
CHARGE FOR SERVICES – HOUSING RENEWAL TEAM

Responsible Cabinet Member – Councillor Bill Dixon

Responsible Director - Cliff Brown, Director of Community Services

Purpose of Report

1. To consider a Charging Policy and fee levels for enforcement activities and other private sector housing duties carried out by the Housing Renewal Team.

Information and Analysis

2. Provisions within existing Housing, Local Government and Environmental Health legislation allow local authorities to recover expenses and other costs for carrying out enforcement activities. Whilst these provisions are discretionary, provisions within the new Housing Act 2004 recommend that a local authority recover its costs and expenses when undertaking enforcement activity, to ensure that such costs and expenses are not passed onto the local Council taxpayer. Income generated from recovering costs could be used to cover some of the costs of the Housing Renewal Team. Currently only costs of carrying out works in default following enforcement activity at a private property are recovered. Officer time and other expenses are not recovered. As charges for works in default are exempt from VAT and represent very good value for money, the existing charging policy acts as a disincentive for some landlords for carrying out essential repairs for themselves, and does not represent the full costs to the Authority. Other local authorities within the sub-region and beyond pass on more costs in respect of enforcement action and in the provision of additional services such as Immigration Inspections.
3. In the delegated powers report presented to Council on 23 March 2006 new powers within the Housing Act 2004, along with other Housing and Environmental Health legislative powers were delegated to the Housing Division, including the power to charge for services.

Proposal

4. Stricter standards introduced by provisions in the Housing Act 2004 make it very likely that there will be a significant increase in enforcement activity in the private sector. Licensing enforcement activity within the area of Housing in Multiple Occupation is also likely to increase. The increase in activity makes it essential that an appropriate charging policy is developed and associated costs recovered. This will also be a deterrent for landlords and property owners and may help reduce the need for enforcement activity. The main areas where charges will occur are likely to be for serving a legal notice and subsequent follow up enforcement work carried out. Housing Renewal Officers also carry out Immigration property inspections and do not charge the Immigration Service for this at present. A charge is therefore suggested for this activity. Charges on the whole will be based upon the gross

hourly salary rate of the Officer carrying out the duties and administration charges. Fees would only be charged for enforcement activity if a landlord or property owner fails to carry out their legal requirements as directed by the Housing Renewal Team. The charges should also be reviewed every financial year to take account of any inflationary price increases. The proposed fees are set out in Table 1 below.

Table 1 - Proposed fees

Activity	Rate inclusive of VAT	VAT
Works in default		
Housing Renewal Officer - Hourly rate	£18	£21.15
General Duties		
Housing Renewal Officer - Hourly rate	£18	£21.15
Notices		
Service of legal notices	£150	N/A
Other activities - Hourly rate	£18	£21.15
HHSRS inspection		
Housing Renewal Officer - Hourly rate	£18	£21.15
Other activities - Hourly rate	£18	£21.15
Houses in Multiple Occupation		
Failure to supply information - Hourly Rate	£18	£21.15
Enforcement activity -Hourly Rate	£18	£21.15
Vary a licence -Hourly Rate	£18	£21.15
Other activities - Hourly rate	£18	£21.15
Immigration visits		
First visit	£63	£74.03
Subsequent visits and additional work at hourly rate	£18	£21.15

- The proposed fees listed are the gross hourly rates for the Housing Renewal Team with an additional cost to recover administration expenses. The fee for the service of a legal notice covers the officer time in investigating and preparing the notice. The charges for the immigration inspections are similar to what other local authorities charge for the same service.

Resource Implications

6. Operational savings are likely to be made which can be reinvested in the service.

Outcome of Consultation

7. For the purposes of this report, no consultation has been undertaken and there is no requirement within the Housing Act 2004 for such consultation on this issue.

Legal Implications

8. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

9. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Council Policy Framework

10. The issues contained within this report do not represent change to Council policy or the Council's policy framework.

Decision Deadline

11. For the purpose of the 'call-in' procedure this does not represent an urgent matter.

Key Decision

12. This report represents a key decision in that it affects the entire Borough, as any charges applied would apply to any dwelling owner within the Borough in contravention of the relevant legislation. However, the impact is likely to be minimal as fewer than 1% of the dwellings within the Borough are subject to such interventions as outlined in the report within any given year.

Recommendation

13. It is recommended that the charging arrangements as set out in Table 1 are implemented from 1st October 2006 and that prices are reviewed every financial year to take account of inflation and other costs.

Reasons

14. The recommendation is supported as a Charging Policy will recover the costs of enforcement activity carried out by the Housing Renewal Team. This will provide savings and reduce the operational costs of the Housing Renewal Team, offsetting in part the necessary increase in staffing to deliver the new regulatory regime. A stricter charging policy will also act as a deterrent to landlords and property owners and reduce the enforcement activity in private sector housing.

Cliff Brown
Director of Community Services

Background Papers

Council report 23 March 2006 – Delegated Powers

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