

ARUN DISTRICT COUNCIL

REPORT TO HOUSING AND CUSTOMER SERVICES WORKING GROUP ON 4 FEBRUARY 2021

PART A : REPORT

SUBJECT:	Gaining Access to Residents Homes Policy
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REPORT AUTHOR:	Satnam Kaur, Group Head of Residential Services
DATE:	January 2021
EXTN:	37718
PORTFOLIO AREA:	Residential Services

EXECUTIVE SUMMARY:

This report seeks approval for the adoption of Gaining Access to Residents Homes Policy which sets out the action the Council will take in order to access tenanted council homes in order to fulfil its legal and regulatory requirements as a social housing landlord.

RECOMMENDATIONS:

Housing and Customer Services Working Group is asked to recommend to Cabinet:

- a) the adoption of the Access Policy
- b) delegated authority be given to Group Head of Residential Services in consultation with the Cabinet Member for Residential Services to make changes to the policy

1.0 BACKGROUND:

- 1.1 ADC as a landlord of social housing requires access to homes to carry out repairs and comply with statutory and regulatory requirements, i.e. carry out an annual safety check to gas appliances. Most resident are happy to provide access to their homes, but a minority do not
- 1.2 This policy sets out what legal remedies ADC will take if residents do not provide access and when we will access a resident's home without permission in an emergency. These are:
 - a) Injunction to allow access into the resident's home
 - b) Injunction to last the life of the tenancy to allow ongoing access for a specific reason for example, gas safety.

c) Where a resident still does not allow access after the court has granted an injunction, the council could ask the court to fine the resident or apply to the court for possession of the home.		
2.0 PROPOSAL(S):		
2.1 To approve the Access Policy so that responsible managers can implement it with contractors and staff.		
3.0 OPTIONS:		
3.1 If this policy is not adopted there is a risk the Council will not be able to gain access to homes in order to fulfil its legal/regulatory requirements as a landlord.		
4.0 CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		
Relevant District Ward Councillors		
Other groups/persons (please specify) Members of the Housing and Customer Services Working Group		
5.0 ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		✓
Legal	✓	
Human Rights/Equality Impact Assessment	✓	
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Other (please explain)		
6.0 IMPLICATIONS:		
N/A		

7.0 REASON FOR THE DECISION:		
7.1 To ensure that ADC can gain access to homes to carry out legal and statutory requirements as a landlord, protect residents and buildings.		

8.0 BACKGROUND PAPERS:

N/A