

CONSTITUTION – PART 5 – TABLE 5.05 - Housing

| HOUSING SERVICES | | | |
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| 1. Housing Management - General | | | |
| <u>Subject:</u> | <u>Detail:</u> | <u>Delegated by:</u> | <u>Delegated to:</u> |
| Day-to-day management of housing stock | Day-to-day management of the Council's housing stock, housing land and housing matters. | Executive Committee | Executive Director Planning & Regeneration, Regulatory and Housing / Head of Housing |
| Day-to-day management of housing stock | In accordance with existing Council policies and practices, to deal with the registration and allocation of tenancies of Council accommodation where rent arrears are less than £100. | Executive Committee | Head of Housing / Tenancy Manager / Tenancy Officers). |
| Registration and Allocation of Tenancies > £100 arrears | In accordance with existing Council policies and practices, to deal with the registration and allocation of tenancies of Council accommodation where rent arrears are more than £100. | Executive Committee | Executive Director Planning & Regeneration, Regulatory and Housing |
| Equipment and Adaptations | Day-to-day management of the Equipment and Adaptations Service. | Executive Committee | Head of Housing / Tenancy Manager |
| Communal Rooms | Lettings and day-to-day operation of the Communal Rooms in warden-controlled schemes. | Executive Committee | Executive Director Planning & Regeneration, Regulatory and Housing/ H o Housing / Community Warden Team Leader(s) |

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| Homelessness Cases | In accordance with the Council's stated policies and guidelines on homelessness, to deal with all such cases under the Housing Act 1985 (applications for accommodation, etc.). | Executive Committee | Executive Director Planning & Regeneration, Regulatory and Housing / Head of Housing / Housing Options Manager / Housing Options Officers |
| Notices of Possession Proceedings / Notices to Quit | In respect of dwelling houses let under secure tenancies: to serve Notices of Possession Proceedings or Notices to Quit and to refer cases to the Principal Solicitor to institute and complete proceedings for possession. | Executive Committee | Executive Director Planning & Regeneration, Regulatory and Housing/ Head of Housing / Tenancy Manager / Income, Recovery and Welfare Manager |
| Warrants of Possession | To sanction applications for Warrants of Possession in above cases. | Executive Committee | Executive Director Planning & Regeneration, Regulatory and Housing / Head of Housing |
| Demotion of Tenancies | To sanction the demotion (= loss of security of tenure) of tenancies. | Executive Committee | Head of Housing |

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| Council Housing Growth Programme | To approve the necessary delivery agents for commissioning the construction of new HRA stock from the Council Housing Growth Programme budget. | Executive Committee | Head of Housing Services |
| Squatters and Unauthorised Occupiers | In respect of squatters and unauthorised occupiers: To serve Notice Seeking Possession or Notice to Quit and refer to the Principal Solicitor to institute and complete proceedings for possession. To sanction applications for Warrants of Possession in above cases. | Executive Committee Executive Committee | Head of Housing Services / Tenancy Manager / Income, Recovery and Welfare Manager Executive Director Planning & Regeneration, Regulatory and Housing / Head of Housing |
| Right to Succeed / Notice to Quit | Where, on the death of a secure tenant, a right to succeed does not arise or is not exercised, to serve Notice to Quit and refer to the Principal Solicitor to institute proceedings for possession. | Executive Committee | Head of Housing Services/ Tenancy Manager / Income, Recovery and Welfare Manager |
| Offer of Alternative accommodation / Family of Deceased Tenant | To make one offer of suitable alternative accommodation to occupants who are members of the family of a deceased tenant and who have been in occupation for one year or more prior to the death of the tenant, and who are under-occupying property where they have no right of succession upon the death of the tenant; and, if the offer is refused: To serve Notice to Quit | Executive Committee Executive Committee | Head of Housing Services Hd of Housing Services |

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| | <p>To institute proceedings for possession</p> <p>To sanction applications for Warrants of Possession in above cases.</p> <p>To institute such proceedings and obtain such Warrants of Possession.</p> | <p>Executive Committee</p> <p>Executive Committee</p> <p>Executive Committee</p> | <p>Hd of Legal, Equalities and Democratic Services</p> <p>Executive Director Planning & Regeneration, Regulatory and Housing / H o Housing Services</p> <p>Principal Solicitor</p> |
| Norgrove House / occupants of Temporary accommodation | To institute proceedings against occupants of Norgrove House or guest bedrooms or housing stock dwellings let on licence as temporary accommodation and to institute possession proceedings; to obtain eviction warrants and arrange for the execution of the same, where such occupants refuse to vacate the accommodation when requested and obtain warrants for possession. | Executive Committee | Principal Solicitor |
| Leased Garages / Breach of Covenant | <p>To instigate proceedings for possession in respect of leased garages where a breach of covenant causing serious nuisance occurs;</p> <p>To apply for Warrants of Possession in such cases.</p> | Executive Committee | Principal Solicitor, in consultation with Hd of Housing / Tenancy Manager |
| Housing Rents / other Housing-related Debts | To collect and recover current housing rents and other housing-related debts within the overall Debt Prevention Strategy. | Executive Committee | Income, Recovery and Welfare Manager |

SCHEME OF DELEGATION TO OFFICERS

| <u>Subject:</u> | <u>Detail:</u> | <u>Delegated by:</u> | <u>Delegated to:</u> |
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| Enforcement Action - Gas Maintenance Contracts | To take enforcement action in relation to the Gas Maintenance Contracts. To gain entry to properties where a tenant does not permit access to the Council's contractor to undertake safety inspections and routine servicing. | Executive Committee | Head of Housing Services, following consultation with Principal Solicitor |
| "Asylum Seekers - Providing Support" | To make decisions on negotiating the contract referred to in para's 5.4 - 5.6 of the "Asylum Seekers - Providing Support" report presented to the Housing Committee on 31 July 2000 and, subject to decision of the Executive Committee, to employ personnel or commissioning agencies or Services to implement the work on behalf of the Council, subject to costs being recovered. | Executive Committee | Executive Director Planning & Regeneration, Regulatory and Housing |
| Multi-Agency Public Protection Arrangements | To accept cases referred to the Council by the Police and the Probation Service through the Multi-Agency Public Protection Arrangements. | Executive Committee | Head of Housing Services |
| Powers to Force Entry | To exercise the Council's powers to force entry to Council-owned properties in cases of emergency. | Executive Committee | Executive Director Planning & Regeneration, Regulatory and Housing / HF&R / H o Housing Services/ Tenancy Manager, in consultation with Principal Solicitor |
| Grants from British Gas Trading Limited | To accept grants from British Gas Trading Limited to assist in the upgrading of the heating systems of Council stock in accordance with Council approval of 11.12.06 | Executive Committee | Executive Director Planning & Regeneration, Regulatory and Housing |

SCHEME OF DELEGATION TO OFFICERS

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| Grants Various – Approval / Refusal | To approve and refuse grant applications for house renovation grants, common parts grants, houses in multiple occupation, grants for providing facilities for persons with a disability and reinstatement grants, where mandatory. | Executive Committee | Director of Planning, Regeneration, Regulation and Housing / H o Regulatory Services |
| Home Repairs Grants – Care & Repair clients | To authorise and to grant Home repairs assistance grants in cases where the applicants are clients of the Care and Repair Agency. | Executive Committee | Director of Planning, Regeneration, Regulation and Housing / H o Regulatory Services |
| Home Assistance Grants | To approve and pay Home Assistance grants up to the budget provided, in accordance with approved scheme. | Executive Committee | Director of Planning, Regeneration, Regulation and Housing / H o Regulatory Services |
| Grants - Cancellations | To cancel grants where the work has not been completed within 12 months of date of approval. | Executive Committee | Director of Planning, Regeneration, Regulation and Housing / H o Regulatory Services |
| Grants - Extensions | To authorise grant extensions in extenuating circumstances where eligible work has not been completed within 12 months of grant approval being given. | Executive Committee | Director of Planning, Regeneration, Regulation and Housing / H o Regulatory Services |
| Notices – Housing Act 1985 | To issue notices under the Housing Act 1985 Sections 189, 190, 190 (1a and b) and (b), and 1A (a and b) and to carry out works arising from such notices. | Executive Committee | Director of Planning, Regeneration, Regulation and Housing / H o Regulatory Services / Environmental Health Officers |
| Notices / Orders – Various other | To issue notices or orders applying management code and for the provision of amenities repairs, the abatement of overcrowding in Houses in Multiple occupation and the provision of means of escape in case of fire under the Housing Act 1985. | Executive Committee | Director of Planning, Regeneration, Regulation and Housing / H o Regulatory Services / Environmental Health Officers |

SCHEME OF DELEGATION TO OFFICERS

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| Repairs Notices / Deferred Action Notices - vacant or rented accommodation | To consider and decide on the most appropriate course of action in relation to Repairs Notices and Deferred Action Notices for vacant or rented accommodation. | Executive Committee | Director of Planning, Regeneration, Regulation and Housing / H o Regulatory Services / Environmental Health Officers |
| “Minded to” Notices | To serve “minded to” notices under the Housing (Fitness Enforcement Proceedings) Order 1996. | Executive Committee | Director of Planning, Regeneration, Regulation and Housing / H o Regulatory Services / Environmental Health Officers |
| Deferred Action Notices | To serve Deferred Action Notices under the Housing Grants, Construction and Regeneration Act 1996. | Executive Committee | Dir of Planning, Regeneration, Regulation and Housing / H o Regulatory Services / Environmental Health Officers |
| HMO – Enforcement Procedures | To serve works notices under the provisions of the Housing (Enforcement Procedures for Houses in Multiple Occupation) Order 1997. | Executive Committee | Director of Planning, Regeneration, Regulation and Housing / H o Regulatory Services / Environmental Health Officers |