

CORPORATE DIRECTOR (HOUSING AND COMMUNITIES)

Deputises for the Chief Executive as necessary.

To be responsible for the implementation of strategies policies and plans relating to strategic housing services, housing needs, private sector housing, housing development, partnerships, community services, community planning, community safety, community grants, housing (landlord) operations, repairs and asset management relating to the Council's housing stock.

1. **STRATEGIC COMMUNITY AND HOUSING SERVICES**

All the following delegated powers relating to Strategic Community and Housing Services can also be exercised by the Head of Community and Housing Strategy who may also delegate to a suitably qualified or experienced Officers.

- 1.1. To be responsible for the development and implementation of strategies, policies and plans relating to strategic housing services.
- 1.2. To develop the Housing, Homelessness and Rough Sleeping Strategy and associated strategies and work in partnership with internal and external stakeholders to ensure its effective implementation. This includes working in partnership with Registered Providers to ensure the best housing offer to people in housing need.
- 1.3. To make arrangements for the selection of Registered Providers for development projects.
- 1.4. To arrange for applications for planning consent in connection with development projects and other housing initiatives.
- 1.5. To plan and implement the Council's Affordable Housing Programme.
- 1.6. To agree the appropriate tenure, mix and property types on S106 sites with developers and associated consultants.
- 1.7. To agree on appropriate grant funding to Registered Providers on affordable housing sites.
- 1.8. To agree arrangements in working with private developers to deliver affordable homes.
- 1.9. To discharge the Council's statutory functions in relation to preventing and managing homelessness and in ensuring the Borough's housing needs register is managed in accordance with the Council's Allocations Policy.
- 1.10. To ensure that private sector housing meets the required standard and take enforcement action where required.

- 1.11. To maintain community partnerships and develop new ones with the aim of promoting involvement among the community and local business, better health and youth engagement.
- 1.12. To ensure that this council undertakes its mandatory duty to act as a “responsible authority” on the borough’s Community Safety Partnership (CSP), in order to plan and deliver measures to tackle crime, anti-social behaviour, substance misuse, to reduce offending and promote assurances to the public whilst working together with other statutory and non-statutory organisations
- 1.13. To administer the Local Strategic Partnership and sub groups including the Community Inclusion Partnership and Welwyn Hatfield 11-19 Group.
- 1.14. To coordinate, review and update the borough’s Youth Strategy on an annual basis.
- 1.15. To manage the Borough’s Sports Facilities Strategy Steering Group and ensure the development and revision of the borough Sports Facility Strategy on an annual basis.
- 1.16. To work in partnership with key stakeholders to develop initiatives and events that improve the vibrancy and footfall within the town centre.
- 1.17. To administer and provide advice on the council’s grant application process, including its annual grants, small community grants and the Queens Jubilee grants.
- 1.18. Working where necessary with the Head of Housing Operations:-
 - a) Consider reviews of decisions to exclude applicants from the Housing Needs Register in accordance with relevant legislation.
 - b) Set up local letting schemes in accordance with Council policy.
 - c) Agree the lease of units to external partner agencies for special schemes up to a maximum of ten units for any one scheme.
 - d) Agree nomination rights to Council and registered social landlord properties for partner agencies for use as move on.
 - e) Approve special allocations schemes in accordance with the Council’s hard to let strategy, in order to meet housing need, or otherwise in accordance with Council policy.
 - f) To approve the Annual Lettings Plan and any revisions to the Annual Lettings Plan.
 - g) To agree prioritisation of properties to specific groups, to ensure the lettings targets set out in the Annual Lettings Plan are met.
 - h) Revise and change priority of housing for applicants accepted as Homeless as necessary to ensure homelessness duties are managed effectively alongside duties to waiting list and transfer applicants.

- i) Agree the necessary arrangements to ensure that wherever possible, in times of high demand from homeless households, Council and Registered Provider properties are used to free up temporary accommodation to prevent the use of bed and breakfast and to ensure that any such arrangements are regularly reviewed and monitored.
- j) Make decisions where the interpretation of Housing Policy, including the Allocations Policy is disputed.

1.19. In pursuance of the Council's duties in respect of private sector housing:-

- a) To sign orders, notices, approvals, licences and Civil Penalties. Make applications for Rent Repayment Orders and Banning Orders. Authorised in accordance with Council policy and Responsibility for Functions.
- b) To authorise any suitably qualified or experienced person to act or to execute powers under any current licensing and housing legislation enforced or administered by the Council and to sign such authorisations.
- c) To authorise the carrying out of works in default arising from actions taken in accordance with housing legislation and to arrange for the recovery of costs.
- d) To serve or authorise the service of notices:
 - Requiring the execution of works of repair to rectify hazards the occupiers and visitors of dwellings
 - Requiring the abatement of overcrowding of dwellings.
 - Of intention to cleanse premises of vermin before demolition.
 - Requiring any information reasonably required to exercise statutory functions.
 - Proposing the grant, refusal to grant, variation, refusal of variation, revocation, refusal or revocation of a licence for a house in multiple occupation.
 - Proposing to make a Final Management Order.
 - Proposing to make a Final Management Order with modifications
 - Proposing to vary, refuse, revoke or refusing to revoke an Interim or Final Management Order.
 - To make or propose to make any other relevant Order or application or take any necessary action in pursuance of the Council's licensing and enforcement responsibilities as set out within housing legislation.
- e) To determine applications for all classes of home improvement grants and/or loans and applications for Disabled Facilities Grants.
- f) In connection with houses which have been assessed under the Housing Health and Safety Rating System to serve or authorise the service of the following notices and orders:
 - Improvement Notices
 - Prohibition Orders
 - Hazard Awareness Notices
 - Emergency Prohibition Orders

- Demolition Orders
- g) In connection with houses which have been assessed under the Housing Health and Safety Rating System to authorise the taking of Emergency Remedial Action or the making of a Slum Clearance Declaration.
 - h) To issue notices and make Orders in respect of houses in multiple occupation to deal with overcrowding, means of escape from fire and living conditions or any other relevant issue.
 - i) To serve a Notice of Intention to register or licence houses in multiple occupation.
 - j) Apply for a banning order against a person or corporate body who has been convicted of a banning order offence.
 - To consider representations made in accordance with a notice proposing the application of a banning order
 - Require a person or corporate body to provide specified information for the purpose of enabling the authority to decide whether to apply for a banning order against that person or corporate body.
 - k) Make entries and maintain records accordingly to the Government's Rogue Landlords Database
 - l) Make Applications for Rent Repayment Orders against persons who have committed relevant offences.
 - To consider representations made in accordance with a notice proposing the application of a Rent Repayment Order
 - m) To Serve a Notice imposing a financial penalty on a person if satisfied, beyond reasonable doubt, that the person's conduct amounts to a relevant housing offence in respect of premises in England
 - To consider representations made in accordance with a notice proposing the imposition of a financial penalty.
 - n) To make, serve, enforce and execute Closing Orders and Demolition Orders in respect of unfit dwelling houses and unfit houses in multiple occupation.
 - o) In connection with mandatory, additional and selective licensing of houses in multiple occupation to:
 - Grant, refuse, revoke or vary a licence
 - Authorise the taking of legal action for non-compliance with licence conditions or for operating without the required licence
 - To make Interim Management Orders
 - To consider representations regarding the making of Final or Interim Management Orders
 - To make Final Management Orders
 - To consider representations made in accordance with a notice proposing the grant, refusal to grant, variation, refusal of variation, revocation, refusal of revocation of a licence for a house in multiple occupation.

- p) In respect of empty dwellings to make Interim and Final Empty Dwelling Management Orders.
- q) To serve or authorise the service of Overcrowding Notices for houses in multiple occupation that do not require a licence.
- r) To accept or reject proposals for the reconstruction of condemned houses.
- s) To substitute Closing Orders for Demolition Orders and Demolition Orders for Closing Orders.
- t) To determine Closing Orders.
- u) To serve notice of the time and place at which the making of an order in respect of a building will be considered.
- v) To determine home loss and disturbance payments, and compensation payments in respect of Closing and Demolition Orders.
- w) To authorise the institution of legal proceedings in accordance with housing legislation enforced or administered by the Council.
- x) To authorise the issue of simple cautions for offences for which Housing and Community has enforcement responsibility.

2. **HOUSING OPERATIONS**

All the following delegated powers relating to performance can also be exercised by the Head of Housing Operations who may also delegate to a suitably qualified or experienced Officer.

- 2.1. To ensure the provision of excellent housing and support services to the council's tenants and leaseholders which meet current and future needs of households.
- 2.2. To ensure services meet the standards as set out in the housing service's performance management framework, published service standards and any relevant regulatory standards as set by central Government.
- 2.3. To create and promote a culture of continuous improvement throughout the housing service and ensure effective partnership working to deliver the best outcomes for tenants and leaseholders.
- 2.4. To ensure mechanisms are in place to allow the Tenant and Leaseholder Scrutiny Panel and other tenant representatives to have opportunity to scrutinise and review housing services, making recommendations on service improvement.
- 2.5. To ensure that council housing and neighbourhoods are safe and well-managed.
- 2.6. To authorise the institution of legal proceedings for council housing related tenancy breaches.

- 2.7. Maximise rental and other types of income collected by the housing service. This includes rent, service charges, communal facilities charge, other fees and charges, former tenant arrears and other debts including re-charges for repairs.
- 2.8. To ensure that tenancies are managed in accordance with legislative requirements and council policies. In fulfilling this function the following powers are delegated:
- a) Preparation and service of the following Notices and proceeding where necessary with court action and evictions from residential properties:
 - Notices of Seeking Possession
 - Notices to Quit
 - b) Represent the council at court for standard rent arrears possession cases and other tenancy breach court hearings as agreed with the Head of Law and Administration
 - c) Approving applications and the administration of tenancy and rent account related matters, i.e. to sub-let properties, temporary absence, rent refunds, etc.
 - d) Approving mutual exchanges and the vesting, assignment or creation of new tenancies, following the tenant's death or in the event of relationship breakdown in accordance with statutory rights and good housing management.
 - e) Writing off irrecoverable council housing related debts in accordance with the council's financial regulations and policy
- 2.9. To ensure the provision of high quality and relevant housing and other support services to older people and people with specialist support needs. This includes the community bus service and shop mobility.
- 2.10. To process applications made under the Right to Buy (RTB) scheme. Sale of housing under Right to Buy including the assessment of eligibility and calculation of discounts. Make decisions where the interpretations and implementation of the Statutory Right to Buy Scheme is required.
- 2.11. To process deeds of variations for leaseholders.
- 2.12. To carry out leaseholder consultation under the statutory requirements.
- 2.13. To determine service charges payable by leaseholders.
- 2.14. In pursuance of the Council's duties in respect of community safety and the effective management of anti-social behaviour across the borough:
- a) To authorise any suitably qualified or experienced person to act or to execute powers under any anti-social behaviour, crime and disorder and housing legislation enforced or administered by the Council and to sign such authorisations.

- b) To authorise or designate persons for the purpose of Part 1, and Part 4 chapters 1, 2 and 3 of the Anti-Social Behaviour, Crime and Policing Act 2014
- c) To authorise any suitably qualified or experienced person to make applications for injunctions in connection with anti-social behaviour, crime and disorder and housing legislation.
- d) To authorise any suitably qualified or experienced person to make applications for public space protection orders in connection with anti-social behaviour, crime and disorder and housing legislation.
- e) To authorise any suitably qualified or experienced person to make applications for closure of premises associated with disorder in connection with anti-social behaviour, crime and disorder and housing legislation.
- f) To issue or authorise the issue of community protection notices.
- g) To issue or authorise the issue of a written warning prior to issuing a community protection notice.

3. **PROPERTY SERVICES (HOUSING)**

All the following delegated powers relating to performance can also be exercised by the Head of Property Services (Housing) as appropriate who may also delegate to a suitably qualified or experienced Officer.

- 3.1. To develop and implement the Asset Management Strategy for Council housing in the borough.
- 3.2. To ensure that the Borough's housing stock is well-maintained in accordance with the Asset Management Strategy.
- 3.3. To deliver a high quality and cost effective responsive repairs service for council dwellings and Housing Revenue Account garages which reflect Council policy and demonstrates excellent customer services.
- 3.4. To keep in good repair land, pathways and roads which fall under the management of the housing service.
- 3.5. To place contracts subject to compliance with Contract Procedure Rules and Council policy.
- 3.6. To effectively manage contracts for the repair and maintenance of Council homes, including gas safety checks, maintenance and installation and all mechanical & electrical and Compliance contracts are in place to meet statutory and regulatory requirements.
- 3.7. To ensure that the highest standards are achieved in meeting all health and safety requirements in relation to the maintenance of Council homes.

- 3.8. To authorise the payment of compensation in accordance with the agreed compensation policy.
- 3.9. Dealing with tenant and leaseholder requests for improvements inside and outside Council dwellings subject to building regulations, planning consents and other restrictions.
- 3.10. Community Services Day Centres.
- 3.11. Community Development.
- 3.12. Liaison with Voluntary Agencies.

4. WELWYN HATFIELD TENANT AND LEASEHOLDER SCRUTINY PANEL (THE PANEL)

- 4.1 Welwyn Hatfield Borough Council are committed to ensuring council tenants and leaseholders have opportunities to be involved and shape the housing service.
- 4.2 To ensure this commitment is upheld and opportunities to be involved are available, the council supports the formation of the Welwyn Hatfield Tenant and Leaseholder Scrutiny Panel ('The Panel').
- 4.3 The Panel forms an integral part of the governance and co-regulation structure of Welwyn Hatfield Borough Council through effective links with the Cabinet Housing Panel and the operational teams within the Housing and Community Teams.
- 4.4 The Panel will have its own 'Terms of Reference' which will be developed in partnership with officers within the housing service and will be finalised and signed off by the Panel.
- 4.5 The council and The Panel commit to adhere to the approved terms of reference to ensure the function, role and deliverables of both the council and The Panel is clear and delivers positive outcomes for council tenants and leaseholders in the borough.
- 4.6 The council will support The Panel by providing:
 - a) A tailored training programme for panel members so that they can maximise their contribution and benefit from personal and professional development.
 - b) One to one support for individual panel members where necessary to enable them to maximise their potential.
 - c) Reasonable costs and expenses for their work as panel members. This may include, but not limited to, travel to and from meetings, childcare costs, etc.