

# Cheltenham Borough Council

## Cabinet – 26 May 2026

### Leasehold Ownership Policy

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**Accountable member:**

Cllr Flo Clucas, Cabinet Member for Housing and Customer Services

**Accountable officer:**

Matt Ward – Head of Housing Services

**Ward(s) affected:**

All wards

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**Key Decision:** No

**Executive summary:**

This policy outlines Cheltenham Borough Council's (CBC) approach to managing leasehold properties that it owns or manages. Its purpose is to ensure compliance with relevant legislation, promote transparency, and support positive and constructive relationships with leaseholders.

This policy provides information for leaseholders and staff involved in delivering services to leaseholders. This includes customer services, housing services, leasehold services, asset management, and property services.

CBC is committed to meeting its statutory duties and responsibilities under the terms of each lease. The Council will provide leaseholders with a high standard of customer care in the management and maintenance of their homes, including clear information about service charges and a full explanation of leaseholders' rights and responsibilities.

**Recommendations: That Cabinet:**

1. Approve the Leasehold Ownership Policy.

## **1. Implications**

### **1.1 Financial, Property and Asset implications**

Adoption of the policy will provide guidance to officers to ensure that they are complying with the relevant legislation and enable billing and recovery of any associated costs from leaseholders. There are no direct financial implications from a decision for this report.

**Signed off by:** Adele Taylor, Interim Section 151 Officer,  
[Adele.Taylor@cheltenham.gov.uk](mailto:Adele.Taylor@cheltenham.gov.uk)

### **1.2 Legal implications**

Adoption of the policy will provide guidance to officers to ensure that they are complying with the relevant legislation.

**Signed off by:** Kaveena Dayalji, Senior Lawyer, [Kaveena.Dayalji@onelegal.org.uk](mailto:Kaveena.Dayalji@onelegal.org.uk)

### **1.3 Environmental and climate change implications**

There are no direct environmental and climate change implications to consider for this report.

**Signed off by:** Maizy McCann, Climate Officer, [Maizy.mccann@cheltenham.gov.uk](mailto:Maizy.mccann@cheltenham.gov.uk)

### **1.4 Corporate Plan Priorities**

This report contributes to the following Corporate Plan Priorities:

- Quality homes, safe and strong communities
- Reducing inequalities, supporting better outcomes
- Taking care of your money

### **1.5 Equality, Diversity and Inclusion Implications**

An Equalities impact assessment has been completed for this policy and can be found in the appendices.

### **1.6 Performance management – monitoring and review**

This policy will be reviewed every 3 years or in response to legislative changes.

Monitoring indicators include:

- i. Leaseholder forum feedback

- ii. Service charge recovery rate.
- iii. Disputes relating to annual service charges
- iv. Leaseholder complaints
- v. Tribunal outcomes.

Minor Amendments required will be made through delegated authority. Any amendments made because of operational process or Government legislation will be made through the local decision-making process.

Major changes to the policy will involve internal consultation with relevant offices, and teams.

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## **2 Background**

2.1 In general, the leasehold team oversees the general management of all CBC leasehold properties with support from other services including Housing Services, Asset Management, Property Services, One Legal and Repairs Services.

2.2 Leaseholders should be provided with a copy of the lease by the solicitor acting on behalf of the purchaser.

2.3 CBC will comply with legislation and in accordance with the Council's lease which is what the Leasehold Ownership Policy sets out.

2.4 Key information will be sent to new leaseholders in their welcome letter. At present CBC manages 428 Leasehold properties across its housing stock.

2.5 A lease agreement is a legally binding contract between a landlord (or freeholder) and a tenant (or leaseholder) that sets out the terms under which the tenant can occupy and use a property for a specified period. The specific lease and associated legislation take precedence over any conflict with this policy.

## **3 Reasons for recommendations**

3.1 To give clear guidance on the covenants of the councils leases to all leaseholders.

## **4 Alternative options considered**

4.1 Not applicable.

## **5 Consultation and feedback**

5.1 The Policy was reviewed by the Leasehold Forum on the 9<sup>th</sup> March 2026 and a small number of minor changes were made.

5.2 The Policy was reviewed by the Cabinet Housing Committee on the 1 April 2026 and recommended to Cabinet for approval.

## **6 Key risks**

6.1 Key risks are set out in the risk register at Appendix 1.

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### **Report author:**

Matt Ward, Head of Housing Services, [Matt.Ward@cheltenham.gov.uk](mailto:Matt.Ward@cheltenham.gov.uk)

### **Appendices:**

- i. Risk Assessment
- ii. Equality Impact Assessment – Screening
- iii. Leasehold Ownership Policy
- iv. Leasehold Ownership Policy Summary

### **Background information:**

N/A

**Appendix 1: Risk Assessment**

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
1	<p>This policy outlines Cheltenham Borough Council's (CBC) approach to managing leasehold properties that it owns or manages. Its purpose is to ensure compliance with relevant legislation, promote transparency, and support positive and constructive relationships with leaseholders.</p> <p>If the Council fails to adopt a clear policy then this could result in lost income or being taken to tribunal for failure to adhere to its covenants contained in the lease.</p>	Director of Governance, Housing and Communities	4	3	12	Reduce	Produce, approve and implement clear and robust policies and associated procedures.	Director of Governance, Housing and Communities	June 2026

## Appendix 2: Equality Impact Assessment (Screening)

### STAGE 1 – Equality Screening

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#### 1. Identify the policy, project, function or service change

##### a. Person responsible for this EqIA

Officer responsible: Matt Ward	Service Area: Housing Services
Title: Head of Housing Services	Date of assessment: 16/03/2026
Signature: <i>Matt Ward</i>	

##### b. Is this a policy, function, strategy, service change or project?

Policy

If other, please specify:

##### c. Name of the policy, function, strategy, service change or project

Leasehold Ownership Policy

Is this new or existing?

**New or proposed**

##### Please specify reason for change or development of policy, function, strategy, service change or project

The policy has been developed to demonstrate how the Council will comply with its leases to all leaseholders.

##### d. What are the aims, objectives and intended outcomes and who is likely to benefit from it?

Aims:

This policy outlines Cheltenham Borough Council's (CBC) approach to managing leasehold properties that it owns or manages. Its purpose is to ensure compliance with relevant legislation, promote transparency, and support positive and constructive relationships with leaseholders.

Objectives:

The policy will cover that:

- A lease agreement is a legally binding contract between a landlord (or freeholder) and a tenant (or leaseholder) that sets out the terms under which the tenant can occupy and use a property for a specified period. This policy outlines these terms.

Outcomes:	Leaseholders and staff will be aware of the Policy and ensure that all aspects are adhered to.
Benefits:	<p>This policy should offer assurance to leaseholders that the council is meeting its legal obligations and is committed to dealing with leasehold management effectively.</p> <p>Employees of the Council can utilise this policy to ensure correct processes are utilised.</p>

**e. What are the expected impacts?**

Are there any aspects, including how it is delivered or accessed, that could have an impact on the lives of people, including employees and customers.

**No**

Do you expect the impacts to be positive or negative?

**No impact expected**

Please provide an explanation for your answer:

This policy is equally applicable to all leaseholders.