

HIGH PEAK BOROUGH COUNCIL

Report to the Housing Select Committee

4th May 2016

TITLE:	Adoption of Tenant Alteration and Improvement Policy
EXECUTIVE COUNCILLOR:	Councillor Julie McCabe – Portfolio Holder for Housing Services
CONTACT OFFICER:	Roger Burnett – Head of Customer Services

Appendices Attached

Appendix A – Tenant Alteration and Improvement Policy

1. Reason for the Report

- 1.1 The purpose of this report is to present to Members the proposed tenant alteration and improvement Policy.

2. Recommendation

- 2.1 That members agree the Policy as set out in this report.

3. Executive Summary

- 3.1 The right to make alterations or improvements to their home is a statutory right for secure tenants, subject to the landlords approval as set out in the Housing Act 1985 (chapter 68 Part IV section 97)

- 3.2 This policy sets out how the Council will handle such requests in a consistent, equitable and transparent manner, whilst ensuring the integrity of the housing stock is preserved.

4. How this report links to Corporate Priorities

- 4.1 This report links to the Council's aim to provide a fit for purpose housing stock that meets the needs of tenants and a good quality social housing provision.

5. Options and Analysis

- 5.1 Adopt the policy detailed within the report and instigate a rolling programme of review to ensure these continue to enable us to deliver a quality Housing Service **Recommended**
- 5.2 Do not adopt or develop the policies. **Not recommended**

6. Implications

6.1 Community Safety - (Crime and Disorder Act 1998)

The Policy supports the ethos of sustainable communities in that it provides that any alterations to Council dwellings are safe and do not pose a risk to other residents.

6.2 Workforce

This Policy is already delivered by the current workforce

6.3 Equality and Diversity/Equality Impact Assessment

This Policy is applied fairly and consistently and where appropriate

6.4 Financial Considerations

This Policy is delivered within current resourcing

6.5 Legal

The right to make alterations or improvements to their home is a statutory right for secure tenants, subject to the landlords approval as set out in the Housing Act 1985 (chapter 68 Part IV section 97)

6.6 Sustainability

Diligent monitoring of alterations made to Council dwellings protects the stock integrity

6.7 Internal and External Consultation

This Policy has been approved by the Tenant Scrutiny Group

6.8 Risk Assessment

There are potential risks to the safety of tenants and visitors to their properties if alterations are made which are unsafe. This Policy seeks to minimise this risk

7. Background and Detail

- 7.1 As stated above, secure tenants have a statutory right to improve their homes, as long as these alterations are made with the Council's consent and in line with relevant legislation relating to building and planning.

- 7.2 Whilst tenant alterations have taken place historically, there has to date been no formal policy in relation to the same. The management of tenant alterations crosses the responsibility of both the tenancy management and asset management team and has been developed by senior staff from both teams to ensure that the Councils interests and tenants rights are honoured and respected.
- 7.3 The current approach to the management of requests to complete alterations has lead to a more consistent and streamlined service for tenants without adverse impact on staff resources. The improvements made to this process have lead to more clarity for both staff and tenants and has had both a positive impact on the quality and speed of service for tenants and the level of staff resources expended in this area.
- 7.4 The ongoing practice of proactive tenancy management in terms of the completion of Tenancy Health Checks and other property visits has lead to a rise in previously unauthorised alterations and improvements being identified and as such the process for approving these has been reviewed and updated.
- 7.5 In addition to this proactive approach, there have been incidents whereby unauthorised alterations have placed tenants and residents at risk and/or contributed to the deterioration of or damage to the Councils housing stock. This has lead to review of the types of alterations authorised and is reflected in the relevant clause of the secure tenancy agreement.
- 7.6 This Policy has been approved by the Tenant Scrutiny Group.

Roger Burnett
Executive Director – People

Web Links and Background Papers	Location	Contact details
Appendix A – Tenant Alteration	Attached	<p>Helen Core Principal Housing Officer Email – helen.core@highpeak.gov.uk Tel – 0345 129 8075 ext 6511</p> <p>Steve Fanning Capital Programme Manager Email – steve.fanning@highpeak.gov.uk Tel – 0345 129 8075 ext 3818</p>



High Peak Borough Council
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High Peak Borough Council

Tenant Alteration & Improvement Policy

Introduction

High Peak Borough Council provides a tenancy agreement which defines the tenant's rights and responsibilities with regard to making alterations to their home. This is a statutory right for secure tenants as defined in the Housing Act 1985.

You have the right to make certain improvements and alterations to your home, for example, fitting a new kitchen, new bathroom or painting outside. You must get our written permission before you carry out any work, and you must also carry out the work within the guidelines we give you. You can find more information about this in your tenants' handbook

Section 2.9 deals specifically with alterations and improvements:-

You must not carry out any alterations or improvements to your home without first getting our written permission.

Examples of alterations and improvements include:

- *decorating the outside of your home;*
- *altering the structure of your home, including removing inside walls;*
- *changing or adding fixtures to the property, including in the bathroom or kitchen, TV aerials, satellite receivers and CCTV cameras;*
- *building structures such as garages, sheds, carports or pigeon lofts;*
- *laying a drive or making a car parking space;*
- *altering gas, electricity or water services and equipment;*
- *changing the land levels within the boundaries of your home;*
- *putting up or removing fences, hedges or other boundary markers; and*
- *fitting extra plug sockets.*

We will not unreasonably refuse to give you permission to carry out alterations or improvements. However, we will not give you permission to make alterations that, for example, will make it harder for us to maintain the property, will adversely affect your neighbours or that may make your property unsafe.

Examples of alterations and improvements we would not allow are:

- *structural changes that do not meet building regulations;*
- *installing pet-flaps in fire doors or doors which lead into shared areas;*
- *installing laminate flooring in flats above ground-floor level;*
- *dividing bedrooms into multiple rooms; and*
- *anything that makes the property more vulnerable to fire.*

If we do give you our permission, we may also give you certain conditions which you must keep to when you carry out the work. If you do not keep to these conditions, we may take away our permission. If we refuse to give you permission or we take away our permission, we will write to

you and tell you why. If work has already started you may have to put the property back to its original condition. If you do not, we may do the work and you will have to pay our costs.

- 2.9b If we give you written permission to carry out alterations to your home, you must also get any necessary planning permission and building permission.*
- 2.9c All work must be carried out by a qualified contractor who is capable of doing the work. You must arrange for us to inspect the work when it is finished*
- 2.9d While any alterations and improvements we give our permission for are being carried out, you must take reasonable steps to minimise any nuisance or inconvenience caused to other people. You must make sure work is carried out safely and in line with current health and safety legislation.*
- 2.9e You are responsible for repairing, maintaining and replacing all improvements you make and any fixtures and fittings you fit in your home. When you move out, we will own any improvements you have made or fixtures or fittings you have fitted. If you take any fixture or fittings with you when you leave, you must put the property back to its original condition. If you do not, we may charge you for any work we need to carry out to do this.*

Should this policy and the tenancy agreement differ, which is not the intention, then the agreement will take precedence.

Aims and Objectives

- Empower those tenants who wish to improve their homes at no cost to the Council
- Safeguard the integrity of the Council's housing stock
- Comply with all relevant current and future legal and statutory requirements
- The provision of clear and relevant information to customers regarding their rights and responsibilities and those of HPBC as landlord
- To ensure that the terms and conditions of tenancy agreements are complied with, for the benefit of HPBC, customers and the wider community
- Operate with a firm and consistent approach, whilst being sensitive to individual needs and circumstances
- Operate in accordance with the Data Protection Act 1984.

Operational Principles

The Council:

- ... will consider all applications for tenant alteration or improvements and where possible deliver a decision within 14 days of the request
- will ensure each application to complete an alteration or improvement is properly investigated, documented and authorised
- will not unreasonably refuse any request and when a refusal is made, give clear reasons
- will ensure that no alteration or improvements are authorised that may compromise the safety or integrity of the Council's housing stock
- Will not authorise an alteration or improvement which will make the property more costly to maintain
- ... will refuse any alteration or improvement which make the property more vulnerable to fire
- may refuse any application to complete an alteration or improvement whilst the tenant's rental account is in arrears
- may impose certain conditions upon permission being granted.

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Monitoring

Each application to complete a tenant alteration or improvement is reviewed and authorised by either the principal housing officer or capital programme manager to ensure consistency of approach and accurate application of legislation and statutory responsibility.

Responsible Person/s

The Executive Director for Place has overall responsibility for the implementation of this policy.

Review Date

- Every three years
- or on the introduction of new legislation/guidance
- or at the request of the Housing Select Committee
- or at the request of the Tenant Scrutiny Panel.

