



OVERVIEW SCRUTINY GROUP

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To: Councillors Capleton (Chair), Ranson (Vice-Chair), Bradshaw, Brookes, Gerrard and Paling (For attention)

All other members of the Council
(For information)

You are requested to attend the meeting of the Overview Scrutiny Group to be held in Committee Room 2 - Council Offices on Monday, 14th January 2019 at 6.30 pm for the following business.

Chief Executive

Southfields
Loughborough

4th January 2019

AGENDA

1. APOLOGIES
2. MINUTES OF THE PREVIOUS MEETING 4 - 7
To approve the minutes of the meeting of the Group held on 2nd July 2018.
3. DISCLOSURES OF PECUNIARY AND PERSONAL INTEREST
4. DECLARATIONS OF THE PARTY WHIP

5. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES
11.16

No questions were submitted.

6. CABINET ITEMS FOR PRE-DECISION SCRUTINY

The following items were identified for pre-decision scrutiny from the Cabinet agenda for 17th January 2018:

(a) Playing Pitches, Open Spaces and Built Facilities Strategies

A report of the Head of Cleansing and Open Spaces to consider adopting the Playing Pitches, Open Spaces and Built Facilities Strategies and associated Action Plans will be presented to the Group for pre-decision scrutiny. This is in order to make recommendations to the Cabinet as appropriate.

Please note: due to the length of this report it will be published separately as a supplement.

(b) Discretionary Houses in Multiple Occupation Licensing Scheme Options 8 - 26

A report of the Head of Strategic and Private Sector Housing to consider the introduction of a discretionary Licensing Scheme in the Borough and approve the licensing fees if a scheme is to be introduced will be presented to the Group for pre-decision scrutiny. This is in order to make recommendations to Cabinet, as appropriate.

(c) Tenancy Strategy 27 - 52

A report of the Head of Strategic and Private Sector Housing to approve the Council's updated Tenancy Strategy will be presented to the Group for pre-decision scrutiny. This is in order to make recommendations to Cabinet, as appropriate.

7. OVERVIEW SCRUTINY GROUP PRE-DECISION SCRUTINY - CABINET RESPONSE 53 - 57

A report of the Cabinet setting out its responses to recommendations of the Group on pre-decision scrutiny items.

8. WORK PROGRAMME 58 - 68

A report of the Head of Strategic Support setting out the list of forthcoming Executive Key Decisions and the Group's Work Programme for consideration, in order to identify items for future scrutiny.

SCRUTINY QUESTIONS

What topics to choose?

- What difference will scrutiny make?
- Is this an area of concern – public/performance/risk register?
- Is this a corporate priority?
- Could scrutiny lead to improvements?
- What are the alternatives to pre-decision scrutiny?

Pre-decision scrutiny

- What is Cabinet being asked to agree?
- Why?
- How does this relate to the overall objective? Which is ...?
- What risks have been identified and how are they being addressed?
- What are the financial implications?

- What other options have been considered?
- Who has been consulted and what were the results?
- Will the decision Cabinet is being asked to take affect other policies, practices etc.?

Basic Questions

- Why are you/we doing this?
- Why are you/we doing it in this way?
- How do you/we know you are making a difference?
- How are priorities and targets set?
- How do you/we compare?
- What examples of good practice exist elsewhere?

OVERVIEW SCRUTINY GROUP 10TH DECEMBER 2018

PRESENT: The Chair (Councillor Ranson)
Councillors Brookes, Gerrard, Fryer and Savage

Councillor Barkley
Councillor Taylor

Chief Executive
Neighbourhoods and Partnerships Manager
Strategic Director of Corporate Services
Head of Neighbourhood Services
Democratic Services Officer (NA)

APOLOGIES: Councillor Capleton, Bradshaw and Paling

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. She also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

34. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of the Group held on 15th October 2018 were confirmed as a correct record and signed.

35. DISCLOSURES OF PECUNIARY AND PERSONAL INTEREST

No disclosures were made.

36. DECLARATIONS OF THE PARTY WHIP

No declarations were made.

37. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES 11.16

No questions were submitted.

38. CHARNWOOD GRANTS - ROUND THREE - 2018/19 COMMUNITY FACILITIES AND COMMUNITY DEVELOPMENT AND ENGAGEMENT GRANT APPLICATIONS

A report of the Head of Neighbourhood Services was considered (item 06A on the agenda filed with these minutes).

The Lead Member for Communities, Safety and Wellbeing, the Head of Neighbourhood Services and the Neighbourhoods and Partnerships Manager attended the meeting to assist with consideration of the item and gave the following responses to issues raised:

- (i) The Group was happy to see new applicants applying for grants and a more diverse range of groups approaching the Council.
- (ii) There was some inconsistency in the report which the Panel had taken into consideration. The main focus of the Panel was regarding the type of organisation that was applying for funding and their service users, whether it was an organisation with a wide customer base or whether they had a specific group of users. This meant that there was a variation in the number of people benefitting from each grant.
- (iii) The Group was assured that there was a robust monitoring and evaluation procedure in place to ensure the money was spent within the Charnwood area. The terms and conditions of the grant made it clear to applicants how the money should be used and that it was to be used for projects within the borough.
- (iv) The Grants Panel were trying to develop the grants scheme by looking at repeat applications to see why they required the money and what it would be used for. They also considered whether the applicant could receive funding elsewhere.

RESOLVED that the Cabinet be informed that the Group supports the recommendations as set out in the report of the Head of Neighbourhood Services.

Reason

Having considered the report and asked questions of the Lead Member for Communities, Safety and Wellbeing and the Head of Neighbourhood Services on the matter, the Group concluded that it would be appropriate for the Cabinet to approve the recommendations set out in the report.

39. WRITE OFF REPORT FOR BUSINESS RATE PROPERTIES

A report of the Head of Customer Experience was considered (item 06B on the agenda filed with these minutes).

The Lead Member for Finance and Property Services and the Strategic Director of Corporate Services attended the meeting to assist with consideration of the item and gave the following responses to issues raised:

- (i) There were provisions in place each year to cover the potential write offs that may be submitted. This was due to an assumption that there would always be irrecoverable debts despite the Council's best efforts to recover them.
- (ii) The County Council and the fire authority were informed as to the amount of write offs throughout the year but there was no requirement for them to separately authorise write-offs.
- (iii) A range of actions had been undertaken by the Council to recover the debts. Some of the actions had been ongoing for a period of time and as soon as any arrears appeared on the account action was taken to try and resolve it.
- (iv) The Group was assured that it was not in the Council's interest to see businesses fail in the Borough but the debts do have to be addressed as it was not appropriate to keep bad debts on the Council's asset list.

RESOLVED that the Cabinet be informed that the Group supports the recommendations as set out in the report of the Head of Customer Services.

Reason

Having considered the report and asked questions of the Lead Member for Finance and Property Services and the Strategic Director of Corporate Services on the matter, the Group concluded that it would be appropriate for the Cabinet to approve the recommendations set out in the report.

40. OVERVIEW SCRUTINY GROUP PRE-DECISION SCRUTINY - CABINET RESPONSE

A report of the Cabinet was considered setting out its responses to the recommendations of the Group on pre-decision scrutiny items (item 7 on the agenda filed with these minutes).

RESOLVED that the Cabinet's responses to the Group's recommendations be noted.

Reason

The Group was satisfied that it added value where appropriate and welcomed the Cabinet's consideration of the Group's views and recommendations as part of its decision making process.

41. WORK PROGRAMME

A report of the Head of Strategic Support was considered, to enable the Group to consider its work programme and forthcoming Key Decisions and decisions to be taken in private by the Cabinet in order to schedule items for pre-decision scrutiny and to provide an opportunity for members of the Group to raise suggestions on issues for scrutiny (in addition to pre-decision scrutiny) which fell within the Group's remit, for scheduling by Scrutiny Management Board (item 8 on the agenda filed with these minutes).

RESOLVED that the Group's current work programme be noted and updated following this meeting, in accordance with the decisions taken during consideration of this item and at this meeting and any items of pre-decision scrutiny that require changing due to their reprogramming by the Cabinet.

Reason

To ensure effective and timely scrutiny, either to provide Cabinet with advice prior to it taking a decision or to ensure that the Council and external public service providers and partners were operating effectively for the benefit of the Borough.

NOTES:

1. No reference may be made to these minutes at the Council meeting on 21st January 2019 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Overview Scrutiny Group.

CABINET – 17TH JANUARY 2019

Report of the Head of Strategic and Private Sector Housing Lead Member: Councillor Smidowicz

Part A

DISCRETIONARY HOUSES IN MULTIPLE OCCUPATION LICENSING SCHEME

Purpose of Report

To provide an update on the decisions made by Cabinet in November 2015; to consider the introduction of a Discretionary Houses in Multiple Occupation (HMO) Licensing Scheme and the progress to implement a Loughborough Accreditation Standard in partnership with the Students Union.

Recommendations

1. Cabinet note the evidence gathered to date and the impact of the implementation of the Government's expansion of the Mandatory Licensing of HMOs in the Borough.
2. Cabinet agree to further investigations being undertaken to gather evidence as referred to in paragraph 61 to assess the possibility of the introduction of an Additional or Selective Licensing Scheme.
3. Cabinet note that a Borough wide Accreditation Scheme with the Students Union will not be taken forward.

Reasons

1. To enable the Cabinet to consider the evidence gained.
2. Further information and evidence is required for Cabinet's consideration and the consultation process required to introduce an Additional or Selective Licensing Scheme.
3. Resources were no longer available from the Student Union to take a Scheme forward.

Policy Justification and Previous Decisions

The Scrutiny Management Board considered the findings and recommendations of the Managing Student Occupancy Scrutiny Panel at its meeting held on 19th March 2014 and the Cabinet subsequently considered the report on 10th April 2014. The Board then received three reports on the implementation of decisions taken following Scrutiny recommendations. The final one, considered on 28th October 2015, showed that the implementation of all Cabinet resolutions were sufficiently complete and no further monitoring was required.

However, the Board resolved to make two further recommendations to the Cabinet (detailed in Part B of this report).

At its meeting held on 15th November 2015, having considered the report of the Scrutiny Management Board, the Cabinet resolved the following:

1. *that the Head of Strategic and Private Sector Housing further investigate the potential to implement a Loughborough Accreditation Standard in partnership with the Loughborough Students Union;*
2. *that the Head of Strategic and Private Sector Housing consider the submission from the Loughborough Student Advisory Service of complaints data from 2014/15 and evaluate this alongside the evidence that has already been collated;*
3. *that the Head of Strategic and Private Sector Housing submit a report to a future meeting of the Cabinet to provide updates on the evidence gained and the actions taken in relation to resolutions 70.1 and 70.2, above.*

Reasons

1. *If this can be achieved, it will assist in improving standards in the student Private Rented Sector, and raise awareness among students about some of the risks associated with poor housing standards.*
2. *To determine whether or not there are further options for investigation.*
3. *To enable the Cabinet to consider the evidence gained and the potential for further initiatives.*

This report provides an update following those decisions.

Implementation Timetable including Future Decisions and Scrutiny

Not applicable.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no financial implications arising from this report at this stage.

Risk Management

There are no risks associated with the recommendations within this report, however if the Council sought to introduce an Additional or Selective Licensing Scheme without sufficient justification there is a risk of legal challenge.

Key Decision: Yes

Background Papers: Scrutiny Management Board, 18th March 2015 – Agenda Item 8 and Minutes 53.2 and 53.3.

Scrutiny Management Board, 8th October 2014 – Agenda Item 8 and Minute 26.

Cabinet, 10th April 2014 – Agenda Item 6 and Minute 120.

Scrutiny Management Board, 19th March 2014 – Agenda Item 8 and Minute 51.

Cabinet Report, 19th November 2015 – Referral from Scrutiny – Managing Student Occupancy Scrutiny Panel – Agenda Item 6 and Minute 24.

Agendas and notes of the Managing Student Occupancy Scrutiny Panel meetings, available on the Council's website at:
http://www.charnwood.gov.uk/committees/managing_student_occupancy_scrutiny_panel

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Part B

Background

1. The Cabinet considered a report of the Scrutiny Management Board on 19th November 2015 when it was resolved that the Head of Strategic and Private Sector Housing should further investigate the potential to implement a Loughborough Accreditation Standard in partnership with the Loughborough Students Union; and consider the submission from the Loughborough Student Advisory Service of complaints data from 2014-2015 and evaluate this alongside the evidence that had already been collated in relation to potentially introducing an Additional or Selective Houses in Multiple Occupation (HMO) Scheme.

Licensing of Houses in Multiple Occupation (HMO)

2. The Housing Act 2004 requires Local Housing Authorities to licence mandatory licensable HMOs, and allows the licensing of other HMOs or privately rented housing.
3. Types of housing licensing are:
 - Mandatory Licensing
 - Additional Licensing
 - Selective Licensing
4. Under Housing Legislation, a HMO is an entire house or flat that is let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet.
5. For a property to be classed as a HMO, it must be used as the tenants only or main residence and it should be used solely or mainly to house tenants.

Mandatory Licensing

6. Mandatory Licensing under Part 2 of the Housing Act 2004, broadly speaking requires an HMO occupied by 5 or more persons in 2 or more households, sharing an amenity regardless of the number of storeys, to be licensed.
7. Prior to the 1st October 2018, only HMOs of 3 or more storeys, occupied by 5 or more persons in 2 or more households required a licence.

Additional Licensing

8. The Housing Act 2004 provides a power for Local Authorities to licence HMOs which are not covered by Mandatory Licensing. Part 2 of the Housing Act provides for Additional Licensing of HMOs for example, in a particular area or the whole district for those not covered by Mandatory Licensing.
9. The Act permits Additional Licensing where the Local Authority believes that a significant proportion of HMOs are being managed sufficiently ineffectively giving rise to problems for residents or the general public.

Selective Licensing

10. The Housing Act 2004 allows Local Authorities to introduce licensing for privately rented properties accommodating single households. It is intended to address the impact that poorly managed rented properties can have on the local environment and to improve housing conditions.
11. Part 3 of the Act sets out the scheme for licensing private rented properties in a Local Authority area. A Local Housing Authority can designate the whole or any part(s) of its area as being subject to Selective Licensing.
12. Where a Selective Licensing designation is made it applies to all Part 3 houses which may be houses or flats as defined by Sections 79 and 99 of the Act, which are privately rented properties in the area, subject to certain exemptions for example Registered Providers (formerly known as Housing Associations), or HMOs which are required to be licensed under Part 2 of the Act through an Additional Licensing Scheme.

Concerns raised by Councillors regarding Houses in Multiple Occupation

13. The concerns raised in relation to HMOs across the Borough, although predominately in Loughborough, include:
 - A need for a better understanding of who is living in HMOs, whether they are vulnerable people, there are safeguarding issues, and are right to rent checks being completed
 - Ensuring property standards through programmed Housing Health and Safety Rating System inspections
 - Checks on HMO property management across the Borough including:
 - Common parts, ensuring gardens and external areas are being maintained
 - Maintenance of Means of Escape and Fire Alarms
 - Inspection and testing of Gas and Electrical installations
 - Clarity in terms of Property Management and Ownership
 - Anti-Social Behaviour – and ‘Party Houses’

Number of HMO's in the Borough

14. It is estimated that there are in the region of 2,500 HMOs within Charnwood. Of this number, there currently 413 licensed properties (as at 23rd November 2018).
15. With the changes to Mandatory Licensing in October 2018, a significant number of new licence applications have been received and it is estimated that the number of licensed HMOs will rise to somewhere between 600-650 as a result. The licence fee received covers the Council's cost of processing the application, 1 inspection in the 5 year period but does not cover any enforcement action.

Complaints Information

16. Following the Cabinet resolution 13 of Minute 120 (2013-2014) data was collected for HMO complaints from the following sources:

- Planning and Regeneration
- Strategic and Private Sector Housing
- Neighbourhood Services
- Regulatory Services
- Cleansing and Open Spaces
- Loughborough University

17. The table below provides the data that has been collected from 2013-2014 to 2017-18 (the data is provided in Academic years from the 1st August to 31st July of each year):

Complaint Type	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018
Accumulations of waste	60	44	41	17	28
Noise (including music, banging, shouting etc)	14 *	239**	281**	217 **	335**
Untidy gardens	2	18	3	3	1
Side waste/bins	45	60	31	39	0
Housing Standards/Disrepair	10	16	18	17	13
Unauthorised Change of Use	35	36	35	18	4
Suspected Licensable HMO	1	6	15	4	8
Total	167	419	424	315	389

* The figures for 2013-2014 may not include all noise complaints received as data is not available.

** Includes data from Environmental Protection and Community Safety. NB Community Safety data relates to properties occupied by students – which are assumed to be HMOs (having 3 or more unrelated students).

18. The data submitted has been reviewed to understand the reporting mechanisms and how complaints are categorised and dealt with. Across the Council there are

a number of systems that complaints are recorded on, including Civica Flare, Northgate M3 and Sentinel (the Police data management system).

19. The complaints are categorised into low, medium and high priority and the actions that are taken are consistent across the Services, detailed in the table below:

Categorisation	Actions Taken
Low	Informal Discussions Warning Letters
Medium	Notices served
High	Court action taken

Loughborough Student Advisory Service (LSAS) Complaints Data

20. Following receipt of the Loughborough Student Advisory Services complaints data for the last five years, an evaluation of the submission was undertaken with the Council data and a comparison made with the previous years.
21. These complaints are in addition to those received by the Council but some may be duplicates of the ones received by the Council. Details of the submissions are presented in the table below:

Complaint Type	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018
Environmental Issues	1	1	2	2	1
Anti-Social Behaviour	5	7	2	1	1
Disrepair	29	36	61	72	46
Private Rented Sector	6	3	6	8	1
Total	45	47	71	83	49

22. Reviewing the evidence data for 2013-2014 the total number of Environmental Issues, ASB, Disrepair and Private Rented Sector complaints was 45.
23. The total number of complaints increased in 2015-2016 to 71 and 2016-17 to 83, but then decreased again in 2017-18 to 48.
24. Of all the complaints received and detailed in the table above, 100% were addressed through the available existing measures and multi-agency working which include:
- Student Advice and Support Service
 - University Community Wardens
 - Street Wardens
 - Environmental Health
 - Community Safety
 - Strategic and Private Sector Housing
 - Planning Enforcement
25. It is clear from the complaints received that the most common types of complaint associated with HMOs are:
- Accumulations of waste (including side refuse and refuse disposal arrangements)
- Such accumulations can be dealt with successfully under the Crime and Anti-Social Behaviour Act 2014 – through a Community Protection Notice or, as in many cases, at the informal CPN Warning Letter stages.*
- Noise
- The Council and the University work in partnership and sit on a Multi-Agency Working Group to manage the issue of anti-social behaviour arising from students living in the wider community.*
- The Group follows an incremental approach in managing this issue. The main form of ASB is noise, including transient noise in the street and disturbance particularly at night. Incidences of ASB are recorded by the partnership using the Sentinel system and this information is then accessed to inform the determination of planning applications.*
- With the evidence gathered in relation to ASB complaints associated with HMOs in the Borough, the number of complaints equates to 15% (detailed in table below), compared to two schemes introduced in Ashfield District Council with 48.5% and Peterborough City Council with 38.6%.*
- The evidence identifies that 15% of the complaints are related to HMOs and this therefore not be considered as a significant proportion of HMOs being managed sufficiently ineffectively to require an Additional or Selective Licensing Scheme under the Housing Act 2004 to be considered.*

Number of HMOs	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018
Number of HMOs complained about *	138	262	280	314	380**
Total Number of HMOs	2130	2083	2077	2077	2509
% of HMOs complained about	6%	13%	13%	15%	15%

* There may be more than one complaint lodged against an HMO.

** Includes 318 complaints reported by Community Safety which have not been filtered to identify multiple complaints against the same property ie the figure is likely to be higher than the actual number of properties about which complaints were received.

26. Complaints of disrepair, untidy gardens and refuse accumulations can all be dealt with effectively under existing legislation including the:
- Crime and Anti-Social Behaviour Act 2014
 - HMO Management Regulations
 - Housing Act 2004.

Enforcement Legislation and Council Policies

27. The Council has a Corporate Enforcement Policy and the Service areas have Polices and legislation which are used to take enforcement action detailed in the table below:

	Service Area	Legislation	Council Policies
1	Strategic and Private Sector Housing	Housing Act 2004 Including Management Regulations and HMO Licensing Crime and Anti-Social Behaviour Act 2014 Environmental Protection Act 1990	Private Sector Housing Enforcement Policy 2018

2	Regulatory Services	Environmental Protection Act 1990 Prevention of Damage by Pests Act 1949 Anti-social Behaviour, Crime and Policing Act 2014 Building Act 1984 Local Government Miscellaneous Provisions Act 1976 Clean Neighbourhoods and Environment Act 2005	Regulatory Services Enforcement Policy
3	Development Control	Town and Country Planning Act 1990	Planning Enforcement Plan
4	Community Safety	Crime and Anti-Social Behaviour Act 2014	Community Safety Partnership

28. The table below provides the details of the enforcement action taken by the Strategic and Private Sector Housing Service by year between 2014 and 2017 and then whether this action was associated with an HMO (licenced or not) and the outcomes of the action taken.

Year	Total Number Properties where Enforcement Action was Taken	Non - Licensed HMO	Licensed HMO	Details of HMO related issues, action taken and outcomes
2014	5	1	0	Issue: Fire separation. Action: Improvement Notice. Outcome: Complied with.

2015	16	1	1	Non-Licensed HMO - Issue: Fire, Falls on stairs. Action: Prohibition Notice/Improvement Notice. Outcome: Complied with. Licensed HMO - Issue: Falls on stairs. Action: Improvement Notice. Outcome: Complied with.
2016	15	1	0	Non-Licensed HMO - Issue: Excess cold, Excess heat, Overcrowding. Action: Improvement Notice. Outcome: Complied with.
2017	23	1	1	Non-Licensed HMO - Issues: Excess cold, electrics, damp and mould. Action: Improvement Notice. Outcome: Property vacant. Licensed HMO - Issue: Falls on stairs. Action: Improvement Notice. Outcome: Property vacant, currently being renovated.
Total	59	4	2	

29. For 2018 to date, the table below includes the action taken by all Council Services:

Year	Total Number Properties where Enforcement Action was Taken	Non - Licensed HMO	Licensed HMO	Details of HMO related issues, action taken and outcomes
Strategic and Private Sector Housing	20	0	1	Licensed HMO – Issues: Excess cold. Action: Abatement Notice. Outcome: Boiler replaced.
Enviro Crime	13	0	0	Not applicable
Planning	1	0	0	Not applicable
Environmental	5	0	0	Not applicable

Protection				
Community Safety	2	0	0	Not applicable
Total	41	0	1	

Additional and Selective Licensing Schemes

30. An exercise has been undertaken to establish the drivers and the reasons for the Local Authorities that have introduced a Selective or Additional Licensing Scheme.

31. The Local Authorities detailed below have introduced Discretionary Licensing Schemes and these fall into the two categories below:

Additional Licensing - for buildings converted into self-contained flats, and smaller shared houses and flats where there were fewer than 3 storeys and/or fewer than 5 persons sharing and will impose the following that:

- supporting documents are provided, such as gas and electrical certificates, fire alarm test reports etc, at appropriate intervals or upon demand.
- accommodation, common areas, and amenities are kept in good repair and in a safe condition
- reasonable steps are taken to prevent or reduce antisocial behaviour at, or associated with, the property

Selective Licensing - to improve conditions, management standards and tenancy practices in the Private Rented Sector to ensure that properties have a positive impact on the area.

32. The table below provides an illustrative sample of the Schemes that have been introduced in other Local Authority areas:

Local Authority	Additional Licensing Scheme	Selective Licensing Scheme
Ashfield District Council	Not applicable	Introduced a Scheme on 1 st February 2017 to deal with ASB, Crime, Disrepair and Vacant Properties
Hastings Borough Council	The Scheme was introduced for all HMOs in 4 wards to deal with ASB,	Introduced for 7 areas of low housing demand experiencing ASB

	noise, rubbish, crime and fire safety	
Northampton Borough Council	<p>Introduced for all 2 storey properties in designated areas.</p> <p>Aimed at improving housing conditions for the occupants, the appearance and amenity of the community and reducing nuisance is intrinsic to maintaining high quality accommodation and directly impacts on property values.</p>	Not applicable
Nottingham City Council	<p>The Scheme was introduced to deal with ASB and noise nuisance</p> <p>Licensing is required for a property if occupied by 3 or more people and the tenants form 2 or more households and falls within the Additional Licensing designated area</p> <p>The impact or the benefits of the Scheme have not been assessed. Have not yet assessed impact of additional licensing</p>	Not applicable
Peterborough City Council	Not applicable	<p>Selective Licensing was introduced in designated areas of Peterborough on the 1st December 2016</p> <p>Selective Licensing introduced to improve the management and condition of properties in the Private Rented Sector, which will in turn reduce crime and ASB</p> <p>All of the wards subject to Selective Licensing had ASB higher than the</p>

		<p>Peterborough average and large percentage changes</p> <p>Within the 12 months ending August 2015 there were 8,330 ASB incidents recorded by Cambridgeshire Police within the City, of those 3,218 occurred within the designated areas which was 38.6% of the overall total</p>
Thanet District Council	Not applicable	<p>The Scheme was introduced in April 2011 to tackle low housing demand and ASB and will continue from April 2016 for a further 5 years</p> <p>Selective Licensing was chosen over additional licensing as there is no obligation to inspect and it covers all potential situations</p>
Warwick District Council	<p>Warwick does not have Additional or Selective Licensing but are considering the case for Additional Licensing. The Council feels that the Government's proposal to extend mandatory licensing may take care of this, and so have not progressed work to make a case for an Additional Licensing Scheme</p>	
Worcester City Council	<p>All HMOs across the City require an Additional Licence. The Scheme was introduced to improve management and property standards and neighbourhoods and to identify and deal with rogue landlords</p> <p>The Council advised that it was too early to evaluate the Scheme</p> <p>HMO landlords were given 3 months to apply, 400 applications were received, 2 additional officers have been appointed and are funded through Licensing fees</p>	Not Applicable

Process of Implementing a Discretionary Licensing Scheme

Additional Licensing

33. An Additional Licensing scheme should only be considered if the Council believes a significant proportion of HMOs in the area are being managed sufficiently ineffectively as to give rise to, or be likely to give rise to, problems for the occupants or for members of the public.
34. Section 56(3) of the Housing Act 2004 states that prior to designating areas subject to licensing the Local Authority must:
 - Take reasonable steps to consult persons who are likely to be affected by the designation, and
 - Consider any representations made in accordance with the consultation and not withdrawn.
 - The Authority must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.
35. An Additional Licensing Scheme would not apply to any HMO to which the national mandatory scheme applies. The proposed designation would not apply to any building which is an HMO as defined in S257 of the Housing Act 2004, relating to certain converted blocks of flats.
36. Additional Licensing could impose the following:
 - Requirement for particular types of HMO, or HMOs within a particular area to be licensed.
 - Property to be licensed is assessed as to its suitability for multiple occupation
 - Licence holder will undergo a fit and proper person test and the management arrangements will be reviewed for suitability
 - Licence will include conditions requiring supporting documents to be provided, such as gas and electrical certificates, fire alarm test reports etc., at appropriate intervals or upon demand.
 - Licence may include conditions for regulating the management, use and occupation of the house concerned, its condition and contents. For example, requiring the landlord to take reasonable and practical steps to prevent or reduce anti-social behaviour by person occupying it.
 - A licence may not include conditions imposing restrictions or obligations on a particular person other than the licence holder, or requiring any alteration in the terms of any tenancy or licence under which a person occupies the house.

Selective Licensing

37. The Council can designate the whole or any part or parts of its area as subject to Selective Licensing.

38. The purpose of such a scheme is to improve standards of property management in the private rented sector. If a landlord rents out property in a Selective Licensing area they will need to obtain a licence from the Council, subject to certain exemptions.
39. The licence would require landlords to manage their properties in accordance with conditions that the Council specifies; failure to do so could lead to enforcement action.
40. Selective Licence would not be required for the following properties:
 - HMOs which are required to be licensed (Mandatory) under Part 2 of the Housing Act 2004;
 - properties subject to a “temporary exemption notice”;
 - properties subject to a Management Order;
 - properties which are occupied under a tenancy or licence which has been granted by a non-profit Registered Provider of social housing;
 - properties which are occupied under a tenancy or licence which has been granted by a profit-making registered provider of social housing in respect of social housing (within the meaning of Part 2 of the Housing and Regeneration Act 2008);
 - properties which are occupied under a tenancy or licence which have been granted by a body which is registered as a social landlord under Part 1 of The Housing Act 1996;
 - properties let under tenancies or licences described as ‘exempt’ from the requirement to be licensed by the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006/370.
41. At the end of the 5 years, the scheme must be reviewed.
42. A licence would normally be valid up to the expiry of the scheme. Every licence will have a set of conditions which the licence holder would be required to comply with.
43. There are mandatory conditions which the Council must include in the licence. In addition, the Council has the discretion to add other conditions to the licence in relation to the general management of the house. These can include conditions relating to the use and occupation of the house, and measures to deal with anti-social behaviour of the actual tenants or those visiting the property.
44. However, the conditions imposed must be ones which relate to the residential use of the property – they cannot, for example, place responsibilities on landlords to act where tenants may be committing crimes unrelated to their occupation of the property.
45. A Selective Licensing designation may be made if the area to which it relates satisfies one or more of the following conditions. The area is one experiencing:
 - low housing demand (or is likely to become such an area)
 - significant and persistent problem caused by anti-social behaviour
 - poor property conditions

- high levels of migration
 - high levels of deprivation
 - high levels of crime
46. In considering whether to designate an area for Selective Licensing on the above grounds, the Council may only make a designation if the area has a high proportion of property in the private rented sector; those properties must be occupied either under assured tenancies or licences to occupy.
 47. Non-statutory guidance issued by the Department for Communities and Local Government in March 2015 ('The Government guidance') advises that a Local Housing Authority may only make a designation if the area has a high proportion of property in the private rented sector compared to the national average.
 48. When considering whether to make a Selective Licensing designation a Local Housing Authority must first identify the objective/s that a designation will help to achieve – it must identify whether the area is suffering problems (providing evidence of these problems) that are attributable to any of the above criteria for making a designation and what it expects the designation to achieve.
 49. It should only be used where existing measures alone are not sufficient to tackle the underlying housing problems of a specific area. It must consider whether there are any other courses of action available that would achieve the same objective/s as the proposed scheme without the need for the designation to be made.
 50. Local Authorities should carefully consider any potential negative economic impact that licensing may have in their area and some of the other possible effects of the designation (and to include any risk assessment they may have carried out).
 51. The Council must not make a particular designation unless:
 - they have considered whether there are any other courses of action available to them that might provide an effective method of achieving the objective/s that the designation would be intended to achieve, and
 - they consider that making the designation will significantly assist them to achieve the objective/s (whether or not they take any other course of action as well).
 52. The Council must decide what other measures they or other persons together with the Local Authority will take together with the Selective Licensing scheme to eliminate or mitigate the problems identified in the area and how they will work together.
 53. The Council will have to show how such a designation will be part of the overall strategic borough wide approach and how it fits with existing policies on:
 - Homelessness
 - Empty Homes

- Regeneration
 - ASB associated with privately renting tenants
54. From the 1st April 2015, Councils need to apply to the Secretary of State for Communities and Local Government (Secretary of State) for confirmation of any scheme(s) which would cover more than 20% of their geographical area or that would affect more than 20% of privately rented homes in the Local Authority area.
 55. Under these new arrangements, if a Council makes a designation that covers 20% or less of its geographical area or privately rented properties, the scheme will not need to be submitted to the Secretary of State, provided the authority has consulted for at least 10 weeks on the proposed designation.
 56. However, if the Council makes one or more designations that are in force partly concurrent to an existing scheme, and cumulatively all the designations cover more than 20% of the area or the private rented stock, those new designations will need to be submitted to the Secretary of State for approval. If two new designations account for more than 20% of the area or private rented stock when added together, they would both need to be submitted to the Secretary of State for approval.
 57. A Selective Licence would be granted with a set of conditions that must be observed. Failing to adhere to any licence condition is a criminal offence and may result in prosecution and an unlimited fine if found guilty.
 58. These conditions ensure the property is managed correctly, complaints of anti-social behaviour are dealt with appropriately and in a timely manner, gas and electrical certificates are supplied to the Licensing team and smoke alarms are kept in working order, amongst other things.
 59. Landlords cannot be held responsible for the actions of their tenants, but they can, more often than not, have some influence on the behaviour of their tenants. The Council believes that a good landlord would, once they became aware a tenant of theirs was engaged in unacceptable activities that had a detrimental effect on neighbours, try to take some steps to resolve the situation.

Conclusion

60. In conclusion following consideration of the evidence gathered to date and the Government expansion of the Mandatory Licensing of HMOs and having regard to the legislative requirements for making a proposal to introduce an Additional or Selective Licensing Scheme, that there is insufficient evidence to take this forward at this time.
61. A bid for £65,000 has been made for the Rogue Landlords Enforcement Grant.

The funding if the Council are successful will be used to:

- Undertake further research to identify Rogue Landlords across the Borough and take the appropriate action.

- Reviewing the current Policy approach to managing the negative impacts both poor housing and management can have on the Residents of the Borough.
- Providing a recommended approach to managing the proportion of Houses in Multiple Occupation in the Borough to inform the Local Plan preparation and the possibility of implementing an Additional or Selective Licensing Scheme.

62. The Rogue Landlord Enforcement Grant announcements will be made on the 4th January 2019 and a verbal update will be provided at the Cabinet meeting.

Loughborough Students Union Proposal for Housing Accreditation

63. Discussions have been held with Loughborough Students Union (LSU) with a view to exploring opportunities around joint working on a 'Loughborough Accreditation Scheme', aimed at utilising the skills of students with appropriate training to carry out Housing Health and Safety Rating System inspections of student houses, tackling poor standards and driving improvements in the Privately Rented student property market in partnership with the Council.
64. The Council already work in partnership with DASH to provide an Accreditation Scheme for responsible landlords. The Council holds a Service Level Agreement (SLA) with DASH to engage with landlords through the DASH Landlord Accreditation Scheme. The Council pays £5,000 + VAT for this service (which covers the legal license fee (RIAMS), discounts on Local Authority staff training, Local Authority staff conferences and Local Authority newsletters and national consultations).
65. Landlord Accreditation is an efficient way to raise housing standards, and Charnwood benefits from the scheme being a dual Accreditation Scheme with a strong training element as well as conducting property inspections.
66. Meetings were held with DASH and the LSU to discuss how the two organisations could work together to extend or expand the existing Accreditation Scheme.
67. The last meeting was held in November 2017 when the Student Union advised they no longer had the resources to take the Scheme forward.
68. DASH will therefore under the SLA with the Council advise and work with the Student Union to promote the existing Accreditation Scheme funded by the Council across the Borough.

CABINET – 17TH JANUARY 2019

Report of the Head of Strategic and Private Sector Housing Lead Member: Councillor Paul Mercer

Part A

TENANCY STRATEGY 2019-2024

Purpose of Report

This report presents the proposed Tenancy Strategy 2019-2024 setting out the issues which Registered Providers with housing stock in Charnwood must have regard to in developing their Tenancy Policies.

Recommendation

1. That the overarching Tenancy Strategy in relation to the Borough, attached as Appendix 1 to this report, be approved.
2. That the Head of Strategic and Private Sector Housing in consultation with the Cabinet Lead Member for Housing be given delegated authority to make amendments to the Strategy in response to future legislative changes, changes at Local or Regional level, or Government Guidance, and the Constitution be amended accordingly.

Reason

1. To comply with the statutory requirements of the Localism Act 2011.
2. To ensure the Strategy remains fit for purpose.

Policy Justification and Previous Decisions

There is a statutory requirement for a local housing authority to develop a Tenancy Strategy under Section 150 of the Localism Act. The Council as a Strategic Housing Authority is required to provide clear guidance to all of its partners on the future shape and development of social housing within the Borough.

This Strategy replaces the previous Tenancy Strategy 2012-2017, Councils still have the primary responsibility to assess and meet the housing needs of the Borough.

Implementation Timetable including Future Decisions and Scrutiny

The proposed Tenancy Strategy covers the period 2019-2024.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no additional financial implications associated with this report.

Risk Management

There are no risks for the Council associated with the decision Cabinet is asked to make.

Equality and Diversity

An Equality and Diversity Impact Assessment has been completed – see Appendix 2.

Key Decision:	Yes
Background Papers:	Not applicable
Officer to contact:	Alison Simmons Head of Strategic and Private Sector Housing (01509) 634780 alison.simmons@charnwood.gov.uk

Part B

Background

1. There is a statutory requirement for a Local Housing Authority to develop a Tenancy Strategy under section 150 of the Localism Act. The Council as a Strategic Housing Authority is required to provide clear guidance to all of its Registered Providers (formerly known as Housing Associations) partners on the future shape and development of social housing within the Borough.
2. The Housing and Planning Act 2016 included the requirement that most new Local Authority tenancies were granted for a fixed term of between 2 and 10 years. However, the Government set out in the recently published “A New Deal for Social Housing Green Paper 2018”, the intention not to make these provisions mandatory.
3. This Strategy sets out the strategic position of the Council with regards to the use of, review of and ending of Fixed Term Tenancies, Affordable Rents, Mutual Exchanges and Succession Rights.
4. Registered Providers, including the Council, have to publish a Tenancy Policy, which gives regard to the Tenancy Strategy; it is not mandatory for them to adopt Fixed Term Tenancies.
5. Fixed Term Tenancies are only relevant to General Needs Housing and only apply to new tenants. Lifetime Tenancies remain for those in supported housing and older person’s schemes such as Sheltered Housing and Extra Care Housing.
6. One of the key objectives of Fixed Term Tenancies was to make the best use of the social housing stock by addressing under occupation and encouraging those people who can afford to do so to move to other tenures such a private rented, homeownership.
7. The table below summarises the potential Advantages and Disadvantages for the introduction of Fixed Term Tenancies:

Advantages	Disadvantages
<ul style="list-style-type: none">• Makes best use of housing to meet housing needs• Reduces under occupation• Opportunity to review with the tenant their Tenancy Agreement and to consider whether their current property meets their needs including location• The ending of a Tenancy can be an opportunity to tackle specific housing management issues such as anti-social behaviour and or breaches of a tenancy• May reduce rent arrears by ensuring	<ul style="list-style-type: none">• Tenants may take less pride in their home which may result in higher repair costs for the Landlord• May be disruptive to families with children who have to relocate away from friends and schools• May discourage people into work if their earning capacity is a factor in retaining a property• Maybe a potential cost to the Landlord in reviewing Tenancies at the end of the fixed period

tenants can affordable to pay the rent	<ul style="list-style-type: none"> Suitable properties need to be available to rehouse households.
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8. Registered Providers who wish to introduce Fixed Term Tenancies must first develop a Tenancy Policy. This Policy must have regard to the Council Tenancy Strategy.

Position of Registered Providers across the Borough

9. A review has been undertaken with the Registered Providers operating within the Borough to determine the extent to which they are using Fixed Term Tenancies and under what circumstances. In developing the revised Tenancy Strategy a questionnaire was sent to the 15 Registered Providers with stock in the Borough, requesting information as to whether they have introduced Fixed Term Tenancies, or intend to so in the future.

10. The following 6 responses were received:

Registered Provider	Fixed Term Tenancies Offered
Midland Heart	Yes - Fixed Term Tenancies only offered to new customers of 4 plus bedrooms
NCHA	No - Introduced Fixed term tenancies for some properties but have now made the decision not to continue with Fixed Term.
EMH Homes	No
Longhurst Housing Association	No
P A Housing	No
Derwent Housing Association	No

11. The 6 responding Registered Providers manage 69% (2,176) of the Registered Provider housing stock in the Borough.
12. In July 2018 the Institute of Social Policy, Housing and Equalities Research published findings of research undertaken into the use of Fixed Term Tenancies. The table below is an extract from this research, which shows for the Midlands area, of those responding 27% of Local Authorities and 88% of the Registered Providers current Tenant Policy is to let some of their homes on a Fixed Term basis.

Broad region	Local authorities ¹				Housing associations ²			
	Yes		No		Yes		No	
	Number	%	Number	%	Number	%	Number	%
Across broad regions	-	-	-	-	20	95	1	5
London	3	30	7	70	6	67	3	33
Midlands	3	27	8	73	7	88	1	13
North	3	33	6	67	7	47	8	53
South	12	60	8	40	19	70	8	30
Total	21	42	29	58	59	74	21	26

1. 50 LAs responded to this question. 2. 80 HAs responded to this question.

13. The most important reason for adopting Fixed Term Tenancies was to facilitate the efficient use of stock. The majority of those who responded expected to continue using Fixed Term Tenancies.

Affordable Rents

14. Affordable Rented housing rents (inclusive of service charges) are set at a level of up to 80% of the Market Rent and are not subject to the National Rent Regime. Social Housing rents are subject to National Rent Regime and are set at a level of up to 50% of the Market Rent (plus service charges where applicable).
15. While it is recognised that Affordable Rent housing is essential for the delivery of new homes funded by the Homes England, the cost of these may reach a level which, residents of the Borough who are on benefits are unable to meet the rent payments.
16. This is especially the case where changes to the welfare system have seen benefits no longer covering the full cost of a household rent, because of the benefit cap and the spare room subsidy.
17. The Council would prefer rents to be at a Social Rent level wherever possible, but recognises that in order to secure new supply, Affordable Rent will be delivered.

Mutual Exchanges

18. The Council recognises that for many tenants Mutual Exchanges are an important option available to them to improve their housing situation and social mobility.
19. The Localism Act 2011 created a new mechanism for Mutual Exchanges to protect certain lifetime tenants following the introduction of Fixed Term Tenancies.
20. The Council therefore would encourage Registered Providers to consider granting a degree of security equal to what is being given up, even though they are not obliged to do so to ensure that exchanges are an effective tool.

Succession

21. The Localism Act 2011 introduced changes to the statutory regime for Succession to a Tenancy when a tenant dies.
22. It remains that there can only be 1 Succession and that when 1 joint tenant dies this counts as 1 Succession.
23. The Registered Provider can make express provision in the Tenancy agreement to expand the group of individuals and family members that can succeed.
24. Given the level of housing need in the Borough, the Council will not support significant extension to the right to succeed.

Tenancy Policy

25. The Council would expect a Registered Provider's Tenancy Policy to cover the following areas:

- Fixed Term Tenancies
 - When they will be used
 - Review period and process
 - How a tenancy will be ended
- Affordable Rent
 - When they will be used
 - When conversions of existing properties from social to affordable will be considered
- Mutual Exchange
- Succession

Conclusion

26. It is proposed that the Tenancy Policy for the Council's stock will be reviewed and Tenants consulted and a report brought back to Cabinet with the outcome of the review and a Tenancy Policy for approval.

Appendices

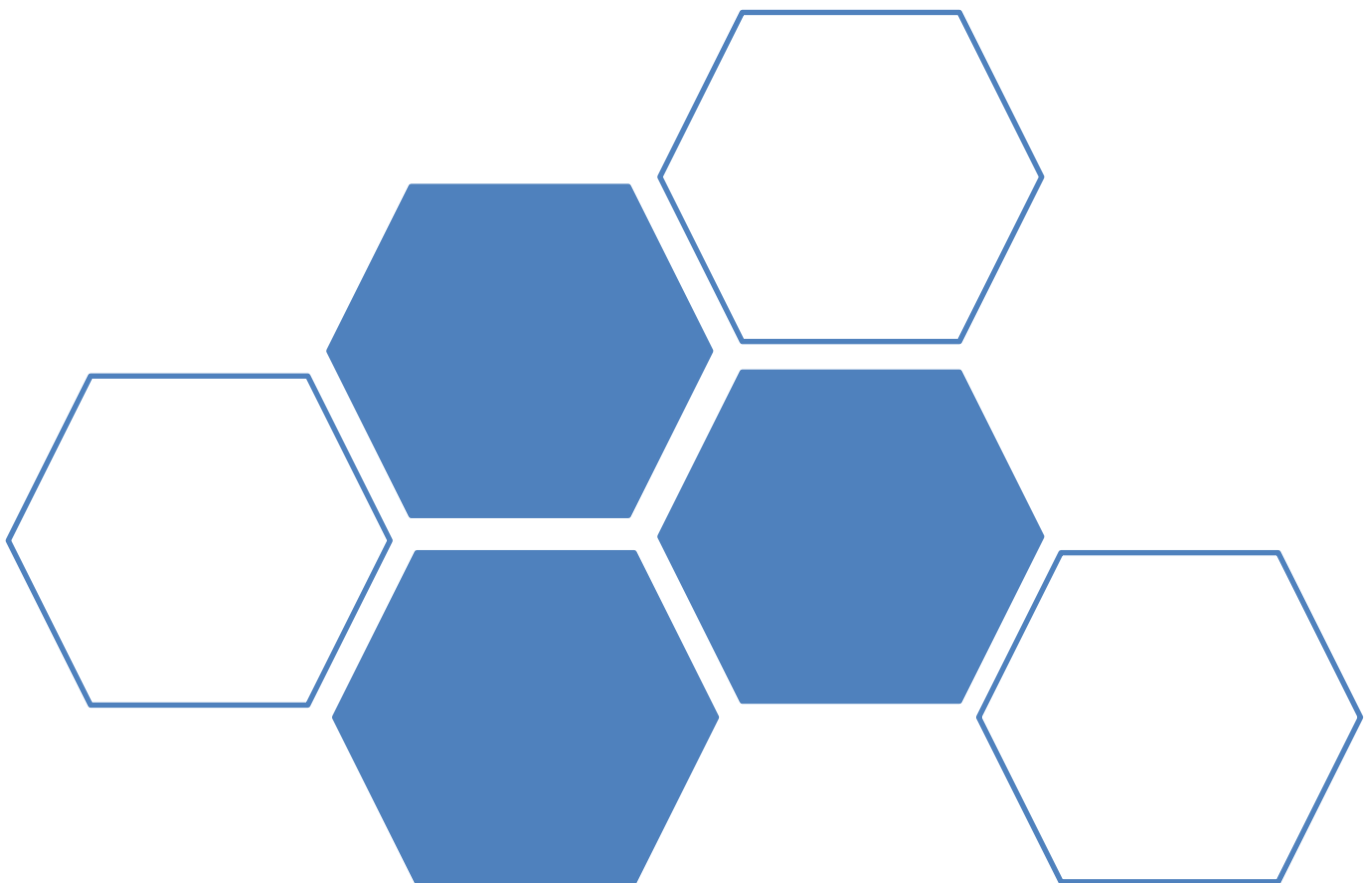
Appendix 1 - Tenancy Strategy 2019-2024

Appendix 2 - Tenancy Strategy 2019-2024 Equality Impact Assessment



Tenancy Strategy

2019-2022





Welcome to the Council's new Tenancy Strategy 2019-2022.

The Council recognises that a secure home is an essential cornerstone to a person's life chances. Having a stable home and environment can have a positive impact on the ability to secure employment, children's education attainment, and on a person's overall health and wellbeing.

This Strategy sets out the Council's expectations of Registered Providers with housing in the Borough as to the kind of tenancies they grant which will make the best use of the social housing stock available in the Borough whilst being affordable and promoting sustainable communities.

Councillor Paul Mercer
Lead Member for Housing



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The aim of the Tenancy Strategy is to ensure as far as possible a consistent approach to the use of Fixed Term Tenancies in the Borough and that affordable housing is genuinely affordable, to ensure that changes to tenure while making the best use of housing stock does not have an adverse impact on homelessness

The 2011 Localism Act introduced a duty on Local Authorities to prepare and publish a Tenancy Strategy. The purpose of this Strategy is to set out what Registered Providers (formerly known as Housing Associations) who own stock in the Borough need to have regard to when formulating their Policies on Tenancies and in any subsequent reviews and revisions.

This Tenancy Strategy is the second Strategy for Charnwood Borough Council and replaces the 2012-2017 Charnwood Borough Council Tenancy Strategy.

This Tenancy Strategy informs and is informed by the Council's Homelessness Strategy and Allocations Policy.

The Localism Act introduced a fundamental reform of the social housing tenure, the principal reforms were:

- That Registered Providers can offer Fixed Term Tenancies of a minimum

of 5 years, or in exceptional circumstances 2 years

- Increased flexibility for Councils to set their own Allocations Policies to meet local needs and circumstances
- The ability for Councils to place homeless households in suitable Private Rented Sector housing
- New social housing developments to include Affordable Rent model with rents of up to 80% market rent on new homes and the ability to convert vacant Social Rent homes to Affordable Rent
- Registered Providers being required to adopt and publish a Tenancy Policy
- Councils being required to consult on, adopt and publish a Tenancy Strategy
- The introduction of Affordable Rents and Fixed Term Tenancies has implications for tenants who wish to Mutual Exchange
- Changes to the rights of Succession has limited those able to succeed to a Tenancy on the death of the tenant

The introduction of both Fixed Term Tenancies and Affordable Rents has the potential to increase the number of people who can access affordable housing through an increase in supply and by more effective use of existing stock.

However, both initiatives need to be carefully monitored to ensure that any consequences can be mitigated and they do not have an impact on the levels of homelessness in the Borough.



Given the scale of the changes introduced by the Localism Act and the likely impact on a wide range of partners and stakeholders it was important to maximise the impact of the consultation during the development of the Council’s first Tenancy Strategy and Tenancy Policy in 2011.

A range of approaches were used including the holding of stakeholder events discussions at stakeholder groups and surveys of stakeholders and Housing Register applicants

The Localism Act introduced a requirement on Local Authorities to send a copy of the draft Strategy or proposed modifications, to every Registered Provider with housing in the Borough and to give the Registered Provider reasonable opportunity to comment on these proposals.

For the development of this Tenancy Strategy a questionnaire was sent to all the Registered Providers in the Borough to understand the use of both Fixed Term Tenancies and Affordable Rent across their stock and whether they intend to introduce these in the future.

The following 6 responses were received.

Registered Provider	Fixed Term Tenancies Offered
Midland Heart	Yes- Fixed Term Tenancies Offered to new tenants of properties 4 plus beds
NCHA	No- Introduced Fixed Term Tenancies but have now made the decision to discontinue with Fixed Term Tenancies
EMH Homes	No
Longhurst Housing	No
PA Housing	No
Derwent Housing	No

Current Position of Registered Providers in the Borough

There are 15 Registered Providers letting properties in the Borough providing a total of 2,901 homes, which is 34% of the total Social and Affordable Housing Stock of 8,482.

A list of the Registered Providers operating in the Borough can be found at Appendix 1.

The Council currently owns 5,581 properties



Fixed Term Tenancies can be used to ensure social housing stock is available for those who need it most.

Where Registered Providers decide to use Fixed Term Tenancies the following factors should be taken into account.

Fixed Term Tenancies should be for a minimum of 5 years, with consideration given for longer periods of time in specific circumstances.

In particular, longer Fixed Term Tenancies should be considered for families with young children, older households and for vulnerable tenants who would benefit from the increased stability offered.

Tenants going into Sheltered or Extra Care Housing should be given Lifetime Tenancies.

Shorter Term Tenancies (2 years) should only be used in exceptional circumstances, for example:

- Where the accommodation is only intended to be short term
- Where there have been significant previous Tenancy breaches
- Where there are concerns about affordability of the Tenancy

All prospective tenants should be given clear information on the type of Tenancy, the reasons for offering that Tenancy and

how the process for reviewing the Fixed Term Tenancies.

Decisions to end a Fixed Term Tenancy by accelerated possession proceedings should be proportionate and tenants should be provided with clear, accessible guidance on the Registered Provider's internal process.

Reviewing Fixed Term Tenancies

Registered Providers should explain in their Tenancy Policy the process for reviewing a Fixed Term Tenancy, detailing how frequently a Fixed Term Tenancy will be reviewed and what factors will be considered as part of that review.

It is expected that Fixed Term Tenancies are reviewed at least 9 months prior to the end of the Tenancy.

The Council will expect a Fixed Term Tenancy to be renewed other than when a tenant's circumstances have changed significantly, such as:

- The property is adapted and no one household member requires the adaptation
- The property is under occupied
- The property is overcrowded
- Any breaches of Tenancy or Tenancy fraud are identified during the Fixed Term Tenancy period.



Ending Fixed Term Tenancies

Where a Tenancy is to be ended without a breach of Tenancy, reasonable efforts should be made to offer suitable alternative accommodation and consideration given to extending the Tenancy until alternative suitable accommodation can be made available.

The Registered Provider must give at least 6 months written Notice to a tenant if the Tenancy is not renewed.

The reasons for ending the Tenancy should be clearly set out and information provided to the tenant on how to make an appeal. The tenant then has 21 days from the date of the Notice of nonrenewal to request a review and it is not necessary for this request to be in writing.

When carrying out the review the Registered Provider must consider whether its decision not to renew the Tenancy, is consistent with the renewal process for Fixed Term Tenancies.

The Registered Provider must notify the tenant, in writing, of its decision on review, and if the review upholds the original decision, the tenant must be given reasons for the decision.

The Registered Provider should inform the Housing Options Team at Charnwood Borough Council when a decision has been made to end a Tenancy and the reasons for ending the Tenancy.

Affordable Rent

Affordable housing development is developed through 2 mechanisms:

- Planning obligations in Section 106 Agreements
- Grant funding from Homes England (HE)

In the Charnwood Borough, Section 106 Agreements deliver:

- Affordable Rented and Social Rented properties
- Affordable home ownership such as Shared Ownership:

HE Shared Ownership and Affordable Homes Programme provides grant funding for the following schemes:

- Help to Buy - requiring a smaller deposit
- Buying a share of a home – shared ownership
- Help to save for a deposit by paying a below market rent.

Social Rented housing has a rent level determined through the National Rent Regime

Affordable Rented housing is not subject to the new National Rent Regime and rents are set at a level of up to 80% of the Market Rent.

While it is recognise that Affordable Rent housing is essential for the delivery of new homes funded by the HE, the cost of

these may reach a level which, is unaffordable to residents of the Borough

This is especially the case where changes to the welfare system have seen benefits no longer covering the full cost of a household rent, because of the benefit cap and the spare room subsidy.

The Council would prefer rents to be at a Social Rent level wherever possible, but recognises that in order to secure new supply, Affordable Rent will be delivered.

Affordable Rented and Socially Rented properties will be advertised alongside one another within the Council's Choice Based Lettings Scheme

The Council would not expect additional qualifying criteria to be attached to Affordable Rented properties. Adverts will contain sufficient information to allow applicants to make informed choices based on their individual circumstances and available properties

Converting existing properties into Affordable Rent

Registered Providers have the ability to convert existing Social Rent properties into Affordable Rent with the additional investment being raised used for investment in new affordable housing.

The proportion of extra rent that can be charged under Affordable Rents increases along with property size, and as a result, in order to maximise income there may be a tendency for Registered



Providers to concentrate rent conversions on their larger properties.

Affordability

Currently all Affordable Rents across the Borough fall within the Local Housing Allowance (LHA) cap in Charnwood, although this situation will need to be monitored as it could change over the life of this Strategy.

When setting Affordable Rents the Council would expect Registered Providers to have regard to general affordability and the differential between Social Rents and Affordable Rents. This is to ensure not only Affordable Rents remain affordable for those on low incomes, but that significant differences in demand between Social Rents and Affordable Rents do not emerge that would undermine their ability to assist in meeting housing need



mutual exchanges

The Council recognises that for many tenants Mutual Exchanges are an important option available to them to improve their housing situation and social mobility

As a result, the Council would not want changes to the tenure legislation to impact on the effectiveness of this option.

The Council therefore would encourage Registered Providers to consider granting a degree of security equal to what is being given up, even though they are not obliged to do so to ensure that exchanges are an effective tool.

The introduction of Affordable Rents and Fixed Term Tenancies has implications for tenants who wish to exercise their right to Mutual Exchange.

Although there is some protections for existing tenants in certain circumstances these protections are not universal.

The Localism Act 2011 created a new mechanism for Mutual Exchanges to protect certain lifetime tenants following the introduction of Fixed Term Tenancies.

Assured Lifetime and Secure Lifetime tenants who were granted their Tenancy prior to 1 April 2012, whereby if they exchange with a tenant on a Fixed Term Tenancy, then a new Tenancy is issued to each and the tenant is granted another assured Tenancy.

The Fixed Term Tenant is granted a new Tenancy but there is no particular provision regarding its status so it will be a matter for the Registered Provider to decide what type of Tenancy to offer.

The legislation will only apply in a limited number of cases, but Registered Providers should ensure that, whatever the legal mechanism for Mutual Exchange, tenants are aware of the implications, including any changes in secure or assured status, any change in rent level between social and Affordable Rent, and any gain or loss of the Right to Buy, Preserved Right to Buy, or Tenancy Right to Acquire

Prior to the Localism Act 2011 a wide range of family members were able to succeed to a Tenancy on the death of a secure tenant, include spouses, partners, civil partners, parents, grandparents, children, grandchildren, aunts, uncles, nieces , nephews and adopted children.

The Localism Act 2011 introduced changes to the statutory regime for Succession to a Tenancy when a tenant dies.

It remains that there can only be 1 Succession and that when 1 joint tenant dies this counts as 1 Succession

Under the Localism Act Secure Tenancies which started after 1 April 2012 are limited to the Succession of spouses or civil partners. This is an automatic right

The Registered Provider can make express provision in the Tenancy agreement to expand the group of individuals and family members that can succeed.

Given the level of housing need in the Borough, the Council will not support significant extension to the right to succeed.

However, following the death of a tenant if there is someone residing in the home, as his or her principal residence, who is not entitled to succeed, the landlord should

- provide housing options advice and assistance to that person
- make sure that their Policies protect the interests of vulnerable people and
- where appropriate offer alternative accommodation of a size that meets that person's needs



Resources

Delivering the Tenancy Strategy

The key resources required to deliver this Strategy include:

- Housing Strategy and Support Manager
- Registered Providers having regard to the Tenancy Strategy when developing Tenancy Policies

Monitoring

Performance Monitoring and Review

The Strategy will be monitored and reviewed on an annual basis or more frequently as changes in legislation, including benefits entitlement, may dictate.

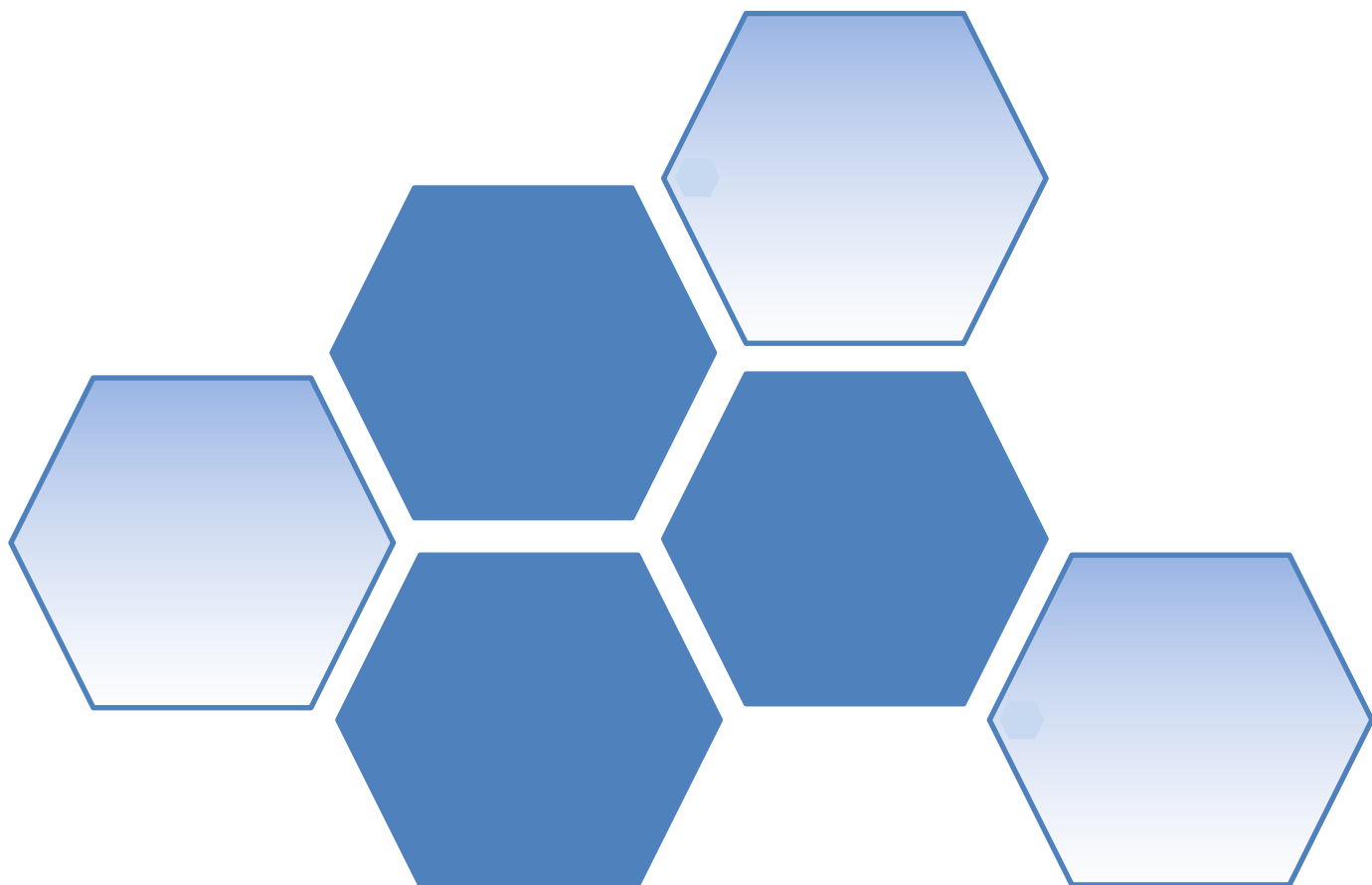
Minor changes which make no significant difference to service provision will be made to the document under delegated authority by the Head of Strategic and Private Sector Housing in consultation with the Lead Member for Housing.

Should the Policy be impacted by significant changes or financial implications, it will be taken to Cabinet for consideration.



Registered Provider Housing Stock for Rent in the Borough	
Registered Provider	Number of Properties for Rent
Abbeyfield Loughborough Society	2
Advance Housing and Support	54
Paragon ASRA Housing	225
Derwent Living	80
East Midlands Housing Group	637
Hanover Housing Association	58
Housing and Care 21	405
Longhurst Group	442
Longhurst Friendship Care and Housing	287
Metropolitan Housing	156
Midland Heart Group Limited	18
Nottingham Community Housing Association	173
Riverside Housing Association	312
Stonewater	12
TunTum Housing	2
Total	2,901





Charnwood Borough Council

Equality Impact Assessment 'Knowing the needs of your customers and employees'

■ Background

An Equality Impact Assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identifying and recording gaps and actions.

■ Legislation- Equality Duty

As a local authority that provides services to the public, Charnwood Borough Council has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to:

- ✓ Eliminate discrimination, harassment and victimisation
- ✓ Advance Equality of Opportunity
- ✓ Foster good relations

For the following protected characteristics:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex (Gender)
9. Sexual orientation

What is prohibited?

1. Direct Discrimination
2. Indirect Discrimination
3. Harassment
4. Victimisation
5. Discrimination by association
6. Discrimination by perception
7. Pregnancy and maternity discrimination
8. Discrimination arising from disability
9. Failing to make reasonable adjustments

Note: Complete the action plan as you go through the questions

Step 1 – Introductory information

Title of the policy	Tenancy Strategy 2019-2022
Name of lead officer and others undertaking this assessment	Beverly Wagstaffe - Housing Strategy and Support Manager
Date EIA started	21 st December 2018
Date EIA completed	21 st December 2018

Step 2 – Overview of policy/function being assessed:

Outline: What is the purpose of this policy? (Specify aims and objectives)
<p>The aim of the Tenancy Strategy is to ensure as far as possible a consistent approach to the use of Fixed Term Tenancies in the Borough and that affordable housing is genuinely affordable.</p> <p>The Tenancy Strategy sets out the Council's expectations should a Registered Provider wish to introduce Fixed Term Tenancies. Fixed Term Tenancies only apply to new tenants and not to those living in specialist accommodation such as Sheltered Housing/Extra Care Schemes.</p> <p>The Council's Tenancy Policy will be reviewed later in the year. This will set out the types of tenancies the Council will issue and be subject to wider consultation with tenants and residents.</p>
What specific group/s is the policy designed to affect/impact and what is the intended change or outcome for them?
<p>The Strategy is designed to support new and existing tenants of social housing in the Borough. The intended outcome is to the make the best use of the social housing stock whilst not resulting in an adverse impact on the homelessness.</p>
Which groups have been consulted as part of the creation or review of the policy?
<p>The Registered Providers (RP) with housing stock in the Borough have been consulted. Of those that responded, only 1 RP had adopted Fixed Term Tenancies offered to new tenants of 4 plus beds.</p>

Step 3 – What we already know and where there are gaps

List any existing information/data do you have/monitor about different diverse groups in relation to this policy? Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc.

Data/information such as:

- Consultation
- Previous Equality Impact Assessments
- Demographic information
- Anecdotal and other evidence

Housing Register Data - December 2018

Age Profile

Age Band	Beds				Total
	1	2	3	4	
18-24	146	116	7	1	270
25-29	151	205	35	12	403
30-44	346	393	183	121	1043
45-59	323	165	83	28	599
60-64	99	14	5	3	121
65 & Over	334	28	4	4	370
Total	1399	921	317	169	2806

Ethnicity

	Total	%
Asian - Bangladeshi	87	3.10
Asian - Chinese	6	0.21
Asian - Indian	45	1.60
Asian - Other	37	1.32
Asian - Pakistani	4	0.14
Black - African	46	1.64
Black - Caribbean	14	0.50
Black - Other	5	0.18
Other	34	1.21
Other - Mixed	6	0.21
Prefer Not to Say	64	2.28
White & Asian	20	0.71
White & Black African	6	0.21
White & Black Caribb'n	24	0.86
White - British	2210	78.73
White - Irish	8	0.29
White - Other	191	6.80
	2807	100.00

What does this information / data tell you about diverse groups? If you do not hold or have access to any data/information on diverse groups, what do you need to begin collating / monitoring? (Please list)

The information above shows that applicants on the Housing Register aged 30-44 are more likely to be affected should an RP adopt the use of Fixed Term Tenancies. That the majority of applicants are White - British, which is a reflection of the population profile for the Borough.

■ **Step 4 – Do we need to seek the views of others? If so, who?**

In light of the answers you have given in Step 2, do you need to consult with specific groups to identify needs / issues? If not please explain why.

No. The Tenancy Strategy informs the RPs with social housing stock in the Borough as to the Council's expectations should they wish to introduce Fixed Term Tenancies. Each RP is required to prepare a Tenancy Policy giving regards to the Tenancy Strategy and consult with residents accordingly. The Tenancy Strategy does not change current policy.

■ **Step 5 – Assessing the impact**

In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has a positive or negative impact on the individuals or community groups (including what barriers these individuals or groups may face) who identify with any 'protected characteristics' and provide an explanation for your decision (please refer to the general duties on the front page).

	Comments
Age	No impact/neutral impact
Disability (Physical, visual, hearing, learning disabilities, mental health)	No impact/neutral impact
Gender Reassignment (Transgender)	No impact/neutral impact
Race	No impact/neutral impact
Religion or Belief (Includes no belief)	No impact/neutral impact
Sex (Gender)	No impact/neutral impact

Sexual Orientation	No impact/neutral impact
Other protected groups (Pregnancy & maternity, marriage & civil partnership)	No impact/neutral impact
Other socially excluded groups (carers, low literacy, priority neighbourhoods, health inequalities, rural isolation, asylum seeker and refugee communities etc.)	No impact/neutral impact

Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.

Please note:

- a) If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.
- b) Additionally, if you have identified adverse impact that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

No

Summarise your findings and give an overview as to whether the policy will meet Charnwood Borough Council's responsibilities in relation to equality and diversity (please refer to the general duties on the front page).

The Tenancy Strategy does not discriminate against any of the protected characteristics. It sets out the Council's expectations should an RP wish to introduce Fixed Term Tenancies.

Step 6- Monitoring, evaluation and review

Are there processes in place to review the findings of this Assessment and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?

The outcome of this EIA will be monitored and reviewed alongside the Strategy

How will the recommendations of this assessment be built into wider planning and review processes? e.g. policy reviews, annual plans and use of performance management systems.


■ **Step 7- Action Plan**

Please include any identified concerns/actions/issues in this action plan: The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan			
Reference Number	Action	Responsible Officer	Target Date

■ **Step 8- Who needs to know about the outcomes of this assessment and how will they be informed?**

	Who needs to know (Please tick)	How they will be informed (we have a legal duty to publish EIA's)
Employees		
Service users		
Partners and stakeholders		
Others		
To ensure ease of access, what other communication needs/concerns are there?		

■ **Step 9- Conclusion (to be completed and signed by the Service Head)**

Please delete as appropriate	
I agree / disagree with this assessment / action plan	
If disagree , state action/s required, reasons and details of who is to carry them out with timescales:	
Signed (Service Head):	 Ausan Summers Head of Strategy and Private Sector Strategy
Date:	24th December 2018

Please send completed & signed assessment to Suzanne Kinder for publishing.

OVERVIEW SCRUTINY GROUP – 14TH JANUARY 2019

Report of the Cabinet

OVERVIEW SCRUTINY GROUP PRE-DECISION SCRUTINY – CABINET RESPONSE

Purpose of Report

To set out the Cabinet's responses to the recommendations of the Group on pre-decision scrutiny items.

Action Requested

To note the Cabinet's responses to the recommendations submitted by the Group on items considered for pre-decision scrutiny.

Policy Context

One of the principles of effective scrutiny, identified by the Centre for Public Scrutiny, is "provide a constructive critical friend challenge to the Executive".

Pre-decision Scrutiny

Since the May meeting of the Group, the Cabinet has considered the following items on which the Group undertook pre-decision scrutiny:

A. CHARNWOOD GRANTS – ROUND THREE 2018/19

B. WRITE OFF REPORT FOR BUSINESS RATE PROPERTIES

Details of the Group's consideration of the items as reported to the Cabinet on the 13th December 2018 are set out in the appendix to this report.

The Vice Chair of the Group, Councillor Ranson, attended the Cabinet's meeting on the 13th December 2018 to present the Group's reports to the Cabinet.

Cabinet Response

The Cabinet considered the Group's reports and acknowledged the work undertaken and the views of the Group. In particular, the Cabinet responded as follows to the reports:

Charnwood Grants

The Cabinet adopted the officer recommendations, which the Group had supported.

Write off report for Business Rate properties

The Cabinet adopted the officer recommendations, which the Group had supported.

Report Implications

The following implications have been identified for this report:

Financial Implications

None.

Risk Management

No risks have been identified in connection with this report.

Background Papers: None

Officer to contact: Nadia Ansari
Democratic Services Officer
01509 634502
nadia.ansari@charnwood.gov.uk

CHARNWOOD GRANTS – ROUND THREE 2018/19

Recommendation of the Overview Scrutiny Group

That the Cabinet be informed that the Group supports the recommendations as set out in the report of the Head of Neighbourhood Services.

Reason

Having considered the report and asked questions of the Lead Member for Community, Safety and Wellbeing, the Head of Neighbourhood Services and the Neighbourhood and Partnerships Manager on the matter, the Group concluded that it would be appropriate for the Cabinet to approve the recommendations set out in the report.

Meeting Discussion

The Lead Member for Community, Safety and Wellbeing and the Head of Neighbourhood Services attended the meeting to assist with consideration of the item and gave the following responses to issues raised:

- (i) The Group was happy to see new applicants applying for grants and a more diverse range of groups approaching the Council.
- (ii) There was some inconsistency in the report which the Panel had taken into consideration. The main focus of the Panel was regarding the type of organisation that was applying for funding and their service users, whether it was an organisation with a wide customer base or whether they had a specific group of users. This meant that there was a variation in the number of people benefitting from each grant.
- (iii) The Group was assured that there was a robust monitoring and evaluation procedure in place to ensure the money was spent within the Charnwood area. The terms and conditions of the grant made it clear to applicants how the money should be used and that it was to be used for projects within the borough.
- (iv) The Grants Panel were trying to develop the grants scheme by looking at repeat applications to see why they required the money and what it would be used for. They also considered whether the applicant could receive funding elsewhere.

WRITE OFF REPORT FOR BUSINESS RATE PROPERTIES

Recommendations of the Overview Scrutiny Group

That the Cabinet be informed that the Group supports the recommendations as set out in the report of the Head of Customer Experience.

Reason

Having considered the report and asked questions of the Lead Member for Finance and Property Services and the Strategic Director of Corporate Services on the matter, the Group concluded that it would be appropriate for the Cabinet to approve the recommendations set out in the report.

Meeting Discussion

The Lead Member for Finance and Property Services and the Strategic Director of Corporate Services attended the meeting to assist with consideration of the item and gave the following responses to issues raised:

- (i) There were provisions in place each year to cover the potential write offs that may be submitted. This was due to an assumption that there would always be irrecoverable debts despite the Council's best efforts to recover them.
- (ii) The County Council and the fire authority were informed as to the amount of write offs throughout the year but there was no requirement for them to separately authorise write-offs.
- (iii) A range of actions had been undertaken by the Council to recover the debts. Some of the actions had been ongoing for a period of time and as soon as any arrears appeared on the account action was taken to try and resolve it.
- (iv) The Group was assured that it was not in the Council's interest to see businesses fail in the Borough but the debts do have to be addressed as it was not appropriate to keep bad debts on the Council's asset list.

OVERVIEW SCRUTINY GROUP – 14TH JANUARY 2019

Report of the Head of Strategic Support

WORK PROGRAMME

Purpose of Report

1. To consider the list of forthcoming Executive Key Decisions and the Group's Work Programme in order to schedule items to be considered for pre-decision scrutiny.
2. To provide an opportunity for members of the Group to raise suggestions on issues for scrutiny, in addition to pre-decision scrutiny, which fall within the Group's remit, for scheduling by the Scrutiny Management Board.

Work Programme

The Group's current Work Programme is attached at Appendix 1.

In addition to Cabinet pre-decision scrutiny, the Group is also able to consider for inclusion on the Work Programme (subject to the agreement of Scrutiny Management Board):

- (i) Scrutiny of external public service providers and partners;
- (ii) Scrutiny of outside bodies, especially those which the Council gives grants to and/or has service level agreements with;
- (iii) Scrutiny of services which are shared with other local authorities including joint scrutiny of those services.

Key Decisions

To enable the Group to be aware of the Key Decisions to be taken by the Cabinet over the coming months and to determine which, if any, of these items should be programmed for pre-decision scrutiny, details of forthcoming Exempt and Key Decisions to be taken by the Cabinet are attached as Appendix 2.

Items dated prior to or for this meeting have been removed to avoid confusion on Appendix 2.

Background Papers:	None
Officer to contact:	Nadia Ansari Democratic Services Officer (01509) 634502

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Overview Scrutiny Group	11 th February 2019 (standing item)	OSG Pre-decision scrutiny – Cabinet Response	A report of Cabinet, setting out the response of Cabinet to recommendations by the Overview Scrutiny Group on pre-decision scrutiny items.		N. Ansari (report) Lead Officer (meeting)	
Overview Scrutiny Group	11 th February 2019 (standing item)	Work Programme	To agree and schedule items to be considered at future meetings.	To allow the Group to identify items, including the scrutiny of forthcoming Key Decisions, pre-decision scrutiny and the scrutiny of external public service providers and partners.	N. Ansari (report) Lead Officer (meeting)	
Overview Scrutiny Group	11 th February 2019 (standing item)	Cabinet items for pre-decision scrutiny			To be confirmed	Items may be determined by the Chair and Vice-chair in consultation with the Democratic Services Manager. Further items may also be added following publication of the Cabinet agenda.
Overview Scrutiny Group	June 2019	Capital Plan Outturn 2018/19		Cabinet item for pre-decision scrutiny.	T. Stankley	Added by SMB 08 August 2018 (see min 14.3).

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Overview Scrutiny Group	June 2019	General Fund and HRA Revenue Outturn 2018/19 and Carry Forward of Budgets		Cabinet item for pre-decision scrutiny.	T. Stankley	Added by SMB 08 August 2018 (see min 14.3).
Overview Scrutiny Group	As required	Capital Plan Amendment Reports		Cabinet Report for Pre-decision Scrutiny.	T. Stankley	Agreed by OSG at its meeting on 13th November 2017, with the item to be included when the Chair and Vice-chair identify that there are particular issues that require scrutiny in that quarter's report.

Note: Over the next 12 months, meetings of the Overview Scrutiny Group will be held as follows:

- 11 February 2019
- 11 March 2019
- 8 April 2019
- 3 June 2019
- 1 July 2019
- 5 August 2019
- 16 September 2019
- 14 October 2019
- 11 November 2019
- 9 December 2019



**FORTHCOMING KEY
DECISIONS AND DECISIONS
TO BE TAKEN IN PRIVATE
BY CHARNWOOD BOROUGH
COUNCIL'S EXECUTIVE**

**Published
19th December 2018**

What is a Key Decision?

A key decision is one which:

- commits the Council to expenditure, savings or increases or reductions in income of £100,000 or more in any financial year;
- makes proposals in relation to the budget or the policy framework under Budget and Policy Framework Procedure 14.2(a); or
- will result in the closure of any facility from which Borough Council services are provided or a reduction by more than 10% in the level of a discrete service provided.

In other cases the impact of the decision will be considered in terms of the strategic nature of the decision, the effect on the amenity of the community or quality of service provided by the Council to a significant number of people living or working in the locality affected, the size of the area affected and the likely public interest in the decision.

What is a Private Meeting?

Meetings of the Council's Cabinet are open to the public to attend. All or part of a meeting may be held in private, where the item of business to be considered may result in confidential or exempt information being disclosed. Definitions of confidential and exempt information are set out in the Access to Information Procedures in the Council's Constitution.

Representations

Members of the public are able to make representations about forthcoming key decisions to be taken by the Council's Executive, these should be made in writing (including via e-mail) to the responsible officer (details are listed for each proposed key decision). Members of the public are also able to make representations concerning proposals to hold a meeting in private, these should be made in writing (including via e-mail) to Democratic Services (contact details below). In both cases, representations should be submitted by midday on the working day preceding the date on which the decision is due to be taken.

Other information

This document supersedes all previous Forward Plans.

If you have any general queries, please contact:

Karen Widdowson
Democratic Services Manager
Charnwood Borough Council,
Southfield Road, Loughborough, Leicestershire, LE11 2TX
Tel: 01509 634785
Email: democracy@charnwood.gov.uk

FORTHCOMING EXECUTIVE KEY DECISIONS

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Playing Pitches, Open Spaces and Built Facilities Strategies	To consider adopting the Playing Pitches, Open Spaces and Built Facilities Strategies and associated Action Plans.	Cabinet	17th January 2019	Report	Yes	Matt Bradford Head of Cleansing and Open Spaces Tel: 01509 634695 matthew.bradford@charnwood.gov.uk
Discretionary Houses in Multiple Occupation Licensing Scheme Options	To consider the introduction of a discretionary Licensing Scheme in the Borough and approve the licensing fees if a scheme is to be introduced.	Cabinet	17th January 2019	Report	Yes	Alison Simmons Head of Strategic and Private Sector Housing Tel: 01509 634780 alison.simmons@charnwood.gov.uk
Strategic and Private Sector Housing Fees Charges and Policy	To consider a Strategic and Private Sector Housing Fees and Charges Policy to ensure that the Council makes use of all powers available to it to recover the full cost of providing services where costs can be applied.	Cabinet	17th January 2019	Report	Yes	Alison Simmons Head of Strategic and Private Sector Housing Tel: 01509 634780 alison.simmons@charnwood.gov.uk
Lightbulb Service Implementation Update	To provide an update on the implementation of the Lightbulb Service in Charnwood and to consider whether to continue the project.	Cabinet	17th January 2019	Report	Yes	Alison Simmons Head of Strategic and Private Sector Housing Tel: 01509 634780 alison.simmons@charnwood.gov.uk
Council Tax – Amendment to Empty Homes Premium and Exemptions	To seek approval of changes to the Council Tax charges for Empty Homes and to introduce an exemption for Care Leavers.	Cabinet	14th February 2018	Report	Yes	Karey Barnshaw Head of Customer Experience Tel: 01509 634923 karey.barnshaw@charnwood.gov.uk

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Treasury Management Strategy Statement, Minimum Revenue Provision Strategy and Annual Investment Strategy 2019-20	To seek approval to the Treasury and Investment Strategy for 2019-20 and to seek approval to the annual report on the Prudential Code.	Cabinet Council	14th February 2019 25th February 2019	Report	Yes	Tina Stankley Head of Finance and Property Services Tel: 01509 634810 tina.stankley@charnwood.gov.uk
2019-20 General Fund and HRA Revenue Budgets and Council Tax	To seek approval to the Revenue Budget, Capital Plan, Financial Plan for 2019-20 and to propose the Council Tax for approval by Council.	Cabinet Council	14th February 2019 25th February 2019	Report	Yes	Tina Stankley Head of Finance and Property Services Tel: 01509 634810 tina.stankley@charnwood.gov.uk
Charnwood Grants	To consider applications for revenue funding received in round four (additional) of the Community Facilities Capital Grants and Community Development Grant Schemes for 2018/19.	Cabinet	14th March 2019	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk
Capital Plan Amendment Report	To consider and approve amendments to the current Capital Plan.	Cabinet Council	14th March 2019 25th March 2019	Report	Yes	Tina Stankley Head of Finance and Property Services Tel: 01509 634810 tina.stankley@charnwood.gov.uk
Annual Procurement Plan 2019/20	To seek approval to the Annual Procurement Plan for 2019/20.	Cabinet	14th March 2019	Report	Yes	Tina Stankley Head of Finance and Property Services Tel: 01509 634810 tina.stankley@charnwood.gov.uk
Housing Capital Programme	To approve the annual investment programme for improvements to the Council's housing stock.	Cabinet	14th March 2019	Report	Yes	Peter Oliver Head of Landlord Services Tel: 01509 634952 peter.oliver@charnwood.gov.uk

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Local Development Scheme	To approve a revised Local Development Scheme (LDS) so that the programme for the preparation of planning documents for Charnwood is agreed.	Cabinet	14th March 2019	Report	Yes	Richard Bennett Head of Planning and Regeneration Tel: 01509 634763 richard.bennett@charnwood.gov.uk
Business Plan 2019/20	To set out the Council's principal activities in delivering the Corporate Plan for the Council Year 2019/20.	Cabinet	14th March 2019	Report	Yes	Adrian Ward Head of Strategic Support Tel: 01509 634573 adrian.ward@charnwood.gov.uk
Charnwood Grants	To consider applications for revenue funding received in round one of the Community Facilities Capital Grants and Community Development Grant Schemes for 2019/20.	Cabinet	June 2019	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk
Capital Plan Outturn 2018/19	To report the Council's capital expenditure results for 2018/19 subject to audit.	Cabinet	June 2019	Report	Yes	Tina Stankley Head of Finance and Property Services Tel: 01509 634810 tina.stankley@charnwood.gov.uk
General Fund and HRA Revenue Outturn Report (2018/19) and Carry Forward of Budgets	To report the Council's revenue expenditure results for 2018/19 subject to audit.	Cabinet	June 2019	Report	Yes	Tina Stankley Head of Finance and Property Services Tel: 01509 634810 tina.stankley@charnwood.gov.uk
Capital Plan Amendment Report	To consider and approve amendments to the Capital Plan.	Cabinet Council	July 2019 September 2019	Report	Yes	Tina Stankley Head of Finance and Property Services Tel: 01509 634810 tina.stankley@charnwood.gov.uk

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Amendments to Annual Procurement Plan	To consider possible amendments to the Annual Procurement Plan.	Cabinet	July 2019	Report	Yes	Tina Stankley Head of Finance and Property Services Tel: 01509 634810 tina.stankley@charnwood.gov.uk
Charnwood Dog Control Public Spaces Protection Order 2019	To approve the formal Notice of Intention to renew the Borough-wide Public Spaces Protection Order for Dog Control (dog fouling, dogs on leads and dogs under control) under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014.	Cabinet	July 2019	Report	Yes	Alan Twells Head of Regulatory Services Tel: 01509 634650 alan.twells@charnwood.gov.uk
Charnwood Grants	To consider applications for revenue funding received in round two of the Community Facilities Capital Grants and Community Development Grants Schemes for 2019/20.	Cabinet	September 2019	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk
Amendments to Annual Procurement Plan	To consider possible amendments to the Annual Procurement Plan.	Cabinet	September 2019	Report	Yes	Tina Stankley Head of Finance and Property Services Tel: 01509 634810 tina.stankley@charnwood.gov.uk
Capital Plan Amendment Report	To consider and approve amendments to the Capital Plan.	Cabinet Council	September 2019 November 2019	Report	Yes	Tina Stankley Head of Finance and Property Services Tel: 01509 634810 tina.stankley@charnwood.gov.uk
Medium Term Financial Strategy 2020-2023	To present a revised MTFs to Cabinet and Council for approval.	Cabinet Council	November 2019 January 2020	Report Report	Yes Yes	Tina Stankley Head of Finance and Property Services Tel: 01509 634810 tina.stankley@charnwood.gov.uk

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Draft Capital Plan 2020/21 – 2022/23	To consider the draft Capital Plan for consultation.	Cabinet	December 2019	Report	Yes	Tina Stankley Head of Finance and Property Services Tel: 01509 634810 tina.stankley@charnwood.gov.uk
Charnwood Grants	To enable Cabinet to consider applications for funding received in round three of the Community Facilities Capital Grants and Community Development Grants Schemes for 2019/20.	Cabinet	December 2019	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk
Draft General Fund and HRA 2020-21 Budgets	To seek approval to the Draft Revenue Budget for 2020-21 as a basis for consultation.	Cabinet	December 2019	Report	Yes	Tina Stankley Head of Finance and Property Services Tel: 01509 634810 tina.stankley@charnwood.gov.uk
Capital Plan Amendment Report	To consider and approve amendments to the Capital Plan.	Cabinet Council	December 2019 January 2020	Report	Yes	Tina Stankley Head of Finance and Property Services Tel: 01509 634810 tina.stankley@charnwood.gov.uk
Amendments to Annual Procurement Plan	To consider possible amendments to the Annual Procurement Plan.	Cabinet	December 2019	Report	Yes	Tina Stankley Head of Finance and Property Services Tel: 01509 634810 tina.stankley@charnwood.gov.uk

EXECUTIVE MEETINGS TO BE HELD IN PRIVATE

The following items are due to be considered by the Council’s Cabinet and the public could potentially be excluded since exempt or confidential information could be considered.

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?

When items are considered in exempt or confidential session, the reasons for exemption would fall into one or more of the following categories:

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes—
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

CABINET MEMBERS

Members of the Council's Cabinet are as follows:

Name (Group)	Lead Member Responsibilities
Councillor Morgan (Conservative)	Leader of the Council Whole Council, Strategic Partnerships and Communications
Councillor Barkley (Conservative)	Deputy Leader of the Council Finance and Property
Councillor Bokor (Conservative)	Loughborough
Councillor Harper-Davies (Conservative)	Performance of Major Contracts
Councillor Mercer (Conservative)	Housing
Councillor Poland (Conservative)	Equalities, Member and Strategic Services
Councillor Rollings (Conservative)	Deputy Lead Member for Customer Services
Councillor Smidowicz (Conservative)	Regulatory Services, Enforcement and Licensing
Councillor Taylor (Conservative)	Communities, Safety and Wellbeing
Councillor Vardy (Conservative)	Planning, Inward Investment and Tourism Strategy