
REPORT TO:	HOUSING AND COMMUNITY SERVICES	AGENDA ITEM: 11
DATE OF MEETING:	22nd NOVEMBER 2018	CATEGORY: RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	MARTIN GUEST (01283) 595940 martin.guest@south-derbys.gov.uk	DOC:
SUBJECT:	LEASEHOLDER HANDBOOK	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: HCS01

1.0 Recommendations

1.1 That the Committee approves the new Council Leaseholder Handbook.

2.0 Purpose of Report

2.1 To seek Committee approval of the new Council Leaseholder Handbook, this brings together current practice and legal duties into one summary document for leaseholders. This replaces the Leaseholder Management Policy which was approved by this Committee on the 16th March 2014.

2.2 This Handbook sets out the responsibilities of both the leaseholder and the Council as landlord regarding the property and provides a practical guide for leaseholders for living in one of the Council's former properties.

3.0 Detail

3.1 The Council commissioned an external review of its processes, policies and procedures relating to leaseholders. This was completed in early 2018. One of the main recommendations of this review was to move away from the Council's existing Policy and provide clearer practical advice for its leaseholders.

3.2 A review took place of examples across the local authority sector and using best practice a draft Handbook was prepared.

3.3 This was the subject of consultation with existing Council Leaseholders in September 2018 and revised in the light of their comments.

3.4 A final Handbook is attached at Appendix 1 for Committee approval.

- 3.5 The Handbook explains how the Council will deliver a value for money leasehold management service that meets its landlord responsibilities to leaseholders under the terms of their leases in line with legislation. It also contains a summary of the respective rights and responsibilities of the Council and its leaseholders.
- 3.6 There are currently 38 property leaseholders. These have bought a flat lease under the Right to Buy Policy and the Council remains the owner and landlord of the building structure and communal areas.

4.0 Financial Implications

- 4.1 No changes to the current collection of the service charges are proposed as a result of the Handbook.

5.0 Corporate Implications

- 5.1 There are two strategic aims contained within the Council's Corporate Plan that provide a background to this consultation.

- Place, PL1 to facilitate and deliver a range of integrated and sustainable housing and community infrastructure
- Outcomes, O1 is to maintain financial health

- 5.2 Legal implications for the leaseholder/landlord are set out in the lease issued following the purchase of the property. The main acts of parliament covering leasehold tenancies are:

- The Landlord and Tenant Act 1985 and 1987
- The Housing Act 1985 and 1996
- The Commonhold and Leasehold Reform Act 2002
- Leasehold Reform, Housing and Urban Development Act 1993

6.0 Community Implications

- 6.1 None

7.0 Background Papers

- 7.1 Appendix 1 – South Derbyshire District Council's Leaseholder Handbook