

Housing Services Charging Policy

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

2023



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

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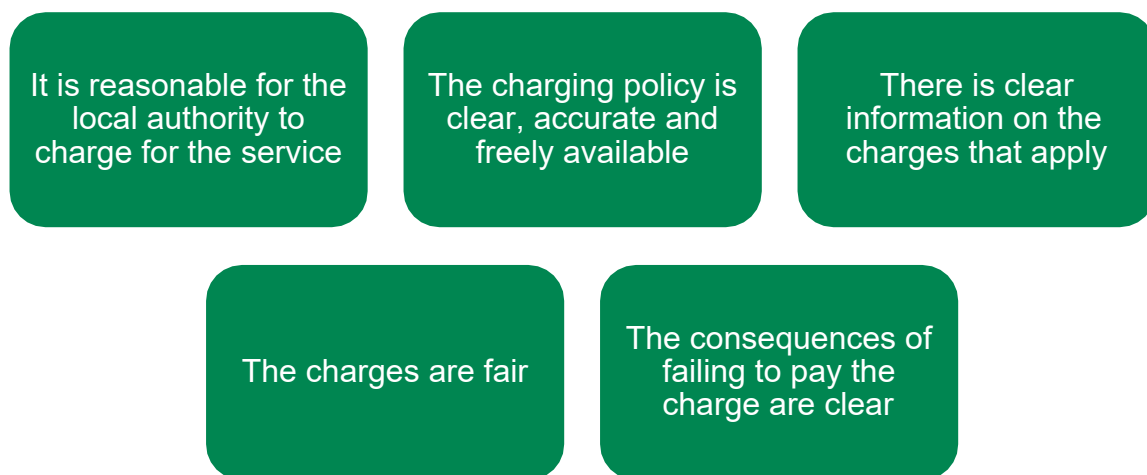
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Introduction

Housing Services will charge a reasonable fee for the administration and provision of services, which are set out in this policy.

Our charges will reflect the costs incurred in the performance of the task. These charges will help the services meet any associated administration costs, such as the cost of undertaking a visit and officer time.

All charges are set out in full in appendix 1: Table of Charges for Housing Related Services. When administering a charge, the service will adhere to the following standards:



Services which are subject to the Charging Policy are:

Discretionary property inspection services

Enabling the delivery of affordable housing units

Enforcement of property health and safety standards

Homesearch marketing

Licensing rented properties

Storage of possessions and pets

Temporary accommodation

Services and actions subject to charging

Discretionary property inspection services

Immigration clearance surveys and non-statutory advice are offered, if resources allow. They are charged at an hourly rate based on staff and administration costs.

Enabling the delivery of affordable housing units

Providers delivering affordable housing, such as registered providers, will be charged a fee for every unit of affordable housing delivered by the authority. Charges will comply with terms of HomesWest's Joint Working Agreement (or its successor in function) and will be subject to periodic review.

Enforcement of property health and safety standards

Hazard awareness notices are not subject to a charge. The Council's Enforcement and Licensing Policy can allow for the completion of works through an informal enforcement approach, in the first instance and in those situations no fee is payable.

Enforcement Notices and actions which are subject to a charge are:

Improvement Notice	Prohibition Order and Emergency Prohibition Order	Suspended Improvement Notice	Suspended Prohibition Order	Works in default/ emergency remedial actions
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We will charge a landlord (or other appropriate person) a set fee for issuing notices and orders, when an informal enforcement approach has not resulted in the completion of remedial works.

Failure to comply with an improvement notice may also result in a charge to complete the works in default or emergency remedial actions, in addition to the actual cost of the works. The fee will recover administration costs, such as officer time in carrying out the work and calculated at an hourly rate. The owner will be notified of the intention to undertake works on their behalf and the chargeable service.

Suspended improvement notices and suspended prohibition orders are not subject to a charge under the following circumstances:

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

- be undertaken, or
- The Council does not wish to make the current household homeless, even though a crowding and space hazard exists, but wishes to limit the number of future occupants

Homesearch marketing

We will charge a landlord (such as a registered providers) a set fee for each affordable housing property marketed through Homesearch. Charges will comply with the nomination agreement and allocation scheme.

Licensing rented properties

Rental properties are licensable if they meet the mandatory, additional or selective licensing criteria. We will charge a standard fee for licensing a house in multiple occupation (HMO). Any renewals may be applied for within 60 days of expiry of the previous licence. A new licence is required where a renewal application is made more than 60 days after the expiry date of the licence. Additional charges maybe also be levied in the event of missed appointments.

Storage of possessions and pets

We will normally charge a homeless person the full cost associated with the safeguarding of their personal possessions and pets. Storage and kenneling will be undertaken by a third party. Charges will comply with our protection of property procedure.

Temporary accommodation for the homeless

We will make a charge for providing temporary accommodation. Charges can be offset against a housing benefit application (where eligible). Housing benefit will be paid directly to the Housing Options Team and deducted from the overall cost of the accommodation. Service charges, such as breakfast, heating, lighting and water are not covered by housing benefits. We will pay those charges for the first six weeks of occupancy in bed and breakfast, but thereafter the charges can be subject to payment by the person at the discretion of the Service.

We expect any person with savings, or capital, above £16,000 to meet the full cost of their accommodation.

People in work will be expected to contribute to the cost of their temporary accommodation. They will be expected to meet their full housing cost, if they are not eligible for housing benefit. We will, however, not impose a charge where the effect of those charges will result in a person's net income being below the basic benefit threshold, plus 25%. Disability benefits such as personal independence payment or attendance allowance will not be considered when calculating a person's income. Neither will war pension, war widow's pension or armed forces independence payment be considered.

Financial difficulties

We will help try to help people claim their full benefit entitlement and obtain debt and welfare benefit advice, where necessary. We will also consider requests for a reduction in temporary accommodation charges, if the person is struggling financially. Reasonable living expenses, for a single person, are calculated at a weekly rate of £45 (food), £25 (electric), £10 (gas), £4.00 (TV license) and £10 (water). Occupancy, in bed and breakfast, will not incur some of these costs and would be irrelevant. Couple will be no more than twice the weekly rate of a single person but can be less if deemed appropriate. Living expenses for a family will depend on their circumstances and the number of people living in the household. We will seek guidance from Welfare Support, as necessary.

We may also reduce the charge when inability to pay is unavoidable and not the person's fault. We are of the view, however, that a person who can afford their daily living costs and housing costs will not receive a reduction in the charge.

Right to complain

We 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 favorable 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

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

We 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.

Appendix 1: Table of charges for housing related services

Service Area	Chargeable Service	Page	Charge
Discretionary property inspections	Immigration Clearance Survey (per hour)	4	£50
	Non-statutory property inspection advice (per hour)	4	£50
Enabling the delivery of affordable housing	Delivery of each affordable housing unit	4	£570
Enforcement actions	Improvement Notice; Suspended Improvement Notice; Prohibition Order; Emergency Prohibition Order; Suspended Prohibition Order	4	£400
	Works in Default (per hour)	4	£50
	Emergency remedial action (per hour)	4	£50
Homesearch marketing	Marketing and administration for each property (per unit)	5	£90
Storage of possessions and pets	Storage and kenneling	5	Varies
Temporary accommodation	Food, heating, lighting and hot water in B&B	5	Varies
	Rent in B&B		

Service Area	Chargeable Service	Page	Charge
Licensing rented properties	Licensing each House in Multiple Occupation		£995 new licence fee
	The licence fee is payable in two parts:		£895 renewal licence fee
	Part 1 £600		
	Part 2 Outstanding Balance	5	
	Refund and discount policy – see below*		
	Additional charges maybe also be levied in the event of missed appointments.		£50 missed appointment surcharge
	Failure to pay outstanding balances of licence fees when requested may incur an additional £50 administration charge to cover the cost of an invoice		£50 invoice charge for non-payment of outstanding fees

*HMO licensing discounts and refunds

A discount of £50.00 will be applied under the following circumstances:

- The fully completed application is submitted online via B&NES electronic application form and **all** the correct valid supporting documents are uploaded with the application; and
- The proposed licence holder and any managers agree to receive the licence and any other relevant documents via email.
- The discount will be applied after the application has been made and deducted from any outstanding balance or where the application has been paid for in full, refunded directly to the applicant

Application Stage	Licence fee refund available
Application withdrawn before processing and acknowledgment	Part 1 and part 2 fee
Application withdrawn after processing and before property inspection	£340 of part 1 fee will be refunded and the Part 2 fee if paid
Application withdrawn after processing and property inspection	Part 2 fee
Final HMO licence issued	No refund available
HMO Licence application refused	Part 1 fee

Appendix 2: Table of authorities

Data Protection Act 1998

Freedom of Information Act 2000

Homesearch Policy 2016

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

Homelessness Reduction Act 2017

Housing Act 2004 (and associated regulations)

Housing Enforcement and Licensing Policy 2022 and fees document

Nomination Agreement 2018

Review of a homeless decision procedure 2018

Tenancy Strategy 2018-2025

HomesWest Joint Working Agreement 2015

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 providers delivering affordable housing for each affordable housing unit secured by or supported into delivery by the local authority Housing Enabling and Development Service.

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.

HomesWest Joint Working Agreement: Agreement of the partnership of registered providers and Local Authorities delivering new affordable housing across the West of England.

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 works agreement.

Works 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 able 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.

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.

Registered Providers: Registered providers include private registered providers (such as not-for-profit housing associations and for-profit housing development organisations).

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.

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.