

## 7.4 Housing and environment

### Functions delegated to the assistant director of landlord services

1. To act as the proper officer of the council to perform the functions in relation to section 234 of the local government act 1972, in so far as they relate to the duties of the director in respect of housing, and other functions delegated to the director.

#### Housing Management (Landlord Services)

2. Housing Management (Landlord Services)

##### 2.1 Policy/Strategy

To develop and contribute towards the Council's functions in respect of the preparation and development of appropriate strategies, policies and plans.

##### 2.2 Legal and Administration

- a. Estate management including (but not limited to) caretaker housing, grounds maintenance and other environmental services;
- b. The administration of the Right to Buy (RTB) scheme including (but not limited to):
  - determining eligibility of tenants to purchase the property they occupy
  - a valuation of the property
  - Verifying the discount to which tenants are entitled
  - Determining exclusions from the RTB
  - Authorising the sale of properties (freehold and leasehold) under RTB
  - Authorising the repurchase and exchange of ex-RTB properties
  - Approving variations and rectifications to the RTB leases and transfers as may be required (following consultation with the Director of Legal and Democratic Services)
  - Approving applications for Landlords consent for carrying out alterations to the properties sold under the RTB (following consultation with the Director of Legal and Democratic Services).
- c. The enforcement of leasehold covenants including (but not limited to) forfeiture and (following consultation with the Director of Legal and Democratic Services and other relevant service directors) court action to secure enforcement.
- d. Undertaking statutory consultation with leaseholders.
- e. To exercise all powers in relation to Shared Ownership properties.

3. Disposals

- 3.1 To dispose of Housing Land for a consideration of £250,000 or less (following consultation with the relevant cabinet member and ward councillors) provided that the terms are certified by the Valuer to be the best consideration reasonably obtainable.
  - 3.2 To approve sale of freehold interests to leaseholders pursuant to the RTB leases.
  - 3.3 To approve freehold enfranchisement and lease extensions interest pursuant to statutory provisions and voluntary disposal (following consultation with the Director of Legal and Democratic Services).
  - 3.4 To grant licenses, easements, wayleaves, rights of way, release of covenants in respect of housing land (following consultation with the Director of Legal and Democratic Services).
4. Loans and Mortgages
    - 4.1 To approve the grant of service charge loans to leaseholders.
    - 4.2 To authorise the discharge of loans and mortgages secured against ex-RTB properties.
5. Legal and Administration
    - 5.1 To institute possession proceedings in the County Court on behalf of the Council against secure tenants on grounds of rent arrears and non secure tenants in respect of premises provided as temporary accommodation and premises occupied by unauthorised occupiers following termination of a secure tenancy.
    - 5.2 To institute legal proceedings (including any appropriate enforcement action) for the recovery of service charge or capital works arrears from the Council's leaseholders.
    - 5.3 To act as the proper officer of the Council to perform the functions in relation to section 234 of the Local Government Act 1972, in so far as they relate to the duties of the Director in respect of housing and any other functions delegated to the Director
    - 5.4 To undertake the management of Housing Land and associated property including (but not limited to):
      - a. The granting of tenancies and alteration and transfer of existing tenancies;
      - b. The management of the transfer/exchange waiting list, mutual exchange and successions of tenancies;
      - c. The management of tenancies, the termination of tenancies including (but not limited) to the issue and enforcement of notices to quit and notices seeking possession;
      - d. The enforcement of conditions of tenancy including (but not limited to) evictions and (following consultation with the Director of Legal and Democratic Services and other relevant service directors, including the statutory Children Services Director) court action to secure enforcement;

- e. Action in respect of illegal occupation including (following consultation with the Director of Legal and Democratic Services) securing possession;
  - f. The financial management of property including (but not limited to) the fixing and collection of rent and other charges (including arrears), service charges and major works charges, financial returns and arrangements for insurance and claims handling;
  - g. The provision and management of sheltered housing;
  - h. The financial management of property including (but not limited to) the fixing and collection of service charges and other charges (including arrears), financial returns and arrangements for insurance and claims handling.
  - i. The discharging of functions under Part VII of the Housing Act 1996 (and successor legislation).
6. Enforcement
- 6.1 To exercise the Council's powers on Housing Land in relation to
- 6.1.1 Unlawful waste disposal (unlawful disposal of waste and refuse including, but not limited to, littering and fly-tipping)
  - 6.1.2 Flyposting and Graffiti
  - 6.1.3 Nuisance Vehicles (abandoned vehicles, nuisance parking and repair and sale of motor vehicles)
  - 6.1.4 Dogs (dangerous and stray dogs)
- including enforcement action (including the issue of fixed penalty notices).