



NOTICE OF MEETING

CABINET MEMBER FOR HOUSING AND PREVENTING HOMELESSNESS

THURSDAY, 2 FEBRUARY 2023 AT 10.00 AM

COUNCIL CHAMBER - THE GUILDHALL, PORTSMOUTH

Telephone enquiries to Allison Harper 023 9268 8014
Email: democratic@portsmouthcc.gov.uk

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

Public health guidance for staff and the public due to Winter coughs, colds and viruses, including Covid-19

- Following the government announcement 'Living with Covid-19' made on 21 February and the end of universal free testing from 1 April, attendees are no longer required to undertake any asymptomatic/ lateral flow test within 48 hours of the meeting; however, we still encourage attendees to follow the public health precautions we have followed over the last two years to protect themselves and others including vaccination and taking a lateral flow test should they wish.
- We strongly recommend that attendees should be double vaccinated and have received any boosters they are eligible for.
- If unwell we encourage you not to attend the meeting but to stay at home. Updated government guidance from 1 April advises people with a respiratory infection, a high temperature and who feel unwell, to stay at home and avoid contact with other people, until they feel well enough to resume normal activities and they no longer have a high temperature. From 1 April, anyone with a positive Covid-19 test result is still being advised to follow this guidance for five days, which is the period when you are most infectious.
- We encourage all attendees to wear a face covering while moving around crowded areas of the Guildhall.
- Although not a legal requirement, attendees are strongly encouraged to keep a social distance and take opportunities to prevent the spread of infection by following the 'hands, face, space' and 'catch it, kill it, bin it' advice that protects us from coughs, colds and winter viruses, including Covid-19.
- Hand sanitiser is provided at the entrance and throughout the Guildhall. All attendees are encouraged to make use of hand sanitiser on entry to the Guildhall.
- Those not participating in the meeting and wish to view proceedings are encouraged to do so remotely via the livestream link.

Membership

Councillor Darren Sanders (Cabinet Member)

Councillor Cal Corkery
Councillor George Madgwick

Councillor Daniel Wemyss

(NB This agenda should be retained for future reference with the minutes of this meeting).

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendations). Email requests are accepted.

AGENDA

- 1 **Apologies for absence**

- 2 **Declarations of interest**

- 3 **Park Homes Pitch Fee Review 2023 (Pages 7 - 42)**

Purpose of report

The purpose of the report is to present the options and agree the approach that will be applied to the upcoming annual pitch fee review process for April 2023.

Recommendations

That the Cabinet Member for Housing and Preventing Homelessness takes note of the recommendations in this report and agrees to one of the following options:

**Option 1: Increase Park Homes pitch fees by 6% from 1st April 2023 or
Option 2: Increase Park Homes pitch fees by the Retail Price Index (RPI) for England at the rate set in January 2023 from 1st April 2023.**

4 Private Sector Housing Fees and Charges (Pages 43 - 66)

Purpose of Report

The purpose of the report is to present the proposals for Private Sector Housing (PSH) fee adjustments for chargeable services to ensure fees achieve full cost recovery.

Recommendations

- 1. That the Cabinet Member for Housing and Preventing Homelessness approves the proposals for PSH fee adjustments for the city council's mandatory HMO licensing fees as outlined in Appendix 1, to commence from 1 April 2023.**
- 2. That the Cabinet Member for Housing and Preventing Homelessness approves the proposals for PSH fee adjustments for the city council's Private Sector Housing Enforcement fees in Appendix 2, to commence from 1 April 2023.**

5 Update on Full Fibre to the Home - City Fibre (Pages 67 - 80)

Purpose of report

1. The report is for information only and provides the Cabinet Member for Housing and Preventing Homelessness with a further update on the Full Fibre to the Home City Fibre Infrastructure works and details the progress made across the Portsmouth City Council's housing property portfolio since the last update provided on 24th January 2022.
2. The Cabinet Member for Housing and Preventing Homelessness places on record a note for thanks to the City Fibre and Building Services team for their continued work and extending the scope of the project to Portsmouth City Council's owned council housing blocks within Havant Borough Council's area.

6 Council Housing Budget (including rents) 2023/2024 (Pages 81 - 122)

Purpose of report

- 1.1 The law requires that all income and expenditure relating to Council Housing is accounted for separately in the Housing Revenue Account (HRA). All other Council income and expenditure is accounted for together in a separate account called the General Fund. This report deals solely with the HRA.
- 1.2 The City Council has delegated the function of setting rents, charges and revenue budgets for Council Housing to the Cabinet Member for Housing and Preventing Homelessness. Following consultation with residents and leaseholders, this report seeks to address all HRA budget issues.
- 1.3 The purpose of this report is to seek the Cabinet Member's decisions on

the City Council Housing budgets, rents and other charges and to give authority for managers to incur expenditure in 2023/24.

1.4 The report also seeks to:

- Note the Forecast Revenue Outturn for 2022/23 and give authority to the Director of Housing, Neighbourhood and Building Services & the Director of Finance and Resources to amend the budgets to reflect the latest available information prior to finalising budgets for 2023/24.
- Note the Forecast Revenue Budgets for 2024/25 to 2026/27 arising from the proposals set out in this report.
- Set rents with an average increase of 7%, which is in line with the maximum increase allowed by Central Government's Social Rent Setting Policy.

Recommendations

It is recommended that the Cabinet Member for Housing and Preventing Homelessness approves the following:

- (i) The Forecast Revenue Outturn for 2022/23 arising from monitoring discussions with Managers, as set out at Appendix 3, be noted.**
- (ii) All rents and charges to be effective from Monday 03 April 2023 or such other date as determined by the Director of Housing, Neighbourhood and Building Services, in consultation with the Director of Finance and Resources.**
- (iii) Dwelling Rents for 2023/24 to be set with an average increase of 7%, which is in line with the maximum allowable under Central Government's Social Rent Setting Policy.**
- (iv) General Service Charges for 2023/24 to be set at this meeting, as set out in this report, and in accordance with Appendix 5.**
- (v) Sheltered Housing Service Charges for 2023/24 to be set at this meeting, as set out in this report, and in accordance with Appendix 6.**
- (vi) Laundry Charges for 2023/24 to be set at this meeting, as set out in this report, and in accordance with Appendix 7.**
- (vii) Heating Charges for 2023/24 to be set in accordance with Appendix 8.**
- (viii) Garages and Parking Site Rents for 2023/24, as shown in Appendix 9, be approved and authority to let garages at reduced rents where demand is low be delegated to the Director of**

Housing, Neighbourhood and Building Services, in consultation with the Director of Finance and Resources.

- (ix) The Revenue Budget for 2023/24, as set out in Appendix 3, be approved and authority given to the Director of Housing, Neighbourhood and Building Services, in consultation with the Director of Finance and Resources, to amend the budgets to reflect the latest available information prior to finalising budgets for 2023/24.**
- (x) The relevant Managers be authorised to incur expenditure in 2023/24.**
- (xi) The Forecast Revenue Budgets for 2024/25 to 2026/27 arising from the proposals contained in this report, as set out in Appendix 3, be noted.**

Members of the public are permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting nor records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

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Agenda Item 3



Portsmouth
CITY COUNCIL

Title of meeting:	Cabinet Member for Housing and Preventing Homelessness
Date of meeting:	2 nd February 2023
Subject:	Park Homes Pitch Fee review 2023
Report by:	James Hill - Director for Housing, Neighbourhood and Building Services
Report Author:	Clare Hardwick - Head of Private Sector Housing
Wards affected:	All
Key decision:	No
Full Council decision:	No

1. Purpose of report

1.1. The purpose of the report is to present the options, and agree the approach that will be applied to the upcoming annual pitch fee review process for April 2023.

2. Recommendations

2.1. That the Cabinet Member for Housing and Preventing Homelessness takes note of the recommendations in this report and agrees to one of the following options:

2.1.1.1. Option 1: Increase Park Homes pitch fees by 6% from 1st April 2023, or

2.1.1.2. Option 2: Increase Park Homes pitch fees by the Retail Price Index (RPI) for England at the rate set in January 2023 from 1st April 2023.

2.2. That an annual report will be brought to the Cabinet Member for Housing and Preventing Homelessness for decision before each pitch fee review process commences.

3. Background

3.1. Portsmouth City Council is the land owner of two residential Park Home Sites; Cliffdale Gardens and Henderson Park. The residents of these sites are private owner occupiers who own their private mobile homes and rent their plots from the local authority for a weekly charge.

3.2. Residents who live on fully residential sites are required to pay a pitch fee in line with their pitch agreement, which is a contract between site owner and park home resident. The agreement states the amount of the pitch fee and when it is to be

paid. Pitch fees are subject to regular reviews that allow for the amount to be adjusted in line with inflation.

- 3.3. The pitch fee is a rental charge applied to Park Home residents for allowing them to keep their mobile home on the site. This fee allows the council, as the site owner, to cover the cost of managing the site, including repairs and maintenance of it, as well as to generate a surplus which contributes the councils General Fund.
- 3.4. The pitch fee can be increased by up to the Retail Price Index (RPI) each year, as well as recovery of certain costs related to "improvements" to the site. This means that the pitch fee must cover the cost of managing the site, including all repairs and maintenance of the existing facilities. If, for example, a major repair or maintenance scheme were required that exceeded the income from the pitch fees, there is no mechanism to recharge this to residents by increasing the fee above RPI or levying an additional charge.
- 3.5. The pitch fee can only be changed either by agreement between the occupier and site owner or by a determination of the First-tier Tribunal (Property Chamber). It should be reviewed annually at the review date, a date which is specified in the pitch agreement. For Cliffdale Gardens and Henderson Park this review date was set last year as 1st April 2023. The fee has historically increased each year for both sites in line with RPI. However in January 2022 the retail price index was 7.8% which was higher than in previous years. The local authority made the decision to increase the pitch fee by 3% from 1st April 2022 instead of the national RPI rate of 7.8%.
- 3.6. This was communicated to the residents of Cliffdale Gardens and Henderson Park in a letter dated 2nd March 2022 accompanying the Pitch Fee review form, which read *"Please note that pitch fees are usually increased by the latest published Retail Price Index (RPI) figure in line with the Mobile Homes Act 1983. However, on 16th February 2022 RPI was published as 7.8%. The Council have taken the view that this is an exceptional situation whereby the RPI increase is such that we feel it would be unreasonable to apply this amount this year and therefore propose to increase the pitch fee by 3%, substantially lower than the latest RPI figure. The council reserves the right in future annual pitch fee reviews to apply the RPI and set the fees in accordance with it."* A copy of the letter template from March 2022 can be found in Appendix 1 and the pitch fee review form template from March 2022 can be found in Appendix 2.

4. The Pitch Fee review Process

- 4.1. On 26th July 2013, the government introduced a prescribed procedure a site owner must follow in order to increase a pitch fee.
- 4.2. At least 28 days before the specified review date, occupiers must be formally notified of the pitch fee review. For Cliffdale Gardens & Henderson Park the next review date is 1st April 2023. Residents of the site must therefore be notified in writing no later than 4th March 2023 of any proposed revision to the fee.



4.3. The written notice must be accompanied by a pitch fee review form. This form is prescribed by legislation and is designed to provide transparency in the Pitch Fee Review process and to help Park Home residents to understand the amount that they are being charged. It is also designed to ensure that a site owner is not able to add unfair charges to the pitch fee.

4.4. A park home resident is not obligated to accept the proposed increase in pitch fees. They can, however, pay the current amount and withhold the increase. Either party (site owner or resident) may make an application to the First-tier Tribunal (Property Chamber) for a determination of the amount of the new pitch fee. This should be done no later than three months after the review date. If there is a late review, an application to the Tribunal will need to be made no later than four months after the date that the site owner serves the notice.

5. How the Pitch fee is calculated

5.1. The calculation of the fee takes into account; the current pitch fee adjusted by the Retail Prices Index 'RPI', any recoverable costs (for improvements) and any relevant deductions (for reduction or deterioration in service or facilities).

5.2. The RPI is calculated by using the last figure that was published, 28 days before the review date. This year it will therefore be the RPI for January 2023 which will be published on 15th February 2023.

5.3. As outlined in section 3.4 above, prior to 2022 the local authority always increased the pitch fees for its Park Homes sites in line with RPI. However the RPI figure has historically been much lower. In April 2020 the fee increased by 2.7% and in April 2021 it increased by 1.4%.

5.4. The Mobile Homes Act 1983 (as amended) states that "*Unless this would be unreasonable having regard to paragraph 18(1), there is a presumption that the pitch fee shall increase or decrease by a percentage which is no more than any percentage increase or decrease in the retail prices index*"

6. Current Pitch Fees

6.1. Henderson Park has 67 Plots comprising of:

- 23 x Small plots
- 27 x Large Plots
- 17 x Double Plots

6.2. Cliffdale Gardens has 48 plots comprising of:

- 13 x Small plots
- 25 x Large plots
- 10 x Double plots



6.3. The pitch fees at both sites are charged at the same weekly rates, which are currently as follows:

- Small plot: £35.42
- Large Plot: £40.04
- Double plot: £44.49

6.4. The combined total fee from both sites currently generates an income of approximately £237,000 per annum.

7. Reasons for recommendations

7.1. As outlined in this report, there is a process of annual review of the pitch fees for mobile homes, following legislative criteria. The pitch fee date for this year is set for 1st April 2023, and the local authority must write to residents at least 28 days before this date detailing the review and proposals for any changes to the pitch fee using a nationally prescribed proforma (an example of which is contained in Appendix 2).

7.2. The Council incur a number of costs in running the two park homes sites, including staffing costs for managing the sites. Staffing costs have increased by approximately 6% since the pitch fees were last reviewed in April 2022.

7.3. The council are also responsible for the costs of repairs and maintenance of the park homes sites. The cost of building work nationally, including repairs and maintenance, have increased significantly in recent years. In the last year the councils Building Projects team have been receiving tenders around 20% to 25% higher than 2019/2020 pre COVID-19 levels. The Royal Institute of Chartered Surveyors (RICS) building cost information service overview have forecast that their 'All-In' Tender Price Index (TPI) predicts a further 13% rise in tender costs from quarter 1 of 2022 to quarter 2 of 2023. The costs of any repairs and maintenance of the park homes sites required in the next financial year should therefore be expected to increase in cost significantly.

7.4. The Cabinet Member for Housing and Preventing homelessness is now asked to consider the following options presented, to agree the approach that will be applied to the upcoming pitch fee review process.

7.5. **Option 1: Increase the pitch fee by 6% for 2023.** This level of increase would be in line with the increase in costs to the local authority in staffing the management of the site which have risen by approximately 6%. It would also likely cover inflationary increases in the cost of repairs and maintenance to the two sites, although this would depend on the scope and volume of repairs and maintenance to the sites required. An increase of 6% would result in weekly fees as follows:

Small plot: £37.55 (an increase of £2.13 per week or £110.51 per annum)

Large plot: £42.44 (an increase of £2.40 per week or £124.92 per annum)

Double plot: £47.16 (an increase of £2.67 per week or £138.81 per annum).



7.5.1. The combined total fee from both sites would generate an income of approximately £251,000.

7.5.2. If the local authority were to increase the fee by less than RPI the communication of this would need to be clear with residents that the council reserve the right to increase by RPI in future years.

7.6. **Option 2: Increase the pitch fee by RPI for 2023.** This is the presumed increase each year. At the time of writing this report the January 2023 RPI figure is unknown (the rate will be published on 15th February 2023). It is expected to be approximately 15% based on recent monthly RPI rates. An increase of 15% (the assumed rate for illustrative purposes) would increase the pitch fees to:

Small plot: £40.73 (an increase of £5.31 per week or £276.28 per annum)

Large plot: £46.05 (an increase of £6.01 per week or £312.31 per annum)

Double plot: £51.16 (an increase of £6.67 per week or £347.02 per annum).

7.6.1. The combined total fee from both sites would generate an income of approximately £273,000.

8. Integrated impact assessment

8.1. An Integrated Impact Assessment can be found at Appendix 3.

9. Legal implications

9.1 The residents of these mobile homes site occupy them under the Mobile Homes Act 1983 (MHA 1983). The Act sets out a number of terms which are implied into the agreement between the Council and the occupants. Occupiers of the sites must be given a written statement of the terms of the agreement setting out certain information including the terms implied by the MHA 1983 and the express terms. The pitch fee can only be amended in accordance with the procedure set out in the implied terms which are in the written statement. The Council must give each occupier written notice of the new pitch fee at least 28 days before the review date for the pitch fees. If the occupier agrees then the new fee takes effect on the review date. If the occupier does not agree then an application to the Residential Property Tribunal can be made to determine the amount of the new fee.

9.2 The pitch fee can only be reviewed and changed on an annual basis. The proposed new pitch fee may increase (or reduce) by no more than the change in RPI since the last review date. In setting the proposals for the pitch fee, the site owner must take account of the following matters:

- Any authorised amounts spent on improvements to the site since the last review date.

- Any reduction in occupier's ability to use the site since the last review date.
- The effect of a relevant change in the law that has come into force since the last review date.

9.3 It is within the Cabinet member's powers, as set out in the Council's constitution, to make the recommendations set out in this Report

10. Director of Finance's comments

10.1 The report gives two options for an increase in Park Homes pitch fees for 2023/24. Option 1, which is a 6% increase, is the minimum level of increase that is considered necessary to prevent a deficit on the Mobile Homes account, in the context of the increased staff and maintenance costs experienced this year. The second option, to increase the pitch fees by the January 2023 Retail Price Index (RPI) is the maximum permissible. It is likely that this increase would be significantly higher than the one set out in option 1. As such, it would ensure that the account doesn't fall into deficit and would provide a level of resilience against future increases in staff and maintenance costs.

.....
Signed by: James Hill, **Director of Housing, Neighbourhood and Building Services**

Appendices:

- Appendix 1 - Template letter for the pitch review 2022
- Appendix 2 - Pitch fee review form template 2022
- Appendix 3 - Integrated Impact Assessment

Background list of documents:

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Mobile Homes Act 1983	Mobile Homes Act 1983 (legislation.gov.uk)
Mobile Homes Act 2013	Mobile Homes Act 2013 (legislation.gov.uk)
Park Homes LEASE advice website	Pitch fee reviews on fully residential park homes explained - Park Homes (lease-advice.org)
Office for National Statistics (ONS) monthly RPI records	RPI All Items: Percentage change over 12 months: Jan 1987=100 - Office for National Statistics (ons.gov.uk)

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on



Portsmouth
CITY COUNCIL

.....
Signed by:

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HOUSING, NEIGHBOURHOOD & BUILDING SERVICES

Private Sector Housing
Park Homes Management Team
1st Floor Civic Offices, Guildhall Square
Portsmouth PO1 2AL

Phone: 023 9260 6193
email: parkhomes@portsmouthcc.gov.uk
Website: www.portsmouth.gov.uk

Your ref:PAYMENTREF

TCY_NAME	
CORRADDR1	
CORRADDR2	
CORRADDR3	
CORRADDR4	
CORRADDR5	
CORRPOSTCODE	SEQNO

02 March 2022

Dear TCY_NAME

Notice of Proposed Pitch Fee for the year 2022-23

Property: PROP_ADDR

This letter acts as formal notification of the proposed increase to your pitch fee.

You currently pay £CURRENT_RENT per week.

With effect from **Friday 1st April 2022** the proposed weekly charge will be:

	£	P
Pitch Fee	NEW_RENT	
TOTAL PAYABLE:	NEW_TOTAL	

Please note that pitch fees are usually increased by the latest published Retail Price Index (RPI) figure in accordance with the Mobile Homes Act 1983. However, as at January 2022 the RPI is 7.8%. The Council have taken the view that this is an exceptional situation whereby the RPI increase is such that we feel it would be unreasonable to apply this amount this year and therefore propose to increase the pitch fee by 3%, substantially lower than the latest RPI figure. The council reserves the right in future annual pitch fee reviews to apply the RPI and set the fees in accordance with it.

Please see the reverse of this letter for more information about how this affects you

All enquiries about this notice should be directed to Park Homes Management Team on 023 9260 6193.

Yours sincerely



Clare Hardwick
Head of Private Sector Housing

Payment Frequency

For the first week (28 March 2022 until 3 April 2022) you will be charged 4 days at last year's charge (2021/2022) and 3 days at the new year's charge (2022/2023)

Your payments can be made:

- Weekly
- Fortnightly
- 4 Weekly
- Monthly

If you receive Housing Benefit

If there is a Housing Benefit award the amount of the charge that you are required to pay will be affected. Details of the award will be sent separately.

1. If Housing Benefit is paid directly to your Landlord, there is no need to forward this letter to your Local Authority as they will be informed about the new rent and service charges.
2. If you receive Housing Benefit directly, please provide your local Housing Benefit Office with a copy of this letter.
3. You will receive a benefit notification letter from the Local Authority which will tell you how much your new entitlement will be.

For all other changes that affect Housing Benefit entitlement it is important that you contact your local Housing Benefit Office directly.

Direct Debit

If you already pay by Direct Debit you will receive a separate letter advising of the new amount.

If you are interested in paying by Direct Debit, please contact the Park Homes Management Team on 023 9260 6193.

If you receive Universal Credit

In April you will get an action on your To Do list asking you if your housing costs have changed. The figures on the first page need to be entered.

This is your responsibility, if you are unsure please contact Park Homes Management Team on 023 9260 6193.

Other Payment Methods

To pay online visit www.portsmouth.gov.uk or via Automated Payment on 0800 8766576 using your pay reference number PAYMENTREF.

Any questions or struggling to pay?

It is important that you tell us straight away so we can support you. You can contact us using the details at the top of this letter.

We are legally required to let you know that if this increase means that you do not wish to rent this plot any longer, you have the right to end your licence. To do this you must let us know in writing by 1st March 2022 that you intend to leave by 1st April 2022 at the latest.

Pitch Fee Review Form

[The Mobile Homes (Pitch Fees)(Prescribed Form)(England) Regulations] SI 2013/1505

FORM TO ACCOMPANY A PITCH FEE REVIEW NOTICE

Form prescribed under paragraph 25A(1) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983

Important note: This form, or a form substantially to the like effect, must be sent with the Pitch Fee review notice where the site owner proposes to increase the pitch fee otherwise the pitch fee review will not be valid. This form may also be used if the site owner is proposing to reduce the pitch fee. Both the site owner and the occupier(s) should read the notes at the end of this form as they contain important information about pitch fee reviews.

Section 1: Parties

From: **Portsmouth City Council**

To: **TCY_NAME**

Section 2: Proposed new pitch fee

We propose to increase your pitch fee for:

PROP_ADDR

The last review date was **Thursday 1st April 2021**

The current pitch fee is: **£CURRENT_RENT** per week

The proposed new pitch fee is **£NEW_RENT** per week

Section 3: Date new pitch fee proposed to take effect (effective date)

The review date is **Friday 1st April 2022**, which is twelve months after the last review date.

The effective date is the date when it is proposed the new pitch fee is payable from, which may be on the review date or, in the case of a late review, a later date.

- The proposed pitch fee will take effect on the review date of **Friday 1st April 2022**

Note: For further information on the review, late reviews and effective dates see the notes at the end of the form.

Section 4: Calculation of the proposed new pitch fee

The proposed new pitch fee has been calculated as **(A) + (B) + (C) - (D)** where:

(A) is the current pitch fee of **£CURRENT_RENT**

(B) is the Retail Prices Index (RPI) Adjustment **£RENT_INCREAS** calculated from a percentage increase of 3%

(C) is the recoverable costs of **£0.00**

(D) is the relevant deductions of **£0.00**

(B) The RPI adjustment

In accordance with paragraph 20(A1) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983, we have calculated the RPI adjustment as the percentage increase in the Retail Prices Index (RPI) over 12 months by reference to the RPI published for January 2022 which was 7.8%.

Note: For further information on the correct RPI figures to use refer to the section on the RPI adjustment in the notes at the end of this form.

(C) Recoverable costs

There are no relevant recoverable costs to be taken into account

(D) Relevant deductions

There are no other relevant deductions taken into account

Section 5: What to do if you disagree with the proposed new pitch fee

If you do not agree to the proposed pitch fee you do not have to pay the proposed new amount from the effective date, but you must continue to pay the current pitch fee. You will not incur arrears. We may, however, apply to a tribunal for it to decide what the new pitch fee should be. You also have the right to apply to the tribunal. If the tribunal decides that a new pitch fee is payable it shall be payable as from the effective date. (The notes accompanying this form contain further information).

Section 6: Signature of site owner(s)

Clare Hardwick - Head of Private Sector Housing

Date: 02 March 2022

Name and address of the site owner(s) (for the purpose of serving notices):

Portsmouth City Council, Private Sector Housing, 1st Floor Civic Offices, Guildhall Square, Portsmouth PO1 2AL

Section 7: Notes: *You should read these notes carefully as they contain important information about the pitch fee review. You should note, however, that these notes are for guidance only and do not purport to provide a definitive statement of the law.*

General

- This form should be used if the site owner is proposing to change the pitch fee.
- This form must be served on the occupier with the pitch fee review notice at least 28 days before the date on which it is proposed to change the pitch fee.
- This form sets out the proposed new pitch fee, the date from which it is proposed the new pitch fee will take effect and how it has been calculated. This form should be sent to the occupier(s) with the pitch fee review notice.
- The new proposed pitch fee cannot be imposed on the occupier. It must be agreed or determined by a tribunal.

Reviews and late reviews

- A change in pitch fee is normally proposed to be effective from the review date. A minimum notice period of 28 days prior to the review date must be given.
- The review date is the date specified in the written statement as the date on which the pitch fee will be reviewed in each year. If no date is specified it is likely to be each anniversary of the date the agreement commenced.
- If the site owner misses the review date a proposed change to the pitch fee can be made to take effect at a later time. Provided a minimum notice period of 28 days is given a late review can be proposed to take effect at any time after the review date and before the next review date.
- The "next review date" is the date twelve months from the review date. This applies whether or not the current review is late. It means, for example, if the review date is 1st April 2014, but the review is late and doesn't take effect until 1st July, the next review date will be on 1st April 2015, rather than 12 months from the effective date of the current review.
- As reviews are conducted annually, if the site owner does not propose a change in the pitch fee on the review date or before the next review date (in the case of a late review) the review is deemed to have been conducted for the year in question. This means, for example, that if a review date was 1st April 2014, but the site owner did not initiate a review before 1st April 2015, any charges (including RPI) attributable to the 2014 review cannot be included in the 2015 review.

The effect of the pitch fee review notice & making an application to the tribunal

- If the occupier accepts the new pitch fee they can let the site owner know or simply pay the proposed amount from the effective date.
- The occupier is not obliged to accept the proposal or pay the proposed amount. Failure to pay the new pitch fee will not result in the occupier being in arrears.
- If the occupier does not accept the proposed pitch fee they can let the site owner know, but the occupier does not have to do so. Provided the current pitch fee continues to be paid that is the maximum amount payable unless the tribunal decides a different figure.
- If there is no agreement as to the new pitch fee the site owner or the occupier may make an application to a tribunal for it to make a determination.
- Where the pitch fee review notice was served at least 28 clear days before the review date, an application to the tribunal may be made after the end of the period of 28 days beginning with the review date but not later than three months after the review date.
- Where the pitch fee review notice was served later, an application to the tribunal may be made after the end of the period of 56 days beginning with the date on which the site owner serves the notice but not later than four months after that date.
- In either case, a late application to the tribunal is permitted only if there are good reasons for the failure to apply within the time limit and for any delay since then in applying for permission to apply out of time.

- Before deciding a case the tribunal will invite representations from the parties and may hold a hearing and inspect the site.
- If you act unreasonably in connection with an application the tribunal can impose a costs order against you.
- If the tribunal makes a determination its decision will apply from the effective date. This means any proposed increase could be backdated by several months. However, the occupier shall not be treated as being in arrears until 28 days after the date of the order made by the tribunal determining the new pitch fee.
- If no agreement as to the pitch fee is reached and the tribunal does not make a determination (i.e. because the site owner has not made an application or because an application is refused or withdrawn) the occupier must continue to pay the existing pitch fee, but the proposed pitch fee cannot be charged, there are no arrears and the review process has ended for the year to which the notice refers.
- If, on the application of the occupier, a tribunal is satisfied that a notice of pitch fee review is of no effect due to the failure to serve this form with the notice of pitch fee review, but the occupier has nevertheless paid the pitch fee proposed in the notice, the tribunal may order the site owner to pay back the difference between the amount which the occupier was required to pay for the period in question and the amount which they have actually paid.

Matters that can and cannot be taken into account on a proposed review

- The law says¹ there is a presumption that the pitch fee cannot be changed by more than the annual change in Retail Price Index (RPI), unless this would be unreasonable having regard to the matters set out in paragraph 18(1) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.
- This part of the notes explains how the RPI adjustment is worked out and what other matters can be taken into account as part of the review.

RPI adjustment

- How the RPI adjustment has been worked out is in section 4 (B) of the form.
- The maximum RPI adjustment is limited to the RPI change in the previous year, even if the pitch fee has not changed for a number of years. (See above in the reviews and late reviews section for further details.)
- When applying the RPI adjustment to a pitch fee review which is proposed to take effect on the review date, the figure that must be used in the calculation is the latest published 12 month RPI figure available before the notice of review is served. The notice must be served at least 28 clear days before the review date.
- When applying the RPI adjustment to a pitch fee review which is proposed to take effect at a date later than the review date (a late review), the RPI figure that must be applied is the last 12 month RPI figure that was published before the day by which the site owner(s) should have served the review notice had the review taken place on time – i.e. the last 12 month RPI figure published prior to the day which was 28 clear days before the review date. So, if the review date is the 1st April 2014, the RPI figure to be applied would be the last RPI figure published before 4th March 2014.
- No other date or method for calculating the RPI adjustment is permitted.

¹ Paragraph 20 of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983. For matters that can be taken into account on a review more generally see paragraph 18 (as amended by the Mobile Homes Act 2013)

Other matters that can be included in a review

- Costs incurred by the site owner, which are proposed to be recovered from the occupier, are shown in section 4 (C) of the form.
- Matters to which such costs relate that are recoverable through the pitch fee include:
 - A change in the law since the last review date, other than one which is specifically prohibited from being included, which has directly affected the cost of the management or maintenance of the site.
 - The costs of certain “improvements” to the site (see below for details on improvements).
- A deduction from the pitch fee should be made and shown in section 4 (D) of the form if it relates to a matter set out below:
 - The deduction of any charges included in previous reviews relating to the cost of improvements which have already been recovered through the pitch fee.
 - A reduction in costs as a result of the change in the law since the last review date, which has directly affected the cost of the management or maintenance of the site.
 - A deduction to reflect any deterioration in the condition or decrease in the amenity of the site or any adjoining land occupied or controlled by the site owner which has occurred since 26 May 2013 and which has not been taken into account in a previous pitch fee review.
 - A deduction to reflect any reduction in the services that the owner supplies to the site, pitch or mobile home, or any deterioration in the quality of those services which has occurred since 26 May 2013 and which has not been taken into account in a previous review.

Improvements

The cost of an improvement can only be recovered in a pitch fee review if:

- a) the improvement is for the benefit of the occupiers of the site;
- b) there has been consultation with the occupiers and any qualifying residents’ association, and
- c) the majority of occupiers have not disagreed in writing to the improvements being carried out or where the majority have disagreed, a tribunal has ordered that the costs can be included in the pitch fee.²

Matters that cannot be included in a pitch fee review

Any costs relating to the following matters cannot be included in a pitch fee review:

- costs in complying with changes to the Mobile Homes Act 1983 introduced by the Mobile Homes Act 2013, including any cost relating to the preparation and serving of this form³;
- costs incurred as a result of any action taken by the local authority in licensing enforcement under sections 9A to 9I of the Caravan Sites and Control of Development Act 1960 and as a result of being convicted for an offence under section 9B⁴;
- fees paid by the site owner for an application to the local authority for site licence conditions to be altered⁵ or for consent to transfer the site licence⁶;
- any costs incurred by the site owner in connection with expanding the protected site
- any costs incurred by the site owner in relation to the conduct of proceedings under the Mobile Homes Act 1983 or under agreements made between the site owner and occupiers under that Act.

² Paragraph 18 (1) (a) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

³ Paragraph 18(1A) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

⁴ Paragraph 19(4) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

⁵ Paragraph 19(3) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

⁶ Paragraph 19(3) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

Site owner's consultation obligations

- The site owner is required to consult the occupiers on any improvements to the site in general and in particular those where the owner proposes to recover the cost of the works through the pitch fee⁷ (see improvements above.)
- In addition, the site owner must consult with any qualifying residents' association⁸ of the site on matters relating to the operation and management of the site and any improvements to the site that might affect the occupiers of the site directly or indirectly.⁹
- In consulting the site owner must give at least 28 days notice of the improvement in writing. The consultation document must describe the proposed improvement and explain how it will benefit the occupiers in both the short and long term. The document must provide details about how the pitch fee will be affected by the proposed improvement at the next review date and it must state when and where representations can be made about the proposal.¹⁰
- Before undertaking any improvements to the site the owner must take account of any representations received from the occupiers.¹¹ But the site owner cannot undertake any works the cost of which is proposed to be recovered through the pitch fee if the majority of occupiers have disagreed to the works by notification in writing, unless a tribunal has authorised in default that the costs can be recovered in the pitch fee.¹²

Site Owner's Repairing and maintenance liabilities

- Paragraph 22 (c) and (d) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983 sets out the site owner's repairing liabilities. These are that the owner:
 - be responsible for repairing the base on which the mobile home is stationed and for maintaining any gas, electricity, water, sewerage or other services supplied by the owner to the pitch or to the mobile home
 - maintain in a clean and tidy condition those parts of the protected site, including access ways, site boundary fences and trees, which are not the responsibility of any occupier of a mobile home stationed on the protected site.
- Examples of such repairs and maintenance that fall within paragraph 22 may include repair and maintenance of pipes, conduits, wires, structures, tanks or other equipment provided by the site owner and of the parts of the site that are under the control of the site owner; including access ways, roads, pavements, street furniture and lighting, boundary fences, buildings in common use, drains and the drainage system and any open spaces or facilities in common.
- The site owner is also obliged to provide the occupier, free of charge, on request, documentary evidence in support and explanation of:
 - any new pitch fee;
 - any charges for gas, electricity, water, sewerage or other services payable by the occupier to the owner under the agreement and
 - any other charges, costs or expenses payable by the occupier to the owner under the agreement.¹³

⁷ Paragraph 22 (e) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

⁸ For the definition of a qualifying residents' association see paragraph 28 of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983. More information on setting up and the role of residents' associations are available in the DCLG fact sheet which can be downloaded from www.gov.uk/park-homes-guidance

⁹ Paragraph 22(f) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

¹⁰ Paragraph 24 (a) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

¹¹ Paragraph 24 (b) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

¹² Paragraph 18 (1) (a) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983. For definition of "majority" see paragraph 18 (2).

¹³ Paragraph 22(b) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

Occupiers' Repairing Liabilities

- The occupier is required to
 - a) keep the home in a sound state of repair and
 - b) maintain the outside of the home and the pitch, including all fences and outbuildings belonging to, or enjoyed with, the pitch and the mobile home and ensure the same are kept in a clean and tidy condition¹⁴
- Where the occupier is seeking the reimbursement of any costs or expenses from the site owner, if requested the occupier must supply to the owner documentary evidence in support of the claim.¹⁵

Further information

Further information on pitch fee reviews and other charges can be downloaded from the Fact Sheet at www.gov.uk/park-homes-guidance

Or by contacting LEASE on 020 7383 9800.

¹⁴ Paragraph 21(c) and (d) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

¹⁵ Paragraph 21(e) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

Pitch Fee Review Form

[The Mobile Homes (Pitch Fees)(Prescribed Form)(England) Regulations] SI 2013/1505

<p style="text-align: center;">FORM TO ACCOMPANY A PITCH FEE REVIEW NOTICE</p> <p>Form prescribed under paragraph 25A(1) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983</p>
<p>Important note: This form, or a form substantially to the like effect, must be sent with the pitch fee review notice where the site owner proposes to increase the pitch fee otherwise the pitch fee review will not be valid. This form may also be used if the site owner is proposing to reduce the pitch fee.</p> <p>Both the site owner and the occupier(s) should read the notes at the end of this form as they contain important information about pitch fee reviews.</p>
<p>Section 1: Parties</p> <p>From: Portsmouth City Council</p> <p>To: [G]</p>
<p>Section 2: Proposed new pitch fee</p> <p>We propose to increase your pitch fee for:</p> <p>[F]</p> <p>The last review date was Thursday 1st April 2021</p> <p>The current pitch fee is £ [N] per week</p> <p>The proposed new pitch fee is £[S] per week</p>
<p>Section 3: Date new pitch fee proposed to take effect (effective date)</p> <p>The review date is Friday 1st April 2022, which is twelve months after the last review date,</p> <p>The <u>effective date</u> is the date when it is proposed the new pitch fee is payable from, which may be on the review date or, in the case of a late review, a later date.</p> <ul style="list-style-type: none">• The proposed pitch fee will take effect on the review date of Friday 1st April 2022 <p>Note: <u>For further information on the review, late reviews and effective dates see the notes at the end of the form.</u></p>
<p>Section 4: Calculation of the proposed new pitch fee</p> <p>The proposed new pitch fee has been calculated as (A) + (B) +(C) - (D) where:</p> <p>(A) is the current pitch fee of £ [N]</p> <p>(B) is the Retail Prices Index (RPI) Adjustment £ [R] calculated from a percentage increase of 3%.</p> <p>(C) is the recoverable costs of £0.00</p>

(D) is the relevant deductions of £0.00

(B) The RPI adjustment

In accordance with paragraph 20(A1) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983, we have calculated the RPI adjustment as the percentage increase in the Retail Prices Index (RPI) over 12 months by reference to the RPI published for January 2022 which was 7.8%.

Note: For further information on the correct RPI figures to use refer to the section on the RPI adjustment in the notes at the end of this form.

(C) Recoverable costs

There are no relevant recoverable costs to be taken into account

(D) Relevant deductions

There are no other relevant deductions taken into account

Section 5: What to do if you disagree with the proposed new pitch fee

If you do not agree to the proposed pitch fee you do not have to pay the proposed new amount from the effective date, but you must continue to pay the current pitch fee. You will not incur arrears. We may, however, apply to a tribunal for it to decide what the new pitch fee should be. You also have the right to apply to the tribunal. If the tribunal decides that a new pitch fee is payable it shall be payable as from the effective date. (The notes accompanying this form contain further information).

Section 6: Signature of site owner(s)

Signed:

Clare Hardwick - Head of Private Sector Housing

Date: XX March 2022

Name and address of the site owner(s) (for the purpose of serving notices)

Portsmouth City Council, Private Sector Housing, 1st Floor Civic Offices, Guildhall Square, Portsmouth PO1 2AL

Section 7: Notes: *You should read these notes carefully as they contain important information about the pitch fee review. You should note, however, that these notes are for guidance only and do not purport to provide a definitive statement of the law.*

General

- This form should be used if the site owner is proposing to change the pitch fee.
- This form must be served on the occupier with the pitch fee review notice at least 28 days before the date on which it is proposed to change the pitch fee.

- This form sets out the proposed new pitch fee, the date from which it is proposed the new pitch fee will take effect and how it has been calculated. This form should be sent to the occupier(s) with the pitch fee review notice.
- The new proposed pitch fee cannot be imposed on the occupier. It must be agreed or determined by a tribunal.

Reviews and late reviews

- A change in pitch fee is normally proposed to be effective from the review date. A minimum notice period of 28 days prior to the review date must be given.
- The review date is the date specified in the written statement as the date on which the pitch fee will be reviewed in each year. If no date is specified it is likely to be each anniversary of the date the agreement commenced.
- If the site owner misses the review date a proposed change to the pitch fee can be made to take effect at a later time. Provided a minimum notice period of 28 days is given a late review can be proposed to take effect at any time after the review date and before the next review date.
- The “next review date” is the date twelve months from the review date. This applies whether or not the current review is late. It means, for example, if the review date is 1st April 2014, but the review is late and doesn’t take effect until 1st July, the next review date will be on 1st April 2015, rather than 12 months from the effective date of the current review.
- As reviews are conducted annually, if the site owner does not propose a change in the pitch fee on the review date or before the next review date (in the case of a late review) the review is deemed to have been conducted for the year in question. This means, for example, that if a review date was 1st April 2014, but the site owner did not initiate a review before 1st April 2015, any charges (including RPI) attributable to the 2014 review cannot be included in the 2015 review.

The effect of the pitch fee review notice & making an application to the tribunal

- If the occupier accepts the new pitch fee they can let the site owner know or simply pay the proposed amount from the effective date.
- The occupier is not obliged to accept the proposal or pay the proposed amount. Failure to pay the new pitch fee will not result in the occupier being in arrears.
- If the occupier does not accept the proposed pitch fee they can let the site owner know, but the occupier does not have to do so. Provided the current pitch fee continues to be paid that is the maximum amount payable unless the tribunal decides a different figure.
- If there is no agreement as to the new pitch fee the site owner or the occupier may make an application to a tribunal for it to make a determination.
- Where the pitch fee review notice was served at least 28 clear days before the review date, an application to the tribunal may be made after the end of the period of 28 days beginning with the review date but not later than three months after the review date.
- Where the pitch fee review notice was served later, an application to the tribunal may be made after the end of the period of 56 days beginning with the date on which the site owner serves the notice but not later than four months after that date.

- In either case, a late application to the tribunal is permitted only if there are good reasons for the failure to apply within the time limit and for any delay since then in applying for permission to apply out of time.
- Before deciding a case the tribunal will invite representations from the parties and may hold a hearing and inspect the site.
- If you act unreasonably in connection with an application the tribunal can impose a costs order against you.
- If the tribunal makes a determination its decision will apply from the effective date. This means any proposed increase could be backdated by several months. However, the occupier shall not be treated as being in arrears until 28 days after the date of the order made by the tribunal determining the new pitch fee.
- If no agreement as to the pitch fee is reached and the tribunal does not make a determination (i.e. because the site owner has not made an application or because an application is refused or withdrawn) the occupier must continue to pay the existing pitch fee, but the proposed pitch fee cannot be charged, there are no arrears and the review process has ended for the year to which the notice refers.
- If, on the application of the occupier, a tribunal is satisfied that a notice of pitch fee review is of no effect due to the failure to serve this form with the notice of pitch fee review, but the occupier has nevertheless paid the pitch fee proposed in the notice, the tribunal may order the site owner to pay back the difference between the amount which the occupier was required to pay for the period in question and the amount which they have actually paid.

Matters that can and cannot be taken into account on a proposed review

- The law says¹ there is a presumption that the pitch fee cannot be changed by more than the annual change in Retail Price Index (RPI), unless this would be unreasonable having regard to the matters set out in paragraph 18(1) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.
- This part of the notes explains how the RPI adjustment is worked out and what other matters can be taken into account as part of the review.

RPI adjustment

- How the RPI adjustment has been worked out is in section 4 (B) of the form.
- The maximum RPI adjustment is limited to the RPI change in the previous year, even if the pitch fee has not changed for a number of years. (See above in the reviews and late reviews section for further details.)
- When applying the RPI adjustment to a pitch fee review which is proposed to take effect on the review date, the figure that must be used in the calculation is the latest published 12 month RPI figure available before the notice of review is served. The notice must be served at least 28 clear days before the review date.

¹ Paragraph 20 of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983. For matters that can be taken into account on a review more generally see paragraph 18 (as amended by the Mobile Homes Act 2013)

- When applying the RPI adjustment to a pitch fee review which is proposed to take effect at a date later than the review date (a late review), the RPI figure that must be applied is the last 12 month RPI figure that was published before the day by which the site owner(s) should have served the review notice had the review taken place on time – i.e. the last 12 month RPI figure published prior to the day which was 28 clear days before the review date. So, if the review date is the 1st April 2014, the RPI figure to be applied would be the last RPI figure published before 4th March 2014.
- No other date or method for calculating the RPI adjustment is permitted.

Other matters that can be included in a review

- Costs incurred by the site owner, which are proposed to be recovered from the occupier, are shown in section 4 (C) of the form.
- Matters to which such costs relate that are recoverable through the pitch fee include:
 - A change in the law since the last review date, other than one which is specifically prohibited from being included, which has directly affected the cost of the management or maintenance of the site.
 - The costs of certain “improvements” to the site (see below for details on improvements).
- A deduction from the pitch fee should be made and shown in section 4 (D) of the form if it relates to a matter set out below:
 - The deduction of any charges included in previous reviews relating to the cost of improvements which have already been recovered through the pitch fee.
 - A reduction in costs as a result of the change in the law since the last review date, which has directly affected the cost of the management or maintenance of the site.
 - A deduction to reflect any deterioration in the condition or decrease in the amenity of the site or any adjoining land occupied or controlled by the site owner which has occurred since 26 May 2013 and which has not been taken into account in a previous pitch fee review.
 - A deduction to reflect any reduction in the services that the owner supplies to the site, pitch or mobile home, or any deterioration in the quality of those services which has occurred since 26 May 2013 and which has not been taken into account in a previous review.

Improvements

The cost of an improvement can only be recovered in a pitch fee review if:

- (a) the improvement is for the benefit of the occupiers of the site;
- (b) there has been consultation with the occupiers and any qualifying residents’ association and
- (c) the majority of occupiers have not disagreed in writing to the improvements being carried out or where the majority have disagreed, a tribunal has ordered that the costs can be included in the pitch fee².

Matters that cannot be included in a pitch fee review

Any costs relating to the following matters cannot be included in a pitch fee review:

² Paragraph 18 (1) (a) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

- costs in complying with changes to the Mobile Homes Act 1983 introduced by the Mobile Homes Act 2013, including any cost relating to the preparation and serving of this form³;
- costs incurred as a result of any action taken by the local authority in licensing enforcement under sections 9A to 9I of the Caravan Sites and Control of Development Act 1960 and as a result of being convicted for an offence under section 9B⁴;
- fees paid by the site owner for an application to the local authority for site licence conditions to be altered⁵ or for consent to transfer the site licence⁶;
- any costs incurred by the site owner in connection with expanding the protected site and
- any costs incurred by the site owner in relation to the conduct of proceedings under the Mobile Homes Act 1983 or under agreements made between the site owner and occupiers under that Act.

Site owner's consultation obligations

- The site owner is required to consult the occupiers on any improvements to the site in general and in particular those where the owner proposes to recover the cost of the works through the pitch fee⁷ (see improvements above.)
- In addition, the site owner must consult with any qualifying residents' association⁸ of the site on matters relating to the operation and management of the site and any improvements to the site that might affect the occupiers of the site directly or indirectly⁹.
- In consulting the site owner must give at least 28 days notice of the improvement in writing. The consultation document must describe the proposed improvement and explain how it will benefit the occupiers in both the short and long term. The document must provide details about how the pitch fee will be affected by the proposed improvement at the next review date and it must state when and where representations can be made about the proposal¹⁰.
- Before undertaking any improvements to the site the owner must take account of any representations received from the occupiers¹¹. But the site owner cannot undertake any works the cost of which is proposed to be recovered through the pitch fee if the majority of occupiers have disagreed to the works by notification in writing, unless a tribunal has authorised in default that the costs can be recovered in the pitch fee¹².

³ Paragraph 18(1A) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

⁴ Paragraph 19(4) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

⁵ Paragraph 19(3) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

⁶ Paragraph 19(3) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

⁷ Paragraph 22 (e) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

⁸ For the definition of a qualifying residents' association see paragraph 28 of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983. More information on setting up and the role of residents' associations are available in the DCLG fact sheet which can be downloaded from www.gov.uk/park-homes-guidance

⁹ Paragraph 22(f) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

¹⁰ Paragraph 24 (a) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

¹¹ Paragraph 24 (b) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

¹² Paragraph 18 (1) (a) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983. For definition of "majority" see paragraph 18 (2).

Site Owner's Repairing and maintenance liabilities

- Paragraph 22 (c) and (d) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983 sets out the site owner's repairing liabilities. These are that the owner :
 - be responsible for repairing the base on which the mobile home is stationed and for maintaining any gas, electricity, water, sewerage or other services supplied by the owner to the pitch or to the mobile home;
 - maintain in a clean and tidy condition those parts of the protected site, including access ways, site boundary fences and trees, which are not the responsibility of any occupier of a mobile home stationed on the protected site.
- Examples of such repairs and maintenance that fall within paragraph 22 may include repair and maintenance of pipes, conduits, wires, structures, tanks or other equipment provided by the site owner and of the parts of the site that are under the control of the site owner; including access ways, roads, pavements, street furniture and lighting, boundary fences, buildings in common use, drains and the drainage system and any open spaces or facilities in common.
- The site owner is also obliged to provide the occupier, free of charge, on request, documentary evidence in support and explanation of:
 - any new pitch fee;
 - any charges for gas, electricity, water, sewerage or other services payable by the occupier to the owner under the agreement and
 - any other charges, costs or expenses payable by the occupier to the owner under the agreement¹³.

Occupiers' Repairing Liabilities

- The occupier is required to
 - (a) keep the home in a sound state of repair and
 - (b) maintain the outside of the home and the pitch, including all fences and outbuildings belonging to, or enjoyed with, the pitch and the mobile home and ensure the same are kept in a clean and tidy condition¹⁴.
- Where the occupier is seeking the reimbursement of any costs or expenses from the site owner, if requested the occupier must supply to the owner documentary evidence in support of the claim¹⁵.

Further information

Further information on pitch fee reviews and other charges can be downloaded from the Fact Sheet at www.gov.uk/park-homes-guidance

Or by contacting LEASE on 020 7383 9800.

¹³ Paragraph 22(b) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

¹⁴ Paragraph 21(c) and (d) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

¹⁵ Paragraph 21(e) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983.

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Integrated Impact Assessment (IIA)

Integrated impact assessment (IIA) form December 2019

www.portsmouth.gov.uk

The integrated impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies that could impact positively or negatively on the following areas:
 - Communities and safety
 - Regeneration and culture
 - Environment and public space
 - Equality & - Diversity - This can be found in Section A5

Directorate:

Housing, Neighbourhoods, and Buildings

Service, function:

Private Sector Housing

Title of policy, service, function, project or strategy (new or old) :

Park Homes pitch fee review 2023

Type of policy, service, function, project or strategy:

- Existing
- New / proposed
- Changed

What is the aim of your policy, service, function, project or strategy?

The purpose of the report is to present the options to agree the approach that will be applied to the upcoming pitch fee review process for residential park homes owned by Portsmouth City Council.

Has any consultation been undertaken for this proposal? What were the outcomes of the consultations? Has anything changed because of the consultation? Did this inform your proposal?

The upcoming pitch fee review process forms the basis of a consultation with residents.

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A1-Crime - Will it make our city safer?



In thinking about this question:

- How will it reduce crime, disorder, ASB and the fear of crime?
- How will it prevent the misuse of drugs, alcohol and other substances?
- How will it protect and support young people at risk of harm?
- How will it discourage re-offending?

If you want more information contact Lisa.Wills@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-spp-plan-2018-20.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How will you measure/check the impact of your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A2-Housing - Will it provide good quality homes?



In thinking about this question:

- How will it increase good quality affordable housing, including social housing?
- How will it reduce the number of poor quality homes and accommodation?
- How will it produce well-insulated and sustainable buildings?
- How will it provide a mix of housing for different groups and needs?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/psh-providing-affordable-housing-in-portsmouth-april-19.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Page 34

How are you going to measure/check the impact of your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A3-Health - Will this help promote healthy, safe and independent living?



In thinking about this question:

- How will it improve physical and mental health?
- How will it improve quality of life?
- How will it encourage healthy lifestyle choices?
- How will it create healthy places? (Including workplaces)

If you want more information contact Dominique.Letouze@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cons-114.86-health-and-wellbeing-strategy-proof-2.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A4-Income deprivation and poverty-Will it consider income deprivation and reduce poverty?



In thinking about this question:

- How will it support those vulnerable to falling into poverty; e.g., single working age adults and lone parent households?
- How will it consider low-income communities, households and individuals?
- How will it support those unable to work?
- How will it support those with no educational qualifications?

If you want more information contact Mark.Sage@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-homelessness-strategy-2018-to-2023.pdf>

<https://www.portsmouth.gov.uk/ext/health-and-care/health/joint-strategic-needs-assessment>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A5-Equality & diversity - Will it have any positive/negative impacts on the protected characteristics?

In thinking about this question:

- How will it impact on the protected characteristics-Positive or negative impact (Protected characteristics under the Equality Act 2010, Age, disability, race/ethnicity, Sexual orientation, gender reassignment, sex, religion or belief, pregnancy and maternity, marriage and civil partnership,socio-economic)
- What mitigation has been put in place to lessen any impacts or barriers removed?
- How will it help promote equality for a specific protected characteristic?

If you want more information contact gina.perryman@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-equality-strategy-2019-22-final.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B1-Carbon emissions - Will it reduce carbon emissions?

In thinking about this question:

- How will it reduce greenhouse gas emissions?
- How will it provide renewable sources of energy?
- How will it reduce the need for motorised vehicle travel?
- How will it encourage and support residents to reduce carbon emissions?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-sustainability-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B2-Energy use - Will it reduce energy use?

In thinking about this question:

- How will it reduce water consumption?
- How will it reduce electricity consumption?
- How will it reduce gas consumption?
- How will it reduce the production of waste?

If you want more information contact Triston.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>
<https://democracy.portsmouth.gov.uk/documents/s24685/Home%20Energy%20Appendix%201%20-%20Energy%20and%20water%20at%20home%20-%20Strategy%202019-25.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B3 - Climate change mitigation and flooding-Will it proactively mitigate against a changing climate and flooding?

In thinking about this question:

- How will it minimise flood risk from both coastal and surface flooding in the future?
- How will it protect properties and buildings from flooding?
- How will it make local people aware of the risk from flooding?
- How will it mitigate for future changes in temperature and extreme weather events?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-surface-water-management-plan-2019.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/cou-flood-risk-management-plan.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B4-Natural environment-Will it ensure public spaces are greener, more sustainable and well-maintained?

In thinking about this question:

- How will it encourage biodiversity and protect habitats?
- How will it preserve natural sites?
- How will it conserve and enhance natural species?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-solent-recreation-mitigation-strategy-dec-17.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B5-Air quality - Will it improve air quality?

In thinking about this question:

- How will it reduce motor vehicle traffic congestion?
- How will it reduce emissions of key pollutants?
- How will it discourage the idling of motor vehicles?
- How will it reduce reliance on private car use?

If you want more information contact Hayley.Trower@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-aq-air-quality-plan-outline-business-case.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B6-Transport - Will it improve road safety and transport for the whole community?

In thinking about this question:

- How will it prioritise pedestrians, cyclists and public transport users over users of private vehicles?
- How will it allocate street space to ensure children and older people can walk and cycle safely in the area?
- How will it increase the proportion of journeys made using sustainable and active transport?
- How will it reduce the risk of traffic collisions, and near misses, with pedestrians and cyclists?

If you want more information contact Pam.Turton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/travel/local-transport-plan-3>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

Is your policy/proposal relevant to the following questions?

B7-Waste management - Will it increase recycling and reduce the production of waste?



In thinking about this question:

- How will it reduce household waste and consumption?
- How will it increase recycling?
- How will it reduce industrial and construction waste?

If you want more information contact Steven.Russell@portsmouthcc.gov.uk or go to:

<https://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C1-Culture and heritage - Will it promote, protect and enhance our culture and heritage?



In thinking about this question:

- How will it protect areas of cultural value?
- How will it protect listed buildings?
- How will it encourage events and attractions?
- How will it make Portsmouth a city people want to live in?

If you want more information contact Claire.Looney@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C2-Employment and opportunities - Will it promote the development of a skilled workforce?



In thinking about this question:

- How will it improve qualifications and skills for local people?
- How will it reduce unemployment?
- How will it create high quality jobs?
- How will it improve earnings?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

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Is your policy/proposal relevant to the following questions?

C3 - Economy - Will it encourage businesses to invest in the city, support sustainable growth and regeneration?

In thinking about this question:

- How will it encourage the development of key industries?
- How will it improve the local economy?
- How will it create valuable employment opportunities for local people?
- How will it promote employment and growth in the city?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

Q8 - Who was involved in the Integrated impact assessment?

Clare Hardwick - Head of Private Sector Housing

This IIA has been approved by: Sally Scattergood

Contact number: 023 9283 4223

Date: 15/12/2022

Agenda Item 4



Portsmouth
CITY COUNCIL

Title of meeting:	Cabinet Member for Housing and Preventing Homelessness
Date of meeting:	2 nd February 2023
Subject:	Private Sector Housing fees and charges
Report by:	James Hill - Director for Housing, Neighbourhood and Building Services
Report Author:	Clare Hardwick - Head of Private Sector Housing
Wards affected:	All
Key decision:	No
Full Council decision:	No

1. Purpose of report

1.1. The purpose of the report is to present the proposals for Private Sector Housing (PSH) fee adjustments for chargeable services to ensure fees achieve full cost recovery.

2. Recommendations

2.1. That the Cabinet Member for Housing and Preventing Homelessness approves the proposals for PSH fee adjustments for the city council's Mandatory HMO licensing fees as outlined in Appendix 1, to commence from 01 April 2023.

2.2. That the Cabinet Member for Housing and Preventing Homelessness approves the proposals for PSH fee adjustments for the city council's Private Sector Housing Enforcement fees in Appendix 2, to commence from 01 April 2023.

3. Background

3.1. Local authorities have a variety of powers to charge for specific statutory services set out in statute. The Local Government Act 2003 also provides a power to trade and a power to charge for discretionary services, the latter on a cost recovery basis. Discretionary services are those that a local authority is permitted to provide under statute but is not obliged to do so. The power to charge for discretionary services is not available to local authorities if there is a statutory duty to provide the service or if there is a specific power to charge for it or if there is a prohibition on charging.



- 3.2. Additionally, the Localism Act 2011 provides local authorities with a general power of competence that confers on them the power to charge for services but again these are subject to conditions/limitations similar to those noted above.
- 3.3. Where a local authority has a duty to provide a statutory service free of charge to a certain standard, no charge can be made for delivery to that standard. Should a request be made, however, for delivery above and beyond that standard, this may constitute a discretionary service for which a charge could be made.
- 3.4. The general public expect high quality services that provide value for money. The review of fees and charges ensures that sufficient resources are made available to manage and prioritise those expectations.
- 3.5. The Cabinet Member for Housing and Preventing Homelessness agreed on 22nd March 2022 to amended fees for several of the Council's Private Sector Housing services including the Home Improvement Agency Service, the HMO licensing fees, and the Housing Regulations enforcement fee, to achieve cost recovery. It was also agreed at that time that fees and charges will be reviewed on an annual basis to ensure that the costs of providing chargeable services are recovered and the Council is achieving value for money. This report therefore sets out the review of these fees and where appropriate, proposals for increased fees for services provided by the Council's Private Sector Housing Team to ensure they continue to recover the costs incurred in providing these services.
- 3.6. All fees and charges will ensure effective cost recovery for delivering the service; prices listed do not include Value Added Tax (VAT), which will only be charged where indicated.

4. Private Sector Housing Home Improvement Agency Fee

- 4.1. Portsmouth City Council (the 'city council') through its Private Sector Housing Team, provide an in-house Home Improvement Agency Service (HIAS) to help Disabled Facilities Grant (DFG) applicants with adaptations to their property.
- 4.2. Whilst the administration of DFGs is a mandatory function for the city council, the provision of a Home Improvement Agency Service is discretionary, and therefore a chargeable service.
- 4.3. The HIAS provides an important and comprehensive service for DFG applicants who are often elderly or vulnerable. It includes specifying and tendering for the work; selecting contractors; obtaining all necessary consent, project managing the delivery of the works and quality controlling the work on behalf of the client, all of which does not form part of the city council's mandatory DFG provision.
- 4.4. When a Disabled Facilities Grant (DFG) is awarded, the grant can include the cost of the work itself, as well as ancillary costs incurred in carrying out the work, which can include the services provide by the HIAS. A full list of what can be included as



an ancillary cost is contained in The Housing Renewal Grants (Services and Charges) Order 1996.

- 4.5. This allows applicants to receive the support from the HIAS, and their grant will pay for the cost of the service. There is no cost to applicants, unless the total costs of work and ancillary were to exceed the £40,000 DFG limit (in which case they would need to pay any costs exceeding the maximum grant award). In the last two years only four DFG cases exceeded the threshold for which the total agency fee would be covered by the grant. In half of these cases the applicants chose not to use the HIAS and managed the works themselves, with the other half opting to pay any costs exceeding the grant limit to use the full service.
- 4.6. This is a very popular service, with many applicants stating that it is vital in order to help them with having their adaptations carried out to their property. Whilst it is a discretionary service, 97% of DFG applicants choose to use the service.
- 4.7. A DFG applicant is under no obligation to use the Home Improvement Agency Service (HIAS) provided by the city council, and can use external suppliers to provide a similar service, or opt to manage the works themselves. If an applicant chooses not to use the city council's HIAS, then ancillary costs can still be included in the grant award subject to the council being satisfied that the costs incurred are reasonable. The city council is not permitted to charge fees for any statutory duties it carries out with regard to Mandatory Disabled Facilities Grants, such as approving the grant award and making payment of the grant.
- 4.8. This HIAS is also available to applicants of the city council's Private Sector Housing Financial Assistance Policy (PSHFAP), a discretionary service which provides affordable loans to vulnerable homeowners to carry out repairs to their properties. The HIAS fee will continue to be offered along with other ancillary fees to their loan application, if applicants opt to use this service.
- 4.9. A proposed new fee structure was agreed by the Cabinet Member for Housing and Preventing Homelessness in March 2022, which includes a minimum fee of £350 to cover officer time in handling lower cost building works, a charge of 15% of the cost of the works for all work up to the value of £30,000, and a lower fee of 12% of the cost of the works for building work exceeding £30,000, reflecting the work involved in processing these cases for officers. This fee structure was calculated to ensure that the cost of providing the service is recovered through the fees.
- 4.10. The HIAS fees are charged as a percentage of the cost of the building works done. As the cost of building work has increased; charges have risen in line with the council's increased costs of running the service (employee costs and overheads). Therefore there is no proposal to change the fee structure for the HIAS at this time, as it is continuing to achieve cost recovery. However, this fee will continue to be reviewed annually, approved by members, and adjusted from 01 April of each year where necessary.

5. Mandatory House in Multiple Occupation (HMO) licensing fee

- 5.1. Under the Housing Act 2004 Part 2 houses in multiple occupation (HMOs) occupied by five or more persons forming two or more households, and sharing basic amenities such as a kitchen or bathroom, are required to be licensed. HMOs in self-contained flats in purpose built blocks where the block comprises three or more self-contained flats are excluded from this licensing requirement.
- 5.2. There are currently 1200 licensed HMOs in the Portsmouth area.
- 5.3. The aim of licensing is to improve the controls on HMOs and to raise the standard of some of the highest risk properties that are often occupied by some of the most vulnerable people, whilst maintaining an adequate supply of rented accommodation.
- 5.4. The licence is granted for a maximum of five years and cannot be transferred. The licence can end because of the passage of time, the death of the licence holder, the sale of the property or the revocation of the licence by the city council. The licence is held on a public register maintained by the city council.
- 5.5. The High Court has indicated that local authorities have a duty to administer funds so as to protect the interests of council tax payers in accordance with the accepted principal that licensed activities should be funded by those benefitting from them, rather than council tax payers.
- 5.6. The Housing Act 2004 makes provision for local authorities to recover their costs associated with operating HMO licensing schemes. There is no upper limit on the maximum fee that can be charged but local authorities are not allowed to make a profit, and the fees charged must be reasonable and proportionate.
- 5.7. Recoverable costs can include set-up costs, processing applications, third party costs, overheads, management costs, setting and reviewing fees, policies and procedures, monitoring licence holders, service development and improvement, and identifying unlicensed landlords (this is regarded as being of benefit to HMO licence holders as it helps avoid unlicensed operators undercutting those with HMO licences).
- 5.8. The Cabinet Member for Housing and Preventing Homelessness agreed on 22nd March 2022 that HMO Licensing fees should be reviewed annually to ensure that they continue to cover the cost of providing the licensing service. The fees should be reviewed annually, approved by members, and adjusted from 01 April of each year.
- 5.9. A recent financial review of the costs incurred by the city council in running the Mandatory HMO licensing scheme revealed that a number of costs have now increased for the local authority since they were last adjusted in April 2022, including employee costs and overheads. Therefore proposed revised charges have been calculated to continue to achieve cost recovery and are detailed in Appendix 1. This represent an increase of 6% compared to the fees agreed in March 2022. The

proposed revised licensing fees will be used to cover the costs incurred by the city council in performing the HMO licensing activities outlined in paragraph 5.7 above.

5.10. The city council's Cabinet made a decision on 22nd November 2022 to introduce a city wide additional HMO licensing scheme from 1st September 2023. This decision included a new approach to licensing, whereby licences will be awarded for different licensing periods based upon the compliance of the applicant. Cabinet have instructed officers to present a further report before September 2023, with a proposal for Mandatory HMO licensing to be aligned with this new licensing model. Therefore, the Mandatory HMO licensing fee structure will be subject to a full review and a new proposed licensing fee structure will be presented to cabinet before September 2023.

5.11. The proposed increase in fees outlined in Appendix 1 is therefore intended to ensure mandatory HMO licensing continues to achieve full cost recovery, before an alternative fee structure is presented to cabinet for their consideration later this year.

6. Private Sector Housing Enforcement charges

6.1. The Private Sector Housing service have a regulatory function in the private rental sector and have enforcement powers which it can use when a landlord does not meet their legal obligations. These powers are used proportionately in accordance with the Private Sector Housing Enforcement Policy, and where informal intervention has not resolved the matter. The procedure for serving formal enforcement notices is detailed in the Housing Act 2004.

6.2. The Housing Act 2004 also confers the right for the city council to recovery expenses it has incurred in serving formal enforcement notices. This includes Improvement notices, Prohibition orders, Hazard Awareness Notices, Emergency remedial action, Emergency Prohibition orders, and demolition orders.

6.3. The expenses which can be recovered typically relate to the cost of officer time, and can include determining whether to serve the notice, identifying any action to be served in the notice, and serving the notice.

6.4. An existing framework of costs incurred in taking such action is currently used to set these charges. These costs have been reviewed and it has been identified that a number of costs have increased for the local authority in serving these notices since the current fees were agreed in March 2022, including employee costs and overheads. Therefore, new revised charges have been calculated which represents an increase of 6% and are based on the full cost to the city council of taking the action including inspection, preparation and service of the notices, and are detailed in Appendix 2. Any action to recover costs and expenses will be in accordance with the requirements of the relevant Acts.

6.5. The charges levied when serving formal enforcement action should be reviewed annually to ensure that they continue to cover the cost of taking such enforcement

action. Annual changes will be reviewed annually, approved by members, and adjusted from 01 April of each year.

7. Reasons for recommendations

- 7.1. It is recommended that the Cabinet Member for Housing and Preventing Homelessness consider the proposed fee increases for 2023/24 as it is considered good practice to review fees and charges to ensure that the costs of providing chargeable services are recouped.
- 7.2. The services provided by the city council's Private Sector Housing service detailed in this report have been reviewed and require an increase in order to continue to achieve full cost recovery due to increases in costs for the local authority in [providing these services. In order to achieve full cost recovery proposed new fee structures are presented for decision by members.
- 7.3. In order to ensure that these fees continue to achieve cost recovery in future years these fees should be adjusted going forward each financial year to ensure full cost recovery.
- 7.4. The alternative approach would be not to review these fees annually. This is not however considered to be good practice and would expose the city council to the risk of not recovering the costs of the provision of the service, or potentially, over recovering. This would not be appropriate where the basis for charging is limited to cost recovery.

8. Integrated impact assessment

- 8.1. An Integrated Impact Assessment can be found at Appendix 3.

9. Legal implications

- 9.1. The city council has a statutory duty under the Housing Grants, Construction and Regeneration Act 1996 to provide financial assistance to disabled people for a range of essential adaptations to their home through a Disabled Facilities Grant. The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 enables the provision of discretionary assistance provided this is given in accordance with an adopted policy for the provision of assistance. The provision of the HIAS is discretionary in order to support those eligible with arranging works carried out under a Disabled Facilities Grant. The powers to provide the HIAS and charge for discretionary services are contained in section 93 of the Local Government Act 2003 and the general power of competence contained in the Localism Act 2011.
- 9.2. The city council is required under the Housing Act 2004 to licence certain HMOs. Section 63 of the Act enables the city council to charge a fee fixed by the authority in order to recover all reasonable costs associated with the administration of the HMO licensing function. The fees must have a two stage fee structure to cover a) the cost of processing applications (even unsuccessful ones) and b) the costs of the

scheme. The Government may make Regulations specifying maximum fees that may be charged, but no such regulations have yet been made. Subject to such Regulations, the city council may take account of all its costs of running the licensing scheme when setting the licensing fee. The fee should be clear and reflect the actual cost of licensing.

9.3. Section 49 of the Housing Act 2004 gives the city council the power to make such reasonable charge as they consider appropriate as a means of recovering certain administrative and other expenses incurred in taking certain enforcement action. The charges recoverable are as set out in the body of this report.

9.4. The fees and charges set out in this report should be transparent and accountable and should be kept under review by the city council in order to ensure the level of fees does not operate at either a deficit nor a surplus.

9.5. It is within the Cabinet Member's powers to approve the recommendations set out in this report.

10. Director of Finance's comments

10.1. Fees are reviewed annually to ensure that they are set at a level that they are recovering the direct costs of the service and, where appropriate, contributing to fixed overheads. An increase of 6% is considered necessary to cover the increased staff and associated costs that are being incurred by the Council. This should ensure that the Private Sector Housing services stay within their Portfolio cash limit.

10.2. The income from the Private Sector Housing Enforcement charges is ring fenced and can only be used to recover enforcement costs. As such, there is no budget for this income within the Portfolio cash limit.

.....
Signed by: **James Hill - Director of Housing, Neighbourhood and Building Services**

Appendices:

- Appendix 1 - Mandatory HMO Licensing Fees 2023
- Appendix 2 - Private Sector Housing charges for enforcement notices 2023
- Appendix 3 - Integrated Impact Assessment

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Local Government Act 2003	Local Government Act 2003 (legislation.gov.uk)
Localism Act 2011	Localism Act 2011 (legislation.gov.uk)



The Housing Renewal Grants (Services and Charges) Order 1996	The Housing Renewal Grants (Services and Charges) Order 1996 (legislation.gov.uk)
PCC website on grants and loans for home repair	Grants and loans for home repair - Portsmouth City Council
Disabled Facilities Grant (DFG) and Other Adaptations – External Review	Independent Review of the Disabled Facilities Grant.pdf (publishing.service.gov.uk)
Housing Act 2004	Housing Act 2004 (legislation.gov.uk)
Private Sector Housing Fees and Charges Report	Private Sector Housing Fees and Charges.pdf (portsmouth.gov.uk)
Additional Licensing of Houses in Multiple Occupation HMO Report	Additional Licensing of Houses in Multiple Occupation HMO.pdf (portsmouth.gov.uk)

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

.....
Signed by:

Mandatory HMO Licensing Fees 2022

If you own a property that meets all of the following criteria, you must apply for a Mandatory HMO Licence:

- The property is rented out, and
- There are 5 or more persons from 2 or more households, and
- They share any of the following basic facilities; kitchen, bathroom or toilet

Under the houses in multiple occupation licensing regulations every local authority has to set their own licence fees and ensure their fee structure is fair and transparent and cover the costs of running the service.

HMO license fees must be levied in 2 parts:

Part 1: Application Fee (payable at the time of submitting an application) - This element of the fee will cover the costs incurred by the council to process the application up to the point of the decision being made to issue or refuse the licence. This fee is non-refundable (see below refund policy).

Part 2: Licence Issue Fee (payable within 14 days following receipt of the 'Notice of Intention to Grant a License') – This element of the fee covers the costs of issuing the licence, as well as operating and enforcing the HMO licensing scheme. Failure to make this payment will leave the property unlicensed and likely to result in enforcement action. This licence fee is not required if the licence application is refused. Please note: once a full licence is issued this fee is non-refundable, even if the license is later revoked (see below refund policy).

HMO licence fee payment can be made using any of the following methods:

- by cheque: please make cheques payable to Portsmouth City Council, and send to: Private Sector Housing, Portsmouth City Council, Civic offices, Guildhall Square, Portsmouth, PO1 2AZ.
- by phone: call 02392 841659 during office hours.
- online: [visit the payments portal](#) and choose 'miscellaneous', then 'licensing'. (Due to the way receipts are received, please add the addresses of the HMO properties the payment relates to in the message box at the bottom of the form.)

Applications without Part 1 payment will be deemed incomplete and will not be processed.

Once an application has been processed a draft licence will be sent to the applicant for comment, along with a request for the Part 2 payment. The final licence will only be issued following receipt of this payment. Failure to pay will result in the License not being granted leaving the property unlicensed. Unlicensed properties are liable to legal enforcement action.

Please note that if a payment is made for the incorrect number of people or upon inspection it is found that the number of occupants that can be accommodated is fewer than the number applied for no refund will be payable. It is the applicant's

Appendix 1

responsibility to ensure the property conforms to Portsmouth City Council's HMO Standards and does not exceed the maximum number of allowable occupants.

Please contact **Portsmouth City Council's Private Sector Housing Team** on 023 9243 7914 for further information regarding HMO licensing.

Mandatory Licence	HMO	ALL Licenses Part 1 Fee	NEW license Application Part 2 Fee	RENEWAL of License Part 2 Fee
-				-
5 persons sharing		£204	£1,005	£941
6 persons sharing		£204	£1,058	£994
7 persons sharing		£204	£1,111	£1,047
8 persons sharing		£204	£1,163	£1,100
9 persons sharing		£204	£1,217	£1,153
10 persons sharing		£204	£1,270	£1,206
11 persons sharing		£204	£1,323	£1,259
12 persons sharing		£204	£1,376	£1,312
13 + persons sharing		£204	£1,429	£1,365

Licence fees may be reviewed from time to time to ensure they reflect the full cost of administering the licensing service.

The fee structure is based on the number of occupants regardless of property type (i.e. shared houses, bedsit-type shared houses or bedsits).

Refunds Policy

A refund will be given if:

- You have made a duplicate application
- You made an application for an exempted property by mistake
- You made an application for a property which is not licensable under Portsmouth HMO licensing schemes

A refund will not be given if:

- You withdraw your application at any stage
- We refuse your application
- We revoke (take away) your licence
- You are subsequently refused planning permission for your HMO
- Your property ceases to be let as an HMO during the term of the licence (including if you sell your HMO during the term of the license).

Appendix 1

Title of document	Location
Portsmouth City Council Private Rental Sector Strategy	Private Rental Sector Strategy for Portsmouth 2021- 2026
Housing Act 2004	Housing Act 2004 (legislation.gov.uk)
Management of HMOs 2006	The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (legislation.gov.uk)
Licensing of Houses in Multiple Occupation Regulations 2018	The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 (legislation.gov.uk)

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Private Sector Housing Enforcement charges 2022

The Housing Act 2004 confers the right for the city council to recovery expenses it has incurred in serving formal enforcement notices. This includes Improvement notices, Prohibition orders, Hazard Awareness Notices, Emergency remedial action, Emergency Prohibition orders, and demolition orders.

The expenses which can be recovered typically relate to the cost of officer time, and can include determining whether to serve the notice, identifying any action to be served in the notice, and serving the notice.

The following charges will be applied, and a "Demand for Payment of expenses/costs" issued upon service of the following Enforcement Notices:

Notice Type	Charge Per Notice/ Order
Serving an improvement notice under Section 11 or 12 (includes suspended notices)	£653
Making a prohibition order under Section 20 or 21 (includes suspended orders)	£731
Serving a hazard awareness notice under Section 28 or 29	£653
Taking emergency remedial action under Section 40	£731
Making an emergency prohibition order under Section 43	£693
Making a demolition order under Section 265 of the Housing Act 1985 (c. 68)	£702
Review of suspended improvement notices (Section 17) and suspended prohibition orders (Section 26)	£178

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Integrated Impact Assessment (IIA)

Integrated impact assessment (IIA) form December 2019

www.portsmouth.gov.uk

The integrated impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies that could impact positively or negatively on the following areas:
 - Communities and safety
 - Regeneration and culture
 - Environment and public space
 - Equality & - Diversity - This can be found in Section A5

Directorate:

Housing, Neighbourhoods, and Buildings

Service, function:

Private Sector Housing

Title of policy, service, function, project or strategy (new or old) :

Private Sector Housing fees and charges

Type of policy, service, function, project or strategy:

- Existing
- New / proposed
- Changed

What is the aim of your policy, service, function, project or strategy?

The purpose of the report is to present the proposals for Private Sector Housing (PSH) fee adjustments for chargeable services to ensure fees achieve full cost recovery.

Has any consultation been undertaken for this proposal? What were the outcomes of the consultations? Has anything changed because of the consultation? Did this inform your proposal?

No, there is no requirement to consult

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A1-Crime - Will it make our city safer?



In thinking about this question:

- How will it reduce crime, disorder, ASB and the fear of crime?
- How will it prevent the misuse of drugs, alcohol and other substances?
- How will it protect and support young people at risk of harm?
- How will it discourage re-offending?

If you want more information contact Lisa.Wills@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-spp-plan-2018-20.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How will you measure/check the impact of your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A2-Housing - Will it provide good quality homes?



In thinking about this question:

- How will it increase good quality affordable housing, including social housing?
- How will it reduce the number of poor quality homes and accommodation?
- How will it produce well-insulated and sustainable buildings?
- How will it provide a mix of housing for different groups and needs?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/psh-providing-affordable-housing-in-portsmouth-april-19.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal is to increase the fees for Mandatory HMO licensing & charges levied against landlords when enforcement action is taken by our Housing Regulation Team. These fees already existing, but they are proposed to increase to ensure the fees levied cover the cost of running these services. The risk of not doing this

could result in the Council being under resourced to deal with demand, which could result in worse quality housing in the Private Rental Sector.

How are you going to measure/check the impact of your proposal?

Measures are already in place for the performance of our HMO Licensing schemes and the Housing Regulations service, these will continue to be monitored to ensure the capacity of them team is able to deal with the demand on the services.

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A3-Health - Will this help promote healthy, safe and independent living?



In thinking about this question:

- How will it improve physical and mental health?
- How will it improve quality of life?
- How will it encourage healthy lifestyle choices?
- How will it create healthy places? (Including workplaces)

If you want more information contact Dominique.Letouze@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cons-114.86-health-and-wellbeing-strategy-proof-2.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal is to increase the fees for Mandatory HMO licensing & charges levied against landlords when enforcement action is taken by our Housing Regulations Team. These fees already existing, but they are proposed to increase to ensure the fees levied cover the cost of running these services. The risk of not doing this could result in the Council being under resourced to deal with demand, which could result in worse quality housing in the Private Rental Sector (PRS), which would impact the quality of life of PRS tenants.

How are you going to measure/check the impact of your proposal?

Measures are already in place for the performance of our HMO Licensing schemes, and the Housing Regulations service. These will continue to be monitored to ensure the capacity of them team is able to deal with the demand on the services.

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A4-Income deprivation and poverty-Will it consider income deprivation and reduce poverty?



In thinking about this question:

- How will it support those vulnerable to falling into poverty; e.g., single working age adults and lone parent households?
- How will it consider low-income communities, households and individuals?
- How will it support those unable to work?
- How will it support those with no educational qualifications?

If you want more information contact Mark.Sage@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-homelessness-strategy-2018-to-2023.pdf>

<https://www.portsmouth.gov.uk/ext/health-and-care/health/joint-strategic-needs-assessment>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A5-Equality & diversity - Will it have any positive/negative impacts on the protected characteristics?

In thinking about this question:

- How will it impact on the protected characteristics-Positive or negative impact (Protected characteristics under the Equality Act 2010, Age, disability, race/ethnicity, Sexual orientation, gender reassignment, sex, religion or belief, pregnancy and maternity, marriage and civil partnership,socio-economic)
- What mitigation has been put in place to lessen any impacts or barriers removed?
- How will it help promote equality for a specific protected characteristic?

If you want more information contact gina.perryman@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-equality-strategy-2019-22-final.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B1-Carbon emissions - Will it reduce carbon emissions?

In thinking about this question:

- How will it reduce greenhouse gas emissions?
- How will it provide renewable sources of energy?
- How will it reduce the need for motorised vehicle travel?
- How will it encourage and support residents to reduce carbon emissions?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-sustainability-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B2-Energy use - Will it reduce energy use?

In thinking about this question:

- How will it reduce water consumption?
- How will it reduce electricity consumption?
- How will it reduce gas consumption?
- How will it reduce the production of waste?

If you want more information contact Triston.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>
<https://democracy.portsmouth.gov.uk/documents/s24685/Home%20Energy%20Appendix%201%20-%20Energy%20and%20water%20at%20home%20-%20Strategy%202019-25.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B3 - Climate change mitigation and flooding-Will it proactively mitigate against a changing climate and flooding?

In thinking about this question:

- How will it minimise flood risk from both coastal and surface flooding in the future?
- How will it protect properties and buildings from flooding?
- How will it make local people aware of the risk from flooding?
- How will it mitigate for future changes in temperature and extreme weather events?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-surface-water-management-plan-2019.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/cou-flood-risk-management-plan.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B4-Natural environment-Will it ensure public spaces are greener, more sustainable and well-maintained?

In thinking about this question:

- How will it encourage biodiversity and protect habitats?
- How will it preserve natural sites?
- How will it conserve and enhance natural species?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-solent-recreation-mitigation-strategy-dec-17.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B5-Air quality - Will it improve air quality?

In thinking about this question:

- How will it reduce motor vehicle traffic congestion?
- How will it reduce emissions of key pollutants?
- How will it discourage the idling of motor vehicles?
- How will it reduce reliance on private car use?

If you want more information contact Hayley.Trower@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-aq-air-quality-plan-outline-business-case.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B6-Transport - Will it improve road safety and transport for the whole community?

In thinking about this question:

- How will it prioritise pedestrians, cyclists and public transport users over users of private vehicles?
- How will it allocate street space to ensure children and older people can walk and cycle safely in the area?
- How will it increase the proportion of journeys made using sustainable and active transport?
- How will it reduce the risk of traffic collisions, and near misses, with pedestrians and cyclists?

If you want more information contact Pam.Turton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/travel/local-transport-plan-3>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

Is your policy/proposal relevant to the following questions?

B7-Waste management - Will it increase recycling and reduce the production of waste?

In thinking about this question:

- How will it reduce household waste and consumption?
- How will it increase recycling?
- How will it reduce industrial and construction waste?

If you want more information contact Steven.Russell@portsmouthcc.gov.uk or go to:

<https://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C1-Culture and heritage - Will it promote, protect and enhance our culture and heritage?

In thinking about this question:

- How will it protect areas of cultural value?
- How will it protect listed buildings?
- How will it encourage events and attractions?
- How will it make Portsmouth a city people want to live in?

If you want more information contact Claire.Looney@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C2-Employment and opportunities - Will it promote the development of a skilled workforce?

In thinking about this question:

- How will it improve qualifications and skills for local people?
- How will it reduce unemployment?
- How will it create high quality jobs?
- How will it improve earnings?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

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Is your policy/proposal relevant to the following questions?

C3 - Economy - Will it encourage businesses to invest in the city, support sustainable growth and regeneration?

In thinking about this question:

- How will it encourage the development of key industries?
- How will it improve the local economy?
- How will it create valuable employment opportunities for local people?
- How will it promote employment and growth in the city?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

Q8 - Who was involved in the Integrated impact assessment?

Clare Hardwick - Head of Private Sector Housing

This IIA has been approved by: Sally Scattergood

Contact number: 023 9283 4223

Date: 12/12/2022

Agenda Item 5



Portsmouth
CITY COUNCIL

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

Title of meeting:	Cabinet Member for Housing and Preventing Homelessness
Subject:	Update on Full Fibre to The Home - City Fibre.
Date of meeting:	2 nd February 2023
Report by:	James Hill - Director of Housing, Neighbourhood and Building Services
Report Author:	Meredydd Hughes, Assistant Director of Building Services
Wards affected:	All

1. Requested by Cllr Darren Sanders, Cabinet Member for Housing and Preventing Homelessness

2. Purpose

- 2.1 The report is for information only and provides the Cabinet Member for Housing and Preventing Homelessness with a further update on the Full Fibre to the Home City Fibre Infrastructure works and details the progress made across the Portsmouth City Council's housing property portfolio since the last update provided on 24th January 2022.
- 2.2 The Cabinet Member for Housing and Preventing Homelessness places on record a note for thanks to the City Fibre and Building Services team for their continued work and extending the scope of the project to Portsmouth City Council's owned council housing blocks within Havant Borough Council's area.

3. Information Requested

- 3.1 The Cabinet member for Housing and Preventing Homelessness has requested an update on the progress of the Full Fibre to the Home infrastructure installation project by City Fibre to Portsmouth City Council's housing blocks in Portsmouth.

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

4. Portsmouth City Council's housing properties. Full Fibre to the Home - Progress Update

- 4.1 Representative technical officers from Portsmouth City Council (PCC) and City Fibre continue to hold regular operational quarterly meetings. These meetings are chaired by PCC Building Services managers, and ensure the project stays on track, identifies risks, and provides an opportunity for the group to ensure the project plan goals are met by providing accurate updated data and information for management. The next meeting is scheduled for Friday 3rd of February 2023.
- 4.2 The scheduled meetings provide both PCC and City Fibre an opportunity to discuss and agree the programme and progress of planned works, ensure the work is completed to the highest standards, are safe and compliant with all regulations and legislation in place and are carried out in a way that minimises disruption to residents. Feedback from all stakeholders is given and received and any necessary amendments to working arrangements and practices are made.
- 4.3 To date, the City Fibre operational team has received positive feedback from both PCC technical offices and PCC council housing residents for all aspects of their service delivery ranging from the pre-engagement survey work to the actual physical installation of City Fibre infrastructure.
- 4.4 Councillor Sanders is fully supportive of reducing digital exclusion for our residents and attended a recent Resident's Consortium meeting on 1st September 2022, where Jon Russell, City Fibre's Area Manager presented their plans to residents and Housing, Neighbourhood and Building Services (HNB) officers.
- 4.5 We continue to highlight and promote the joint work being undertaken by PCC and City Fibre in installing FTTTH to Portsmouth City Council's housing properties and in the Spring 2022 edition of Housetalk, we asked to hear about the views of residents and how they had benefitted from full fibre connectivity. The Winter 2022 edition also included information for residents on broadband social tariffs. The Housetalk magazine is written for and distributed to our 14,500 council housing residents and leaseholders.
- 4.6 As of 12th December 2022, City Fibre had completed the FTTTH infrastructure installation to 283 Portsmouth City Council housing blocks. This had released 2384 individual dwellings capable of receiving Full Fibre and City Fibre confirmed they had passed their 2022 planned year's target of 2000 released properties. In addition, they have advised that 41 customers have signed up with Internet Service providers using the Full Fibre platform. City Fibre have plans to complete and release another 2000 council house dwellings in 2023. The list of blocks completed in 2022 and planned for first quarter 2023 is included in Appendix A.

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

- 4.7 In terms of their overall £32 Million investment in Portsmouth. City Fibre have reported that after starting their city-wide project in March 2020 that they have completed infrastructure installation works passed 50,400 properties and that over 43,650 of them are now ready to be connected to the Full Fibre network.
- 4.8 City Fibre also report that out of their workforce of 14 staff, 70% reside within the PO1-7 postcode, and 109 employees of build partner CCN reside in the Portsmouth area. In addition, City Fibre advise that 25% of their employees working on our programme are ex-military personnel or reservists, and 7% are apprentices.
- 4.9 On 4th October 2022 Portsmouth City Council and City Fibre added a supplemental agreement to the original non-exclusive access wayleave to extend the rollout of the City Fibre's broadband infrastructure from within Portsmouth's boundaries to include Portsmouth City Council owned properties in Havant, Crookhorn and Wecock Farm. This work will sit alongside the works that City Fibre are installing to PCC's operational buildings and their roll out of full fibre infrastructure to all HRA communal blocks across the city and the Havant area.
- 4.10 The work in the Havant area will complement that being delivered within the Portsmouth boundary and will consist of installing the necessary duct work and cables to our blocks of flats to enable complete full fibre infrastructure so that internet service providers can utilise this capacity and provide an enhanced broadband service for residents.
- 4.11 A recent report commissioned by City Fibre and produced by consultancy Hatch, has identified the benefits that Portsmouth and Havant stand to gain from the rollout of future-proof full fibre infrastructure which is now well underway across both areas. [CityFibre network rollout to bring major economic boost to Portsmouth and Havant – Shaping Portsmouth](#)

5. Next Steps

- 5.1 The Council will continue to work closely with City Fibre in delivering the FFTTH programme to properties in Portsmouth up to the end of 2024.
- 5.2 Regular strategic and operational meetings will continue between the Council and City Fibre.
- 5.3 Both parties will continue to use a variety of communication platforms to ensure that all residents and stakeholders are kept up to date with programme and performance.

THIS ITEM IS FOR INFORMATION ONLY

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5.4 Further reports on the installation programme progress will be brought back to the Housing and Preventing Homelessness Cabinet as appropriate.

6. Director of Finance Comments

6.1 There are no additional costs to the City Council's Housing Revenue Account because of this project, as stated in the main body of the report. Any costs associated with communications to residents and working with City Fibre will be treated as day-to-day expenses and will be met from existing resources.

.....
Signed by James Hill - Director of Housing, Neighbourhood and Building Services

Appendices: Update on Full Fibre to the Home - appendix A

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

<p>Update on Full Fibre to the Home</p> <p>Full Fibre To The Home - City Fibre. 25th January 2021.</p> <p>Update on Full Fibre to The Home - City Fibre. 24th January 2022.</p>	<p>Appendix A</p> <p>Full Fibre to Home - City Fibre.pdf (portsmouth.gov.uk)</p> <p>Update on Full Fibre to the Home - City Fibre.pdf (portsmouth.gov.uk)</p>

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Appendix A

Update on Full Fibre to the Home - City Fibre

City Fibre Infrastructure build progress - Portsmouth City Councils housing properties complete 2022, Portsmouth City Councils housing properties work in progress, and Portsmouth City Councils properties planned for first quarter 2023.

1. City Fibre Infrastructure works completed in 2022.

Site	Area
Alhambra Road 9-19 (Odds)	Portsmouth City Council Area
Arundel Street 145-163, 167-177, 179-189, 191-219 (Odds)	Portsmouth City Council Area
Balchen House 1-13	Portsmouth City Council Area
Benbow House 1-16	Portsmouth City Council Area
Broom Close 1-24	Portsmouth City Council Area
Broom square 1-59 (Odds) & 2-24 (Evens)	Portsmouth City Council Area
Calder House 1-10	Portsmouth City Council Area
Canberra House 1-26	Portsmouth City Council Area
Carter House 1-22	Portsmouth City Council Area
Cavalier Court 1-11	Portsmouth City Council Area

Chalton house 1-48	Portsmouth City Council Area
Chanctonbury House 1-15	Portsmouth City Council Area
Cochrane House 1-24	Portsmouth City Council Area
Codrington House 1-10	Portsmouth City Council Area
Corhampton House 1-12	Portsmouth City Council Area
Cradock House 1-16	Portsmouth City Council Area
Dale Park House 1-20	Portsmouth City Council Area
Drake House 1-16	Portsmouth City Council Area
Edgbaston House 1-136	Portsmouth City Council Area
Eldon Street 25-35 (Odds)	Portsmouth City Council Area
Frank Miles House 1-24	Portsmouth City Council Area
Frobisher House 1-16	Portsmouth City Council Area
Furze Lane 2-44 (Evens)	Portsmouth City Council Area
Green Road 45-67, 69-95 (Odds)	Portsmouth City Council Area
Grove Road North 11-30	Portsmouth City Council Area
Kempenfelt House 1-12	Portsmouth City Council Area
King Street 101-127 (Odds)	Portsmouth City Council Area

King Street 88A-90B (Evens)	Portsmouth City Council Area
London Road 521-543 (Odds)	Portsmouth City Council Area
Louis Flagg House 1-24	Portsmouth City Council Area
Melbourne House 1-22	Portsmouth City Council Area
Milverton House 1-22	Portsmouth City Council Area
Nicholson Gardens 1-41	Portsmouth City Council Area
Ockendon Close 1-14	Portsmouth City Council Area
Perth House 1-34	Portsmouth City Council Area
Picton House 1-9	Portsmouth City Council Area
Ponsonby House 1-16	Portsmouth City Council Area
Prince Albert Road 198-208 (Evens)	Portsmouth City Council Area
Queen Street 50-55	Portsmouth City Council Area
Queen Street 7A-D and Motiv8	Portsmouth City Council Area
Radnor Street 1-31	Portsmouth City Council Area
Railway View 67-89 & 91-101 (Odds)	Portsmouth City Council Area
Rooke House 1-11	Portsmouth City Council Area

Sedgley Close 1-58	Portsmouth City Council Area
Shackleton House 1-12	Portsmouth City Council Area
Somers Road 19-41 (Odds)	Portsmouth City Council Area
St James's Road 101-127 & 129-151	Portsmouth City Council Area
St Paul's Square 1-16	Portsmouth City Council Area
Tipton House 1-136	Portsmouth City Council Area
Warwick Crescent 2-40 (Evens)	Portsmouth City Council Area
Waterloo Street 17-31 (Odds)	Portsmouth City Council Area
Waterloo Street 20-76 (Evens)	Portsmouth City Council Area
Wellington Street 30-52 (Evens)	Portsmouth City Council Area

2. City Fibre works in progress 2022.

Site	Area
Aldershot House, Prospect Lane, PO9 5SU 1-18	Havant Borough Council Area
Avington Green, Havant, PO9 5LP 1-15 (Odds)	Havant Borough Council Area
Bartons Road, Havant, PO9 5RT 13-27 (Odds)	Havant Borough Council Area
Burley Close, Havant, PO9 5RE 1-11 (Odds)	Havant Borough Council Area

Cotteridge Close 1-15	Portsmouth City Council Area
Dunsmore Close 2-102 (Evens)	Portsmouth City Council Area
Escur Close 1-47 (Odds)	Portsmouth City Council Area
Gosport House, Prospect Lane, Havant, PO9 5SX 1-12	Havant Borough Council Area
Grosvenor House 1-54	Portsmouth City Council Area
Hyde Park House 1-20	Portsmouth City Council Area
Liphook House, Prospect Lane, PO9 5SY 1-15	Havant Borough Council Area
Locksway Road 251-289 (Odds)	Portsmouth City Council Area
Maxstoke Close 1-47 (Odds)	Portsmouth City Council Area
Midway Road 2-24 (Evens)	Portsmouth City Council Area
Northern Parade, 192-278 (Evens)	Portsmouth City Council Area
Northern Parade, Flats 411-439 (Odds)	Portsmouth City Council Area
Northern Parade, Flats 441-571 (Odds)	Portsmouth City Council Area
Parade Court 1-19	Portsmouth City Council Area
Penwood Green, Havant, PO9 5QU 1-11 (Odds)	Havant Borough Council Area
Rednal Close 1-30	Portsmouth City Council Area

Roslyn House 1-54	Portsmouth City Council Area
St James Road 29-75 (Odds)	Portsmouth City Council Area
Stockbridge Close, Havant, PO9 5QX 2-12	Havant Borough Council Area
Tangley Walk, Havant, PO9 5QR 1-11 (Odds)	Havant Borough Council Area
Tangley Walk, Havant, PO9 5QR 2-16 (Evens)	Havant Borough Council Area
The Ridings 109-155 (Odds)	Portsmouth City Council Area
Whitsbury Road, Havant, PO9 5SP 33-47 (Odds)	Havant Borough Council Area
Wyn Sutcliffe Court 1-21	Portsmouth City Council Area

3. City Fibre works planned for first quarter 2023.

Site	Area
Escur Close 1-47 (Odds)	Portsmouth City Council Area
Grosvenor House 1-54	Portsmouth City Council Area
Locksway Road 251-289 (Odds)	Portsmouth City Council Area
Northern Parade, 192-278 (Evens)	Portsmouth City Council Area
Northern Parade, Flats 411-439 (Odds)	Portsmouth City Council Area
Northern Parade, Flats 441-571 (Odds)	Portsmouth City Council Area

Parade Court 1-19	Portsmouth City Council Area
Roslyn House 1-54	Portsmouth City Council Area
St James Road 29-75 (Odds)	Portsmouth City Council Area
The Ridings 109-155 (Odds)	Portsmouth City Council Area
Wyn Sutcliffe Court 1-21	Portsmouth City Council Area

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Agenda Item 6



Portsmouth
CITY COUNCIL

Title of meeting:	Cabinet Member for Housing and Preventing Homelessness
Date of meeting:	02 February 2023
Subject:	Council Housing Budget 2023/24 (including rent setting)
Report by:	James Hill, Director of Housing, Neighbourhood and Building Services Chris Ward, Director of Finance and Resources
Report Author:	Alan Denford, HRA Group Accountant
Wards affected:	All Wards
Key decision:	Yes
Full Council decision:	No

1. Purpose of report

- 1.1 The law requires that all income and expenditure relating to Council Housing is accounted for separately in the Housing Revenue Account (HRA). All other Council income and expenditure is accounted for together in a separate account called the General Fund. This report deals solely with the HRA.
- 1.2 The City Council has delegated the function of setting rents, charges and revenue budgets for Council Housing to the Cabinet Member for Housing and Preventing Homelessness. Following consultation with residents and leaseholders, this report seeks to address all HRA budget issues.
- 1.3 The purpose of this report is to seek the Cabinet Member's decisions on the City Council Housing budgets, rents and other charges and to give authority for managers to incur expenditure in 2023/24.
- 1.4 The report also seeks to:
 - Note the Forecast Revenue Outturn for 2022/23 and give authority to the Director of Housing, Neighbourhood and Building Services & the Director of Finance and Resources to amend the budgets to reflect the latest available information prior to finalising budgets for 2023/24.
 - Note the Forecast Revenue Budgets for 2024/25 to 2026/27 arising from the proposals set out in this report.



- Set rents with an average increase of 7%, which is in line with the maximum increase allowed by Central Government's Social Rent Setting Policy.

2. Recommendations

It is recommended that the Cabinet Member for Housing and Preventing Homelessness approves the following:

- (i) The Forecast Revenue Outturn for 2022/23 arising from monitoring discussions with Managers, as set out at Appendix 3, be noted.
- (ii) All rents and charges to be effective from Monday 03 April 2023 or such other date as determined by the Director of Housing, Neighbourhood and Building Services, in consultation with the Director of Finance and Resources.
- (iii) Dwelling Rents for 2023/24 to be set with an average increase of 7%, which is in line with the maximum allowable under Central Government's Social Rent Setting Policy.
- (iv) General Service Charges for 2023/24 to be set at this meeting, as set out in this report, and in accordance with Appendix 5.
- (v) Sheltered Housing Service Charges for 2023/24 to be set at this meeting, as set out in this report, and in accordance with Appendix 6.
- (vi) Laundry Charges for 2023/24 to be set at this meeting, as set out in this report, and in accordance with Appendix 7.
- (vii) Heating Charges for 2023/24 to be set in accordance with Appendix 8.
- (viii) Garages and Parking Site Rents for 2023/24, as shown in Appendix 9, be approved and authority to let garages at reduced rents where demand is low be delegated to the Director of Housing, Neighbourhood and Building Services, in consultation with the Director of Finance and Resources.
- (ix) The Revenue Budget for 2023/24, as set out in Appendix 3, be approved and authority given to the Director of Housing, Neighbourhood and Building Services, in consultation with the Director of Finance and Resources, to amend the budgets to reflect the latest available information prior to finalising budgets for 2023/24.
- (x) The relevant Managers be authorised to incur expenditure in 2023/24.
- (xi) The Forecast Revenue Budgets for 2024/25 to 2026/27 arising from the proposals contained in this report, as set out in Appendix 3, be noted.



3. Housing Policy 2023/24

HRA Dwelling Rents

3.1 From 2020/21 the decision to increase rents was passed back to Local Authorities that operate a Housing Revenue Account. Through the rent standard the City Council was given the option to increase rents by the increase in the Consumer Price Index (CPI) plus 1% until the financial year 2025/26. The CPI figure to be used is published in September of the preceding year. This option was recommended and approved for both 2020/21 and 2021/22. In 2022/23, the Cabinet Member approved that dwelling rents would be set with an average increase of 3.5%. This was lower than the maximum allowable under the Social Rent Setting Policy of 4.1%. For 2023/24, the Government's Autumn Statement announced the intention to introduce a 7% cap on rent increases that would otherwise have been permitted up to 11.1% (CPI 10.1% + 1%) under the existing rent standard.

3.1.1 The Housing Revenue Account (HRA) is reliant on the Rental Income from its tenants and leaseholders to provide Housing Management Services required. These services are wholly funded by the HRA.

3.1.2 Therefore, the HRA has to be financially viable on a long-term basis and decisions relating to increases to rent & service charges have a direct impact on the Housing Management Services that can be provided.

3.1.3 Given the current financial uncertainty for next year, it will be important that we can continue to provide services needed by our most vulnerable tenants, and therefore will need to ensure that the HRA is funded accordingly.

3.1.4 Changes to rents charged to social housing tenants is governed by the Rent Standard and Rent Standard Guidance, outlined by the Regulator, that relates specifically to rent and service charge setting. In addition, the Social Housing Rents (Exemptions and Miscellaneous Provisions) Regulations 2016 must also be applied.

3.1.5 Rents will be set on an annual basis and the City Council will limit the rent to the published applicable Local Authority Housing Allowance (LHA) Rate to ensure that they remain affordable to its tenants.

3.1.6 **For all Tenants**, Service Charges will be managed as Fixed Service Charges with no under or over collections at the end of each financial year, so may not achieve full cost recovery.



3.1.7 **For Leaseholders**, Service Charges will be managed as Variable Service Charges with under and over collections at the end of each financial year resulting in full cost recovery.

3.1.8 The next rent year for tenants will be a standard 52-week year, as the effective start date will be 3rd April 2023 and ending on 31st March 2024.

HRA Borrowing Cap

3.2 In the 2018 Autumn Budget the Government announced that the limit of indebtedness would be lifted with immediate effect from all Local Authorities who operate a Housing Revenue Account. Previously the City Council was limited on the amount of borrowing that it could incur in the Housing Revenue Account. This presented a problem for the City Council as it was unable to invest in larger scale developments and instead had to rely on bidding for additional borrowing and/or grant funding.

3.3 Whilst the City Council welcomed this additional flexibility, it has to ensure that any borrowing it undertakes is not taken at the detriment of the Housing Revenue Account. The City Council will seek to identify developments where rental income can meet the cost of any additional borrowing and maintenance of the asset, acting prudently and ensuring the sustainability of the HRA over the medium to longer term.

3.4 Since the cap has been removed the City Council has now committed to a programme of buying back City Council Housing Stock previously purchased under right to buy and expanding acquisitions to all residential units. This programme is for £20m each and every year for 5 years and started in 2020/21.

3.5 As well as acquiring property, the City Council have also recently completed construction of some 40 units at Doyle Avenue and Patey Court. Additionally, the Council have approval to deliver over 200 units at the sites at Highgrove, Strouden Court and Cabbagefield Row. All these developments will have a positive impact on the HRA's 30-year business plan.

3.6 Additionally work continues on ideas to develop the site where the former Horatia and Leamington Houses stood, with development proposals being considered that should deliver in the region of 272 Social Housing units.

4. Proposed Rents and Charges for 2023/24

Dwelling Rent

4.1 The September 2022 CPI was 10.1% and, therefore, the maximum average rent increase in 2023/24, under the existing rent standard, would have been 11.1%. However, the Government's 2022 Autumn Statement announced the imposition of a 7% cap on Social Housing rents for next year. The Government's 'Direction on the Rent Standard 2023', issued in December 2022, states that the weekly



rent of an existing tenant may not be increased by more than 7%. This applies to all low-cost rental accommodation that is not supported housing. There are a number of factors relating to the financial environment for the HRA that have been taken into consideration when considering an increase in dwelling rents, prior to making the recommendation in this report.

4.1.1 The depreciation charge for the Housing Revenue Account is calculated based on the assets remaining useful life and the market value. As the HRA's stock ages there is an increasing depreciation charge. This is the portion of the revenue budget that must be set aside in a specific ring-fenced reserve that is reinvested in capital works to City Council housing.

4.1.2 The HRA has been losing on average 70 units per year through the Right to Buy initiative, along with the associated rental income which means the amount of rent which can be collected reduces. The number of sales was reduced to only 28 in 2020/21, due to the first Covid-19 wave, and may only be circa 50 in the current year, due to the impact of inflationary pressures on the housing market.

4.1.3 There have been increased costs during 2022/23 that have created in year revenue pressures. Utility costs (gas and electricity), where we had budgeted for inflation of over 50%, have more than doubled in recent months. Our energy costs are expected to rise by £1.8m next year and could rise further. Costs of materials to undertake repairs, budgeted with 2% inflation, have seen rises between 10% and 15%. In addition, the current year staff pay award of £1,925 per person exceeds a budgeted 2% inflationary allowance. There remains a level of uncertainty about future staff costs. General inflation, which had been assumed as 2%, was 10.1% in September 2022 and is still rising.

4.1.4 Following the setting of a deficit budget for 2021/22 and the forecast of a deficit against the approved 'break-even' budget in 2022/23, a significant amount of deficit reduction work has been carried out. This includes an efficiency drive for anti-social behaviour work and income generation initiatives (e.g. Energy Service fees and Service Level Agreements). The various services which support the HRA, regardless of the financial position, will continue to look for opportunities to reduce cost through efficiencies and maximise the opportunity to generate income to protect landlord service functions

4.1.5 The building and acquisition of new property has a positive impact on the HRA Accounts. In 2022/23, as of 16 January 2023, 88 properties have been repurchased with approximately 100 properties in the pipeline. The City Council have also recently completed construction of some 40 units at Doyle Avenue and Patey Court. Additionally, there are circa 1,000 units in the HRA development pipeline, including proposals at Somerstown, Cabbagefield Row, Strouden Court and Highgrove.



4.2 In the light of the amount of uncertainty in the current financial environment, it is proposed to increase Dwelling Rents from an average of £93.36 per week to £99.57 per week, as summarised in Appendix 4. This is an increase of 7%, which is the maximum increase allowed following the Government's imposition of a rent cap of 7%. It is anticipated that other Registered Providers of social housing in the city will follow this maximum increase. If other Registered Providers in Portsmouth increase their rents by 7% and the City Council does not, there is a risk that we may see a reduction in applicants on the Housing Register accepting offers for properties in non-city Council Registered Provider properties, increased applications for exchanges into our stock and higher demand for our stock overall. This would be a direct conflict to the rent convergence policy introduced by Central Government in 2011.

4.3 This 7% increase is more than the 2.5% that was anticipated in the forecast budget. However, all of the budget assumptions were undermined by the unprecedented changes that occurred in year, as highlighted above in para 4.1.3. The implications for the budgets for 2023/24 and subsequent years are described in more detail in sections 5 and 6 respectively.

General Service Charges

4.4 General Service Charges are made to all tenants and relate to the provision of a number of different services, including the Estate Services Officers, Anti-Social Behaviour Team, the Green and Clean Service and Resident Engagement Team. In general, a lower rate is charged to tenants living in houses and bungalows and a higher rate to those who receive additional services in flats and maisonettes.

4.5 The charges made to tenants for these services will be based on the actual cost of provision of the service, but on the basis of Fixed Service Charges, so there is never any under or over recovery reconciliation. Instead, charges are based on previous year costs and an inflationary uplift. This does mean that the cost of services delivered may be higher than the income collected.

4.6 The proposed charges for 2023/24 are shown in Appendix 5 and summarised as follows:

Category	2022/23 General Service Charge (Per week)	2023/24 General Service Charge (Per week)
Low Rate	£6.72	£7.14
High Rate	£16.80	£18.20



Due to a recent marginal reduction in the cost of energy, the proposed increase in the High Rate Service Charge is lower than that included in the consultation with residents and leaseholders, including an article in Housetalk magazine. In the consultation material, the proposed High Rate weekly charge was £18.34.

Sheltered Housing Charges

4.7 Sheltered Housing is intended to meet the needs of residents who require support to live independently. There are three levels of service, each with increasing levels of need and support: Category 1, Category 2 and Category 2.5. Sheltered Housing was set up originally on the basis that the extra costs of providing the service, over and above those arising from normal City Council Housing provision, would be recovered from the tenants in Sheltered Housing via a “Combined Sheltered Housing Service Charge”. The Combined Sheltered Housing Service Charge is made up of a landlord related charge, which is eligible for Housing Benefits, and a care related charge, which is not eligible for Housing Benefits but is part funded through Supporting People Grant. As with the General Service Charge, these are Fixed Service Charges, with no under or over recovery reconciliation, and therefore carry the same risk that the cost of services may be greater than the income collected.

4.8 The proposals for 2023/24 are shown below, with a more detailed breakdown of these charges in Appendix 6.

Category	2022/23 Combined Sheltered Housing Charges (Per week)	2023/2024 Combined Sheltered Housing Charges (Per week)
Cat 1	£17.08	£18.34
Cat 2	£55.16	£60.76
Cat 2.5	£96.46	£107.80

Laundry Charges

4.9 City Council Housing provides a number of laundry facilities that operate from within blocks and sheltered housing schemes. Although the charges for both washing and drying facilities are reviewed each year, they remain much lower than the commercial market price. However, following the recent unprecedented increases in energy costs, the City Council are proposing to increase the charges, for the first time in five years, to ensure we recover the cost of running the service and no cross subsidy exists.

4.10 The proposals for 2023/24 are shown below and in Appendix 7.



Token Type	2022/23 Laundry Token Charge	2023/24 Laundry Token Charge
Wash	£2.00	£3.00
Dry	£1.50	£2.00

Heating Charges

- 4.11 Heating charge calculations are based on average annual consumption data from previous years. This data is used to calculate the estimated future cost of heating the relevant dwellings. The City Council's Building Services team continue to undertake work to both reduce energy consumption and negotiate the best tariffs with our energy providers. In previous years this proactive approach has resulted in all heating charges being frozen in both 2020/21 and 2021/22. In an attempt to fully recover anticipated costs, there was an increase of 15% in charges for gas heating in 2022/23. However, following the utility cost pressures described in paragraph 4.1.3, this level of increase proved to be insufficient and heating charges will have been subsidised from rents in the current year. The proposals below will rectify this position and include forecasts for further movement.
- 4.12 In addition to the two-year freeze in all heating charges, the City Council's energy team negotiated a fixed price for electricity, which meant that the City Council were able to freeze electric heating charges in 2022/23 for a third year. However, the current fixed tariff charges for electricity supply will end in September 2023 and a new fixed tariff will need to be secured.
- 4.13 We have 15 blocks where we provide heating and, in some cases, hot water. Charges vary according to the type of heating provided, as follows:
- Dickens blocks (8 of them) – Combined Heat & Power (CHP),
 - Sheltered blocks (5 of them) - Gas,
 - Edgbaston and Tipton - Electricity.
- 4.14 As previously stated, there have been unprecedented increases in energy costs over the last 12 months. As the City Council policy is to set the heating charge so that the full cost of heating and hot water is paid by the tenants in those blocks, there will need to be substantial increases in charges for 2023/24. This means that, if you currently pay £10 per week, your weekly charge will increase to £19.70 in Edgbaston and Tipton, £16.70 in the Sheltered blocks and £20.00 in the Dickens blocks. Appendix 8 breaks down the proposed charges for each block type in more detail.



- 4.15 Due to a recent marginal reduction in the cost of energy, the proposed increases are lower than those included in the consultation with residents and leaseholders, including an article in Housetalk magazine. In the consultation material, the proposed weekly charges, for someone currently paying £10 per week, were £21.20 in Edgbaston and Tipton, £20.50 in the Sheltered blocks and £29.30 in the Dickens blocks.
- 4.16 The way that the HRA garages and parking sites are marketed and managed continues to evolve in response to changes in demand whilst maintaining the underlying Budget Principle to “get the best return possible from non-core activities”. The HRA parking charges remain competitive when compared to other parking providers on and off Island.
- 4.17 It is proposed that the 2023/24 budget continues to assist the marketing of the Park and Ride scheme, by offering 'local/non-local' parking rates. Whilst maintaining the ethos of charging more for high-demand areas, all parking spaces irrespective of location will be charged at two rates, a lower rate for those people who live near to where they park and a higher rate for those who do not. This aims to encourage those who drive into the city to consider using the Council’s Park and Ride facility.
- 4.18 The proposal is to increase the cost of all parking and garage permits by CPI of 10.1% in 2023/24. A summary of the proposed charges for next year can be found in Appendix 9. It is recommended that authority to let garages at reduced rents where demand is low be delegated to the Director of Housing, Neighbourhood and Building Services in consultation with the Director of Finance and Resources.

5. Budget for next year 2023/24

- 5.1 The budget details attached at Appendix 3 show the forecast outturn position for 2022/23, as well as the proposed budget for 2023/24. Also shown are the forecast budgets through to 2026/27.
- 5.2 The 2023/24 Housing Revenue Account budget assumes an in-year deficit of £1.31m. This is a worse position than the original forecast surplus of £0.55m following last year's budget decision. This is despite the proposed rent increase of 7% being higher than the original forecast of 2.5% and the deficit reduction work described earlier in the report.
- 5.3 Allowance has had to be made for a higher than anticipated pay offer of £1,925 per person in 2022/23, which impacts the staffing budget of approximately £30m, representing over 30% of all costs. The original budget included funding for a 2% pay rise in 2022/23. Significant increases in utility budgets have also been included for the projected increases in gas and electricity costs. In addition, the

aging stock profile means that an increasingly significant depreciation charge provision needs to be made each year.

- 5.4 The report recommends that the City Council increases dwelling rents by 7%, the maximum permissible, in order to minimise the HRA deficit. A 7% increase will generate £5.05m to help keep local services running. However, there will still need to be a draw on reserves of £1.31m to balance the budget.

6. Future years budgets and the level of balances

- 6.1 The law requires that a budget be set to avoid a deficit on the HRA, although balances may be used to offset short term pressures. It is forecast that the level of balances will be approximately £20.9m on 31 March 2024, excluding earmarked capital reserves. As the Government rent cap is for one year only, the future year forecasts assume that a CPI plus 1% rent increase will be allowed and approved. The forecast level of balances in subsequent years is shown in the following table:

	2022/23 Forecast outturn	2023/24 Proposed Budget	2024/25 Forecast Budget	2025/26 Forecast Budget	2026/27 Forecast Budget
	£000	£000	£000	£000	£000
Reserve brought forward	24,606	22,224	20,917	20,817	20,671
In year (deficit)/surplus	(2,382)	(1,307)	(100)	(146)	(2,094)
Reserve carried forward	22,224	20,917	20,817	20,671	18,577

- 6.2 When setting a new budget, the City Council must consider the effect on the Housing Revenue Account's 30-year business plan. The current reserve is sufficient to meet the ongoing commitments in the short to medium term. However, the Director of Housing, Neighbourhood and Building Services has been working through ways to reduce the forecast deficits in 2022/23 and 2023/24. Further remedial measures will be sought to offset any ongoing impacts of increased utility, staff and materials costs. In the longer term, there are significant forecast deficits from 2026/27 onwards that will need further consideration and it is imperative that decisions taken in respect of Housing Rents and Charges in 2023/24 are taken in this context. The current forecast illustrates a draw on Reserves over the period of more than £6m which is unsustainable in the longer term and is inconsistent with prudent management of the HRA.



7. Authority to incur revenue expenditure

- 7.1 It is recommended that Directors and their service managers be authorised to incur expenditure in accordance with the City Council Constitution. The only exceptions would be those items Members consider should be the subject of a separate report before expenditure is incurred.

8. Duty to involve - Resident involvement in the budget process

- 8.1 This year's rent consultation started on the 29 September 2022 where residents were invited to attend an event whereby the City Council's finance team went through the Housing Revenue Account budget line by line.

- 8.2 In addition, an article was published in the Winter edition of Housetalk magazine, which invited all HRA residents and leaseholders to make comments on the article that set out the considerations for this year's charges. In this article they were encouraged to send feedback to the Resident Engagement team.

- 8.3 The City Council's Finance Team attended the Residents Consortium meeting on the 02 December 2022 to present the proposals mirroring the article in Housetalk, and asking for feedback from residents around the proposed new charges, and also attended the Residents Consortium Meeting on the 05 January 2023 to respond to the feedback already received and ask for any further feedback. The Cabinet Member reviewed the residents' responses, along with the feedback from the Housetalk article, in time to take them into account when proposing the recommendations at this meeting.

- 8.4 As well as getting feedback at these events, the City Council received direct responses by email and phone on the consultation. The majority of responses were in support of a 7% increase in rents (7 tenants), with one tenant preferring a lower increase of 6% and two favouring 5%. One tenant suggested no increase at all, while another declined to suggest a rate but commented that they would struggle to pay the 7% increase. 12 direct responses were received in total, and these are summarised in Appendix 10.

- 8.5 Both the Director of Housing, Neighbourhood and Building Services and the Director of Finance and Resources would like to place on record their thanks for the continued support and contribution given by our resident representatives, tenants and leaseholders.

9. Reasons for recommendations

- 9.1 To set budgets, rents and charges for council housing for 2023/24 at levels that are sufficient to provide decent accommodation and good quality services whilst maintaining financial sustainability and resilience.



10. Integrated impact assessment (IIA)

- 10.1 An integrated impact assessment has been completed and is attached at Appendix 11.
- 10.2 The assessment identifies no negative impacts associated with any of the options outlined.

11. Legal Implications

- 11.1 The body of the report contains a discussion of the key legal issues, and the Council is empowered to approve the recommendations.

12. Director of Finance comments

- 12.1 The Director of Finance and Resources has been consulted and is in agreement with the recommendations contained within this report.

Signed by:

.....
James Hill – Director of Housing, Neighbourhood and Building Services

.....
Chris Ward – Director of Finance and Resources

Appendices:

- 1 Council Housing Accounts – The Law
- 2 Budget Principles 2022/23 to 2026/27
- 3 Revenue Budgets 2022/23 to 2026/27
- 4 Average Rents 2023/24
- 5 General Service Charges 2023/24
- 6 Sheltered Housing Charges 2023/24
- 7 Laundry Charges 2023/24
- 8 Heating Charges 2023/24
- 9 Garages and Parking Sites Rents 2023/24
- 10 Resident Feedback
- 11 Integrated Impact Assessment (IIA)

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
1 Budget files	Property, Housing and Regeneration Finance
2 Rent standards for registered providers of social housing	Rent Standard and guidance - GOV.UK (www.gov.uk)
3 Social Housing Rents Regulations 2016	The Social Housing Rents (Exceptions and Miscellaneous Provisions) Regulations 2016 (legislation.gov.uk)
4 CPI Figure for September 2022	Consumer price inflation, UK - Office for National Statistics

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

.....
Signed by:

COUNCIL HOUSING ACCOUNTS - THE LAW

The Council Housing accounts are termed the "Housing Revenue Account" in the following notes. The rest of the City Council's accounts are termed the "General Fund".

LOCAL GOVERNMENT AND HOUSING ACT 1989

This Act has provided the main framework for Housing Finance since 1 April 1990. In summary the Housing Revenue Account provisions are as follows:

- 1 Local Housing Authorities must keep a separate Housing Revenue Account (HRA).
- 2 Amounts to be credited or debited to the Housing Revenue Account can only be in respect of items detailed in the Act or covered by regulations issued by the Secretary of State.
- 3 Budgets must be prepared each year for the Housing Revenue Account which will avoid a debit balance on the account. Action must be taken if in any year it appears a debit balance may arise.
- 4 An authority should maintain a separate Housing Repairs Account.
- 5 A transfer must be made between the General Fund and the Housing Revenue Account in respect of amenities provided by the Housing Revenue Account but shared by the whole community.
- 6 With the exception of 5 above no contribution can be made by the General Fund to the Housing Revenue Account except for certain items detailed in regulations issued by the Secretary of State.

In addition, the Act provides the main framework for the Capital Finance of Local Authorities

LEASEHOLD REFORM, HOUSING & URBAN DEVELOPMENT ACT 1993

The above Act came into force in 1993 and gave Housing Authorities the power to provide Welfare Services and to account for them within either the Housing Revenue Account or the General Fund at the Authorities discretion.

The Act also gave the Secretary of State wide powers to amend this provision and regulations have been made which prevent "personal services" such as regular feeding or bathing or cooking of meals from being accounted for within the Housing Revenue Account. Accordingly, the net costs relating to the element of personal services provided by staff in sheltered accommodation are funded by the General Fund.

BUDGET PRINCIPLES

2022/23 to 2026/27

Budgets to be driven by PCC Strategies to meet Corporate Priorities with particular emphasis on all forms of regeneration & creation of sustainable communities to achieve safe, secure, independent & healthy living for our residents, tenants & leaseholders with increased economic well-being, including the following:

- Offering access to respite care and other support for carers and service users
- Assessing individuals needs and developing care/support to those needs
- Contributing to effective rehabilitation for people leaving hospital
- Enabling and contributing to the provision of good quality low cost homes with well-planned infrastructure
- Delivering and promoting high quality house design combined with exceptional environmental performance.
- Tackling fuel poverty
- Working to reduce carbon emissions and to eliminate negative environmental impacts from all areas of work.

Budgets to be prepared in consultation with residents, tenants & leaseholders & reflect their views

Balanced budgets to be prepared for a minimum 3 years for revenue budgets & 5 years for capital budgets

Work with suppliers & partners, particularly the Health Service, to try & co-ordinate services in the best interests of residents, tenants & leaseholders.

Support effective preventive measures wherever possible.

Maintain & improve homes by:

- Tackling disrepair in private housing to ensure vulnerable people are housed in decent homes.
- Reducing the number of unfit and inaccessible private sector homes
- Maintaining the cycle of planned external inspection & repair of council dwellings.
- Improving the quality of council dwellings and maintaining decent homes.
- Working towards a “Decent Environment” for all council dwellings.
- Improving energy efficiency and opportunities for microgeneration.

- Encouraging the reduction, reuse and recycling of materials.

Maintain high management standards for council dwellings

To set rents, charges and Council Tax charges that avoid any unreasonable burden, and remain in accordance with Government Policy.

Get the best return possible from non-core activities i.e. provision of garages and parking

Achieve continuous improvement through systems thinking methods, designing services against customer demand

Comply with the law

Housing Revenue Account 5 year budget

Appendix 3

	Forecast Outturn	Proposed Budget	Forecast Budget	Forecast Budget	Forecast Budget
Based on rent increase of 7%	2022.23	2023.24	2024.25	2025.26	2026.27
	£000	£000	£000	£000	£000
INCOME AND EXPENDITURE ACCOUNT					
Income					
Net Dwelling Rents (net of voids)	70,779	76,467	81,492	84,147	85,305
Non Dwelling Rents	3,151	3,309	3,402	3,458	3,556
Charges for services and facilities (net of voids)	16,328	17,917	18,660	18,964	19,501
Contribution towards expenditure	912	947	974	990	1,018
Other Income	204	192	197	200	206
Expenditure					
Repairs and maintenance	(27,500)	(28,600)	(29,464)	(29,945)	(30,792)
Supervision and management	(17,272)	(18,562)	(19,116)	(19,403)	(19,927)
Special services	(17,322)	(19,203)	(20,539)	(20,848)	(21,411)
Rents, rates, taxes and other charges	(789)	(637)	(655)	(666)	(685)
(Increase)/decrease in provision for bad debts	(270)	(500)	(500)	(500)	(500)
Depreciation and impairment of fixed assets	(24,985)	(26,559)	(28,224)	(29,980)	(31,837)
Debt management costs	(63)	(62)	(64)	(67)	(67)
Net cost of services	3,174	4,708	6,162	6,351	4,367
Interest payable	(6,033)	(6,305)	(6,695)	(6,968)	(6,968)
HRA investment income	477	290	432	471	507
Surplus / (deficit) for the year	(2,382)	(1,307)	(100)	(146)	(2,094)
STATEMENT OF MOVEMENT ON THE HRA BALANCE					
Surplus / (deficit) for the year	(2,382)	(1,307)	(100)	(146)	(2,094)
HRA Balance Brought Forward	24,606	22,224	20,917	20,817	20,671
Increase/(decrease) in the HRA balance	(2,382)	(1,307)	(100)	(146)	(2,094)
HRA Balance Carried Forward	22,224	20,917	20,817	20,671	18,577

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Existing HRA dwelling stock									
Property type	Number of bedrooms								Total
	0	1	2	3	4	5	6	7	
Bedsit / Studio	392	5							397
Bungalow	1	189	13	14					217
Flat		4,078	3,452	599	23	2			8,154
House		1	1,166	2,515	330	30	2	1	4,045
Maisonette		6	559	1,365	26	4			1,960
Supported Living	47	175							222
Grand Total	440	4,454	5,190	4,493	379	36	2	1	14,995

Average rents (£) in 2023/24 when increased by 7.0%									
Property type	Number of bedrooms								Overall Average
	0	1	2	3	4	5	6	7	
Bedsit / Studio	75.85	90.34							76.03
Bungalow	85.43	93.87	106.19	114.41					95.89
Flat		86.58	97.63	111.58	115.84	113.73			93.18
House		93.49	102.56	113.38	128.11	139.46	202.10	195.66	111.72
Maisonette		112.64	96.99	106.93	128.55	117.25			104.42
Supported living	105.86	118.42							115.76
Average	79.07	88.18	98.69	111.18	127.39	135.56	202.10	195.66	99.57

Rent increases (£) in 2023/24 when increased by 7.0%									
Property type	Number of bedrooms								Overall Average
	0	1	2	3	4	5	6	7	
Bedsit / Studio	4.19	4.08							4.19
Bungalow	5.59	6.05	6.95	7.48					6.19
Flat		5.47	5.99	6.38	7.51	7.44			5.76
House		6.12	6.71	7.30	8.04	8.50	13.23	12.80	7.20
Maisonette		7.37	5.87	6.43	6.28	7.67			6.27
Supported living	6.93	7.75							7.58
Average	4.49	5.58	6.14	6.91	7.89	8.35	13.23	12.80	6.21

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General Service Charges 2023/24

General Service Charges

Charge description	22/23 weekly charge £	23/24 weekly charge £	Change £	Change %
Lower Service Charge :	6.72	7.14	0.42	6.3%
Higher Service Charge :	16.80	18.20	1.40	8.3%

NOTES

General Service charges cover the following costs :

Lower Service Charge (mainly houses) :

- Anti-social Behaviour Team
- Resident Participation Service
- Money Advice Service
- Estate Services Officers
- Out of Hours Service
- Youth and Play Services

Higher Service Charge (most flats) :

- Anti-social Behaviour Team
- Resident Participation Service
- Money Advice Service
- Estate Services Officers
- Out of Hours Service
- Youth and Play Services
- Electricity for Communal Areas
- Cleaning and Bulk Refuse
- Grounds Maintenance

(Leaseholder contributions are taken into account when calculating resident General Service Charges)

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Sheltered Housing Charges 2023/24

Weekly Sheltered Housing Service Charge	2023/24 Charges					2022/23 Charges		Increase year on year	
	Sheltered Housing Service Charge	Supporting People Charges	Sheltered Housing Discount	Total protected charges (see note 1)	Total unprotected charges	Protected	Not Protected	Protected	Not Protected
	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p
Category 1	13.30	5.04	(7.69)	10.65	18.34	9.67	17.08	0.98	1.26
Category 2	45.08	15.68	(5.09)	55.67	60.76	50.56	55.16	5.11	5.60
Category 2.5	86.66	21.14	(31.75)	76.05	107.80	69.07	96.46	6.98	11.34

NOTES

Tenants who don't qualify for Housing Benefit but were in their tenancy at 1st March 2003 should pay no more in total for both the Supporting People & Sheltered Housing Service Charge than the amount they pay now plus an allowance for inflation. They will therefore have a credit posted to their accounts that reduces the full SP charge down to the protected level.

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Laundry Charges 2022/23

Current laundry charges

<i>Year</i>	Charge for wash	Charge for dry
2022/23	£2.00	£1.50

Proposed Laundry Charges for Full Cost Recovery

<i>Year</i>	Charge for wash	Charge for dry	£ Increase Wash	£ Increase dry
2023/24	£3.00	£2.00	£1.00	£0.50

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Heating Charges 2023/24
WEEKLY HEATING CHARGES

Electric Heating

EDGBASTON HOUSE
TIPTON HOUSE

1 BED DWELLINGS

Current weekly charge	Proposed weekly charge	Increase / Decrease	%
2022/23 £	2023/24 £	£	
9.55	18.81	9.26	97.0%
9.55	18.81	9.26	97.0%

2 BED DWELLINGS

Current weekly charge	Proposed weekly charge	Increase / Decrease	%
2022/23 £	2023/24 £	£	
13.24	26.08	12.84	97.0%
13.24	26.08	12.84	97.0%

Gas Heating

Sheltered Housing

ARTHUR DANN COURT
HALE COURT*
IAN GIBSON COURT
JOHN MARSHALL COURT
NICHOLSON GARDENS

BEDSITS

Current weekly charge	Proposed weekly charge	Increase / Decrease	%
2022/23 £	2023/24 £	£	%
7.61	12.71	5.10	67.0%
6.91	11.54	4.63	67.0%

1 BED DWELLINGS

Current weekly charge	Proposed weekly charge	Increase / Decrease	%
2022/23 £	2023/24 £	£	
10.45	17.45	7.00	67.0%
9.38	15.66	6.28	67.0%
9.38	15.66	6.28	67.0%
7.97	13.31	5.34	67.0%
10.80	18.04	7.24	67.0%

2 BED DWELLINGS

Current weekly charge	Proposed weekly charge	Increase / Decrease	%
2022/23 £	2023/24 £	£	
12.04	20.11	8.07	67.0%
11.87	19.82	7.95	67.0%
10.45	17.45	7.00	67.0%
11.34	18.94	7.60	67.0%
21.08	35.20	14.12	67.0%

3 BED DWELLINGS

Current weekly charge	Proposed weekly charge	Increase / Decrease	%
2022/23 £	2023/24 £	£	
17.89	29.88	11.99	67.0%
11.87	19.82	7.95	67.0%

*This property will be receiving individual meters.

Combined Heat & Power

PICKWICK/COPPERFIELD
WELLER & CHEERYBLE
BLACKWOOD/BRISBANE
NICKLEBY/BARKIS HSE

BEDSITS

Current weekly charge	Proposed weekly charge	Increase / Decrease	%
2022/23 £	2023/24 £	£	%
8.68	17.36	8.68	100.0%

1 BED DWELLINGS

Current weekly charge	Proposed weekly charge	Increase / Decrease	%
2022/23 £	2023/24 £	£	
9.57	19.14	9.57	100.0%
9.57	19.14	9.57	100.0%
9.57	19.14	9.57	100.0%

2 BED DWELLINGS

Current weekly charge	Proposed weekly charge	Increase / Decrease	%
2022/23 £	2023/24 £	£	
12.40	24.80	12.40	100.0%
12.40	24.80	12.40	100.0%
12.40	24.80	12.40	100.0%
12.40	24.80	12.40	100.0%

3 BED DWELLINGS

Current weekly charge	Proposed weekly charge	Increase / Decrease	%
2022/23 £	2023/24 £	£	
14.52	29.04	14.52	100.0%
14.52	29.04	14.52	100.0%

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Proposed weekly rents for garages and parking sites	2022/23 weekly rent	2023/24 weekly rent	£ Change	% Change
Proposed weekly garage rents	£ p	£ p	£ p	%
Buckland				
Local Tenant / Leaseholder	15.37	16.92	1.55	10.1%
Other Locals (including VAT)	18.44	20.30	1.86	10.1%
Non-Local Tenant / Leaseholder (including VAT)	22.99	25.32	2.33	10.1%
Other Non-Locals (including VAT)	22.99	25.32	2.33	10.1%
Landport				
Local Tenant / Leaseholder	15.63	17.21	1.58	10.1%
Other Locals (including VAT)	18.77	20.66	1.89	10.1%
Non-Local Tenant / Leaseholder (including VAT)	25.02	27.55	2.53	10.1%
Other Non-Locals (including VAT)	25.02	27.55	2.53	10.1%
Leigh Park				
Local Tenant / Leaseholder	12.02	13.23	1.21	10.1%
Other Locals (including VAT)	14.42	15.88	1.46	10.1%
Non-Local Tenant / Leaseholder (including VAT)	14.42	15.88	1.46	10.1%
Other Non-Locals (including VAT)	14.42	15.88	1.46	10.1%
Paulsgrove				
Local Tenant / Leaseholder	12.02	13.23	1.21	10.1%
Other Locals (including VAT)	14.42	15.88	1.46	10.1%
Non-Local Tenant / Leaseholder (including VAT)	16.46	18.13	1.67	10.1%
Other Non-Locals (including VAT)	16.46	18.13	1.67	10.1%
City South				
Local Tenant / Leaseholder	16.18	17.81	1.63	10.1%
Other Locals (including VAT)	19.42	21.37	1.95	10.0%
Non-Local Tenant / Leaseholder	26.33	28.99	2.66	10.1%
Other Non-Locals (including VAT)	26.33	28.99	2.66	10.1%
Portsea				
Local Tenant / Leaseholder	16.72	18.41	1.69	10.1%
Other Locals (including VAT)	20.05	22.08	2.03	10.1%
Non-Local Tenant / Leaseholder (including VAT)	29.82	32.83	3.01	10.1%
Other Non-Locals (including VAT)	29.82	32.83	3.01	10.1%
Leasehold & Commercial				
Local Tenant / Leaseholder	16.18	17.81	1.63	10.1%
Other Locals (including VAT)	19.42	21.37	1.95	10.0%
Non-Local Tenant / Leaseholder (including VAT)	24.06	26.49	2.43	10.1%
Other Non-Locals (including VAT)	24.06	26.49	2.43	10.1%

Proposed weekly rents for garages and parking sites	2022/23 weekly rent	2023/24 weekly rent	£ Change	% Change
<u>Proposed weekly parking site rents</u>				
<u>Buckland</u>				
Underground for local tenants / leaseholders	5.48	6.03	0.55	10.0%
Underground for other locals (including VAT)	6.58	7.24	0.66	10.0%
Underground for non-local tenants / leaseholders (including VAT)	18.52	20.39	1.87	10.1%
Underground for other non-locals (including VAT)	18.52	20.39	1.87	10.1%
Above ground for local tenants / leaseholders	4.14	4.56	0.42	10.1%
Above ground for other locals (including VAT)	4.97	5.47	0.50	10.1%
Above ground for non-local tenants / leaseholders (including VAT)	14.00	15.42	1.42	10.1%
Above ground for other non-locals (including VAT)	14.00	15.42	1.42	10.1%
<u>City South</u>				
Underground for local tenants / leaseholders	5.84	6.43	0.59	10.1%
Underground for other locals (including VAT)	7.02	7.73	0.71	10.1%
Underground for non-local tenants / leaseholders (including VAT)	18.83	20.72	1.89	10.0%
Underground for other non-locals (including VAT)	18.83	20.72	1.89	10.0%
Open air spaces for local tenants / leaseholders	4.21	4.64	0.43	10.2%
Open air spaces other locals (including VAT)	5.05	5.57	0.52	10.3%
Open air spaces for non-local tenants / leaseholders (including VAT)	14.00	15.42	1.42	10.1%
Open air spaces other non-locals (including VAT)	14.00	15.42	1.42	10.1%
<u>Landport</u>				
Above ground for local tenants / leaseholders	4.21	4.64	0.43	10.2%
Above ground for other locals (including VAT)	5.05	5.57	0.52	10.3%
Above ground for non-local tenants / leaseholders (including VAT)	14.00	15.42	1.42	10.1%
Above ground for other non-locals (including VAT)	14.00	15.42	1.42	10.1%
<u>Leigh Park</u>				
Above ground for local tenants / leaseholders	2.21	2.43	0.22	10.0%
Above ground for other locals (including VAT)	2.65	2.92	0.27	10.2%
Above ground for non-local tenants / leaseholders (including VAT)	5.23	5.76	0.53	10.1%
Above ground for other non-locals (including VAT)	5.23	5.76	0.53	10.1%
<u>Paulsgrove</u>				
Above ground for local tenants / leaseholders	2.21	2.43	0.22	10.0%
Above ground for other locals (including VAT)	2.65	2.92	0.27	10.2%
Above ground for non-local tenants / leaseholders (including VAT)	5.70	6.28	0.58	10.2%
Above ground for other non-locals (including VAT)	5.70	6.28	0.58	10.2%
<u>Portsea</u>				
Underground for local tenants / leaseholders	6.18	6.80	0.62	10.0%
Underground for other locals (including VAT)	7.42	8.16	0.74	10.0%
Underground for non-local tenants / leaseholders (including VAT)	20.17	22.21	2.04	10.1%
Underground for other non-locals (including VAT)	20.17	22.21	2.04	10.1%
Above ground for local tenants / leaseholders	4.47	4.92	0.45	10.1%
Above ground for other locals (including VAT)	5.38	5.92	0.54	10.0%
Above ground for non-local tenants / leaseholders (including VAT)	14.00	15.42	1.42	10.1%
Above ground for other non-locals (including VAT)	14.00	15.42	1.42	10.1%

Feedback from Housetalk Article (Received by 5th January 2023)

Resident	Favoured Rent Increase	Comments
1	7%	No one happy about it but would be reasonable.
2	5%	Middle for diddle.
3	7%	Feel this is fair compared to everything else and what private rents are doing.
4	7%	Reasonable as not as bad as it could be.
5	7%	Reasonable but hands tided. Understand why its needs to be higher. I am not keen on using up reserves, but it's capped by government. It seemed a fair and honest presentation.
6	6%	Concerned about using reserves, should be kept for things like emergency, two towers (L&H) but also recognise full payers will struggle with increase.
7	7%	But it's going to be really (hard) for the full payers.
8	7%	I understand if it was on its own that it would be ok, but its everything else on top like food, fuel, energy will make it very hard for people.
9	5%	5% rents are fair, think the large one will be a struggle.
10	-	No point saying a % as it will be 7% whatever I say. I am a full payer. I get no help. 7% will struggle to pay.
11	0%	I would like no increase at all. You are wasting energy with lights on too much. They need to be on motion sensors. Lights on during the day too.
12	7%	Reasonable in regard to all other things that are happening.

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Integrated Impact Assessment (IIA)

Integrated impact assessment (IIA) form December 2019

www.portsmouth.gov.uk

The integrated impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies that could impact positively or negatively on the following areas:
 - Communities and safety
 - Regeneration and culture
 - Environment and public space
 - Equality & - Diversity - This can be found in Section A5

Directorate:

Housing, Neighbourhoods and Building Services

Service, function:

Housing

Title of policy, service, function, project or strategy (new or old) :

Housing Budget 2023/24

Type of policy, service, function, project or strategy:

- Existing
- New / proposed
- Changed

What is the aim of your policy, service, function, project or strategy?

To set the new Housing Revenue Account Budgets for 2022/23 to 2026/27, and to agree changes to rents and other charges from 1st April 2023

Has any consultation been undertaken for this proposal? What were the outcomes of the consultations? Has anything changed because of the consultation? Did this inform your proposal?

Yes, consultation has been carried out through residents meetings, direct correspondence and via Housetalk with our residents. The feedback was minimal but it did inform the proposal.

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A1-Crime - Will it make our city safer?



In thinking about this question:

- How will it reduce crime, disorder, ASB and the fear of crime?
- How will it prevent the misuse of drugs, alcohol and other substances?
- How will it protect and support young people at risk of harm?
- How will it discourage re-offending?

If you want more information contact Lisa.Wills@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-spp-plan-2018-20.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How will you measure/check the impact of your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A2-Housing - Will it provide good quality homes?



In thinking about this question:

- How will it increase good quality affordable housing, including social housing?
- How will it reduce the number of poor quality homes and accommodation?
- How will it produce well-insulated and sustainable buildings?
- How will it provide a mix of housing for different groups and needs?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/psh-providing-affordable-housing-in-portsmouth-april-19.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The appropriate setting of rents ensures that the Council can continue to provide social housing that is well managed and well maintained.

How are you going to measure/check the impact of your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A3-Health - Will this help promote healthy, safe and independent living?



In thinking about this question:

- How will it improve physical and mental health?
- How will it improve quality of life?
- How will it encourage healthy lifestyle choices?
- How will it create healthy places? (Including workplaces)

If you want more information contact Dominique.Letouze@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cons-114.86-health-and-wellbeing-strategy-proof-2.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A4-Income deprivation and poverty-Will it consider income deprivation and reduce poverty?



In thinking about this question:

- How will it support those vulnerable to falling into poverty; e.g., single working age adults and lone parent households?
- How will it consider low-income communities, households and individuals?
- How will it support those unable to work?
- How will it support those with no educational qualifications?

If you want more information contact Mark.Sage@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-homelessness-strategy-2018-to-2023.pdf>

<https://www.portsmouth.gov.uk/ext/health-and-care/health/joint-strategic-needs-assessment>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Rents are set at a level that is affordable to those who have the most financial hardship. 97% of all properties are rented using Social Rents and we check that if someone is in receipt of full Housing benefit that their housing costs levied by the Council can be met.

How are you going to measure/check the impact of your proposal?
We do this by comparing average rents against the current Local Housing Allowance.

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A5-Equality & diversity - Will it have any positive/negative impacts on the protected characteristics?



In thinking about this question:

- How will it impact on the protected characteristics-Positive or negative impact (Protected characteristics under the Equality Act 2010, Age, disability, race/ethnicity, Sexual orientation, gender reassignment, sex, religion or belief, pregnancy and maternity, marriage and civil partnership,socio-economic)
- What mitigation has been put in place to lessen any impacts or barriers removed?
- How will it help promote equality for a specific protected characteristic?

If you want more information contact gina.perryman@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-equality-strategy-2019-22-final.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B1-Carbon emissions - Will it reduce carbon emissions?

In thinking about this question:

- How will it reduce greenhouse gas emissions?
- How will it provide renewable sources of energy?
- How will it reduce the need for motorised vehicle travel?
- How will it encourage and support residents to reduce carbon emissions?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-sustainability-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B2-Energy use - Will it reduce energy use?

In thinking about this question:

- How will it reduce water consumption?
- How will it reduce electricity consumption?
- How will it reduce gas consumption?
- How will it reduce the production of waste?

If you want more information contact Triston.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

<https://democracy.portsmouth.gov.uk/documents/s24685/Home%20Energy%20Appendix%201%20-%20Energy%20and%20water%20at%20home%20-%20Strategy%202019-25.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B3 - Climate change mitigation and flooding-Will it proactively mitigate against a changing climate and flooding?

In thinking about this question:

- How will it minimise flood risk from both coastal and surface flooding in the future?
- How will it protect properties and buildings from flooding?
- How will it make local people aware of the risk from flooding?
- How will it mitigate for future changes in temperature and extreme weather events?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-surface-water-management-plan-2019.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/cou-flood-risk-management-plan.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B4-Natural environment-Will it ensure public spaces are greener, more sustainable and well-maintained?

In thinking about this question:

- How will it encourage biodiversity and protect habitats?
- How will it preserve natural sites?
- How will it conserve and enhance natural species?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-solent-recreation-mitigation-strategy-dec-17.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B5-Air quality - Will it improve air quality?

In thinking about this question:

- How will it reduce motor vehicle traffic congestion?
- How will it reduce emissions of key pollutants?
- How will it discourage the idling of motor vehicles?
- How will it reduce reliance on private car use?

If you want more information contact Hayley.Trower@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-aq-air-quality-plan-outline-business-case.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B6-Transport - Will it improve road safety and transport for the whole community?

In thinking about this question:

- How will it prioritise pedestrians, cyclists and public transport users over users of private vehicles?
- How will it allocate street space to ensure children and older people can walk and cycle safely in the area?
- How will it increase the proportion of journeys made using sustainable and active transport?
- How will it reduce the risk of traffic collisions, and near misses, with pedestrians and cyclists?

If you want more information contact Pam.Turton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/travel/local-transport-plan-3>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

Is your policy/proposal relevant to the following questions?

B7-Waste management - Will it increase recycling and reduce the production of waste?



In thinking about this question:

- How will it reduce household waste and consumption?
- How will it increase recycling?
- How will it reduce industrial and construction waste?

If you want more information contact Steven.Russell@portsmouthcc.gov.uk or go to:

<https://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C1-Culture and heritage - Will it promote, protect and enhance our culture and heritage?



In thinking about this question:

- How will it protect areas of cultural value?
- How will it protect listed buildings?
- How will it encourage events and attractions?
- How will it make Portsmouth a city people want to live in?

If you want more information contact Claire.Looney@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C2-Employment and opportunities - Will it promote the development of a skilled workforce?



In thinking about this question:

- How will it improve qualifications and skills for local people?
- How will it reduce unemployment?
- How will it create high quality jobs?
- How will it improve earnings?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

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Is your policy/proposal relevant to the following questions?

C3 - Economy - Will it encourage businesses to invest in the city, support sustainable growth and regeneration?

In thinking about this question:

- How will it encourage the development of key industries?
- How will it improve the local economy?
- How will it create valuable employment opportunities for local people?
- How will it promote employment and growth in the city?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

Q8 - Who was involved in the Integrated impact assessment?

This IIA has been approved by:

Contact number:

Date: