

Report to the Cabinet

Report reference: C-043-2020/21
Date of meeting: 03 December 2020



Portfolio: Housing & Community Services – Cllr Holly Whitbread

Subject: New Housing Management Charges

Responsible Officer: Deborah Fenton
Director – HRA Functions (01992 564221).

Democratic Services: Adrian Hendry (01992 564246).

Recommendations/Decisions Required:

To approve the proposed administration fees for carrying out non statutory requests from tenants, leaseholders and homeowners.

Executive Summary:

EFDC owns approximately 12,000 assets including properties and garages. In addition to these, the Council owns other assets such as parcels of land, pathways, un-adopted roads, alleyways and grassed areas on residential estates.

A review of the staffing structure was carried out during the latter period of 2019, a decision was made to split the housing management team into 3 separate teams. The reason for this was to enable specialisms which would lead to improved services for residents. In addition, the Council would then be in a position to review charges for non-statutory requests. This report sets out the review of services which do not currently attract a charge.

There is a cost to the District council to carryout non-statutory tasks, these costs are not currently recovered. It is good practice to have a clear charging process agreed for these requests, so not putting pressure on the HRA account. Furthermore, any income can be regenerated to improve service provision for our communities.

A desk top review was carried out with comparable Councils to ensure we are charging a fair and reasonable charge.

The proposed charges are as follows

Type of Licence/Charge	Proposed charge
Permission to create front garden parking (applies to Council and ex Council dwellings)	£75.09 plus VAT
Applications for Leaseholder Sublets	£84
Skip Licences	£65
Replacement Fobs	£20

Reasons for Proposed Decision:

This report sets out the proposal to introduce reasonable administration costs to cover tasks carried out which are non-statutory requests. It should be noted that housing management changes sits under the Housing Revenue Account.

Report

Applications for Front Garden Parking

1. The Housing Portfolio Holder agreed on 1 July 2020 to charge occupiers a sum of £75.09 plus VAT per annum fee (plus the Council's reasonable legal fees) for licences for vehicle access across housing land. The charge is reviewed annually at the same time as all the other housing related fees and charges.
2. In most circumstances, the charge is made where residents have built garages in their rear gardens and access is gained across housing owned garage sites.
3. Officers would now like to introduce a charge where occupiers of Council and ex Council accommodation (sold under the Right to Buy Scheme) wish to create front garden parking to their home. In many cases, access is gained across housing owned land, directly off the Highway, to allow off street / garden parking.
4. Currently, when permission is given for a crossover, the occupier crosses housing land free of charge and in some cases, in doing so this can remove up to 12 metres of housing green. Vehicular access to any dwelling would increase the property value. It is therefore suggested, that charges should be made to residents for the enjoyment of such rights and to enable the Council to withdraw permission with reasonable notice should it wish to. Any charges collected would be income to the HRA which could be spent on Housing related services, such as estate enhancements.
5. It is proposed that the fee should be the same as that levied for owner occupiers seeking covenant consent for alterations to their home.

Applications for Leaseholder Sublets

6. We have many leaseholders who request to sublet their leasehold properties and the lease allows for this. Once registered as a sublet property the leaseholders become landlords in their own right, renting the property on the open market and receiving an income in this respect.
7. In effect, the leaseholders use the properties as a business. Given this, it is seen as reasonable to charge a fee in return for the administration work undertaken to register and manage as a sublet property.
8. The Council has sought legal advice in this respect to make sure that the Councils Right to Buy lease would allow for this additional charge.

9. It is proposed that the fee should be £84.00 (plus inflation cost 2021/2022), this is a one-off cost for each application.

Skip Licences

10. Permission to install a skip on HRA land is procedurally handled by issue of a letter agreeing to the installation, subject to certain conditions and free of charge. After a review of its procedures, Officers suggest that the Council's best interest be served if the Council were to issue a specific skip licence. Further, Officers recommend that it would be appropriate to charge a fee for issue of such a licence. Research suggests that other Local Authorities levy similar charges, the average charge being between £30 to £165. Officers are recommending that a charge of £65 for a permit of a duration of 1-2 weeks be implemented.

Fobs

11. When tenants are allocated a property, a fob is issued during the sign-up process. The cost of replacing fobs costs the Council £18.57 for existing door entry systems. Members have previously agreed that the cost of lost or additional fobs be recharged to the Tenant. However, the cost of replacing fobs for accommodation built under the Council's house build programme are considerably higher at £56.74. In some circumstances an Officer also will need to visit site, to programme the fob. Officers are recommending that a charge of £20 is made for replacement fobs for existing door entry systems, however the charge for lost or additional fobs in new build accommodation be charged at a sum of £56.74.

Clearance, Storage and Disposal of Goods acquired under The Torts (Interference with Goods) Act 1977

12. The Torts (Interference with Goods) Act 1977 governs the sale and disposal of goods, particularly abandoned goods, but is commonly used by landlords to dispose of personal belongings left in communal areas. The Act requires a Tort Notice to be served before any goods are removed and disposed of. A Tort Notice gives the owner of the goods time to remove the items themselves. If the goods are not removed within the allotted time, the goods can be sold or disposed of. Circumstances in which The Tort (Interference with Goods) Act 1977 may be instigated include; where goods are left in a property or garage following repossession; where goods are left in communal areas against the terms of the Council's Tenancy Agreement, Lease Agreement and in contravention of the Council's Fire Policy. Where goods are removed, the goods are stored in a secure storage facility for a specific duration (dependent upon the relevant policy), before being sold or disposed of. Officers recommend that any costs incurred should be recharged to the owner of the goods if known as follows: Removal at £79 and storage at £59 per week, however it is recommended that disposal of goods be subject to quotation plus 15% to cover the cost of administration.

Resource Implications:

The work will be carried out by the relevant housing management team

Legal and Governance Implications:

The Torts (Interference with Goods) Act 1977

Safer, Cleaner and Greener Implications:

Better use of our assets creating places where people want to live.

Consultation Undertaken:

Housing and Property colleagues were consulted and agree with the contents of this paper

Background Papers:

HRH report 1st July 2020

Risk Management:

Should the charges not be implemented the cost of delivering the requests will be borne by the HRA.