

**COMMITTEE:** BEST VALUE SCRUTINY PANEL

**DATE:** 10<sup>TH</sup> MAY 2005

**SUBJECT:** BEST VALUE IMPROVEMENT PLAN -  
RECHARGEABLE REPAIRS

**REPORT BY:** DIRECTOR OF HOUSING & SOCIAL SERVICES  
(HEAD OF HOUSING (LANDLORD))

**CONTACT OFFICER:** ROY BROWN 546012

**IMPLICATIONS:**

LEGAL	COMMUNITY SAFETY
EQUALITIES	ENVIRONMENT
FINANCIAL	CONSULTATIONS ✓
STAFFING	OTHER

**WARDS AFFECTED: ALL**

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**PURPOSE**

1. To update the Best Value Scrutiny Panel on the progress of item 51 of the Landlord Best Value Improvement Plan, the implementation of a recharge policy for repairs that are the tenants responsibility.

**RECOMMENDATION(S)**

2. **Best Value Scrutiny Panel is recommended to note and comment on the contents of this report.**

**BACKGROUND**

3. As a result of the Best Value review of Housing Landlord Services it was recognised that an updated recharge policy for repairs that are considered to be the tenant's responsibility was necessary.

4. The existing recharge policy has not been reviewed for many years and lacks clarity and results in misinterpretation.

### **REPORT**

5. It is considered that rechargeable repairs needs to be fully reviewed to provide a clear policy that can be implemented to give consistent interpretation.
6. Issues to be looked into include
  - The list of items to be included as the tenants responsibility to repair
  - Whether fixed charges should be used for specific repairs
  - Possible pre-payment of charges by tenants before the repair is arranged
  - Any categories of persons who may not be subject to the recharge policy
  - Action to be followed for non-payment of charges
  - Consideration of Best Practice recommendations
7. Consultation with Tenant Groups will need to be carried out
8. The policy review on recharging tenants is due to start in August and following consultation with the tenant groups it is envisaged that a report to the Best Value Scrutiny Panel will be available for November.

### **LEGAL SERVICES**

9. Any review of the policy needs to take into account the limitations imposed on the Council as landlord regarding to repairs for which tenants can be held responsible. Under section 11 of the Landlord and Tenant Act 1985 there are some repairs for which the Council is statutorily obliged to be responsible. There are no other legal implications arising from this report and this has been agreed with the relevant solicitor in Legal Services on 21<sup>st</sup> March 2005.

### **PROPOSAL/OPTION**

10. Scrutiny Panel is recommended to note the contents of this report and comment accordingly.

### **CONSULTATION IMPLICATIONS**

11. Consultation will have to take place with the Tenants Consultative Committee for their views and recommendations.

### **LIST OF BACKGROUND PAPERS** **LOCAL GOVERNMENT ACT 1972, SECTION 100D**

12. Housing Landlord Best Value Improvement Plan.