedback on the draft policies and identify any areas of concern prior to consideration by Cabinet.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	- Communities and housing
Policy Considerations:	This suite of policies will replace those currently in operation.
Safeguarding:	The Anti-Social Behaviour Policy recognises the likelihood of safeguarding issues being identified as a result of investigations and enforcement activities and recognises the need to report these accordingly in line with the Council's safeguarding procedures.
Equalities/Diversity:	The final version of each policy will be subject to an equalities impact assessment prior to consideration by Cabinet to allow for any necessary comments from Scrutiny to be reflected.



Customer Impact:	These policies are all intended to improve the customer experience and ensure certainty and consistency in terms of how customers are dealt with.
Economic and Social Impact:	None.
Environment, Climate Change and zero carbon:	No direct impacts.
Consultation/Community Engagement:	Tenants have been surveyed on key elements of the policies under consideration. A Member workshop took place to explore the proposed changes. Outcomes of these activities have informed the final version of these policies.
Risks:	No direct risks identified.
Officer Contact	David Scruton Housing Strategy and Systems Team Manager <a href="mailto:david.scruton@nwleicestershire.gov.uk">david.scruton@nwleicestershire.gov.uk</a>

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**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**ANTI SOCIAL BEHAVIOUR POLICY**

**Area** : Stronger, Safer Communities, Environmental Protection and Housing Services

**Department** : Community Safety, Environmental Health, Street Action and Housing Management

**Procedure Ref:** - **Owners:** Team Managers of Housing Management, Community Safety and Environmental Protection

**Date approved:** **Effective date:** April 2024

Version	Date	Details of amendment	Creator/ amender	Approved by	Next review due
1	May 2007	N/A	Andrew Wallace	Amanda Harper	2010/2011
2	January 2013		Andrew Wallace	Amanda Harper	May 2015 (Or earlier dependent upon new Enforcement powers)
3	April 2017	Inclusion of new Enforcement Powers  Inclusion of categorisation and classifications of ASB across the Council  Expectations around what is ASB added	Andrew Wallace	Amanda Harper	2019

4	April 2024	<p>Changed wording from Community Trigger to ASB Case Review</p> <p>Included learning from complaints about unannounced visits</p> <p>Reference to the Consumer Standards set out by the Regulator for Social Housing (2024)</p> <p>Reinforced Key performance indicators</p>	Andrew Wallace	Amanda Harper/ Cabinet	2027
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Copies of this document are available upon request and can be obtained in large print or translated into other languages, if required.

## **Contents**

1. Statement of Purpose and Definition
2. Introduction
3. ASB classification and Service Standards
4. Reporting ASB
5. Our commitment to managing ASB complaints
6. Supporting Vulnerability
7. Safeguarding
8. Hate Crime
9. Action we can take
10. Legal Action
11. Protection of Staff and Contractors
12. Performance Monitoring
13. Closing Cases
14. Community Trigger
15. Publicising our approach to ASB
16. Development and Responsibility

Appendix A  
ASB Classification and Service Standards

## ANTI-SOCIAL BEHAVIOUR POLICY

### 1. Statement of Purpose and Definition

North West Leicestershire District Council (NWLDC) recognises the importance that residents place on the ability to live peacefully in their homes. Anti-Social Behaviour (ASB) and neighbour nuisance include a broad range of disruptive behaviour. We recognise that ASB has a detrimental effect on the quality of life enjoyed by its residents. Residents should not have to live with ASB.

Unless otherwise stated within the policy, NWLDC use the definition of ASB as described in the Anti-Social Behaviour, Crime and Policing Act 2014 as:

*(a) conduct that has caused, or is likely to cause, harassment, alarm, or distress to any person,*

*(b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or*

*(c) conduct capable of causing housing-related nuisance or annoyance to any person*

The Policy is being publicised in plain language and made available to residents upon request and on the Council's website. This document can be obtained in large print or translated into other languages, if required. It is designed to be a framework as to how ASB can be reported to, and dealt with by NWLDC.

The Policy refers to the Safer North West Leicestershire Partnership and Joint Action Group (JAG) throughout this document. The Safer North West Leicestershire Partnership brings together several agencies with a shared commitment to reducing crime and disorder in the district. The Partnership is made up of several organisations including;

- NWLDC
- Leicestershire County Council
- Office of the Police and Crime Commissioner
- Leicestershire Police
- National Probation Service
- Local Community Rehabilitation Company
- West Leicestershire Clinical Commissioning Group
- Leicestershire Fire and Rescue service

At a district level ASB is managed within the Community Safety and Housing Management teams. Cases which meet a High-Risk threshold when reported, will have additional scrutiny through a Multi-Agency JAG (All high-risk cases are monitored carefully, and emerging trends are identified within the group to ensure appropriate action is taken when and where needed.

This Policy is compliant with the Housing Act 1996 part 8 Section 218A

### 2. Introduction

The Council is committed to improving the quality of life for everyone living and working within North West Leicestershire and in providing a safe and secure environment to enable communities to live together and free from the negative impact of ASB.

This policy has been developed in line with the Anti-Social Behaviour Act 2003, the Crime and Disorder Act 1998 as amended and the Anti-Social Behaviour, Crime and Policing Act 2014 and the Consumer Standards being introduced by the Regulator for Social Housing from April 2024. This will ensure that ASB is dealt with consistently, robustly and that justified action will be taken where appropriate.

Reports of ASB will be investigated with relevant outside agencies and the action taken against those responsible will be proportionate to the seriousness of the activity in which they are engaged in. Intervention action will be selected based on what is most likely to produce an effective solution. Where the council deem it appropriate, and if the nature of the ASB is serious or where it causes immediate risk of harm, rapid enforcement action will be considered.

Where ASB occurs, and it is criminal in nature, we will refer the complainant to report this to the Police. The Police will then manage the case, working in conjunction with NWLDC staff to jointly decide on whether civil proceedings will be brought against the perpetrator(s).

We will work with and share information with partners (in accordance with our policies, procedures, and data sharing agreements) to reach the best solution and to learn from each other. This includes internal departments as well as those that sit within the Safer North West Partnership and those that attend the District wide Joint Action Group.

### 3. ASB classification and Service Standards

Initial reports of ASB will be recorded under one of the categories listed in [Appendix A](#)

Not every allegation reported to the council will be categorised as being ASB; some types are everyday living noises or lifestyle differences rather than ASB and therefore they may not be investigated under the terms of this policy. The complainant will be notified at the earliest opportunity available that an investigation will be opened, and they should be directed to the website where a copy of this Policy will be published.

Although people can expect to hear a certain amount of noise from their neighbours, they are not expected to have to endure unreasonable and persistent levels of noise nuisance.

We will not commit to strategies which raise expectations but are not enforceable, for example “No ball game” signs, but will actively seek from the complainant what outcome they are seeking.

### 4. Reporting ASB

We will make available a wide range of methods of contact for reporting ASB, including in person, online and via the telephone. You will have one nominated lead caseworker for your complaint, who will keep you updated regarding progress with our investigations

## 5. Our commitment to managing ASB complaints

All reports of ASB will be logged on our system and passed to the most appropriate department for investigation. You will be notified at your initial contact, or at the earliest possible time (normally within three working days), whether the matter will be investigated in line with our Policy.

ASB complaints will be processed via a case management system which can be accessed by NWLDC Housing and Community Safety staff as well as the Police.

NWLDC staff will adhere to the timelines stated within the classifications on Appendix A. Should the period for investigation and/or enforcement be extended, the reasons and indicative period will be given to the complainant.

Customers will also be asked to use technology to support the swift reporting of complaints and ongoing evidence. Information about the type of technology or application being used will be provided and help available to support the use of it.

## 6. Supporting Vulnerability

We recognise the importance of supporting vulnerable members of our communities, who may be more at risk of becoming involved in ASB both as a victim or perpetrator.

A person may be considered vulnerable for many reasons, including but not limited to; age, alcohol or drug dependencies, disability (as defined by the Equalities Act 2010) or mental health issues.

When a complaint of ASB is received, we will assess vulnerability on every case, and this will be included as part of the Risk Assessment Matrix (RAM). This RAM is then shared with partnering agencies to determine the most appropriate course of action and/or protection.

When a complainant, witness, or perpetrator of ASB is identified as being vulnerable, a referral may be made to relevant support services. We will work collaboratively with the identified carers and support agencies.

Where a complaint is made against someone who we know or suspect is vulnerable, we will make every effort to assist them in engaging with support services. However, it will be made clear that failure to engage with such services and the continuation of the ASB may lead to formal action being taken against them.

We will not accept vulnerability as a reason for a perpetrator being allowed to continue to behave badly.

## 7. Safeguarding



Safeguarding is everyone's business, and we all have a part to play in protecting the most vulnerable members of our community.

The Council actively participates in multi-agency arrangements to safeguard children, young people, and adults.

The law requires us to ensure that our functions are discharged having regard to the need to safeguard and promote the welfare of children. Provisions within the Care Act 2014 mean that adult safeguarding has also been placed on a statutory footing.

We recognise that when dealing with ASB we may meet children and adults for whom there are safeguarding concerns. All employees receive safeguarding training and have access to information to enable them to respond appropriately.

It is not for the investigating officer to decide as to whether there are safeguarding concerns, but it is their duty to report anything which they believe is a cause for concern.

Information on reports of safeguarding concerns will not be shared with those making complaints.

## 8. Hate Crime

Hate crime can take several forms, through physical, emotional, or verbal abuse and should be reported. If it is suspected that someone is a victim of hate crime you should report it to [Leicestershire Police](#) or can be done so anonymously (as with all crimes) to Crimestoppers [via their website](#) or on 0800 555 111

NWLDC forms part of the Leicester, Leicestershire and Rutland strategy statement for Tackling Hate and will commit to continue to monitor its progress via community safety partnerships and participate in any action plans which will fit the key themes around Hate crime, as included in this strategy statement.

## 9. Action we can take

Most complaints of ASB do not require legal action as a means of resolution. We will, in the first instance, assess the type of ASB, the risk of harm to the victim and any vulnerability to identify how we will deal with the complaint. Early intervention through informal approaches will be considered in the first instance before exploring the more formal enforcement tools:

### Early and Informal Interventions

As a District and County, we are committed to the tiered approach when dealing with ASB. Early intervention through an informal approach can be successful in stopping ASB committed by most perpetrators. These methods should be considered and exhausted first to attempt to stop behaviour before it escalates.

### Visits

The Council will use a variety of announced and unannounced visits to speak with victims, witnesses, and alleged perpetrators to gather the necessary information to find a resolution. To adhere to best practice, unannounced visits will be recorded in detail on the case management system, and this alone will not be used as a mechanism to close cases.

### Verbal Warnings / Written Warnings

Warnings are issued when there is evidence of ASB occurring or likely to occur. They make it clear to the perpetrator/parent/guardian what behaviour is causing the issue, the effect this is having on the victim or the community and the consequence of not adhering to the warning

### Community Resolution

This is where a resolution is found for a less significant issue of ASB where an informal agreement is reached between the parties involved as opposed to progression through legal action.

### Mediation

Mediation can be an effective tool, solving the issues by bringing all parties together to talk through their concerns. Our Officers can offer mediation on a confidential, impartial basis that can solve many incidences of misunderstanding or unintentional ASB. An example of when mediation would be used is when two neighbours fall out over a difference, such as the position of a boundary fence.

Mediation will often be conducted by a separate organisation who NWLDC will work with.

### Restorative Justice (RJ)

RJ gives a victim of ASB an opportunity to communicate with the perpetrator in a controlled environment, to tell them how their behaviour is impacting on them, giving them a voice. It holds the perpetrator to account for what they have done.

### Acceptable Behaviour Contracts (ABC)/Parenting Agreement (PA)

These are voluntary written agreements between an individual and NWLDC. The ABC is entered into in conjunction with other agencies including the Police and Youth Offending Service. They contain pledges to behave in a certain manner or to stop doing certain things. An ABC or PA is not legally enforceable but if they are broken, they can be used to form part of the evidence required to proceed to another level of action, such as court.

### Support and Counselling

In many cases there are underlying causes of ASB. Substance misuse or alcohol dependency can drive ASB. We will refer where possible to the appropriate agencies that can offer support and counselling depending on the circumstances of the person concerned in the ASB, including referrals to Family Hub (Leicestershire) and our Tenancy Support team within Housing Services.

### Surveillance

As part of our response to dealing with ASB, we reserve the right to work with partner agencies to carry out both covert and overt surveillance. Surveillance may be visual or audio. Any surveillance will be appropriately authorised, proportionate and justified. This will include where necessary the monitoring of CCTV. At times we will be required to disclose our CCTV images to a third party such as the police where there is a need for the prevention and detection of crime and for the apprehension of offenders.

In addition, any surveillance undertaken with regards to the investigation will be dealt with in accordance with all relevant legislation.

## 10. Legal Action

If perpetrators are unwilling to change their behaviour following attempts along the informal intervention route, then there are some formal tools that can be used by NWLDC:

### Civil Injunction

The Civil Injunction is an order made by the Court to stop or prevent individuals engaging in ASB. It can resolve any issues before they escalate and can help the perpetrator to address the underlying cause of the ASB. An injunction can be obtained for people causing ASB from the age of 10 years. If the terms of an injunction are not adhered to, it can result in a fine or imprisonment for up to two years for anyone over the age of 18. For under 18's it could result in a supervision order or detention for up to three months. In addition to this, the breach of an

injunction could mean that a tenant faces a mandatory possession order being granted by the Court.

### Criminal Behaviour Order (CBO)

The Criminal Behaviour Order can be issued in a criminal court against a person from the age of 10 years upwards. It is used to tackle the most persistent anti-social individuals who are engaged in criminal activity and have been convicted of an offence. Breaching a CBO is a criminal offence and for over 18's can result in up to five years imprisonment, a fine or both. Under 18's could face a two-year detention order, with part of that detention served in custody.

### Closure Orders

This can be used to close a property when it is being used or likely to be used to commit serious nuisance or disorder. The initial Closure Notice is valid for either 24 or 48 hour period followed by the application to a Court for a Closure Order. This is a fast and flexible power that can be used to protect victims and communities by quickly closing premises where ASB is prevalent.

### Community Protection Notices (CPN) and Orders (CPNO)

The Community Protection Notice is intended to deal with on-going problems or nuisances which negatively affect the community's quality of life, such as graffiti, rubbish, or noise by targeting those responsible.

### Public Space Protection Orders

These orders impose conditions which may include multiple restrictions and requirements in an area such as parks, alleyways, or communal areas, where ASB is detrimental to the local community. They are designed to ensure that most people can enjoy public spaces and feel safe, and the conditions could be around alcohol, dogs, or noise for example.

### Demotion Orders

Demotion orders allow us to apply to the courts to reduce the security of tenure for tenants and can be a precursor to taking possession of the property. These orders remove several rights including the right to buy and the right to exchange. Demoted tenancies last for a year and may be extended if notice to seek possession of the property is served during this period. The orders are an urgent warning to tenants that if the negative behaviour continues swift action can be taken to seek possession of their home.

### Possession Proceedings

This is court action that can lead to Council tenants being evicted from their homes. Before this stage is reached the tenants involved will have had several warnings to stop their behaviour. Evicting someone who may have family and children from their home is a serious consequence. The Council would have to prove to the court that on the 'balance of probabilities' the tenants have indeed broken the terms of their tenancy agreement and that it is reasonable for the court to evict the tenant. The ASB Crime and Policing Act 2014, has introduced a new absolute ground for possession for secure tenancies where ASB or criminality has already been proven by another court. This means that the Council will no longer need to prove that it is reasonable to grant possession and the court must grant possession, providing set procedures have been followed.

## 11. Protection of Staff and Contractors

We will not, under any circumstance, tolerate abusive, threatening, or violent behaviour towards our staff or contractors, and will always take swift and robust action to protect our staff. All acts of aggression, harassment or intimidation towards staff members will not be tolerated and will be referred to the police if appropriate.

We will ensure a prompt and robust response takes place. Where there is a direct threat of harm or violence towards the complainant we may commence legal action.

A potentially violent person's register is kept centrally by the Health and Safety Officer at the Council and all reports of this nature will be recorded. NWLDC has a responsibility to ensure they place sufficient warning markers on their systems to ensure staff safety and any recommended measures are put in place.

## 12. Performance Monitoring

We will closely monitor the quality of the ASB service by:

- Setting challenging performance targets for staff to achieve
- Completing customer satisfaction surveys
- Ensuring managers carry out audits and reviews on a sample of cases
- Provide information to national bodies such as Tenant Satisfaction Measures

We will regularly report statistical information about ASB both internally and externally, including benchmarking to link with other similar organisations. This gives us a comparison of best practice, identifying trends and informing service delivery.

Information will also be made available upon request to our partnering agencies, scrutiny committees and customers.

## 13. Closing Cases

We will normally only close cases when the situation has been resolved and/or the complainant is happy for us to do so. However, in some circumstances it may be necessary to close the case without the consent of the complainant.

This might happen when we are satisfied that we have done everything we can, that is reasonable and proportionate to resolve the complaint or the complainant has failed to respond to requests for contact. We may also close the case if it is considered that the allegations made are false or malicious or if the complainant refuses to work with the investigating officer to resolve the alleged ASB.

We will not assume that the situation has improved if we have not heard from the complainant and will try and contact them before closing their case. If there is no response, we will close the case and record this as resolved.

To avoid cases being open indefinitely, we have a robust process of review, with the lead officer dealing with each case on its merit. Where the case has been open for 12 weeks it will be reviewed by the team leader, referring to the Team Manager where required. All high-risk cases will be referred to the JAG who will review all actions in these cases and task the investigating officer if further recommendations are required.

#### 14. ASB Case Review (formerly Community Trigger)

The ASB Case Review introduces a right for victims, or victims' representatives, to ask local agencies to review how they have responded to previous ASB complaints and consider what further action might be taken where the behaviour persists.

Further information on what the ASB Case review is designed to achieve and the threshold for activation, can be found at [www.nwleics.gov.uk/asb](http://www.nwleics.gov.uk/asb).

You may activate a trigger by completing an [online form](#), or by phoning the Community Safety Officer (ASB) on 01530 454545.

#### 15. Publicising our approach to ASB

Our approach to ASB will be publicised to residents, potential residents, and staff in several ways, including:

- Leaflets and/or guidance documents
- The NWLDC website
- Policy Briefings and Training
- At all Council tenancy sign ups
- Tenants' Handbook
- The Tenancy Agreement

#### 16. Development and Responsibility

Staff will be trained to deliver this policy and are responsible for adhering to its terms and suggesting improvements to its administration.

This document will be reviewed every three years; however, it will be updated at any time if there is a material change in a process or legislation.

2024 DRAFT

## APPENDIX A – ASB CLASSIFICATION AND SERVICE STANDARDS

All action taken by an Officer must be reasonable and proportionate to the behaviour reported and experienced by the victim of the ASB. There will be occasions where the ASB reported will be classified within multiple groups. In this instance, the action will be determined on the highest grouping.

	Type of ASB	Interventions available <sup>1</sup>	Service Standards
1	<ul style="list-style-type: none"> <li>• Domestic Noise</li> <li>• Vandalism and damage to property</li> <li>• Misuse of Communal areas / Public Space loitering</li> </ul>	<ul style="list-style-type: none"> <li>• Offer advice and support, signposting where appropriate</li> <li>• Work together with partner agencies as appropriate.</li> <li>• Warning Letter</li> <li>• Acceptable Behaviour Contract</li> <li>• Parental Agreement</li> <li>• Community Resolution</li> <li>• Restorative Justice / Mediation</li> <li>• Civil Injunction</li> <li>• Community Protection Notice</li> <li>• Public Space Protection Order</li> <li>• Fixed Penalty Notice</li> <li>• Recharge</li> <li>• Noise Abatement Notice/Prosecution</li> </ul>	<p>First Contact with the investigating officer or advocate within five working days and agree action plan. Action within 10 working days of this contact.</p>
2	<ul style="list-style-type: none"> <li>• Verbal abuse / Harassment / Intimidation</li> <li>• Drug smells / substance misuse</li> <li>• Alcohol related ASB</li> <li>• Prostitution / Sexual Acts</li> <li>• Criminal Behaviour / Crime</li> <li>• Noise including other general ASB</li> <li>• Domestic Noise</li> <li>• Bullying/Cyber Bullying</li> </ul>	<ul style="list-style-type: none"> <li>• Offer advice and support, signposting where appropriate</li> <li>• Work together with partner agencies as appropriate</li> <li>• Warning Letter</li> <li>• Acceptable Behaviour Contract</li> <li>• Parental Agreement</li> <li>• Community Resolution</li> <li>• Restorative Justice / Mediation</li> <li>• Civil Injunction</li> <li>• Criminal Behaviour Order</li> <li>• Closure Order</li> <li>• Notice of Seeking Possession*</li> <li>• Possession*</li> <li>• Demotion of Tenancy*</li> <li>• Community Protection Notice</li> <li>• Public Space Protection Order</li> <li>• Noise Abatement notice/prosecution</li> <li>• Community Protection Notice</li> <li>• Fixed Penalty Notice</li> <li>• Injunction</li> <li>• Local Resolution</li> <li>• Mediation</li> </ul>	<p>First Contact with the investigating officer or advocate within three working days and agree an action plan within five working days of this contact.</p> <p>N.B The Housing department will investigate all domestic noise cases making use of the provisions of the ASB, Crime and Policing Act 2014 as a means of handling domestic noise incidents, in addition to the powers with the Housing Act 1985. Where there is a proven statutory nuisance, we will work with the Environmental Health Team to act under the Environmental Protection Act 1990.</p>
3	<ul style="list-style-type: none"> <li>• Hate related incidents (based on Age, Race, Sexual Orientation, Gender, Disability etc.)</li> <li>• Domestic Abuse</li> <li>• Physical Violence (other than Domestic Abuse)</li> <li>• Drug production / supply</li> <li>• Threatening Behaviour</li> </ul>	<ul style="list-style-type: none"> <li>• Offer advice and support, signposting where appropriate</li> <li>• Work together with partner agencies including Police, Environmental Health, Social Services, Youth Offending Service, Probation Services, Education Welfare, NHS, Mental Health Team</li> <li>• Warning Letter</li> <li>• Acceptable Behaviour Contract</li> <li>• Parental Agreement</li> <li>• Restorative Justice / Mediation</li> <li>• Civil Injunction</li> <li>• Criminal Behaviour Order</li> <li>• Closure Order</li> <li>• Notice of Seeking Possession*</li> <li>• Possession*</li> <li>• Demotion of Tenancy*</li> <li>• Domestic Violence Protection Order</li> </ul>	<p>First Contact with the investigating officer or advocate within two working days and agree an action plan within 24 hours of this contact</p>
Outside of ASB Policy	<ul style="list-style-type: none"> <li>• Animal Nuisance</li> <li>• Graffiti (non-offensive/non directed/non abusive)</li> <li>• Car repairs / Vehicle nuisance / Parking</li> <li>• Litter / Rubbish / Fly tipping</li> <li>• Garden Nuisance</li> </ul>	<p>The matters listed in this section will be dealt with outside of this Policy and logged as an Estate complaint.</p> <p>If the alleged perpetrator is a Council tenant, the Housing department will discuss the terms of the tenancy with the alleged perpetrator</p> <p>Should matters escalate or change in nature, we will look to re-categorise the behaviour as anti-social.</p>	<p>First contact with the investigating officer or advocate within five working days with alleged perpetrator.</p> <p>Action plan to remedy behaviour within 5 working days of this contact.</p>

<sup>1</sup> Interventions marked with an Asterix (\*) are only available to the Housing Service



HOUSING SERVICE POLICY	
<b>Area</b>	: Housing
<b>Department</b>	: Housing Management
<b>Subject</b>	: Decant Policy

<b>Procedure Ref:</b>		<b>Owner:</b>	<b>Housing Management Team Manager</b>
<b>Date approved:</b>		<b>Effective date:</b>	<b>April 2024</b>

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

- Allocations Policy
- Asset Management Strategy
- Repairs Policy

Version	Date	Details of amendment	Creator/ amender	Approved by	Next review due
1	March 2012	N/A	Amanda Harper	DHIP Project Group	2013/14
2	January 2020	Review	Elizabeth Turner		2021/22
3.2	March 2022	New sections added (6,7,8, 9 and 13)  Formatting and Grammatical changes  Within the sections, added <ul style="list-style-type: none"> <li>• 4.2</li> <li>• 5.2, 5.3</li> <li>• 10.2 ( e)</li> <li>• 17.1 specifics</li> </ul>	Andrew Wallace		2024/25
4	April 2024	Include decanting until hazards rectified	David Scruton	Tbc- Cabinet?	

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

## HOUSING/PROPERTY SERVICES DECANT POLICY

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## 1. Reasons for Policy

- 1.1 This policy describes the Council's arrangements for decanting tenants from their homes when major repairs or other remedial works are necessary. Decants are usually necessary when a property needs major work or needs to be refurbished or modernised and the work cannot reasonably be done with the tenant in residence. The policy explains when a decant will take place, the circumstances where a decant can be avoided at the tenants' request and the level of compensation that will be paid to tenants when they are decanted.
- 1.2 A decant is temporary housing which is only offered where it is appropriate for the property to be vacated due to the extent of the works and/ or the individual circumstances of the tenant and/ or members of their household.
- 1.3 A decant is always a temporary move and tenants will return to their home once works are complete.

## 2. Legislative Context

- 2.1 The legislation listed below will be taken into consideration when implementing this policy:
  - Housing Act 1985
  - Housing Act 1996 as amended
  - Localism Act 2011 (specifically Section 160ZA: Allocation only to eligible and qualifying persons)
  - Data Protection Act 2018
  - Equality Act 2006

## 3. Objectives of the Policy

- 3.1 This policy ensures that the Council has arrangements in place to undertake necessary work in tenanted properties, where the nature of the work means that it is not appropriate for the tenant to remain in residence.
- 3.2 In some cases it will not be physically possible to carry out the work with a tenant in residence due to health and safety or welfare implications. However, in other circumstances the time and cost advantages of having an empty house to work in are such that a decant is the most practical and/or economically advantageous arrangement.

## 4. Definitions

- 4.1 Decant: Temporary housing which is offered where it is essential for the property to be vacated whilst work is undertaken.

- 4.2 Eligible Payments: Payments which are made to assist with the temporary/permanent move.

## 5. Responsible Parties

- 5.1 The responsibility for facilitating and agreeing alternative arrangements under this policy sit with Housing Management Team Manager.
- 5.2 The responsibility for assessing the scope of works and likely impact sits with the Commercial Services and/or Asset Management Team in conjunction with the Housing Officer for the area.
- 5.3 The tenant(s) who are required in the terms of their tenancy to adhere to the contracts.

## 6. When a Decant Will Take Place

- 6.1 This policy will determine how a decant will be facilitated. The situations where a decant will be required will be set out within other operational policies such as the repairs policy.

## 7. Managing the Decant

- 7.1 The Housing Officer for the tenants' home will be the single point of contact for the tenant as part of the decant process, supported by the Resident Liaison Officer. The officer will go through the Decant Policy with the tenant to ensure they are aware of what to expect in terms of accommodation and assistance.
- 7.2 The Housing Officer will be responsible for liaising with tenants and all other interested parties regarding the decant options and any compensation payments.
- 7.3 At all times during the decant process the Housing Officer and/ or Resident Liaison Officer will ensure the tenant is kept up to date with all information required concerning the works to be carried out, estimated timescales.
- 7.4 Progress updates on the work should be provided by Commercial Services/Asset Management to the Housing Officer on at least a weekly basis.
- 7.5 The Housing Officer will arrange for the maintenance of the garden of the decanted property to a reasonable standard if it becomes overgrown during the period it is empty. This will be done before the tenant moves back into the property.

## 8. Where a Tenant Does not wish to be Decanted or a Decant is impractical

- 8.1 Where a tenant does not wish to be decanted there are several options available to the Council. In some circumstances work may be deferred or the scale of the work could be reduced to be achievable with the tenant in situ.

- 8.2 Ultimately if the work is essential the Council could look to ensure the property is safe and look for legal options to ensure the work is completed.
- 8.3 For some tenants with very specific needs a decant might not be practical or achievable. In these circumstances additional measure may instead be offered to ensure the tenant can remain in situ such as, but not exclusive to, respite care for a fixed period of time for a household member. The Housing Officer will liaise with partner agencies already involved with the tenant and/or their household member or choose to contact a partner agency for support, for example, Adult Social Care.

## 9. Facilitating a Permanent Move rather than a decant

- 9.1 Circumstances may dictate that a permanent move is deemed by all responsible parties as the most appropriate action. One of the aims of this policy is not to move people from their homes unnecessarily and all options to return the tenant back to their home will be explored.
- 9.2 There may be additional considerations around the suitability of the property long term which may influence the responsible parties to look at whether a move permanently is more appropriate such as financial hardship or longer-term physical capabilities

## 10. Types of Decant

- 10.1 The types of decant will be based on the needs of the tenant and household members but with a negotiated agreement which proves to be the best possible solution for all responsible parties.
- 10.2 Decant options depending on type.
- a) Tenant makes their own arrangements
  - b) Tenant moves into a decant property provided by the Council
  - c) Tenant moves into bed and breakfast accommodation
  - d) Tenant moves into respite care
  - e) Holiday letting opportunities
- 10.3 The identified period away from the permanent home will determine which decant options are appropriate.
- 10.4 As a guide, a decant period of up to 3 weeks would require B&B/ hotel accommodation, respite care or arrangements to stay with friends and family.
- 10.5 Where the Council is arranging alternative accommodation it will pay the costs directly as set out in appendix A. Where a household has made their own arrangement, the Council will reimburse costs as set out in Appendix B. Where a household has made plans, such as staying with a friend which has not resulted in direct measurable financial expenditure but has caused inconvenience the Council will make a good will payment as set out in Appendix C.

## 11. Compensation Payments

- 11.1 Details of eligible payments are set out in Appendix A – C of this policy.
- 11.2 Agreed payments will usually be made in two parts. The first instalment to be paid to the tenant on moving into the decant property, and a subsequent payment of to be paid when the tenant returns to their property.
- 11.3 During the decant period, the tenant is required to continue to make rent payments to the rent account on their permanent home, and the rent due on the decant property is covered by the Council by way of an adjustment.
- 11.4 Payments will usually be made by bank transfer.
- 11.5 There will only be one payment per household, including split households.
- 11.6 Payments will only be paid to the tenant/s who have signed the tenancy agreement.
- 11.7 Where a tenant is in arrears with the council, a discussion with the responsible parties will lead to agreement as to whether there is full or part offsetting of any arrears.

## 12. Offer of Accommodation

- 12.1 The offer of a decant property will be based on the housing need and circumstances of the tenant and/or members of the household. For example, if a tenant is currently living in a three-bedroom property but only needs two bedrooms then a two bedroom property may be offered.
- 12.2 One offer of accommodation will usually be made by the Council in consultation with the tenant. Specific consideration will be given to:
  - The size of accommodation
  - The distance of the accommodation from the place of work or education
  - The distance from the home of any member of the tenant's family if proximity is a consideration to the wellbeing of the tenant or their family.
- 12.3 Whilst every effort will be made to identify suitable alternative accommodation, this will be subject to vacancies that arise within the housing stock in the normal way. Tenants will be encouraged to be as flexible as possible about decant locations given the short-term nature of the move.
- 12.4 Where a tenant refuses to move or has refused the offer of other suitable alternative accommodation, the Council may:
  - Commence legal action to ensure works can be completed if essential health and safety items are required
  - Inform the tenant that the scheduled works will not be undertaken.

- 12.5 There may be the occasions where a permanent move is made to facilitate works (see Section 9)

## 14. Equality and Diversity

- 14.1 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. This policy has been subject to the Council's EIA screening matrix which identified that the policy has no negative impact on any protected group.

## 15. Implementation and Monitoring

- 15.1 The Strategic Director of Housing and Customer Services is responsible for the implementation and monitoring of this policy.

## 16. KPIs

- 16.1 The delivery of this policy and the overall success will be monitored by using a mixture of indicators aimed at measuring success and speed of internal processes, such as:
- Reason for decant
  - Expenditure on decants
  - Customer feedback (satisfaction of process)
  - Speed of response from the Housing service

## 17. Right to Review

- 17.1 The following decisions taken under this policy are subject to the right to review of each responsible party:
- The decision not to allow a decant
  - Level of payment
  - Offsetting against debt
  - Decision not to consider permanent move

The Housing Management Team Manager/ Principal Housing Management Team Leader will consider any request for review as outlined above and respond within 10 working days.

Figure A- Direct Costs to be met by Council

Type of Payment	Payment Amount
<b>Accommodation Costs relating to the property the tenant moves into</b>	Cost to be met in full
<b>Storage</b>	Cost to be met in full
<b>Decoration costs in line with Home Improvement Programme/Empty Homes Work.</b>	Decoration Pack to be made available.

Figure B – Costs the Council will reimburse

Type of Payment	Payment Amount
<b>Utility costs such as gas, electric and water in property where work is undertaken (substantive property) for period where property is empty</b>	Cost to be met in full
<b>Reasonable subsistence payments for food and drink relating to any emergency decant period</b>	Up to £100
<b>Disconnection and Reconnection of Utilities</b>	Cost to be met in full
<b>Redirection of Mail</b>	Cost to be met in full

Figure C – Allowances in lieu of costs

Type of Payment	Payment Amount
<b>Where a household has made their own arrangements, such as staying with family/friends the council will make a payment in lieu of costs to recognise the inconvenience.</b>	£250



HOUSING SERVICE COMPENSATION POLICY			
<b>Area</b> : Housing Service			
<b>Department</b> : Housing Commercial Services			
<b>Subject</b> : Housing Repairs and Maintenance Policy			
<b>Procedure Ref:</b>		<b>Owner: R Bartholomew</b>	<b>Housing Support Services Team Manager</b>
<b>Date approved:</b>		<b>Effective date:</b>	

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: -**

- Repairs handbook
- Decant Policy
- Corporate Complaints Policy

Version	Date	Details of amendment	Creator/ amender	Approved by	Next review due
1	7.6.16	Clarity on amount of compensation for Heating and Hot Water  Add disturbance payment information  Clarity on calendar/working days	Mark Johnson	SMT	TBC
2	26.7.16	Remove link to Repairs policy  Add link to Repairs handbook  Add link to Complaints policy  Remove links to flowcharts	Mark Johnson	SMT	TBC
3	01.11.20	Updated section 3.3 and 3.6 following new Repairs and Maintenance Policy. Update policy into new template	David Moxon	SMT	TBC
4	01.04.24	Review policy in light of emerging ombudsman direction	Rob Bartholomew / David Scruton		

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## 1. Policy Summary

- 1.1 North West Leicestershire District Council (NWLDC) is committed to providing high-quality services but recognises that there may be, on occasion, scenarios that result in our service failing or falling below the standards set out in our policies. On occasions such as this and where the tenant has been disadvantaged or suffers financial loss and liability is accepted by NWLDC compensation may be appropriate.
- 1.2 This policy sets out the grounds and basis upon which compensation may be awarded and is applicable to all tenants of NWLDC.
- 1.3 NWLDC will adopt a tenant focused approach using a variety of remedies to ensure the situation is corrected, in some instances it is recognised that financial compensation may be appropriate as a form of redress.

## 2. Policy Objectives

- 2.1 This policy applies to all North West Leicestershire District Council tenants and where appropriate leaseholders and other customers.
- 2.2 The policy provides a framework that allows for consistent, justifiable, and transparent decision making in relation to compensation payments.
- 2.3 Through the consistent application of this policy NWLDC will ensure that all application payments are fair and proportionate in relation to the individual circumstances of the case.
- 2.4 Whilst this policy focuses on consistency, NWLDC also recognises that a flexible approach to appropriate compensation will be needed because of the unique nature of each case. Each claim will be considered individually on its merits having regard to all factors.
- 2.5 NWLDC will liaise with and adhere to compensation reviews and recommendations made by the Housing Ombudsman and this policy is intended to compliment the work of the ombudsman.

## 3. Policy Scope

- 3.1 NWLDC will consider the following types of compensation within this Policy.
  - Quantifiable Loss Payments where people can demonstrate actual loss.
  - Time and trouble payments, these are discretionary payments, for time, trouble, distress, and inconvenience.
  - Mandatory payments such as missed appointment payments or failure to complete a repair within the specified parameters.

## 4. Compensation and Payments

- 4.1 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.

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.
- Disturbance payments made to tenancy holders to compensate for reasonable expenses in moving from their home as a consequence of repairs being required. For more information see Decant Policy.

#### 4.2 Quantifiable Loss payments

Examples of quantifiable loss could include: -

- A missed appointment, without prior notice, by Council staff or one of its contractors.
- Increased heating bills due to repairs required.
- Not completing a repair within the specified timescale.
- Loss of heating or hot water that continues after 24 hours.
- Additional electricity bills associated with running a dehumidifier.

This list is not exhaustive and each case will be considered on its merits.

NWLDC will not pay compensation if we are unable to achieve our service standards due to circumstances beyond our control, for example: -

- The fault being that of a third party such as a utility company, electricity, water and gas, but not including our contractors.
- Severe weather conditions.
- Accidental damage where NWLDC has done nothing wrong and the repairs required are not able to have been predicted and are not due to an act or omissions by NWLDC, e.g. burst pipes.
- Where the tenant has frustrated our ability to carry out repairs
- Works in relation to any alteration to the property or its services carried out by the tenant without written permission or to an adequate standard which were therefore unforeseeable
- Loss or damage caused by tenants, visitors or adjacent occupiers
- The loss of water where a tenant is on a water meter and has not taken adequate steps to mitigate the loss.

#### 4.3 Failure in standards of Service Delivery

A payment of will be made by request where an officer of the Council or one of its contractors has failed to keep a pre-arranged appointment without a minimum of 24 hours' notice. This will be a payment based on notional disturbance unless a tenant can demonstrate extenuating circumstances.

#### 4.4 Failure in Landlord's repair obligations or failure to meet a repairs deadline

Where a Contractor has made reasonable efforts to gain access without success, or has carried out a temporary repair, then compensation will not be payable. In addition, if the delay in completing the work can be shown to be the tenant's responsibility, compensation will not be paid.

A payment will be made by request where:

- A reported repair is not completed within its specified timescale as set out in the repairs policy. This will be a payment based on the impact the failure to rectify the repair will have on the tenant in question.
- A tenant has been required to use a dehumidifier for at least seven calendar days, at an amount to reflect the likely cost to the tenant

- A tenant has suffered from a loss of heating or hot water. An amount will be calculated based on the impact on the tenant to include any likely additional costs incurred such as having to repeatedly boil a kettle.

Managers within the housing service have discretion to pay compensation to tenants directly without a request. This will usually occur 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. In these circumstances compensation will be made to all affected tenants to ensure equity and fairness.

#### 4.5 Loss or damage to persons, or personal property

Where liability for damage to persons or personal property is not in dispute, and where damage has occurred to tenants' possessions, either as a result of a failure to deal with a reported repair, or as a direct result of a rectified issue, we will ensure that compensation is made.

Claims in excess of £2,500 will normally be referred to NWLDC's insurance provider.

In the event of any claim, we will seek evidence to justify the value of the loss such as receipts or other evidence.

#### 4.6 Disturbance Payments

Where NWLDC wishes to undertake major repairs to a property, and the tenant is required to move out temporarily while the work takes place, a disturbance payment may be made. These do not form part of the compensation policy and are covered elsewhere.

#### 4.7 Tenants Home Improvements

Tenants may make alterations to their home providing that written permission has been given by NWLDC prior to works taking place. It is the tenant's responsibility to obtain any other necessary consents (i.e. planning permission), and to ensure that the work is completed to a high standard and in accordance with all necessary regulations (e.g. Building Control, Gas Safe, FENSA etc). NWLDC reserves the right to refuse the works prior to being undertaken, and to inspect the works during, and afterwards.

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.

We will provide tenants with details of the regulations on request.

#### 4.8 Time and Trouble

When calculating time and trouble payments we consider the extent of inconvenience a complainant has experienced to get a resolution to their problem. In assessing whether time and trouble compensation is payable relevant factors could include:

- The length of time, including response times by the council, taken to deal with the problem and the complaint itself
- The time and effort required from the complainant
- Any specific difficulty experienced by the complainant in dealing with the council
- The degree of inadequacy of the Council's response to letters, phone calls or visits

- Whether there has been an element of wilful action on the part of the Council that has resulted in poor management of the complaint
- The level of minor unquantifiable expenditure incurred by the complainant such as significant post, telephone or travel costs, whether the complainant was acting on behalf of others in pursuing the complaint, as a representative of a tenants' group for example

## 5. Payments in kind

5.1 Whilst in many circumstances a financial payment will be the most convenient method of compensation there will be occasions where it is agreed that payment in kind is more appropriate. Therefore we will liaise with the customer to identify how we can most appropriately compensate them for our service failure. We may for example carry out additional work in their home that would normally be rechargeable rather than make a payment.

## 5. Responsible Party

The Strategy and Systems Team Manager is responsible for the operational delivery of services in accordance with this policy.

## 6. Authorisation and Payment

Compensation payments must be authorised by an appropriate person. These are based on the level of payment agreed and set out below

- Up to £200 – Team Leader
- Up to £500 – Team Manager
- £500 - £1,000 – Head of Service
- £1,000+ - Strategic Director

Following authorisation, the Council will write to the claimant and inform them of total award amount. The letter will contain a detailed list of all the factors considered and the costs awarded for each factor. Compensation will usually be offset against any arrears the claimant owes to the Council unless there are exceptional circumstances. This will be in the order of Housing Rent, Council Tax/Housing Benefit Overpayment and Sundry Debts.

Attached with the letter will be a form that the claimant must sign and return to the Council to confirm agreement of the final award. The Council will normally make payments by BACS credit directly to a bank account within two weeks of receipt of the confirmation agreement signed by the claimant.

## 7. Compliments and Complaints

- 7.1 Tenants views are actively encouraged, and all tenants have the opportunity to provide feedback regarding the service they have received.
- 7.2 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.
- 7.3 Complaints will be dealt with in accordance to the Council Complaints Policy.

- 7.4 Both compliments and complaints have equal merit to help improve the services we deliver and identify good working practices to share with others.
- 7.5 Compliments and complaints information is collected by officers that are not directly involved front line delivery of the Housing Service.
8. **Equality and Diversity**
- 8.1 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.
- 8.2 This policy has been subject to the Council's Equalities Impact Assessment (EIA) screening matrix and [to be updated after revised EIA].
- 8.3 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.
9. **Implementation and Monitoring**
- 9.1 The Strategic Director is responsible for implementing and monitoring of this policy.
- 9.2 This Policy will be reviewed every three 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.
- 9.3 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.
- 9.4 Managers of the Housing Service are responsible for making sure that all relevant employees are aware of the contents and responsibilities of this policy.
10. **Right to Review**
- 10.1 Tenants may request access to information relevant to information under the Freedom of Information Act 2000.
- 10.2 process Tenants who do not feel that this policy has been applied correctly are entitled to make a complaint through the Council's complaints process.

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HOUSING REPAIRS AND MAINTENANCE POLICY			
<b>Area</b>	: Housing Service		
<b>Department</b>	: Housing Commercial Services		
<b>Subject</b>	: Housing Repairs and Maintenance Policy		
<b>Procedure Ref:</b>		<b>Owner:</b>	<b>Head of Housing</b>
<b>Date approved:</b>	<b>tbc</b>	<b>Effective date:</b>	<b>Tbc</b>

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
- Complaints Policy
- Decant 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	3 March 2020	Review of previous version and update to new format	Louise Austin	Richard James	March 2023
2	23 January 2024	General review Incorporating rechargable works policy and lettable standard	David Scruton		
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

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## 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. The policy is concerned with delivery of responsive repairs, wider investment decisions will be driven by our current Asset Management Strategy and other policies and documents. Key links will be set out in this document.
- 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, as well as setting out clear expectations to tenants and residents about how we will deliver a customer focussed service. 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. Scope

4.1 This policy applies to “responsive” repairs necessary to ensure that Council properties meet the lettable standard.

4.2 The Council’s 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. Areas covered by that strategy include:

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

## 5. Definitions

**Decency** – The Decent Homes Standard set by 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’, as well as ensuring that properties are safe and free from hazards.

**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.

**Emergency Repair**- repairs where there is a potential to cause significant risk to the tenant or property that cannot wait until the next working day.

**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.

**Out of Hours** – the period outside of normal office hours, covering evenings, weekends and bank holidays. Emergency repairs reported out of hours will be actioned before the next working day when necessary

**Rechargeable Repair/Recharges** – Rechargeable repairs are those where the costs that may be charged to the responsible tenant due to repairing damage or neglect to our properties.

**Rechargeable works** - works carried out by the Council, which are the responsibility of the tenant as the signatory to the tenancy.

**Repairs Handbook** – The repairs handbook is a guide that the council produces to help tenants understand their repair and maintenance responsibilities and helps them to report repairs. The handbook is reviewed regularly.

**Responsive Repairs** - are defined as work requested by the tenant to existing elements of their property. These are considered as day to day repairs.

**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 tenants groups.

**Right to Repair** – the right to repair applies to specific repairs as set out in statutory instruments. The government sets out the time the council has to complete these repairs and compensation may be owed if these timescales are not met.

## 6. Responsible Party

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

## 7. Empty Homes and the lettable standard

7.1 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.

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

7.3 The Lettable Standard will be reviewed every three years or when changes to legislative, regulatory or operational need requires an intermediate review. The lettable standard is included at Appendix 1.

## 8. Maintaining the lettable standard

8.1 The expectation is that during the period a property is tenanted it will continue to be maintained to the lettable standard. This responsibility is shared between the tenant and the Council as landlord.

8.2 The tenant is responsible for reporting repairs in a timely manner as the need arises as well as carrying out a number of minor repairs. The list of current tenant responsibilities are set out at appendix 2.

8.3 The Council is responsible for, maintaining an appropriate cycle of servicing and replacement together with carrying out responsive repairs as required.

## 9. Landlord and Tenant Repair Responsibilities

### 9.1 Landlord Repair Responsibilities

The Council 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 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.
- c) Keep the property free from hazards as defined in the housing health and safety rating system.

### 9.2 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.

### 9.3 Leasehold Properties

The Landlord's repairing responsibilities for leasehold properties vary depending on the specific details in each individual lease.

As freeholder, the Council will also be responsible for keeping the structure and exterior of the building in good repair as well as maintaining and repairing all the communal parts of the building and estate.

### 9.4 Tenant Repair Responsibilities

Tenants are expected 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, the relevant section is reproduced at appendix 2.

It is the tenant's 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 required to:

- Provide access to the property in accordance with section 5 of the Tenancy Agreement.

- Repair and maintain any alterations or improvements which they have carried out to the property following approval from the Council.
- Repair 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.
- Keep the property in good internal decorative order, including making good any internal decoration affected by home improvement works or repairs.
- Maintain anything installed or fitted by the previous tenant following a mutual exchange.
- Act in a reasonable manner to help us minimise and address damp mould and condensation

## 10. Tenant Alterations and Improvements

- 10.1 A tenant may make alterations to their home providing they have obtained 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.
- 10.2 A condition of any permission may also require the tenant to remove any permitted alteration where it has failed to meet the required standard, or 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.
- 10.3 The Council will not withhold permission without due cause but reserves the right to refuse a request to make an alteration.
- 10.4 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.
- 10.5 Tenants are responsible for the repair and maintenance of the alteration during the tenancy.
- 10.6 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.

## 11. Reporting Repairs

- 11.1 The Council is committed to ensuring that customers can report repairs through accessible and efficient methods.
- 11.2 Reporting Repairs during office hours.

The Council is committed to maintaining as wide range of methods for reporting repairs during normal officer hours. We will continue to monitor the effectiveness of these and explore the potential for increasing options.

- 11.3 Reporting repairs outside of normal office hours.

The Council aims to ensure that all customers who need to report emergency repairs outside of normal office hours are able to do so.

Tenants are able to report emergency work to the Council’s out of hours helpline by telephone or by emailing the Council’s 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.

## 12. Repairs Requiring Inspection/investigation

- 12.1 The majority of repair requests are raised based on the information provided by the tenant. However it is not always possible to fully diagnose or determine the work required from this information and therefore to minimise inconvenience to the tenant or ensure we have fully understood the scale of the problem on occasion an inspection will be necessary to correctly identify the work required.
- 12.2 A repair inspection appointment will be agreed and booked with the tenant to be carried out within 10 working days of the tenant request.
- 12.3 Once an inspection has been carried out a report to the tenant will be produced within two days setting out the outcome of the visit and how we will address any identified issues and the likely timescales

## 13. Repair Priorities

- 13.1 There are four repair priorities that cover responsive repairs.
  - 13.1.1 **Emergency Repairs**- repairs where there is a potential to cause significant risk to the tenant or property that cannot wait until the next working day. These will be made safe within 4 hours. Emergency repairs reported outside of office hours will be actioned before the next working day if necessary
  - 13.1.2 **Urgent Repairs**- These will be completed within three working days. These will often be follow on jobs where the emergency repair has only been able to make safe.
  - 13.1.3 **Scheduled Repairs** – Most routine repairs of a non-emergency nature will be scheduled repairs. These will be completed within 20 working days.
  - 13.1.3 **Co-ordinated works**- These are more complex jobs that require either more than one trade or are expected to take more than four hours to complete. The target time for co-ordinated works is 60 days
- 13.2 All jobs will be scheduled at the time of reporting where the tenant has contacted the repairs service directly unless they require pre-inspection.
- 13.3 As part of the visit outcome repairs following on from a pre-inspection will be assigned as priority in line with the categories above. The tenant will be contacted to arrange an appointment for any works once the inspection report is completed.

## 14. Decanting Tenants

- 14.1 There are a number of scenarios where it may be necessary to decant a tenant. This may be because planned works are intrusive or impossible to be carried out with the tenant in situ or could be to provide safe and habitable accommodation until emergency repairs can be carried out.
- 14.2 When considering a decant one of the following will normally have occurred:

- A hazard has been identified and it is not reasonable for the tenant to occupy the property until remedial works have been carried out
- Loss of primary amenity – electricity, gas, water, WC where no 24 hour alternative can be utilised (neighbour, family) etc
- Works involve use of hazardous substances or controlled by Control of Substances Hazardous to Health regulations (COSHH) (e.g. two or more rooms are affected)
- Loss of significant proportion of habitable space for more than one week and works cannot be sequenced to prevent this.
- The nature of the work is considered detrimental to the health and safety of the occupants.

14.3 More detail on our approach to decants can be found in the separate decant policy.

## 15. Failure to access the property

- 15.1 If a tenant fails to or is unable 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 seven days. If the tenant does not make contact within the seven days a further attempt to communicate, by the tenant's preferred contact method, will be made.
- 15.2 If the tenant does not respond to this second communication the repair or inspection will be cancelled after seven days of the second communication. Any contact after this time will be treated as a new request.
- 15.3 Where there has been a repeated pattern of failed appointments due to the tenant failing to allow access then consideration will be given to charging for failed appointment. Each case will be considered on its merits and have regard to any mitigating factors. Waiving of a charge may form part of our reasonable adjustments for disabled customers.

## 16. Recharges

- 16.1 To ensure that the Council uses its resources in a fair and efficient manner there will be occasions where tenants will be recharged for work carried out to their homes. There are two broad scenarios where this will occur. The Council will recharge tenants for work where damage has been caused by the tenant, their household or visitors to their property, alternatively the council may agree to carry out works that are otherwise tenant responsibility and the tenant has requested that the council carry out the work.
- 16.2 In all cases where a potential recharge may occur consideration will be given to any exceptional circumstances that may apply and discretion will be applied as appropriate. Waiving the charge in such circumstances may be part of the council's reasonable adjustments under the Equalities Act.
- 16.3 When recharging tenants the Council will ensure costs are fair and reasonably recover the costs to the Council of carrying out the work. Wherever possible the tenant will be given an expected cost of carrying out the work and encouraged to seek alternative quotes and consider using an alternative contractor should they wish to do so. However, where the work is urgent and required to maintain the safety or integrity of the building this option may not be offered.
- 16.4 All repairs that are caused by damage whether intentional, accidentally or as a result of negligence will be recharged.

Such work could include:

- Repairing any damage caused to the property, garden or communal area.
- Replacement of fixtures and fittings that are beyond repair.
- 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.
- Removal of rubbish, goods and belongings at the end of the tenancy. The cost of storing any former tenants' belongings will be made in accordance with the relevant policy.

Furthermore, a tenant may be charged if they deliberately present a repair as an emergency to receive swifter resolution than would normally be required by the policy.

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

16.6 In some circumstances the Council may agree to carry out works that would normally be considered the responsibility of the tenant. In these circumstances a recharge may be incurred. In these circumstances the costs will be fully explained to the tenant at the time the work is agreed.

16.7 The following criteria will be applied when considering a request:

- Whether the tenant is currently in breach of any relevant part of their Tenancy Agreement.
- Whether 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.
- Any specific vulnerabilities of the tenant that may impact on their ability to carry out/arrange the work themselves.

## 17. Compensation

17.1 There are circumstances where as a result of a failure in standards of service delivery in relation to repairing obligations where a tenant may be entitled to compensation. These are set out in the compensation policy.

## 18. Adapted properties

18.1 Where properties have been adapted, the adaptation will be maintained and replaced, when required along with any other fixture or fitting. If the adaptation is no longer required it may be removed rather than repaired.

## 19. Provision of decorating packs

19.1 In certain circumstances we will issue a decorating pack to allow a tenant to enhance the décor of their properties.

19.2 When deciding whether to issue a decorating pack the Council will consider extent of decorating required to bring the home up to a reasonable standard as well as the ability of the tenant and/or their household to undertake the decorations themselves.

## 20. Enforcement to allow repairs

- 20.1 As a landlord the Council has a responsibility to protect its assets including the housing stock as well as protect the safety of other residents in our communities.
- 20.2 Whilst the majority of tenants are co-operative and are keen to ensure their homes are maintained to a high standard there are a small minority who for a variety of reasons may be reluctant to allow the Council to carry out necessary repairs. In such circumstances the Council will utilise the necessary enforcement tools to ensure that works are carried out.
- 20.3 Any costs associated with enforcement may also be recharged to the tenant.

## 21. Compliments and Complaints

- 21.1 Tenants' views are actively encouraged, and all tenants could provide feedback regarding the service they have received.
- 21.2 All complaints received in respect of the service covered by this policy will be determined whether they are a complaint or a request of service.
- 21.3 Complaints will be dealt with in accordance with the Council Complaints Policy.
- 21.4 Both compliments and complaints have equal merit to help improve the services we deliver and identify good working practices to share with others.
- 21.5 Compliments and complaints information is collected by colleagues that are not directly involved in the repairs service.

## 22. Equality and Diversity

- 22.1 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.
- 22.2 This policy has been subject to the Council's Equalities Impact Assessment (EIA) screening matrix and [to be updated once new EIA completed.]
- 22.3 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.

## 23. Implementation and Monitoring

- 23.1 The Strategic Director is responsible for implementing and monitoring of this policy.
- 23.2 This Policy will be reviewed at least every three years from the date approved, to ensure its continuous suitability, adequacy and effectiveness. The introduction of new legislation, regulatory or operational changes or other matters may trigger an earlier review.
- 23.3 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.

## 24. Right to Review

- 24.1 Tenants may request access to information relevant to repairs under the Freedom of Information act.

24.2 Tenants are entitled to challenge decisions made under this policy using the Complaints and Members / MP enquiry process.

## Appendix 1 lettable standard

# Lettable Standard

The below provides a general overview of our lettable standard. It is a set of principles rather than a technical specification

## Overarching Principle

The overarching principal of our lettable standard is to ensure that a property can be lived in from the day the tenant signs for the tenancy. Properties will be let that are safe, clean and in good working order. The condition the property is handed over will mirror that we expect to be maintained during the lifetime of the tenancy.

## Safety

Electric and where appropriate gas safety checks will be carried out.

If the property contains a solid fuel appliance this will be checked and repaired as necessary.

Polystyrene ceiling tiles will be removed from any room as these are a fire hazard.

The property will be free from Category One Hazards

1 smoke detector will be fitted in a flat, and 2 in a house.

## Cleanliness

Properties will be clean and all parts clear of rubbish

Any visible infestations, with the exception of ants, will be treated

Concrete floors will be clean and reasonably dust free and left in such a condition that a floor covering may be applied by the incoming tenant

## Plumbing

Stop taps will be accessible and the location identified for incoming tenant.

Radiators, pipework and heaters will all be in good condition, working, securely fixed, free from damage, and paint splashes.

All waste pipes will be watertight, securely fixed and free from blockages.

## Electrics

Electrical fittings will all be in good condition, working, securely fixed, free from cracks, damage and paint splashes.

## Externals

Front and rear doors to the property (excluding communal areas) will have their locks changed.

Windows will open, close and lock (were locks fitted) properly and securely, broken glazing will be replaced. There will be no excessive gaps around closed windows, and all seals will be intact and serviceable.

The roof will be watertight with no missing ridge tiles, missing flashing, slipped or missing roof tiles, damaged gutters, missing stop ends or cracked down pipes.

All gutters, gulleys and rainwater pipes will be free from blockages and debris.

### Internals

All internal doors should be in good condition and door furniture should operate smoothly, and latches engage properly.

### Damp and Mould

The property will be tested for any structural dampness and any remedial works carried out to damp courses. All walls and ceilings will be made free from all signs of previous damp

### Decorating

Existing textured finishes on ceilings and walls will be left in place, except where it is damaged.

All plasterwork to walls and ceilings will be tested and will be left in good condition.

There will be no gaps to the plaster finishing around sockets, switches or door and window frames.

All floorboards will be fixed and level and any broken boards replaced. There will not be a gap between floorboards of more than 10mm. .

Carpet grippers will be removed from entrance doorways, thresholds and stair treads to avoid injury.

Stair treads and risers will be in sound condition and securely fixed, free from splits and rot, banisters and handrails will be in place, be securely fixed and free from damage.

The decoration will be in good order throughout. Where this is not the case basic painting will be carried out.

### Kitchens

A minimum of 1 x double kitchen sink unit; 1 x double base unit; 1 x single wall unit will be provided, unless the property has a pantry which will reduce the minimum number of units to 1 x double kitchen sink unit; 1 x double base unit.

Kitchen units will have doors that open and close correctly and are in a serviceable condition.

Kitchen taps will be serviceable and be free from leaks. Where taps are renewed in supported properties, these will be replaced with lever type taps.

A sink plug and chain will also be in place.

There will be minimum of 300mm of worktop space either side of the cooker area.

There will be a minimum of two rows of tiled splash back fitted to worktops.

Provision will be made for a utility supply of either gas or electricity within the kitchen; this will depend upon the amount of space in the kitchen.

Where practical and where there is sufficient space for an appliance plumbing for a washing machine will be provided

## Bathrooms

We will provide a new toilet seat

The WC pan will be clean and free from cracks or chips either in the pan or around the rim. The WC cistern will flush, and the WC pan will be adequately secured to the floor and be level.

Bath and basin taps will be serviceable, with acceptable pressure and be free from leaks. Where taps are renewed in supported properties, these will be replaced with lever type taps.

The bath and basin will have a plug and chain installed and the bath will be free from cracks or large chips.

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.

If a shower is fitted, the shower components including riser, hose, head and screen will be in good condition. Any tiling that is installed will be adequate for shower use.

## Gardens

Gardens will be cleared of all rubbish and unwanted possessions.

Grass, hedges etc. will be trimmed to a height/standard the tenant will be expected to maintain, (final cutting may take place after the tenant has moved in and this will be made clear to the tenant.).

The Council will ensure that fencing that adjoins public footpaths or open areas is secure and in good condition. Other boundaries will be clearly marked.

All brick outbuildings will be structurally safe and clear of all rubbish, debris, waste and unwanted possessions. The buildings must have a working door and lock. Gas and Electric checks will include any outbuildings.

A rotary dryer and sufficient anchor will be provided in all private gardens where such provision is practicable



## Appendix 2 Tenant Responsibilities

The list of tenant responsibilities are published in the repairs handbook. The current list of tenant's responsibilities is set out in the table below

Who is responsible for...	Us	You
Aids and adaptations installed by NWLDC, including external ramps and hard-standings	✓	
Blockages - 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		✓
Carpets and other flooring finishes excluding the bathroom and kitchen and those in communal areas		✓
Carbon Monoxide (CO) detector testing (on a monthly basis as a minimum)		✓
Damage to NWLDC fittings or appliances caused by frost, such as outside toilets and taps		✓
Domestic appliances (unless provided by NWLDC)		✓
Electrical - 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	✓	
Electric fires, surrounds, hearths and solid fuel appliances supplied by NWLDC	✓	
External meter cupboards	✓	
External render and major plaster replacement that has perished or affected by damp	✓	
Extractor fans, fire alarms and CO detectors supplied by NWLDC	✓	
Fences, gates and garden walls fitted by NWLDC	✓	
Floor boards / floor panels (excluding laminate flooring) including where they are affected by woodworm	✓	
Garage - owned and leased by NWLDC	✓	
Garage - plot owned by NWLDC with tenant's own garage on the site		✓
Garden maintained to the standard it was handed over at relet		✓
Gas cooker connection point, where applicable	✓	
Infestations - Damage caused by infestations of pests that could have been prevented by the tenant		✓
Infestations - repair work required to stop vermin entry	✓	
Internal decoration (excluding communal areas)		✓
Internal doors and associated ironmongery		✓
Key safes that have been provided by NWLDC	✓	
Kitchen base units and wall cupboard adjustments		✓

Kitchen cupboards and worktops for fair wear and tear	✓	
Locks - All work required to gain access when locked out of any lock (excluding faulty locks)		✓
Loft insulation	✓	
Minor repairs and maintenance appropriate of a person acting in a tenant like manner		✓
Mould and condensation that isn't caused by a defect that is NWLDC's responsibility		✓
Obtaining and maintaining gas and electricity supplies		✓
Outbuildings - Brick built	✓	
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	✓	
Power failure due to tenant's faulty electrical items, including resetting or replacing fuses		✓
Replacement of additional keys or fobs for any lock or entry system		✓
Replacement of fluorescent tubes, starters and light bulbs of any type (excluding bulbs in sealed fittings)		✓
Replacement plug and chain to any sink, bath or basin		✓
Sanitary fittings in the property, such as baths and basins, taps and toilets	✓	
Sewers which are not the responsibility of another person or body such as Severn Trent	✓	
Sheds and non-permanent structures installed by the tenant		✓
Sheltered Schemes - Appliances supplied by NWLDC in communal areas	✓	
Sheltered Schemes - Communal areas including entrance halls and stairways	✓	
Sheltered Schemes - Communal TV systems up to the main TV aerial point within each property	✓	
Sheltered Schemes - Door entry systems, lifts, fire alarms and emergency lighting	✓	
Sheltered Schemes - External decoration and internal decoration of the communal areas	✓	
Sheltered Schemes - External drying areas and appliances provided by the NWLDC for washing and drying clothes	✓	
Shower curtain replacement		✓
Skirting boards, picture rails, architrave and battens		✓
Small cracks and holes in plasterwork		✓
Smoke alarm testing (this should be done on a monthly basis as a minimum)		✓
Solid fuel tools		✓
Stairs, banisters and handrails	✓	

Structure and exterior of the building including foundations, ventilation, roofs, chimneys, soffits, fascias, external doors, windows and associated fittings, and integral garages	✓	
Telephone line and points after the initial installation		✓
Toilet seat replacements		✓
TV aerials and TV provided by cable or satellite dishes (excluding communal systems in sheltered schemes)		✓
Wall tiling or aqua board installed by NWLDC	✓	
Washing line concrete posts in place before the start of the tenancy	✓	
Washing lines and rotary air dryers, except those provided by NWLDC in communal areas		✓
Water and heating - Maintaining installations and associated fittings provided by NWLDC for water, space heating, and for supplying water, gas and electricity serving the property (excluding the suppliers pipework, wiring, meters or stop taps)	✓	

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# Repairs Satisfaction Checks

To help us complete a review of the repairs policy and service we want to ask you about our repairs service and some changes we are considering making. we are particularly interested in hearing from those who have recently had a repair completed by NWLDC at their home and how you found the experience.

\* Required

## Repairs categories

We currently have four repairs categories within our policy

**Emergency Repairs** where there is a significant risk to the tenant or property that will be carried out on the **same day**.

**High Priority** repairs that significantly impacts on the tenant or property such as loss of electrics and loss of water supply. These will be carries out within **1-3** days depending on the fault

**Tenants Choice**, repairs that are not high priority but need to be completed in a reasonable timescale but this will be determined by the appointment that best suits the tenant and

**Scheduled Repairs** which are larger scale works often that benefit from being grouped together. These should be completed within **60** days with an appointment confirmed within 20 days.

We are proposing to simplify the categories so that tenants have more clarity over when work will be done, more jobs will be scheduled at the point of reporting and so that we can better manage our repairs.

Therefore we are proposing to change to

**Emergency Repairs** – made safe within **4 hours**

**Urgent** – within **3** working days. These will often be follow on jobs from making safe

**Scheduled repairs** – **20** working days

**Co-ordinated works** - **60** working days. These are jobs that require more than one trade and/or are expected to take more than four hours to complete

1. Do you think these changes make it clearer what you can expect from us?

- Yes
- No
- Maybe

2. Currently we don't provide an appointment for all jobs, such as external works where we won't need to gain access inside your property. Do you think we should provide you with an appointment for all repairs you report?

Yes

No

Maybe

## Tenant Responsibility For Repairs

Whilst the Council is responsible for the majority of repairs to rented homes (the situation is different for leaseholders) there are a number of items that are a tenants responsibility

- Decorating the inside of your home
- Internal fittings(things like curtain rails and light bulbs)
- Anything which you have installed yourself
- Items you damage or break
- Keeping your garden and any shared areas clean and tidy.
- Maintenance of any tree which is within the boundary of your property

**also other minor repairs such as:**

- Changing fuses
- Repairing doorbells or knockers
- TV aerials(except communal ones)
- Renewing plugs and chains on sinks and baths
- Cleaning warm air grilles.

As well as any accidental damage caused by tenants, their family, or visitors to the property.

Tenants are responsible for costs associated with regaining entry into their home if they are locked out.

When considering the questions below you should be aware that if the Council takes on more responsibility for repairs this could impact on how quickly jobs get done and the money available for other services.

3. Do you think that it is reasonable that the above are tenant responsibilities?

Yes

No

4. Why do you not agree?

5. Do you think tenants should be responsible for more repairs around their home?

Yes

No

6. What other repairs do you think tenants should be expected to undertake?

7. although the list above sets out repairs that are tenants responsibilities we do still get asked to carry out these repairs occasionally. Do you think there are circumstances where the Council should carry out the repairs?

- No
- Yes if a tenant is willing to pay for it
- Yes if the tenant would not be able to afford to do the work themselves
- Yes if the tenant would not be able to arrange the work themselves and they were willing to pay for it.



## The lettable Standard

The overarching requirement is that all properties let are safe clean and in good working order.

a summary of the lettable standard can be found on our website  
at [https://www.nwleics.gov.uk/pages/landlord\\_services\\_consultations](https://www.nwleics.gov.uk/pages/landlord_services_consultations)

We need to make some changes to the standard as it doesn't reflect some of the changes to our properties such as the introduction of heat pumps.

8. Do you broadly agree with the current lettable standard?

Yes

No

9. What do you think should be different?

10. Currently we do not decorate empty properties in most circumstances although we may issue a decorating pack to help the incoming tenant paint rooms that need it.  
Do you think we should?

continue to provide decorating packs where needed

ensure that the kitchen, bathroom and living room are painted magnolia and white.

Other

11. We know that drying washing indoors can contribute to damp and mould in the home. Do you think we ought to provide a rotary dryer in the garden wherever possible

Yes

No

12. The lettable standard currently only guarantees that rubbish will be removed from gardens. What standard do you think our gardens should be at when a property becomes occupied (you can choose more than one)

any rubbish removed

paths that are a trip hazard fixed

boundary fences repaired/replaced

lawns trimmed

hedges/bushes cut back

non-standard landscaping such as ponds filled in/removed

13. Currently we remove any carpets in the property regardless of their condition. Do you think we should leave carpets in place for the incoming tenant?

- No
- Yes
- only if the incoming tenant has said they would like them when they are offered the property

## Compensation

We are currently reviewing our compensation policy

It is important that we do not put up barriers to customers receiving compensation but also need to ensure that we can explain why we have paid out the amounts that we have.

14. Do you think that people receiving compensation should have to provide evidence to support the claim

- Tenants should provide receipts for actual expenditure and alleged losses.
- Tenants should provide examples of costs of similar items (eg a listing on website or catalogue)
- Tenants should only provide evidence where their expenditure has been higher than average
- Tenants should not need to provide evidence

15. We currently make a payment for time and trouble. Do you think these should be standard rates for all tenants or do you think we should consider individual circumstances when calculating a value for time and trouble?

- A single rate for all
- it should reflect circumstances

16. How do you think we could calculate time and trouble to reflect circumstances?

### About You

it would be helpful to understand about the people that respond to this survey

17. Your Name

18. Address \*

19. Email \*

20. Are you a Tenant or Leaseholder of NWLDC ? \*

- Yes
- No

21. Have you reported a repair with us in the last year? \*

- Yes
- No

22. Brief description of repair reported

23. Did we complete the job on our first visit? If no how many return visits?

- Yes
- No
- 2 return visits
- 3-4 return visits
- 5 or more return visits

24. Is the repair completed now?

- Yes
- No

25. How satisfied or dissatisfied are you with the standard of the repair?

- Very satisfied
- Satisfied
- Neither satisfied nor dissatisfied
- Dissatisfied
- Very dissatisfied

26. How satisfied or dissatisfied are you with the workforce that completed the repair, this may includes did they show ID, were they polite and approachable (friendly) and professional in their service and manner?

- Very satisfied
- satisfied
- Neither satisfied nor dissatisfied
- Dissatisfied
- Very dissatisfied

27. In your opinion do you feel that your home is safe

- Yes
- No

28. If no please give details

29. Do you have any further comments you wish to make about the repairs service you receive?

30. Are you interested in getting involved with NWLDC, this can include policy or services reviews, attending regular meetings, virtual involvement. If you let us know we can contact you to discuss all opportunities to get involved. Your opinions are important to us and this can help us to shape our services to meet your needs. If you are make sure you have completed the contact details above

- Yes
- No
- I'd like someone to talk to me about what is involved

---

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 Microsoft Forms

# Repairs Satisfaction Checks

382 Responses

14:54 Average time to complete

Active Status

1. Do you think these changes make it clearer what you can expect from us?

Yes	257
No	33
Maybe	89



2. Currently we don't provide an appointment for all jobs, such as external works where we won't need to gain access inside your property. Do you think we should provide you with an appointment for all repairs you report?

Yes	277
No	69
Maybe	36



3. Do you think that it is reasonable that the above are tenant responsibilities?

Yes	329
No	52



4. Why do you not agree?

49 Responses

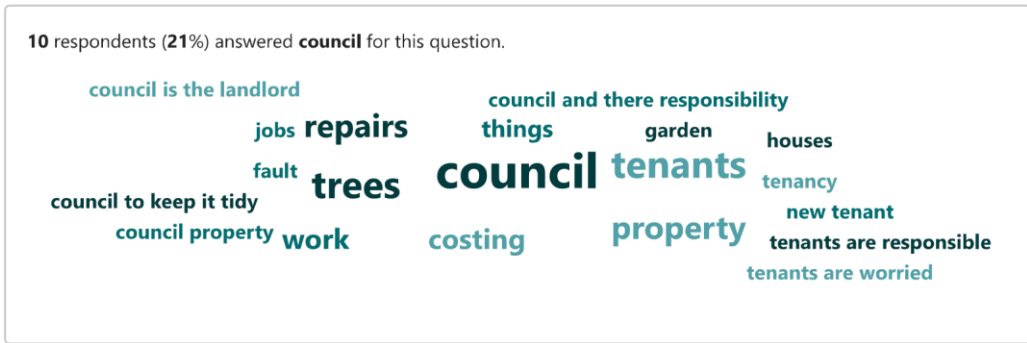
Latest Responses

"Aerials already on property when Tennant move in removed or repaired t...

"We are in a recession/cost of living crisis "

Update

10 respondents (21%) answered council for this question.



5. Do you think tenants should be responsible for more repairs around their home?

- Yes 29
- No 349



6. What other repairs do you think tenants should be expected to undertake?

24 Responses

Latest Responses

4 respondents (17%) answered repairs for this question.



7. although the list above sets out repairs that are tenants responsibilities we do still get asked to carry out these repairs occasionally. Do you think there are circumstances where the Council should carry out the repairs?

- No 32
- Yes if a tenant is willing to pay f... 103
- Yes if the tenant would not be a... 234
- Yes if the tenant would not be a... 145



8. Do you broadly agree with the current lettable standard?

- Yes 333
- No 48





9. What do you think should be different?

38 Responses

Latest Responses

"My house was left in a disgusting state by the previous occupant. The co...  
 "Home improvements- kitchens/bathrooms/windows/internal doors/fenci...

Update

9 respondents (26%) answered **standard** for this question.



10. Currently we do not decorate empty properties in most circumstances although we may issue a decorating pack to help the incoming tenant paint rooms that need it. Do you think we should?

- continue to provide decorating ... 167
- ensure that the kitchen, bathroo... 176
- Other 31



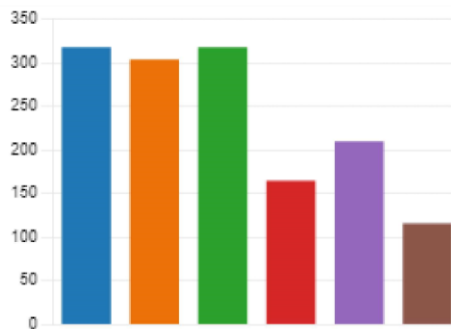
11. We know that drying washing indoors can contribute to damp and mould in the home. Do you think we ought to provide a rotary dryer in the garden wherever possible

- Yes 273
- No 105



12. The lettable standard currently only guarantees that rubbish will be removed from gardens. What standard do you think our gardens should be at when a property becomes occupied (you can choose more than one)

- any rubbish removed 318
- paths that are a trip hazard fixed 304
- boundary fences repaired/repla... 318
- lawns trimmed 165
- hedges/bushes cut back 210
- non-standard landscaping such ... 116



13. Currently we remove any carpets in the property regardless of their condition. Do you think we should leave carpets in place for the incoming tenant?

- No 22
- Yes 59
- only if the incoming tenant has ... 299



14. Do you think that people receiving compensation should have to provide evidence to support the claim

- Tenants should provide receipts ... 203
- Tenants should provide example... 65
- Tenants should only provide evi... 54
- Tenants should not need to pro... 54



15. We currently make a payment for time and trouble. Do you think these should be standard rates for all tenants or do you think we should consider individual circumstances when calculating a value for time and trouble?

- A single rate for all 193
- it should reflect circumstances 186



16. How do you think we could calculate time and trouble to reflect circumstances?

132

Responses

[Update](#)

21 respondents (16%) answered **tenant** for this question.



Latest Responses

"Possible with time of waiting amount per day over 30 day limit, and an i..."

0 Are you a Tenant or Leaseholder of NWLDC ?

<span style="color: blue;">●</span> Yes	382
<span style="color: orange;">●</span> No	0



21. Have you reported a repair with us in the last year?

<span style="color: blue;">●</span> Yes	334
<span style="color: orange;">●</span> No	48



22. Brief description of repair reported

Latest Responses  
 "toilet leak x2"  
 "Blown out window Mould and damp"

330 Responses

[Update](#)

64 respondents (20%) answered **leaks** for this question.



23. Did we complete the job on our first visit? If no how many return visits?

<span style="color: blue;">●</span> Yes	68
<span style="color: orange;">●</span> No	153
<span style="color: green;">●</span> 2 return visits	33
<span style="color: red;">●</span> 3-4 return visits	32
<span style="color: purple;">●</span> 5 or more return visits	37



24. Is the repair completed now?

<span style="color: blue;">●</span> Yes	116
<span style="color: orange;">●</span> No	214



2 .

5 How satisfied or dissatisfied are you with the standard of the repair?

Very satisfied	52
Satisfied	54
Neither satisfied nor dissatisfied	59
Dissatisfied	43
Very dissatisfied	111



26. How satisfied or dissatisfied are you with the workforce that completed the repair, this may includes did they show ID, were they polite and approachable (friendly) and professional in their service and manner?

Very satisfied	92
satisfied	66
Neither satisfied nor dissatisfied	82
Dissatisfied	24
Very dissatisfied	49



27. In your opinion do you feel that your home is safe

Yes	200
No	129



28. If no please give details

135 Responses

Latest Responses  
"Mould is affecting my breathing"

[Update](#)

22 respondents (17%) answered **door** for this question.



2 .

9 Do you have any further comments you wish to make about the repairs service you receive?

238  
Responses

Latest Responses

"My toilet was replaced in the end, the old toilet put out front, reported by...  
"Still awaiting a repair from January 2024 from it being reported."

Update

90 respondents (39%) answered **repair** for this question.



30. Are you interested in getting involved with NWLDC, this can include policy or services reviews, attending regular meetings, virtual involvement. If you let us know we can contact you to discuss all opportunities to get involved. Your opinions are important to us and this can help us to shape our services to meet your needs. If you are make sure you have completed the contact details above

<span style="color: blue;">●</span> Yes	71
<span style="color: orange;">●</span> No	245
<span style="color: green;">●</span> I'd like someone to talk to me a...	49



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## HOUSING SERVICE – COMPENSATION POLICY

**Area:** Housing Service  
**Department:** HRA Business Support Team  
**Subject:** Compensation Policy

**Procedure Ref:****Owner:** HRA Business Support Team Manager**Date approved:****Effective date:** April 2017

Please state what policy & documents (if any) this procedure is linked to:

- Repairs handbook
- Decant Policy
- Corporate Complaints Policy

Version	Date	Details of amendment	Creator/ amender	Approved by	Next review due
1	7.6.16	Clarity on amount of compensation for Heating and Hot Water  Add disturbance payment information  Clarity on calendar/working days	Mark Johnson	SMT	TBC
2	26.7.16	Remove link to Repairs policy  Add link to Repairs handbook  Add link to Complaints policy  Remove links to flowcharts	Mark Johnson	SMT	TBC

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

## **1. INTRODUCTION**

- 1.1 North West Leicestershire District Council (NWLDC) has a procedure to investigate complaints about failure to deliver our standard of service, and to address any apparent failure to follow Council procedures.
- 1.2 This policy describes what may be offered in terms of compensation, when there has been a failure in the delivery of Housing Services which has resulted in inconvenience to a customer, or when the complaint is serious enough to require the payment of compensation.

## **2. WHO THE POLICY APPLIES TO**

- This Policy applies to all current and former tenants, leaseholders, and customers of NWLDC's Housing Service.

## **3. DETAILS OF COMPENSATION PAYMENTS, AND WHEN COMPENSATION WILL BE CONSIDERED**

- 3.1 cases, 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.

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. Where liability is in dispute, this should be referred for consideration under the council's Insurance scheme

There may also be instances where compensation can be considered where a customer complaint has been addressed through the complaints procedure. NWLDC will not pay compensation if we are unable to achieve our service standards due to circumstances beyond our control, for example:

- Exceptional weather conditions
- Accidental damage where NWLDC has not done something wrong – e.g. burst pipes, blocked drains or other events which could not have been predicted and/or were not previously reported
- Any alteration to the property or its services carried out by the tenant without written permission or to an adequate standard
- Loss or damage caused by tenants, visitors or adjacent occupiers
- The tenant prevents or delays NWLDC delivering a service, or contributes in some other way to the service failure



- The loss of water where a tenant is on a water meter and has not taken adequate steps to mitigate the loss.

### **3.2 Failure in standards of Service Delivery**

A payment of £10 will be made by request where an officer of the Council or one of its contractors has failed to keep a pre-arranged appointment without a minimum of 24 hours notice.

### **3.3 Failure in Landlord's repairing obligations or failure to meet a repairs deadline**

Where a Contractor has made reasonable efforts to gain access without success, or has carried out a temporary repair, then compensation will not be payable. In addition, if the delay in completing the work can be shown to be the tenants' responsibility, compensation will not be paid.

A payment will be made by request where:

- A reported repair is not completed within its specified timescale ( £10 per job number)
  - Emergency/Out of Hours repairs – 24 hours from first reported
  - Urgent repairs – 7 calendar days from first reported
  - Routine repairs – 28 calendar days from first reported
  - Batched repairs – 90 calendar days from first reported
- A tenant has been required to use a dehumidifier for at least 7 calendar days, at £10 per 7 calendar day period
- A tenant has suffered from a loss of heating or hot water (£2 per calendar day for the loss of either facility (a maximum of £4 a day) from the day it was reported to the council until the day the repair was completed.

### **3.4 Loss or damage to persons, or personal property**

Where liability for damage to persons or personal property is not in dispute, and where damage has occurred to tenants' possessions, either as a result of a failure to deal with a reported repair, or as a direct result of a rectified issue, we will consider claims up to a maximum of £2,500. Claims in excess of this amount will normally be referred to NWLDC's insurance provider.

In the event of any claim, we require receipts or other evidence from the claimant to justify the value of the loss.

### **3.5 Disturbance Payments**

Where NWLDC wishes to undertake major repairs to a property, and the tenant is required to move out temporarily while the work takes place, a disturbance payment may be made. A disturbance payment is intended to ensure that the tenant is no worse off, and no better off than if they had not been obliged to move, and the financial payment made is to cover all removal and other moving home costs.

For more information about Disturbance Payments please refer to our Housing Decant Policy. A copy of this policy is available on the Council website or can be posted upon request.

### **3.6 Tenants Home Improvements**

Tenants may make alterations to their home providing that written permission has been given by NWLDC prior to works taking place. It is the tenant's responsibility to obtain any other necessary

consents (i.e. planning permission), and to ensure that the work is completed to a high standard and in accordance with all necessary regulations (e.g. Building Control, Gas Safe, FENSA etc). NWLDC reserves the right to refuse the works prior to being undertaken, and to inspect the works during, and afterwards.

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.

For more information about compensation for home improvements, please refer to our Housing Repairs Handbook . A copy of the handbook is available on the Council website or can be posted upon request.

### **3.7 Time and Trouble**

We consider the extent of inconvenience a complainant has experienced to get a resolution to their problem. The most amount of compensation that can be offered for Time and Trouble is £250. In assessing whether time and trouble compensation is payable relevant factors could include:

- The length of time, including response times by the council, taken to deal with the problem and the complaint itself
- The time and effort required from the complainant
- Any specific difficulty experienced by the complainant in dealing with the council
- The degree of inadequacy of the council’s response to letters, phone calls or visits
- Whether there has been an element of wilful action on the part of the council that has resulted in poor management of the complaint
- The level of minor unquantifiable expenditure incurred by the complainant such as significant post, telephone or travel costs, whether the complainant was acting on behalf of others in pursuing the complaint, as a representative of a tenants’ group for example

## **4. AWARDING AND OFFSETTING COMPENSATION**

Regardless of who investigates the compensation claim, compensation payments must be authorised as follows;

- Up to £200 – Team Leader
- Up to £500 – Team Manager
- £500 - £1,000 – Head of Service
- £1,000+ - Director

Following authorisation, we will write to the claimant and inform them of total award amount. The letter will contain a detailed list of all the factors considered and the costs awarded for each factor. Compensation will usually be offset against any arrears the claimant owes to the council unless there are exceptional circumstances. This will be in the order of Housing Rent, Council Tax/Housing Benefit Overpayment and Sundry Debts.

Attached with the letter will be a form that the claimant must sign and return to the Council to confirm agreement of the final award. The Council will normally make payments by BACS credit directly to a bank account within two weeks of receipt of the confirmation agreement signed by the claimant.

## **5. DISPUTES AND APPEALS**

Where a tenant is not satisfied with a decision taken under this policy, they may appeal to the Head of Housing in writing within 10 days of the date of their compensation offer..

## **6. MONITORING AND POLICY REVIEW**

Compensation payments are monitored as a means of improving service performance to our customers and to ensure consistency of approach and appropriate use of compensation awards. Service Standards, key performance indicators, audits and customer satisfaction are typical of monitoring systems in use but will vary according to the policy.

We will review this policy based on a three year cycle and if a business need arises. Next scheduled review date will be in May 2019.

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<b>HOUSING REPAIRS AND MAINTENANCE POLICY</b>			
<b>Area</b>	: Housing Service		
<b>Department</b>	: Housing Commercial Services		
<b>Subject</b>	: Housing Repairs and Maintenance Policy		
<b>Procedure Ref:</b>		<b>Owner:</b>	<b>Housing Commercial Services Manager</b>
<b>Date approved:</b>	<b>3 March 2020</b>	<b>Effective date:</b>	<b>3 March 2020</b>

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.

<b>Version</b>	<b>Date</b>	<b>Details of amendment</b>	<b>Creator/ amender</b>	<b>Approved by</b>	<b>Next review due</b>
1	3 March 2020	Review of previous version and update to new format	Louise Austin	Richard James	March 2023
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

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## 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.

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**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**ANTI SOCIAL BEHAVIOUR POLICY**

**Area** : Stronger, Safer Communities, Environmental Protection and Housing Services

**Department** : Community Safety, Environmental Health, Street Action and Housing Management

**Procedure Ref:** - **Owners:** Team Managers of Housing Management, Community Safety and Environmental Protection

**Date approved:**

**Effective date: April 2017**

Please state what policy & documents (if any) this procedure is linked to:

**ASB Procedure**

[RESPECT ASB Charter for Housing](#)

**Tenancy Agreement**

**Complaints Policy**

**Community Trigger**

**Witness Promise**

**Enforcement Policy**

Version	Date	Details of amendment	Creator/amender	Approved by	Next review due
1	May 2007	N/A	Andrew Wallace	Amanda Harper	2010/2011
2	January 2013		Andrew Wallace	Amanda Harper	May 2015 (or earlier dependent upon new Enforcement powers)
3	April 2017	Inclusion of new Enforcement Powers Inclusion of categorisation of ASB	Andrew Wallace	Amanda Harper	2019

		<p>across the Council</p> <p>Inclusion of classifications of ASB</p> <p>Expectations around what is ASB added</p>			
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Copies of this document are available upon request and can be obtained in large print or translated into other languages, if required.

**Contents**

1. Statement of Purpose and Definition
2. Introduction
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9. Legal Action
10. Protection of Staff and Contractors
11. Performance Monitoring
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13. Community Trigger
14. Publicising our approach to ASB
15. Development and Responsibility

Appendix A  
ASB Classification and Service Standards

## ANTI-SOCIAL BEHAVIOUR POLICY

### 1. Statement of Purpose and Definition

North West Leicestershire District Council (NWLDC) recognises the importance that residents place on the ability to live peacefully in their homes. Anti-Social Behaviour (ASB) and neighbour nuisance include a broad range of disruptive behaviour. We recognise that ASB has a detrimental effect on the quality of life enjoyed by our residents. We do not believe our residents should have to live with ASB.

Unless otherwise stated within the policy, North West Leicestershire District Council use the definition of ASB as described in the Anti-Social Behaviour, Crime and Policing Act 2014 as:

*(a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,*

*(b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or*

*(c) conduct capable of causing housing-related nuisance or annoyance to any person*

The Policy is being publicised in plain language and made available to residents upon request. This document can be obtained in large print or translated into other languages, if required. It is designed to be a framework as to how ASB can be reported to, and dealt with by, North West Leicestershire District Council.

The Policy refers to the Safer North West Partnership and Joint Action Group (JAG) throughout this document. The Safer North West Partnership brings together a number of agencies with a shared commitment to reducing crime and disorder in the district. The Partnership is made up of a number of organisations including;

- North West Leicestershire District Council
- Leicestershire County Council
- Office of the Police and Crime Commissioner
- Leicestershire Police
- National Probation Service
- Local Community Rehabilitation Company
- West Leicestershire Clinical Commissioning Group
- Leicestershire Fire and Rescue service

At a district level ASB is managed through a Multi-Agency JAG (All high risk cases are monitored carefully and emerging trends are identified within the group to ensure appropriate action is taken when and where needed.

This Policy is compliant with the Housing Act 1996 part 8 Section 218A.

## 2. Introduction

We are committed to improving the quality of life for everyone living and working within our communities and in providing a safe and secure environment to enable communities to live together and free from the negative impact of ASB.

This policy has been developed in line with the Anti-Social Behaviour Act 2003, the Crime and Disorder Act 1998 as amended and the Anti-Social Behaviour, Crime and Policing Act 2014 to ensure that ASB is dealt with consistently, robustly and that justified action will be taken where appropriate.

Reports of ASB will be investigated with relevant outside agencies and the action taken against those responsible will be proportionate to the seriousness of the activity in which they are engaged in. Intervention action will be selected based on what is most likely to produce an effective solution. Where the council deem it appropriate, and if the nature of the ASB is serious or where it causes immediate risk of harm, rapid enforcement action will be considered.

Where ASB occurs, and it is criminal in nature, we will refer the complainant to report this to the Police. The Police will then manage the case, working in conjunction with North West Leicestershire District Council staff to jointly decide on whether civil proceedings will be brought against the perpetrator(s).

We will work with and share information with partners (in accordance with our policies, procedures and data sharing agreements) to reach the best solution and to learn from each other. This includes internal departments as well as those that sit within the Safer North West Partnership and those that attend the District wide Joint Action Group.

NWLDC are also committed to the [Respect – ASB Charter for Housing](#) which aims to be outcome-focused to improve the quality of people's lives who suffer from ASB. The Charter consists of seven core commitments.

- demonstrating leadership and strategic commitment
- providing an accessible and accountable service
- taking swift action to protect communities
- adopting a supportive approach to working with victims and witnesses
- encouraging individual and community responsibility
- having a clear focus on prevention and early intervention
- ensuring that a value for money approach is embedded in our service

### 3. ASB classification and Service Standards

Initial reports of ASB will be recorded under one of the categories listed in [Appendix A](#)

Not every allegation reported to the council will be categorised as being ASB; some types are considered to be everyday living noises or lifestyle differences rather than ASB and therefore they may not be investigated under the terms of this policy. The complainant will be notified at the earliest opportunity available that an investigation will be opened and they should be directed to the website where a copy of this Policy will be published.

Although people can expect to hear a certain amount of noise from their neighbours, they are not expected to have to endure unreasonable and persistent levels of noise nuisance.

We will not commit to strategies which raise expectations but are not enforceable, for example “No ball game” signs, but will actively seek from the complainant what outcome they are seeking.

### 4. Reporting ASB

We will make available a wide range of methods of contact for reporting ASB. You will have one nominated lead caseworker for your complaint, who will keep you updated regarding progress with our investigations

### 5. Our commitment to managing ASB complaints

All reports of ASB will be logged on our system and passed to the most appropriate department for investigation. You will be notified at your initial contact, or at the earliest possible time (normally within 3 working days), whether the matter will be investigated in line with our Policy.

ASB complaints will be processed via a case management system which can be accessed by NWLDC Housing and Community Safety staff as well as the Police.

NWLDC staff will adhere to the timelines stated within the classifications on Appendix A. Should the timeframe for investigation and/or enforcement be extended, the reasons and indicative timeframe will be given to the complainant.

### 6. Supporting Vulnerability

We recognise the importance of supporting vulnerable members of our communities, who may be more at risk of becoming involved in ASB both as a victim or perpetrator.

A person may be considered vulnerable for many reasons, including but not limited to; age, alcohol or drug dependencies, disability (as defined by the Equalities Act 2010) or mental health issues.

When a complaint of ASB is received, we will make an assessment of vulnerability on every case and this will be included as part of the Risk Assessment Matrix (RAM). This RAM is then shared with partnering agencies to determine the most appropriate course of action and/or protection.

When a complainant, witness or perpetrator of ASB is identified as being vulnerable, a referral may be made to relevant support services. We will work collaboratively with the identified carers and support agencies.

Where a complaint is made against someone who we know or suspect is vulnerable, we will make every effort to assist them in engaging with support services. However it will be made clear that failure to engage with such services and the continuation of the ASB may lead to formal action being taken against them.

We will not accept vulnerability as a reason for a perpetrator being allowed to continue to behave badly.

## 7. Safeguarding

Safeguarding is everyone's business and we all have a part to play in protecting the most vulnerable members of our community.

North West Leicestershire District Council actively participates in multi-agency arrangements to safeguard children, young people and adults.

The law requires us to ensure that our functions are discharged having regard to the need to safeguard and promote the welfare of children. Provisions within the Care Act 2014 mean that adult safeguarding has also been placed on a statutory footing.

We recognise that when dealing with ASB we may come into contact with children and adults for who there are safeguarding concerns. All employees receive safeguarding training and have access to information to enable them to respond appropriately.

It is not for the investigating officer to make a decision as to whether there are safeguarding concerns, but it is their duty to report anything which they believe is a cause for concern.

## 8. Action we can take

The majority of complaints of ASB do not require legal action as a means of resolution. We will, in the first instance, assess the type of ASB, the risk of harm to the victim and any vulnerability to identify how we will deal with the complaint. Early

intervention through informal approaches will be considered in the first instance before exploring the more formal enforcement tools:

### Early and Informal Interventions

As a District and County we are committed to the tiered approach when dealing with ASB. Early intervention through an informal approach can be successful in stopping ASB committed by most perpetrators. These methods should be considered and exhausted first to attempt to stop behaviour before it escalates.

### Verbal Warnings / Written Warnings

Warnings are issued when there is evidence of ASB occurring or likely to occur. They make it clear to the perpetrator/parent/guardian what behaviour is causing the issue, the effect this is having on the victim or the community and the consequence of not adhering to the warning

### Community Resolution

This is where a resolution is found for a less serious issue of ASB where an informal agreement is reached between the parties involved as opposed to progression through legal action.

### Mediation

Mediation can be an effective tool, solving the issues by bringing all parties together to talk through their concerns. Our Officers are able to offer mediation on a confidential, impartial basis that can solve many incidences of misunderstanding or unintentional ASB. An example of when mediation would be used is when two neighbours fall out over a difference, such as the position of a boundary fence.

### Restorative Justice (RJ)

RJ gives a victim of ASB an opportunity to communicate with the perpetrator in a controlled environment, to tell them how their behaviour is impacting on them, giving them a voice. It holds the perpetrator to account for what they have done.

### Acceptable Behaviour Contracts (ABC)/Parenting Agreement (PA)

These are voluntary written agreements between an individual and North West Leicestershire District Council. The ABC is entered into in conjunction with other agencies including the Police and Youth Offending Service. They contain pledges to behave in a certain manner or to stop doing certain things. An ABC or PA is not legally enforceable but if they are broken, they can be used to form part of the evidence required to proceed to another level of action, such as court.

## Support and Counselling

In many cases there are underlying causes of ASB. Substance misuse or alcohol dependency can drive ASB. We will refer where possible to the appropriate agencies that can offer support and counselling depending on the circumstances of the person concerned in the ASB, including referrals to Supporting Leicestershire Families and our Tenancy Support team within Housing Services.

## Surveillance

As part of our response to dealing with ASB, we reserve the right to work with partner agencies to carry out both covert and overt surveillance. Surveillance may be visual or audio. Any surveillance will be appropriately authorised, proportionate and justified. This will include where necessary the monitoring of CCTV. At times we will be required to disclose our CCTV images to a third party such as the police where there is a need for the prevention and detection of crime and for the apprehension of offenders.

In addition, any surveillance undertaken with regards to the investigation will be dealt with in accordance with all relevant legislation.

## 9. Legal Action

If perpetrators are unwilling to change their behaviour following attempts along the informal intervention route then there are some formal tools that can be used by NWLDC:

### Civil Injunction

The Civil Injunction is an order made by the Court to stop or prevent individuals engaging in ASB. It can resolve any issues before they escalate and can help the perpetrator to address the underlying cause of the ASB. An injunction can be obtained for people causing ASB from the age of 10 years. If the terms of an injunction are not adhered to, it can result in a fine or imprisonment for up to two years for anyone over the age of 18. For under 18's it could result in a supervision order or detention up to three months. In addition to this, the breach of an injunction could mean that a tenant faces a mandatory possession order being granted by the Court.

### Criminal Behaviour Order (CBO)

The Criminal Behaviour Order can be issued in a criminal court against a person from the age of 10 years upwards. It is used to tackle the most persistent anti-social individuals who are engaged in criminal activity, and have been convicted of an offence. Breaching a CBO is a criminal offence and for over 18's can result in up to five years imprisonment, a fine or both. Under 18's could face a two year detention order, with part of that detention served in custody.



## Closure Orders

This can be used to close a property when it is being used or likely to be used to commit serious nuisance or disorder. The initial Closure Notice is valid for either 24 or 48 hour period followed by the application to a Court for a Closure Order. This is a fast and flexible power that can be used to protect victims and communities by quickly closing premises where ASB is prevalent.

## Community Protection Notices

The Community Protection Notice is intended to deal with particular, on-going problems or nuisances which negatively affect the community's quality of life, such as graffiti, rubbish or noise by targeting those responsible.

## Public Space Protection Orders

These orders impose conditions which may include multiple restrictions and requirements in an area such as parks, alleyways or communal areas, where ASB is being detrimental to the local community. They are designed to ensure that the majority of people can enjoy public spaces and feel safe and the conditions could be around alcohol, dogs or noise for example.

## Demotion Orders

Demotion orders allow us to apply to the courts to reduce the security of tenure for tenants and can be a precursor to taking possession of the property. These orders remove a number of rights including the right to buy and the right to exchange. Demoted tenancies last for a year and may be extended if notice to seek possession of the property is served during this period. The orders are a serious warning to tenants that if the negative behaviour continues swift action can be taken to seek possession of their home.

## Possession Proceedings

This is court action that can lead to Council tenants being evicted from their homes. Before this stage is reached the tenants involved will have had several warnings to stop their behaviour. Evicting someone, who may have family and children, from their home, is a very serious consequence. The Council would have to prove to the court that on the 'balance of probabilities' the tenants have indeed broken the terms of their tenancy agreement and that it is reasonable for the court to evict the tenant. The ASB Crime and Policing Act 2014, has introduced a new absolute ground for possession for secure tenancies where ASB or criminality has already been proven by another court. This means that the Council will no longer need to prove that it is reasonable to grant possession and the court must grant possession, providing set procedures have been followed.

## 10. Protection of Staff and Contractors

We will not, under any circumstance, tolerate abusive, threatening or violent behaviour towards our staff or contractors, and will always take swift and robust action to protect our staff. All acts of aggression, harassment or intimidation towards staff members will not be tolerated and will be referred to the police if appropriate.

We will ensure a prompt and robust response takes place. Where there is a direct threat of harm or violence towards the complainant we may commence legal action.

A potentially violent person's register is kept centrally by the Health and Safety Officer at the Council and all reports of this nature will be recorded. NWLDC have a responsibility to ensure they place sufficient warning markers on their systems to ensure staff safety and any recommended measures are put in place.

## 11. Performance Monitoring

We will closely monitor the quality of the ASB service by:

- Setting challenging performance targets for staff to achieve
- Completing customer satisfaction surveys
- Ensuring managers carry out audits and reviews on a sample of cases

We will regularly report statistical information about ASB both internally and externally including benchmarking to link with other similar organisations. This gives us comparison for best practice, identifying trends and to inform service delivery.

Information will also be made available upon request to our partnering agencies

## 12. Closing Cases

We will normally only close cases when the situation has been resolved and/or the complainant is happy for us to do so. However, in some circumstances it may be necessary to close the case without the consent of the complainant.

This might happen when we are satisfied that we have done everything we can, that is reasonable and proportionate to resolve the complaint or the complainant has failed to respond to requests for contact. We may also close the case if it is considered that the allegations made are false or malicious or if the complainant refuses to work with the investigating officer to resolve the alleged ASB.

We will not assume that a situation has improved if we have not heard from the complainant and will try and make contact with them before closing their case. If there is no response, we will close the case and record this as resolved.

To avoid cases being open indefinitely, we have a robust process of review, with the lead officer dealing with each case on its merit. Where the case has been open for 12 weeks it will be reviewed by the team leader, referring to the Team Manager where required. All high risk cases will be referred to the JAG who will review all actions in these cases and task the investigating officer if further recommendations are required.

### 13. Community Trigger

The community trigger introduces a right for victims, or victims' representatives, to ask local agencies to review how they have responded to previous ASB complaints and consider what further action might be taken where the behaviour persists.

Further information on what the Community Trigger is designed to achieve and the threshold for activation, can be found at [www.nwleics.gov.uk/asb](http://www.nwleics.gov.uk/asb).

You may activate a trigger by completing an online form at [www.nwleics.gov.uk/pages/asb\\_community\\_trigger](http://www.nwleics.gov.uk/pages/asb_community_trigger) , or by phoning the Community Safety Officer (ASB) on 01530 454545.

### 14. Publicising our approach to ASB

Our approach to ASB will be publicised to residents, potential residents and staff in a number of ways, including:

- Leaflets and/or guidance documents
- The NWLDC website
- Policy Briefings and Training
- At all Council tenancy sign ups
- Tenants' Handbook
- The Tenancy Agreement

### 15. Development and Responsibility

Our ASB Policy has been developed through consultation with the public, staff and other stakeholders, and has been approved by elected members.

Staff will be trained to deliver this policy and are responsible for adhering to its terms and suggesting improvements with its administration.

This document will be reviewed every two years, however it will be updated at any time if there is a material change in a process or legislation.

## APPENDIX A – ASB CLASSIFICATION AND SERVICE STANDARDS

All action taken by an Officer must be reasonable and proportionate the behaviour reported and experienced by the victim of the ASB. There will be occasions where the ASB reported will be classified within multiple groups. In this instance, the action will be determined on the highest grouping.

	Type of ASB	Interventions available <sup>1</sup>	Service Standards
1	<ul style="list-style-type: none"> <li>• Domestic Noise</li> <li>• Vandalism and damage to property</li> <li>• Misuse of Communal areas / Public Space loitering</li> </ul>	<ul style="list-style-type: none"> <li>• Offer advice and support, signposting where appropriate</li> <li>• Work together with partner agencies as appropriate.</li> <li>• Warning Letter</li> <li>• Acceptable Behaviour Contract</li> <li>• Parental Agreement</li> <li>• Community Resolution</li> <li>• Restorative Justice / Mediation</li> <li>• Civil Injunction</li> <li>• Community Protection Notice</li> <li>• Public Space Protection Order</li> <li>• Fixed Penalty Notice</li> <li>• Recharge</li> <li>• Noise Abatement Notice/Prosecution</li> </ul>	<p>First Contact with the investigating officer or advocate within three working days and agree action plan. Action within 10 working days.</p>
2	<ul style="list-style-type: none"> <li>• Verbal abuse / Harassment / Intimidation</li> <li>• Drug smells / substance misuse</li> <li>• Alcohol related ASB</li> <li>• Prostitution / Sexual Acts</li> <li>• Criminal Behaviour / Crime</li> <li>• Noise including other general ASB</li> <li>• Domestic Noise</li> <li>• Bullying/Cyber Bullying</li> </ul>	<ul style="list-style-type: none"> <li>• Offer advice and support, signposting where appropriate</li> <li>• Work together with partner agencies as appropriate</li> <li>• Warning Letter</li> <li>• Acceptable Behaviour Contract</li> <li>• Parental Agreement</li> <li>• Community Resolution</li> <li>• Restorative Justice / Mediation</li> <li>• Civil Injunction</li> <li>• Criminal Behaviour Order</li> <li>• Closure Order</li> <li>• Notice of Seeking Possession*</li> <li>• Possession*</li> <li>• Demotion of Tenancy*</li> <li>• Community Protection Notice</li> <li>• Public Space Protection Order</li> <li>• Noise Abatement notice/prosecution</li> <li>• Community Protection Notice</li> <li>• Fixed Penalty Notice</li> <li>• Injunction</li> <li>• Local Resolution</li> <li>• Mediation</li> </ul>	<p>First Contact with the investigating officer or advocate within three working days and agree an action plan within five working days of this contact.</p> <p>N.B The Housing department will investigate all domestic noise cases making use of the provisions of the ASB, Crime and Policing Act 2014 as a means of handling domestic noise incidents, in addition to the powers with the Housing Act 1985. Where there is a proven statutory nuisance we will work with the Environmental Health Team to take action under the Environmental Protection Act 1990.</p>
3	<ul style="list-style-type: none"> <li>• Hate related incidents (based on Age, Race, Sexual Orientation, Gender, Disability etc.)</li> <li>• Domestic Abuse</li> <li>• Physical Violence (other than Domestic Abuse)</li> <li>• Drug production / supply</li> <li>• Threatening Behaviour</li> </ul>	<ul style="list-style-type: none"> <li>• Offer advice and support, signposting where appropriate</li> <li>• Work together with partner agencies including Police, Environmental Health, Social Services, Youth Offending Service, Probation Services, Education Welfare, NHS, Mental Health Team</li> <li>• Warning Letter</li> <li>• Acceptable Behaviour Contract</li> <li>• Parental Agreement</li> <li>• Restorative Justice / Mediation</li> <li>• Civil Injunction</li> <li>• Criminal Behaviour Order</li> <li>• Closure Order</li> <li>• Notice of Seeking Possession*</li> <li>• Possession*</li> <li>• Demotion of Tenancy*</li> <li>• Domestic Violence Protection Order</li> </ul>	<p>First Contact with the investigating officer or advocate within three working days and agree an action plan within 24 hrs of this contact</p>
Outside of ASB Policy	<ul style="list-style-type: none"> <li>• Animal Nuisance</li> <li>• Graffiti (non-offensive/non directed/non abusive)</li> <li>• Car repairs / Vehicle nuisance</li> <li>• Litter / Rubbish / Fly tipping</li> <li>• Garden Nuisance</li> </ul>	<p>The matters listed in this section will be dealt with outside of this Policy and logged as an Estate complaint.</p> <p>If the alleged perpetrator is a Council tenant, the Housing department will discuss the terms of the tenancy with the alleged perpetrator</p> <p>Should the matters escalate or change in nature, we will look to re-categorise the behaviour as anti social.</p>	<p>First contact with the investigating officer or advocate within 3 working days with alleged perpetrator. Action plan to remedy behaviour within 10 working days</p>

<sup>1</sup> Interventions marked with an asterisk (\*) are only available to the Housing Department

HOUSING SERVICES POLICY	
<b>Area</b>	: Housing
<b>Department</b>	: Housing Management
<b>Subject</b>	: Decant Policy

<b>Procedure Ref:</b>		<b>Owner:</b>	<b>Housing Management Team Manager</b>
<b>Date approved:</b>		<b>Effective date:</b>	<b>April 2022</b>

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

- Allocations Policy
- Asset Management Strategy
- Repairs Policy

Version	Date	Details of amendment	Creator/ amender	Approved by	Next review due
1	March 2012	N/A	Amanda Harper	DHIP Project Group	2013/14
2	January 2020	Review	Elizabeth Turner		2021/22
3.2	March 2022	New sections added (6,7,8, 9 and 13)  Formatting and Grammatical changes  Within the sections, added <ul style="list-style-type: none"> <li>• 4.2</li> <li>• 5.2, 5.3</li> <li>• 10.2 ( e)</li> <li>• 17.1 specifics</li> </ul>	Andrew Wallace		2024/25

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

## HOUSING/PROPERTY SERVICES DECANT POLICY

### Contents

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## 1. Reasons for Policy

- 1.1 This policy describes the Council's arrangements for decanting tenants from their homes when major repairs or other remedial works are necessary. Decants are usually necessary when a property needs major work or needs to be refurbished or modernised and the work cannot reasonably be done with the tenant in residence. The policy explains when a decant will take place, the circumstances where a decant can be avoided at the tenants' request and the level of compensation that will be paid to tenants when they are decanted.
- 1.2 A decant is temporary housing which is only offered where it is appropriate for the property to be vacated due to the extent of the works and/ or the individual circumstances of the tenant and/ or members of their household.
- 1.3 A decant is always a temporary move and tenants will return to their home once works are complete.

## 2. Legislative Context

- 2.1 The legislation listed below will be taken into consideration when implementing this policy:
  - Housing Act 1985
  - Housing Act 1996 as amended
  - Localism Act 2011 (specifically Section 160ZA: Allocation only to eligible and qualifying persons)
  - Data Protection Act 2018
  - Equality Act 2006

## 3. Objectives of the Policy

- 3.1 This policy ensures that the Council has arrangements in place to undertake necessary work in tenanted properties, where the nature of the work means that it is not appropriate for the tenant to remain in residence.
- 3.2 In some cases it will not be physically possible to carry out the work with a tenant in residence due to health and safety or welfare implications. However, in other circumstances the time and cost advantages of having an empty house to work in are such that a decant is the most practical and/or economically advantageous arrangement.

## 4. Definitions

- 4.1 Decant: Temporary housing which is offered where it is essential for the property to be vacated whilst work is undertaken.

4.2 Eligible Payments: Payments which are made to assist with the temporary/permanent move.

## 5. Responsible Parties

5.1 The responsibility for facilitating and agreeing alternative arrangements under this policy sit with Housing Management Team Manager.

5.2 The responsibility for assessing the scope of works and likely impact sits with the Commercial Services and/or Asset Management Team in conjunction with the Housing Officer for the area.

5.3 The tenant(s) who are required in the terms of their tenancy to adhere to the contracts.

## 6. When a Decant Will Take Place

6.1 When assessing significant works the Housing service will consider as part of the scoping of those works the most advantageous conditions for the work to take place.

6.2 Where a decant is identified as the recommended course of action, the Commercial Services and/or Asset Management Team member will make a full report on the work required to the property and advise Housing Management why it is recommended that the tenant requires a decant and what alternative options, if any, are available. The Housing Management Team will determine based on their knowledge of the household whether they feel a decant is feasible and/or appropriate.

6.3 When considering a decant the following needs to have occurred:

- Loss of primary amenity – electricity, gas, water, WC where no 24 hour alternative can be utilised (neighbour, family) etc
- Works involve use of hazardous substances or controlled by Control of Substances Hazardous to Health regulations (COSHH) (e.g. two or more rooms are affected)
- Loss of significant proportion of habitable space for more than one week and works cannot be sequenced to prevent this.
- The nature of the work is considered detrimental to the health and safety of the occupants

6.4 The report to Housing Management will include the expected timescales for the completion of the work.

6.5 Where Housing Management do not consider a temporary decant is achievable, the options for a permanent move in line with our Allocations Policy will be reviewed with the responsible parties.



## 7. Managing the Decant

- 7.1 The Housing Officer for the tenants' home will be the single point of contact for the tenant as part of the decant process, supported by the Resident Liaison Officer. The officer will go through the Decant Policy with the tenant to ensure they are aware of what to expect in terms of accommodation and assistance.
- 7.2 The Housing Officer will be responsible for liaising with tenants and all other interested parties regarding the decant options and any compensation payments.
- 7.3 At all times during the decant process the Housing Officer and/ or Resident Liaison Officer will ensure the tenant is kept up to date with all information required concerning the works to be carried out, estimated timescales.
- 7.4 Progress updates on the work should be provided by Commercial Services/Asset Management to the Housing Officer on at least a weekly basis.
- 7.5 The Housing Officer will arrange for the maintenance of the garden of the decanted property to a reasonable standard if it becomes overgrown during the period it is empty. This will be done before the tenant moves back into the property.

## 8. Where a Tenant Does not wish to be Decanted or a Decant is impractical

- 8.1 Where a tenant does not wish to be decanted there are several options available to the Council. In some circumstances work may be deferred or the scale of the work could be reduced to be achievable with the tenant in situ.
- 8.2 Ultimately if the work is essential the Council could look to ensure the property is safe and look for legal options to ensure the work is completed.
- 8.3 For some tenants with very specific needs a decant might not be practical or achievable. In these circumstances additional measure may instead be offered to ensure the tenant can remain in situ such as, but not exclusive to, respite care for a fixed period of time for a household member. The Housing Officer will liaise with partner agencies already involved with the tenant and/or their household member or choose to contact a partner agency for support, for example, Adult Social Care.

## 9. Facilitating a Permanent Move rather than a decant

- 9.1 Circumstances may dictate that a permanent move is deemed by all responsible parties as the most appropriate action. One of the aims of this policy is not to move people from their homes unnecessarily and all options to return the tenant back to their home will be explored.
- 9.2 There may be additional considerations around the suitability of the property long term which may influence the responsible parties to look at whether a move permanently is more appropriate such as financial hardship or longer-term physical capabilities

## 10. Types of Decant

- 10.1 The types of decant will be based on the needs of the tenant and household members but with a negotiated agreement which proves to be the best possible solution for all responsible parties.
- 10.2 Decant options depending on type.
- a) Tenant makes their own arrangements
  - b) Tenant moves into a decant property provided by the Council
  - c) Tenant moves into bed and breakfast accommodation
  - d) Tenant moves into respite care
  - e) Holiday letting opportunities
- 10.3 The identified period away from the permanent home will determine which decant options are appropriate.
- 10.4 As a guide, a decant period of up to 3 weeks would require B&B/ hotel accommodation, respite care or arrangements to stay with friends and family.
- 10.5 Where the Council is arranging alternative accommodation it will pay the costs directly as set out in appendix A. Where a household has made their own arrangement, the Council will reimburse costs as set out in Appendix B. Where a household has made plans, such as staying with a friend which has not resulted in direct measurable financial expenditure but has caused inconvenience the Council will make a good will payment as set out in Appendix C.

## 11. Compensation Payments

- 11.1 Details of eligible payments are set out in Appendix A – C of this policy.
- 11.2 Agreed payments will usually be made in two parts. The first instalment to be paid to the tenant on moving into the decant property, and a subsequent payment of to be paid when the tenant returns to their property.
- 11.3 During the decant period, the tenant is required to continue to make rent payments to the rent account on their permanent home, and the rent due on the decant property is covered by the Council by way of an adjustment.
- 11.4 Payments will usually be made by bank transfer.
- 11.5 There will only be one payment per household, including split households.
- 11.6 Payments will only be paid to the tenant/s who have signed the tenancy agreement.
- 11.7 Where a tenant is in arrears with the council, a discussion with the responsible parties will lead to agreement as to whether there is full or part offsetting of any arrears.

## 12. Offer of Accommodation

- 12.1 The offer of a decant property will be based on the housing need and circumstances of the tenant and/or members of the household. For example, if a tenant is currently living in a three-bedroom property but only needs two bedrooms then a two bedroom property may be offered.
- 12.2 One offer of accommodation will usually be made by the Council in consultation with the tenant. Specific consideration will be given to:
- The size of accommodation
  - The distance of the accommodation from the place of work or education
  - The distance from the home of any member of the tenant's family if proximity is a consideration to the wellbeing of the tenant or their family.
- 12.3 Whilst every effort will be made to identify suitable alternative accommodation, this will be subject to vacancies that arise within the housing stock in the normal way. Tenants will be encouraged to be as flexible as possible about decant locations given the short-term nature of the move.
- 12.4 Where a tenant refuses to move or has refused the offer of other suitable alternative accommodation, the Council may:
- Commence legal action to ensure works can be completed if essential health and safety items are required
  - Inform the tenant that the scheduled works will not be undertaken.
- 12.5 There may be the occasions where a permanent move is made to facilitate works (see Section 9)

## 14. Equality and Diversity

- 14.1 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. This policy has been subject to the Council's EIA screening matrix which identified that the policy has no negative impact on any protected group.

## 15. Implementation and Monitoring

- 15.1 The Strategic Director of Housing and Customer Services is responsible for the implementation and monitoring of this policy.

## 16. KPIs

- 16.1 The delivery of this policy and the overall success will be monitored by using a mixture of indicators aimed at measuring success and speed of internal processes, such as:

- Reason for decant
- Expenditure on decants
- Customer feedback (satisfaction of process)
- Speed of response from the Housing service

## 17. Right to Review

17.1 The following decisions taken under this policy are subject to the right to review of each responsible party:

- The decision not to allow a decant
- Level of payment
- Offsetting against debt
- Decision not to consider permanent move

The Housing Management Team Manager/ Principal Housing Management Team Leader will consider any request for review as outlined above and respond within 10 working days.

Figure A- Direct Costs to be met by Council

Type of Payment	Payment Amount
<b>Accommodation Costs relating to the property the tenant moves into</b>	Cost to be met in full
<b>Storage</b>	Cost to be met in full
<b>Decoration costs in line with Home Improvement Programme/Empty Homes Work.</b>	Decoration Pack to be made available.

Figure B – Costs the Council will reimburse

Type of Payment	Payment Amount
<b>Utility costs such as gas, electric and water in property where work is undertaken (substantive property) for period where property is empty</b>	Cost to be met in full
<b>Reasonable subsistence payments for food and drink relating to any emergency decant period</b>	Up to £100
<b>Disconnection and Reconnection of Utilities</b>	Cost to be met in full
<b>Redirection of Mail</b>	Cost to be met in full

Figure C – Allowances in lieu of costs

Type of Payment	Payment Amount
<b>Where a household has made their own arrangements, such as staying with family/friends the council will make a payment in lieu of costs to recognise the inconvenience.</b>	£250

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## HOUSING SERVICE RECHARGEABLE WORKS POLICY

Ref No: TBC

Policy Author: M Tuff

Reviewed by: C Lambert

<b>Policy approved by &amp; date (delete those not required)</b>	
Repairs Working Group	<input checked="" type="checkbox"/>
Tenants & Leaseholders Consultation Forum	<input checked="" type="checkbox"/>
Corporate Leadership Team	<input checked="" type="checkbox"/>
Cabinet	<input checked="" type="checkbox"/>
Date approved: 05/03/2013	
<b><u>Name and Date approved by Team Manager</u></b>	November 2012 Mark Tuff
<b><u>Equality Impact Assessment undertaken</u></b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date approved: September 2012      Please state why:
<b><u>Departments affected</u></b>	All of Housing Services

Version	Date approved	Details of amendment	Creator/ amender	Approved by	Next review due
1		Document Review	Mark Tuff		2016
2	05/03/2013	Approval	Mark Tuff	Cabinet	2016
3	13/07/2014	Document review see Appendix 1	Mark Tuff		2017

## **1. Introduction**

- 1.1 The Council has a legal obligation to keep tenants' homes in a good state of repair.
- 1.2 The vast majority of tenants take real pride in their homes, however, there are a small number who cause damage to their properties, fixtures and fittings, either as a deliberate act or through an accident.
- 1.3 The Council does not consider it to be fair that all tenants should cover the costs of putting the repairs caused as a result of deliberate or accidental acts. Therefore tenants those who cause damage deliberately or by neglect should pay for the additional works required to their properties.
- 1.4 The purpose of this Policy is to clarify the circumstances in which a tenant will be recharged with the cost of carrying out works. This is to ensure that their home will be properly maintained and will not fall into a state of disrepair.
- 1.5 Every new tenant at the point of sign up, is advised to obtain household insurance, which should include cover for damage by acts of vandalism, accident or attempted or actual burglary. In addition to this there has been regular publicity to all households, via the tenant's newsletter, about the Council's own contents insurance scheme.
- 1.6 The Council may carry out works which are the responsibility of the tenant to a property, where the tenant has requested the works or where there is a necessity for such works. Such works are deemed "Rechargeable Works".
- 1.7 By applying recharges in relevant situations, the Council's intention is to ensure there are adequate financial resources for the maintaining and improvement of its properties.
- 1.8 Advertising and implementation of this Policy by the Council should result in a reduction in the number of recharges to both occupied and empty properties.
- 1.9 For empty properties this should result in a reduced turnaround time and reduce the cost of repairing properties to an acceptable lettable standard.
- 1.10 It will also assist the Council to deliver a flexible, customer focused, value for money housing service.

## **2.0 Objectives**

2.1 The objectives of the Policy are:

- To support the process of advising tenants as signatory to the tenancy agreement of the approved Rechargeable Works Policy that has been consulted upon and implemented.
- To identify the procedure that advises tenants of their responsibilities.
- To support the process of advising tenants as signatory to the tenancy agreement of their obligation to arrange and pay or reach an agreement to pay for work which is their responsibility.
- To identify the circumstances where works are to be recharged to a tenant, to recover the cost to the Council, in carrying out such works.
- To ensure that all finances available to the repairs and investment service are spent fairly on legitimate works.



- To ensure that the Council is able to recover the costs of works due to deliberate damage or neglect from tenants, their family members or their visitors.
- The Council will be proactive in preventing the need arising for rechargeable works by referring to the Policy when a repair is reported
- The Policy also identifies the criteria that need to be met before any recharge is made and the information to be provided following any rectification work undertaken by the tenant.
- The recharge made must be fair and accurate.
- The recharge must be reasonable, and be substantiated with documentary evidence. For instance ensuring that allowance has been made for fair wear and tear.
- The recharge applied is consistent in comparison with other recharges made and is in line with this Policy.
- The tenant of the property must be pursued for prompt payment upon completion of the work, or a payment plan agreed.
- That there is a provision within the existing Tenancy Agreement for a recharge to be made. The tenant as the signatory to the tenancy is liable for the rechargeable costs.
- The damage has been caused by a thoughtless or wilful act for which the Police have not provided a crime or incident number.

### **3. Who the Policy applies to**

3.1 Rechargeable works apply to all Tenants for repairs that would normally be the responsibility of the Council if they occurred through normal wear and tear, but is only necessary because the tenant has not acted in accordance with their Tenancy Agreement and has either done something or failed to do something that has caused the works to be necessary.

3.2 A tenant cannot avoid a recharge by claiming that someone else caused the damage. The Tenancy Agreement states that the tenants as the signatory to the Tenancy Agreement are responsible for the actions of members of the household (including pets) and actions of visitors. However, if the damage occurred as a result of anti-social behaviour/domestic violence, the tenant should be advised to report the incident to the Police.

3.3 The Council is responsible for repairing and maintaining the structure of the property, including all external components and some internal fixtures and fittings originally provided by the Council and those fitted by the tenant but subsequently adopted by the Council.

3.4 Where a tenant or their representative reports a repair, which is their responsibility or work is identified which is not considered to be the Council's responsibility, the tenant will be advised of this and that it is their responsibility to arrange and pay for the work to be undertaken. All work must be undertaken by a competent person and in the case of structural, electrical, gas and heating works, by an industry accredited contractor.

3.5 The tenant will need to appoint their own contractor and will only be recharged if upon inspection, the work does not meet the agreed standard resulting in the Council undertaking the works.

### **1. Scope of Policy**

- 1.1 Rechargeable works are defined as works carried out by the Council, which are the responsibility of the tenant as the signatory to the tenancy.
- 1.2 The Council will make all efforts to recover its costs in carrying out such works, as failure to recover costs affects the Council's resources to carry out other work to its properties.
- 1.3 In addition, an 'abortive visit' recharge cost may be made where the tenant fails to allow access following a pre-arranged appointment.
- 1.4 The Council aims to ensure that all services to its tenants are provided to standards that it has approved. It recognises that circumstances arise when it is necessary to recover costs from tenants and others where the Council have carried out work that is the responsibility of the tenant or other person.
- 1.5 The Council will, where possible, avoid carrying out work which is the tenants responsibility, and encourage tenants to arrange for the work to be carried out using their own contractor. This is to avoid any financial risk to the Council through non-recovery of its costs and to eliminate the operational impact of having to carry out the work. Any works planned by the tenant must receive approval before commencement and will be subject to an inspection on completion to ensure they have been carried out to agreed standards and certification where applicable.

## **2. Legal Framework**

- 2.1 There are regulatory and legal requirements that directly impact this Policy.
- 2.2 The Council will ensure that its approach to repairs and maintenance is in line with the Homes & Communities Agency's regulatory code and guidance.

## **3. Equal Opportunities Policy**

- 3.1 The Council will ensure that in implementing this Policy it will not unfairly discriminate against any individual, household or group. This includes grounds of sex or marital status, race, disability, age, sexual orientation, language or social origin, other personal beliefs or opinions such as religious beliefs or political opinions.
- 3.2 To ensure the fair implementation of this Policy an Equality Impact Assessment has been approved in accordance with this document.

## **4. Performance Measures & Targets**

- 4.1 In order to comply with its service commitments to continually improve the service, the Council will monitor the effects of the Policy, and the impact of the Policy in relation to equality.

## **5. Review of this Policy**

- 5.1 The Policy will be reviewed every 3 years (from the date approved), to ensure its continuous suitability, adequacy and effectiveness or as required by the introduction of new legislation or regulation that impacts on the obligations of the Housing Service to recover its costs in undertaking rechargeable works.
- 5.2 Members of the Repairs Working Group have been consulted in the development of this Policy and will be consulted on all future changes or revisions.

## **6. Responsibility**

- 6.1 The effective implementation of this Policy is the responsibility of the Repairs & Investment Team Manager.
- 6.2 The Repairs & Investment Team Manager is responsible for making sure that staff are aware of this policy, what best practice is, and what the regulatory and statutory requirements are.
- 6.3 All Service Team Managers are responsible for making sure that they and their staff work within this policy and the relevant procedures. They must act as role models for their staff in demonstrating how it should be followed in day-to-day operations.

## **7. Appeal & Dispute Process**

- 7.1 Tenants who wish to appeal or dispute against any recharges should be advised to write to the nominated officer explaining why they are not responsible for the works. Documentary evidence to support the appeal/dispute should be provided.
- 7.2 If the tenant is not satisfied with the outcome of the appeal or dispute, their complaint will be entered into the corporate complaints procedure.
- 7.3 Any complaints arising from the use of this Policy will be addressed under the Council's Corporate complaints process. Details of the complaints process are available via:
- The Council's Website  
[http://www.nwleics.gov.uk/pages/complaints\\_comments\\_and\\_compliments](http://www.nwleics.gov.uk/pages/complaints_comments_and_compliments).
  - Telephoning the Council on 01530 45454
  - Writing to the Council at Council Offices, Coalville, Leics, LE67 3FJ
  - By emailing [feedback@nwleicestershire.gov.uk](mailto:feedback@nwleicestershire.gov.uk)
- 7.4 The above methods can also be used to submit complaints or any other feedback you may have.

## **8. Associated Documents**

- 8.1 The Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994  
NWLDC Housing Services Repairs & maintenance Policy.



**Community Scrutiny Committee – WORK PROGRAMME (as at 25/03/24)**

Date of Meeting	Item	Lead Officer	Witnesses	Indicative Agenda Item Duration
<b>June 2024</b>				
27 June 2024	Annual Scrutiny Report To note and comment on the annual report.	Rachel Wallace, Democratic Services Officer	-	30 mins
27 June 2024	Air Quality Annual Update To provide an update on the Air Quality Annual Status Report, including feedback on the outcomes of the DEFRA Air Quality Grant Project	Paul Sanders, Head of Community Services	-	30 mins
27 June 2024	The Council's Approach to Community Asset Transfers As part of the Council's emerging transformation programme, the opportunities to both relieve the financial pressure on the council while preserving assets for continuing community benefit and empowering local people and partners to provide the right facilities for their local community are being explored through a draft policy and approach to community asset transfers.	Emma Trahearn, Community Focus Team Leader	-	30 minutes
27 June 2024	Disabled Facilities Grant Review To provide an update and present the findings of the Disabled Facilities Grants (DFG) Review which has been commissioned through Foundations - National body for DFGs and Home Improvement Agencies.	Paul Sanders, Head of Community Services	-	30 minutes
27 June 2024	Districtwide Regeneration Framework	Paul Wheatley, Head of Property and Economic Regeneration	-	30 minutes

Date of Meeting	Item	Lead Officer	Witnesses	Indicative Agenda Item Duration
<b>September 2024 (PROVISIONAL)</b>				
19 September 2024	Marlborough Square Project Review	Paul Wheatley, Head of Property and Regeneration		30 minutes
19 September 2024	Leisure Centre Annual Update	Paul Sanders, Head of Community Services		30 minutes
19 September 2024	Car Parking Review	Paul Sanders, Head of Community Services		30 minutes
19 September 2024	<p>Future of Waste Services To provide Waste Services collection modelling choices that have been prepared by consultants Eunomia, prior to presentation before Cabinet. The report will detail, full-service cost analysis, district implementation with a phased rollout strategy. Route modifications, and efficiency improvements will all be included in the report. Legislation requirements that will align future services and Fleet replacement through detailed procurement process.</p> <p>Scoping documents will be released after the additional modelling procedure is completed.</p>	Paul Sanders, Head of Community Services		30 minutes
<b>December 2024 (PROVISIONAL)</b>				
12 December 2024	<p>Community Safety Update To provide an overview of the 3-year Community Safety Partnership Plan. To include drug dealing, county lines, ASB and how success / performance is measured</p>	Paul Sanders, Head of Community Services		30 minutes

Date of Meeting	Item	Lead Officer	Witnesses	Indicative Agenda Item Duration
<b>February 2025 (PROVISIONAL)</b>				
6 February 2024	Community Grants Annual Report	Paul Sanders, Head of Community Services		30 minutes
<b>April 2025 (PROVISIONAL)</b>				
10 April 2024				
<b>June 2025 (PROVISIONAL)</b>				
26 June 2025				
<b>To be scheduled</b>				
TBC	Annual S106 Agreement Update Report	Chris Elston, Head of Planning and Infrastructure	-	30 minutes

**Work requests considered by the Scrutiny Work Programming Group**

Work Request	Status/Progress	Committee date to be considered (provisional)
National Forest Line	<p>Further to Community Scrutiny on 7<sup>th</sup> December, officers have continued to engage with Leicestershire County Council and Network Rail and timescales have been confirmed for the Outline Business Case as follow:</p> <ul style="list-style-type: none"> <li>- Final outline business case from Network Rail to be submitted to Department of Transport early February and will be reviewed by the Restore Your Railways Programme Board (Late February)</li> <li>- Final OBC to be presented to further DFT and Network Rail Board throughout March/April 2024</li> <li>- Anticipated submitted to Treasure for sign off in early May. If approval granted will move onto next stage – Final Business Case</li> </ul> <p>NWL (with LCC) will seek to arrange a further briefing/meeting with Network Rail following Outline Business Case approval and enable further engagement for Scrutiny.</p>	-
A review of the mismatch between housing provision and employment	Further scoping required between officers/scrutiny members and to clarify work request in relation to work of local plan committee. Scrutiny concerned in relation of effectiveness of current/previous local plan and any recommendations for the emerging plan.	TBC
Highways, potholes and footpaths	NWL still awaiting information from Leicestershire County Council to enable any further scoping for scrutiny.	-
Tourism	<b>Decision by Group:</b> due to the links with the Council Delivery Plan, a report to be scoped once plan adopted and then prioritised by the Group. Scrutiny. District Wide Regeneration Framework is programmed was originally scheduled for 4 April 2024. Will now be considered at the June meeting,	27 June 2024



## Principles and Criteria used for Assessing Items Put Forward

### Identify Issues for consideration by Scrutiny

- Consulting with members of Scrutiny Committees, senior officers, Cabinet members – horizon scanning on policy development
- Looking at the corporate priorities, Council Delivery Plan and Cabinet Forward plan – identify key issues/topics for investigation/inquiry
- Considering events and decisions in the Council's calendar which could require an input/consultation via scrutiny – eg budget setting, CDP development
- Considering requests from members – eg via another forum or scoping report submitted
- Evaluating the Council's performance – eg quarterly reports, end of year reports, reviewing success of a particular scheme or initiative
- Reviewing any follow up work required after previous scrutiny work

### Prioritise the potential list of scrutiny topics based on factors including

- the resources required to deliver it (from members, offices and financially)
- the value and level of impact which could be achieved
- link to the council's priorities
- whether it is a regular recurring item which requires consideration before Cabinet/Council approval
- consideration of the guidance for selecting scrutiny topics

Topics <b>are</b> suitable for Scrutiny when	Topics <b>are not</b> suitable for Scrutiny when
Scrutiny could have an impact and add value	The issue is already being addressed elsewhere and change is imminent
The topic is of high local importance and reflects the concerns of local people	The topic would be better addressed elsewhere (and will be referred there)
The resources are available that would be required to conduct the review – staff and budget	Scrutiny involvement would have limited or no impact on outcomes
It avoids duplication of work elsewhere	The topic would be sub-judice or prejudicial to the councils interests
The issues is one that the committee can realistically influence	The topic is too broad to make a review realistic
The issue is related to an area where the council or one of its partners is not performing well	New legislation or guidance relating to the topic is expected in the next year

#### **PREVIOUS SCRUTINY RECOMMENDATIONS TO CABINET**

There were no recommendations to Cabinet at the last Committee meeting.

# Notice of Executive Key Decisions

The attached notice lists the matters which are likely to be the subject of a key decision by the Council's executive and executive decision making bodies. This notice is produced in accordance with the Constitution adopted by North West Leicestershire District Council and will be published a minimum of 28 days before the date on which a key decision is to be made on behalf of the Council.

The date of publication of this notice is Friday, 22 March 2024. The Deadline for making any representations as to why items marked as private should be considered in public by **Cabinet on 23 April 2024 is 5pm Friday, 12 April 2024.**

## Key Decisions

A key decision means a decision taken by the Cabinet, a committee of the Cabinet, an area or joint committee or an individual in connection with the discharge of a function which is the responsibility of the executive and which is likely:

- (a) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the Council;
- (c) for the purposes of (a) and (b) above £100,000 shall be regarded as significant in terms of expenditure or savings, and any issue which, in the opinion of the Leader is likely to have an impact on people, shall be regarded as significant in terms of impact on communities.

## The Council's Executive

The Council's executive committee is the Cabinet. The Cabinet comprises:

Councillor R Blunt	-	Leader	Councillor A Woodman	-	Housing, Property & Customer Services
Councillor M Wyatt	-	Deputy Leader and Community Services	Councillor N J Rushton	-	Corporate
Councillor T Gillard	-	Business and Regeneration	Councillor A Saffell	-	Planning
Councillor K Merrie MBE	-	Infrastructure			

## Confidential Items and Private Meetings of the Executive

Whilst the majority of the Cabinet's business at the meetings listed in this notice will be open to the public and media organisations to attend, there will inevitably be some business to be considered that contains, for example, confidential, commercially sensitive or personal information. This is a formal notice under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that part of the Cabinet meetings listed in this Forward Plan may be held in private because the agenda and reports for the meeting contain exempt information under Part 1 Schedule 12A to the Local Government Act (Access to Information) Act 1985 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it. Those Items where it is considered that they should be considered in private are identified on the Notice.

## Access to Agenda and Related Documents

Documents relating to the matters listed in this notice are available at least 5 clear working days prior to the date of decision as indicated below. Other documents relevant to the matters listed in this notice may be submitted to the decision maker.

If you wish to request or submit a document, or make representation in relation to any issue contained within this notice, please contact Democratic Services on telephone number 01530 454512 or by emailing [memberservices@nwleicestershire.gov.uk](mailto:memberservices@nwleicestershire.gov.uk)

## Executive Decisions

Decision	Decision Maker	Status of Decision	Public or Private  (and reason – where private)	Date of Decision	Contacts	Documents to be submitted to the Decision Maker	Considered by Scrutiny or other Committee
<b>April 2024</b>							
Update on Zero Litter and Launch of Love your Neighbourhood	Cabinet	Non-Key	Public	23 April 2024	Councillor Michael Wyatt Tel: 07773 341531 michael.wyatt@nwleicester-shire.gov.uk  Public Protection Team Leader Tel: 01530 454575 minna.scott@nwleicester-shire.gov.uk	Update on Zero Litter and Launch of Love your Neighbourhood	4 April 2024
Corporate Microsoft Licences Renewal	Cabinet	Key	Private Information relating to the financial or business affairs of any particular person (including the authority holding that information)	23 April 2024	Councillor Andrew Woodman Tel: 07970 520357 andrew.woodman@nwleicester-shire.gov.uk  ICT Team Manager sam.outama@nwleicester-shire.gov.uk	Corporate Microsoft Licences Renewal	Not required.
Housing Policies	Cabinet	Key	Public	23 April 2024	Councillor Andrew Woodman Tel: 07970 520357 andrew.woodman@nwleicester-shire.gov.uk  Housing Strategy and Systems Team Manager david.scruton@nwleicester-shire.gov.uk	Housing Policies	4 April 2024

Decision	Decision Maker	Status of Decision	Public or Private  (and reason – where private)	Date of Decision	Contacts	Documents to be submitted to the Decision Maker	Considered by Scrutiny or other Committee
Performance Monitoring Report	Cabinet	Non-Key	Public	23 April 2024	Councillor Keith Merrie MBE  keith.merrie@nwleicester shire.gov.uk  Head of Human Resources and Organisational Development Tel: 01530 454518 mike.murphy@nwleicester rshire.gov.uk	Performance Monitoring Report	To be considered at Corporate Scrutiny Committee in May 2024
Housing Revenue Account (HRA) - Site Purchase  173	Cabinet	Key	Private Information relating to the financial or business affairs of any particular person (including the authority holding that information)	23 April 2024	Councillor Andrew Woodman Tel: 07970 520357 andrew.woodman@nwleicester shire.gov.uk  Head of Housing  jane.rochelle@nwleicester rshire.gov.uk	Housing Revenue Account (HRA) - Site Purchase	n/a not a matter for Scrutiny discussion, function reserved to Cabinet.
<b>May 2024</b>							
Treasury Management Stewardship Report 2023/24	Cabinet	Non-Key	Public	21 May 2024	Corporate Portfolio Holder  Head of Finance Tel: 01530 454492 anna.crouch@nwleicester shire.gov.uk	Treasury Management Stewardship Report 2023/24	Audit and Governance Committee - 24/04/24



Decision	Decision Maker	Status of Decision	Public or Private  (and reason – where private)	Date of Decision	Contacts	Documents to be submitted to the Decision Maker	Considered by Scrutiny or other Committee
Former Tenant Rent Arrears, Current Tenant Rent Arrears, Council Tax, Non-Domestic Rates and Sundry Debts	Cabinet	Non-Key	Public	25 June 2024	Councillor Nicholas Rushton Tel: 01530 412059 nicholas.rushton@nwleicester.gov.uk  roma.frisby@nwleicestershire.gov.uk	Former Tenant Rent Arrears, Current Tenant Rent Arrears, Council Tax, Non-Domestic Rates and Sundry Debts	Not required to go to Scrutiny.
Productivity Plan  175	Cabinet	Non-Key	Public	25 June 2024	Councillor Nicholas Rushton Tel: 01530 412059 nicholas.rushton@nwleicester.gov.uk  Strategic Director of Resources (Section 151 Officer)  paul.stone@nwleicestershire.gov.uk		Not required to go to Scrutiny.

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