

REPORT TO SHAREHOLDER COMMITTEE

Open/		Would any decisions proposed:			
Any especially affected Wards	Mandatory/	Be entirely within Shareholder Committee powers to decide YES/NO			
	Discretionary /	Need to be recommendations to Council		YES/NO	
	Operational	Is it a Key Decision		YES/NO	
Lead Member: Cllr Alistair Beales E-mail: cllr.alistair.beales@west-norfolk.gov.uk		Other Cabinet Members consulted:			
		Other Members consulted:			
Lead Officer: Alexa Baker, Monitoring Officer E-mail: alexa.baker@west-norfolk.gov.uk		Other Officers consulted:			
Financial Implications YES/NO	Policy/ Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/NO	Environmental Considerations YES/NO

Voluntary ending the use of Section 21 Notices

Date of meeting: **23 April 2024**

Summary

At it's meeting of 23 October 2023, the Shareholder Committee resolved to request the Board of Directors of the council's wholly owned housing companies, West Norfolk Housing Company, and West Norfolk Property to submit written reports to the Shareholder Committee on the following matters:

- The number of notices served under section 21 of the Housing Act 1988 ("section 21 notices") within the last two years by the company or it's contracted housing management provider.
- The number of tenancies the company has, or their contracted housing management provider has in which a section 21 notice could be served.
- The predicted impact, financial or otherwise, on the company or their contracted housing management provider if the company was to voluntarily choose to never use section 21 notices going forwards
- Confirmation of any changes that would be necessary in legal contracts with any contracted housing management provider (and where possible confirmation of whether the housing management provider is willing to agree such change) in order to codify the voluntary removal of section 21 notices as an option for tending a tenancy.
- Whether, with reference to its Business Plan, the Board of Directors considers it is in the best interests of the company to implement a company decision to voluntary remove section 21 notices as an option for use for ending a tenancy

Recommendation

The Shareholder Committee is recommended to note the written responses from West Norfolk Housing and West Norfolk Property (Appendix A and B respectively attached).

Reason for Decision

To support the priorities in the Corporate Strategy on supporting communities and helping to prevent homelessness across the borough.

1 Background

1.1 In support of the Corporate Strategy on supporting communities and helping to prevent homelessness, this administration wishes to explore the fast-tracking of the removal of section 21 notices (referred to as ‘No Fault Evictions’) from the range of options available to its wholly owned companies, West Norfolk Property Limited and West Norfolk Housing Company Limited, to terminate tenancies issued by the company or their contracted housing management provider.

1.2 At its meeting of 23 October 2023, Shareholder Committee resolved:

‘That the Board of Directors of West Norfolk Property Limited and West Norfolk Housing Company Ltd be respectively requested to submit a written report addressed to the Chair of the Shareholder Committee on the following matters:

- The number of notices served under section 21 of the Housing Act 1988 (“section 21 notices”) within the last two years by the company or its contracted housing management provider.
- The number of tenancies the company has, or their contracted housing management provider has in which a section 21 notice could be served.
- The predicted impact, financial or otherwise, on the company or their contracted housing management provider if the company was to voluntarily choose to never use section 21 notices going forwards
- Confirmation of any changes that would be necessary in legal contracts with any contracted housing management provider (and where possible confirmation of whether the housing management provider is willing to agree such change) in order to codify the voluntary removal of section 21 notices as an option for ending a tenancy.
- Whether, with reference to its Business Plan, the Board of Directors considers it is in the best interests of the company to implement a company decision to voluntarily remove section 21 notices as an option for use for ending a tenancy

2 Options Considered

- 2.1 The Board of Directors of the Housing Companies have provided the written responses as requested and are appended to this report.

3 Policy Implications

- 3.1 The recommendation links to the Corporate Strategy adopted by full council on 23 November 2023.

5 Personnel Implications

- 5.1 None

6 Environmental Considerations

- 6.1 None

7 Statutory Considerations

- 7.1 The recommendation relates to the use of notices under section 21 of the Housing Act 1988 in order to end a tenancy and instead using the grounds set out in section 8 of the Housing Act 1988.

8 Equality Impact Assessment (EIA)

(Pre screening report template attached)

- 8.1 Not applicable at this stage as considering the response from the Boards of Directors.

9 Risk Management Implications

- 9.1 None at this stage

10 Declarations of Interest / Dispensations Granted

- 10.1 None

11 Background Papers

- 11.1 Report to Shareholder Committee October 2023.