

Housing Services Charging Policy

Bath and North East Somerset Council's charging policy for housing related services

2014



This document sets out the charges made for housing related services.

Housing Services

Charging Policy

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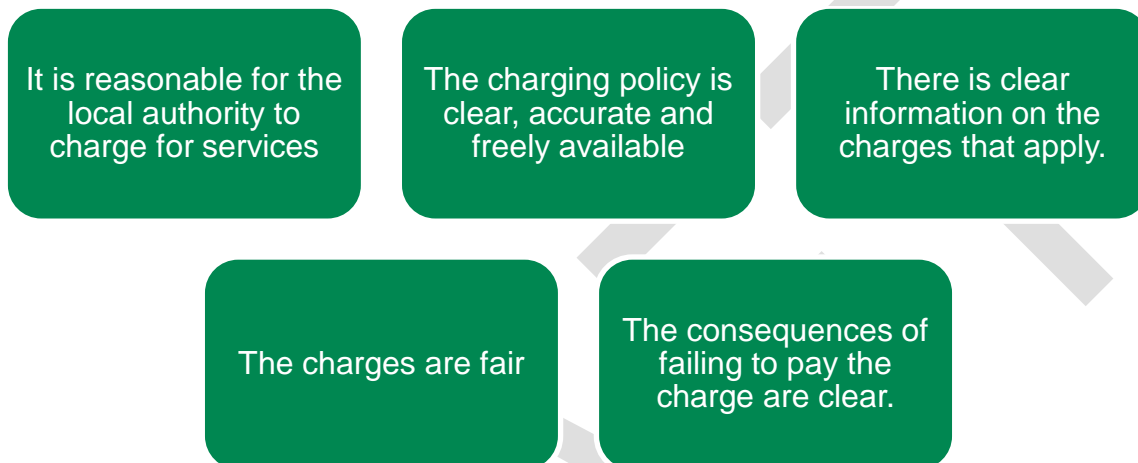
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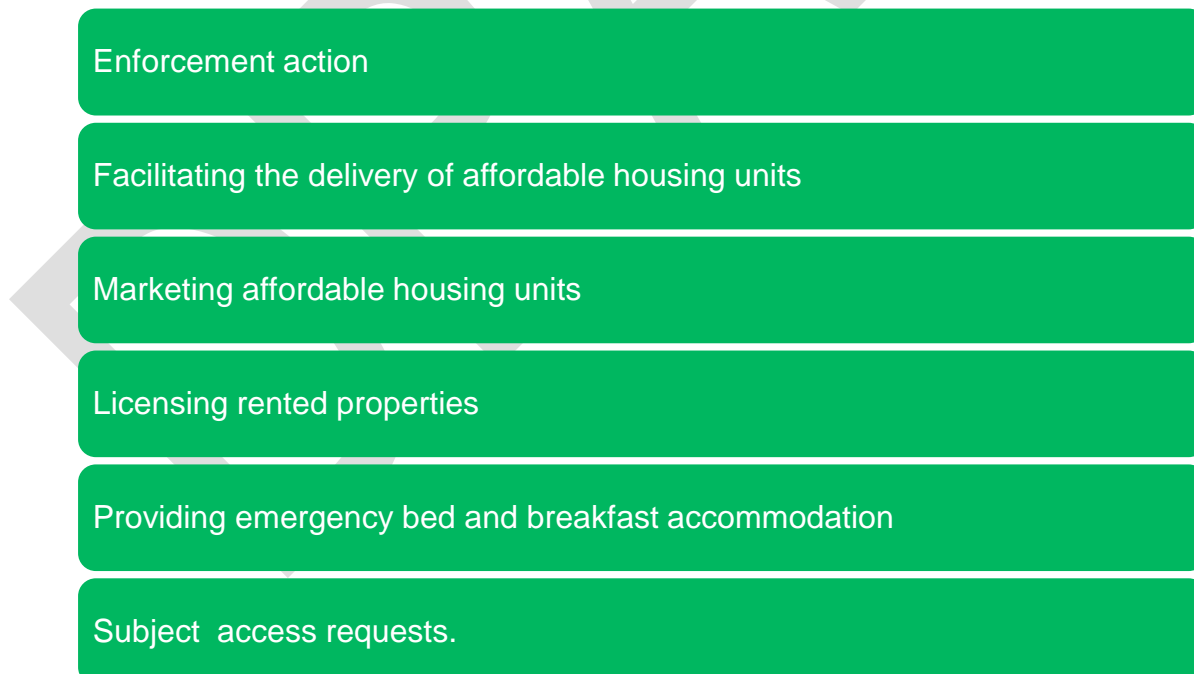
Introduction

This document sets out the housing functions which are subject to a charge. Charges will reflect the costs incurred in performance of the task or a fee which is reasonable for the service it provides.

Housing Services will adhere to the following service standards:



Services which are subject to the charging policy are:



Services and actions subject to charging

Enabling fees

Housing Services will charge a West of England Housing Delivery Panel Partner (which includes registered providers) a fee for each affordable housing unit it helps deliver. The charge will help Housing Services meet their associated administration costs.

Charges will comply with the West of England Housing Delivery Panel's Memorandum of Understanding (or any successor partnering arrangements) and are subject to periodic review.

The fee is shown in appendix 1.

Enforcement action

Housing Services will charge a landlord a fee for issuing notices upon identification of a Housing Health and Safety Hazard. The charge will help Housing Services meet their associated costs which includes officer time, service of the notice and a compliance revisit. The fee is shown in appendix 1.

The Council's Enforcement & Licencing Policy allows for the completion of works through an informal enforcement approach in the first instance and in those situations no fee is payable. Failure of the landlord to comply with the informal enforcement approach will result in enforcement notices being issued and charges being levied. Where the property has significant hazards or Housing Services are not confident that an informal approach will be successful, then an enforcement notice may be issued without following an informal approach.

Enforcement notices which are subject to a charge are:



The fee is shown in appendix 1.

Hazard awareness notices are not subject to a charge. Suspended improvement notices and suspended prohibition orders are not subject to charging if:

- There is an owner occupier currently at a property, or
- The landlord is willing to undertake works but the occupant does not wish for the works to be undertaken

- A crowding and space hazard exists and the Council does not wish to make the current household homeless however wishes to limit the number of future occupants

Works in default

Housing Services can carry out works where the landlord has failed to comply with an improvement notice.

Housing Services will obtain estimates for the cost of the repair works prior to commencing works. The owner will be notified of the Council's intention to undertake works in default. Housing Services will recover the costs, including officer time in carrying out the work. Staff time will be charged at an hourly rate detailed in appendix 1.

Emergency remedial action

Housing Services will recover the costs of carrying out emergency remedial action. This includes officer time in carrying out the work. Staff time will be charged at an hourly rate detailed in appendix 1.

Immigration clearance survey

Housing Services will recover the costs of carrying out an immigration clearance survey through a charge for 2 hours work. Staff time will be charged at an hourly rate detailed in appendix 1.

Homesearch marketing

Housing Services will charge a Homesearch Partner (which includes registered providers) a fee for each affordable housing property marketed through Homesearch. The charge will help Housing Services meet their associated marketing and administration costs.

Charges will comply with the nomination agreement and Homesearch scheme. The fee is shown in appendix 1.

Property licensing

Housing Services will charge a fee for licensing a property. Properties are licensable if they meet the mandatory HMO licensing criteria or if they come under the additional licensing designation or any selective licensing designation. After receiving a licence application, the full fee will be charged, usually to the applicant. The charge will help Housing Services recover the costs associated with the licensing process and running the scheme.

The aim of licensing is to improve the health, safety and management of properties in the private sector.

Licences last for a maximum of 5 years. Other fees may also apply. The licensing fee is shown in appendix 1.

The fees will be chargeable in line with the Enforcement and Licensing Policy and Licensing Fee document.

Storage of personal possessions and pets

Housing Services will charge a homeless person the full cost associated with the safeguarding of their personal possessions and pets.

Storage and kennelling will be undertaken by a third party.

Charges will comply with Housing Services protection of property procedure.

The fee is shown in appendix 1.

Subject access request

Housing Services will comply with a subject access request in line with the Council's Data Protection Policy. Information will be made available at minimum inconvenience and cost to the applicant.

Charges will be made for disbursements including:

- Photocopying
- Printing
- Postage and packaging.

The fee is shown in appendix 1 and payment in advance will be required.

Temporary accommodation

Housing Services will charge a homeless client a reasonable fee for the provision of temporary accommodation. Payments received from housing benefit entitlement will be deducted from the overall bill. The charge will help Housing Services meet the cost of the accommodation. An applicant who is not claiming their full benefit entitlement or are in unmanageable financial debt will be supported to obtain debt and/or welfare benefit advice.

Charges for food, heating, lighting and water

Breakfast, heating, lighting and water are not covered by housing benefit entitlement. Housing Services will pay those charges for the first six weeks of occupancy in bed and breakfast but then after the charges are subject to payment by the applicant. The fee is shown in appendix 1.

Charges for rent

Complying with this policy's charging standards, the person will need to have sufficient income or savings to meet the rent. Housing Services will not impose charges where the affect of those charges will result in a person's net income being below the level of Income Support or the Guaranteed Pension Credit, plus 25%.

Disability Living Allowance, Attendance Allowance or its replacement Personal Independence Payment will not be taken into account when calculating a person's income. Neither will War Pension or War Widows Pension or Armed Forces Independence Payment.

Where an applicant has savings above £16,000 they will be expected to meet the full cost of the accommodation.

Right to complain

Housing Services are committed to operating a fair and reasonable charging policy. An applicant can make a complaint through the Council's complaints procedure and the Local Government Ombudsman.

More information is available on-line at www.bathnes.gov.uk/feedback

Special provisions for homeless people

This policy will not be rigidly applied when providing accommodation to homeless people. Consideration will be given to any exceptional circumstances relating to the applicant.

Exceptional reasons could include (but not limited to):

- Travel expenses which are not covered by the travel expenses procedure
- Severe financial hardship where debt advice has been sought and acted upon.

Reasons could justify a decision more favourable to the applicant than the policy would normally allow, and in those circumstances the amount charged should be reviewed and amended.

Invoices and debt recovery

Housing Services will raise an invoice for payment. Payments can be made on-line, on the telephone or at Council Connect through the self-service payment kiosks. More information is available on-line at www.bathnes.gov.uk/pay

Housing Services will comply with the Council's corporate debt recovery process. Failure to pay the enforcement charges can result in an annual interest charge of 1.5% over Bank of England base rate until full payment is made. In addition a local land charge may also be made against the landlord's property and will be discharged once full payment is made.

Periodic review of the charging rates

Charges are subject to change and will be reviewed on a periodic basis. Enabling fees will be increased annually by the index uplift in RPI.

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Appendix 1: Table of charges for housing related services

Housing related charges		Page	Fee
Enabling fee	Charge for the delivery of each affordable housing unit	- 5 -	£530.00
Enforcement action	Charge for an improvement notice	- 5 -	£240.00
	Charge for a prohibition order	- 5 -	£240.00
	Charge for an emergency prohibition order	- 5 -	£240.00
	Charge for a suspended Improvement notice	- 5 -	£240.00
	Charge for a suspended prohibition order	- 5 -	£240.00
	Hourly charge for works in default	- 6 -	£32.00 per hour
	Hourly charge for emergency remedial action	- 6 -	£32.00 per hour
	Hourly charge for an immigration clearance survey	- 6 -	£32.00 per hour
	Homesearch marketing	Charge for marketing and administration for each property	- 6 -
HMO licensing	Charge for each license (cost varies and discounts can apply)	- 6 -	£600 to £780
Storage of possessions and pets	Charge for storage and kennelling	- 7 -	Varies
Subject access request	Charge for photocopying, printing, posting and packaging of information	- 7 -	£10.00
Temporary accommodation	Weekly charge for cost of food, heating, lighting and hot water in B&B	- 7 -	£8.58
	Weekly charges for rent in B&B	- 8 -	Varies

Appendix 2: Table of authorities

Data Protection Act 1998

Freedom of Information Act 2000

Homesearch Policy 2013

Housing Act 1996 Part 6 and 7 (as amended by the Homelessness Act and Localism Act 2011)

Housing Act 2004 (and associated regulations)

Housing Enforcement and Licensing Policy 2012 and fees document

Housing Strategy 2014

Nomination Agreement 2013

Review of a homeless decision procedure 2013

Tenancy Strategy 2012

West of England Housing Delivery Panel Memorandum of Understanding 2013

Appendix 3: Glossary of terms

Emergency prohibition order: A prohibition order which will come into effect immediately where there is an imminent risk to health and safety (Housing Act 2004). It can be used to prohibit use of all or part of a dwelling.

Emergency remedial action: An order which is used when it is considered there is an imminent risk to health and safety and allows the council to carry out immediate remedial action (Housing Act 2004).

Enabling fee: A fee paid by Registered Providers and other Panel Partners for each affordable housing unit delivered by a local authority.

Enforcement and Licensing Policy: the policy which describes our approach to enforcement and licensing.

Hazard awareness notice: A formal notice issued to raise awareness of a hazard.

Housing health and safety rating system: A risk-based evaluation tool which helps local authorities identify hazards in a property under Part 1 of the Housing Act 2004.

Hazard: A hazard for this purpose is a defect which has the potential for harm to occur. An actionable (or significant) hazard is a housing health and safety hazard category A – D as assessed under the housing health and safety rating system (Housing Act 2004).

Homesearch: The name of the Council's housing allocation scheme.

Homesearch partner: Housing providers (including registered providers) who allocate their vacant social housing properties through Homesearch.

House in multiple occupation (commonly called an HMO): an HMO is a property occupied by three or more unrelated people who share a bathroom or kitchen. It can also be a building converted into bedsits or self-contained flats.

Housing Services: Part of Bath and North East Somerset Council and includes the following services, Housing Options and Homelessness, Homesearch, Housing Standards and Improvements, Housing Strategy and Performance, Housing Enabling and Development, Homefinders and Supported Lodgings.

Improvement notice: An enforcement notice which can be used to set timescales for works to be completed to improve a hazard found in a dwelling.

Immigration clearance survey: a survey to confirm that additional occupants will not create a crowding and space hazard and to ensure the property is free from significant housing health and safety hazards.

Informal enforcement approach: An approach, taken when the Council is confident with the landlord's ability to deal with an actionable hazard within a reasonable time scale and subject to the circumstances of the case. This is also known as the landlord agreement.

Landlord agreement: An approach which provides the landlord, in the first instance, with details of works required to reduce any actionable hazards identified. The landlord then has 14 days to discuss timescales or suggest any alternative works. If the landlord does not fully engage at this stage or if they fail to complete works as agreed the Council will be in a position to consider further action, such as service of a notice.

Licensing fees: Fees charged per licensable property which covers the cost of the licensing process.

Local land charge: A debt which is repaid (including any accrued interest) when the property is sold.

Nomination Agreement: A partnership agreement which decides how social housing in the district is allocated.

Panel Partner: Development and management organisations, such as registered providers.

Prohibition order: An enforcement order (notice) which can be used to prohibit use of all or part of a dwelling where health and safety hazards have been identified. It can also be used to limit the number of occupants in a property.

Residential Property Tribunal: The body that hear appeals against decisions made by the Local Authority under The Housing Act 2004.

Subject access request: A written request by an individual asking for their personal information.

Suspended improvement notice: An improvement notice which is suspended.

Suspended prohibition order: A prohibition order which is suspended.

West of England Housing Delivery Panel: Local authorities which work together to promote and increase the delivery of market and affordable housing across the West of England.

Works in default: Works carried out by the Local Authority where a notice served under the Housing Act 2004 has not been complied with or reasonable progress to comply has not been made.

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