

**NORTH LINCOLNSHIRE COUNCIL**

**HIGHWAYS & NEIGHBOUHOODS CABINET MEMBER**

**REQUEST TO AMEND TENANCY AGREEMENT TO ALLOW  
INSTALLATION OF ENERGY EFFICIENCY MEASURES**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To seek Cabinet Member approval of a request by North Lincolnshire Homes to vary their tenancy agreement to allow the installation of photo voltaic solar panels.
- 1.2 The key points of the report are as follows:
  - 1.2.1 North Lincolnshire Homes has approached the council in order to obtain consent to vary their tenancy agreement as required by the Stock Transfer Agreement.
  - 1.2.2 An urgent decision is required, prior to the meeting of North Lincolnshire Homes Board on 3 August 2011.

**2. BACKGROUND INFORMATION**

- 2.1 North Lincolnshire Homes ('NLH') are in discussions with installers regarding the installation of Solar Photo Voltaic (PV) panels on some of its properties so that electricity can be generated without emitting carbon dioxide.
- 2.2 There is a list of criteria that must be met in order for a property to be considered viable in the project, and NLH are currently engaged in these investigations, together with negotiations on the overarching agreement for the project.
- 2.3 The overarching principle of this agreement is that NLH will allow the equipment to be installed onto the property in return for the ability to receive some "free" electricity for the tenant during the hours of generation.
- 2.4 This is done by way of a Licence agreement so that NLH are not disposing of any interest in the properties included in this project.

- 2.5 Currently, the existing tenancy agreements do not allow for access by a third party (such as the company that will install and maintain the PV solar panels) to their properties.
- 2.6 There are some other provisions that it would be prudent to also include in the event that the tenant exercises their right to acquire.
- 2.7 NLH have asked for a Deed of Variation to the existing tenancy agreement. This is because many of the properties likely to be included in this project are inevitably going to be households who were tenants of the council prior to stock transfer.
- 2.8 In these circumstances NLH is required to give the council notice of any proposed change, and the reason for it.
- 2.9 North Lincolnshire is an area that has been identified as emitting high levels of carbon dioxide compared with other areas of the country. As such carbon reduction has been a council priority and targets for reduction were agreed with the Local Strategic Partnership.
- 2.10 This initiative is therefore in accordance with the council's objectives.

### **3. OPTIONS FOR CONSIDERATION**

- 3.1 Option 1 – Approve NLH's request for a Deed of Variation.
- 3.2 Option 2 – Do not approve the request.

### **4. ANALYSIS OF OPTIONS**

- 4.1 Option one is the preferred option as allowing the installation of solar PV panels is beneficial to the environment and may assist tenants to reduce their electricity bills.
- 4.2 Option two would deny tenants the opportunity to reduce their electricity bills.

### **5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)**

- 5.1 There are no resource implications for the council.

### **6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 CRIME AND DISORDER, RISK AND OTHER)**

- 6.1 Environmental

This request will support the Council in its work to improve local environments and support the delivery of carbon reduction targets.

6.2 Section 17

There are no section 17 or other implications.

**7. OUTCOMES OF CONSULTATION**

7.1 Legal and property services have been consulted about this request and have raised no objections.

**8. RECOMMENDATIONS**

8.1 That the request from North Lincolnshire Homes for a Deed of Variation be approved.

DIRECTOR OF NEIGHBOURHOOD AND ENVIRONMENTAL SERVICES

Neighbourhood and Environmental Services  
Church Square House  
Scunthorpe  
North Lincolnshire  
DN15 6XQ

Author: Mark Sherwood  
Date: July 2011

**Background papers used in the preparation of this report**

- Draft deed of variation from North Lincolnshire Homes
- Stock Transfer Agreement February 2007.