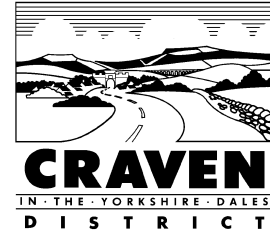


Policy Committee – 11th September 2017



Craven Housing Renewal Policy 2017-2020

Report of the Director of Services

Lead Member: Richard Foster

Ward(s) affected: ALL

1. Purpose of Report

To seek approval from Members for the Craven Housing Renewal Policy 2017 - 2020.

2. Recommendation

Members are recommended to:

- 2.1 Approve and adopt the Craven Housing Renewal Policy 2017 – 2020
- 2.2 Give delegated authority to the Director of Services, in consultation with the Lead Member, to make minor amendments and/or adjustments to the Craven Housing Renewal Policy to meet current or future requirements and in order to facilitate responses to revised priorities and/or funding opportunities.
- 2.3 Provide authority to place a notice in the local press stating the policy is in force in accordance with the conditions of the Regulatory Reform Order 2002.

3 The Policy

- 3.1 The Policy aim is to improve housing conditions across the District¹ and help people manage their own health & wellbeing.
- 3.2 We will achieve this aim through providing assistance through a combination of education and encouragement, direct and indirect financial assistance and taking enforcement action when it is appropriate to do so.
- 3.3 The policy takes into account the responsibilities of the homeowner to maintain their own properties but also considers their ability to do so – arising from their financial status and/or vulnerability due to age or disability.
- 3.4 **Education and Encouragement:** The Policy includes provision of information and advice to assist any person to improve, repair, adapt or rebuild residential premises².

¹ Overarching aim within Environmental Services & Housing Service Plan 2017/18

² Regulatory Reform (England and Wales) (Housing Assistance) Order 2002 Article 3 **Power of local housing authorities to provide assistance**

3.4.1 The Council recognises the importance of education and encouragement when working with Private Sector Landlords to uphold legislative requirements³ and reduce homelessness through termination of tenancies.

The Policy states that the Council will:

- Ensure the availability of information and advice on the Council's website
- Provide advice in person
- Engage with groups and forums to provide advice to the community and private sector landlords
- Work in partnership to disseminate and provide information and advice

3.5 **Direct Financial Assistance:** The Policy includes provision of the following grant/loans schemes:

3.5.1 **Disabled Facilities Grants (DFGs)⁴:**

DFGs pay for adaptations to the home enabling older/disabled people to live at home for longer.

DFG Funding from the Department of Communities and Local Government is included within the Better Care Fund (BCF) payable to upper tier local authorities (North Yorkshire County Council - NYCC) although the legal responsibility for provision of mandatory DFGs remains with the local authority (Craven District Council). Since 2015/16 annual agreements have been made to transfer the DFG payment from the BCF to local authorities. This will remain for the foreseeable future unless changes are made by Central Government therefore for 2017/18 onwards the Council will:

- Provide DFGs in accordance with the purposes, eligibility and test of resources as defined by the Housing Grants, Construction and Regeneration Act 1996.
- Provide an optional and chargeable support service to applicants to include form completion, drawing up of schedule of works and contract management. (This service is currently contracted out to Yorkshire Housing Home Improvement Agency under the NYCC Supporting People Home Improvement Contract 2014/15-2017/18 and will be decommissioned. Alternative arrangements for delivery will be explored, approval sought and implemented from 2018/19 onwards).
- Ensure that all contractors carrying out DFG works meet the required quality and professional standards.
- Register a local land charge on the property for grants in excess of £5,000
- Seek a 20% contribution from social landlords based on cost of works (net of VAT) to be used by the Council to supplement their contribution to the DFG Budget in addition to the BCF allocation.

³Landlord and Tenants Act 1985; Protection from Harassment Act 1997; The Smoke and Carbon Monoxide Alarm (England) Regulations 2015; The Assured Shorthold Tenancy Notices and Prescribed Requirements (England) Regulations 2015; The Deregulation Act 2015

⁴ Housing Grants, Construction and Regeneration Act 1996

3.5.2 Discretionary Disabled Facilities Grant

Under the Regulatory Reform Order (2002) local authorities are able to introduce schemes which help people to meet their needs without going through the full DFG process. These schemes must:

- not disadvantage the individual (e.g. a scheme where they could have qualified for a grant under mandatory DFG, but can now only get a loan would not be allowed);
- not fetter the discretion of the authority;
- ensure a full DFG is still available to the individual if they request it;
- meet the individual's identified need.

The Craven scheme will help people meet individual needs by providing additional assistance, fast-track schemes and prevent the worsening of conditions by providing the following funding:

- Temporary relocation costs whilst works are carried out to the home;
- Relocation costs where an alternative home is necessary and appropriate
- Minor works and measures to improve the warmth, energy efficiency of the home and reduce trip hazards;
- Works to alleviate Category 1 and high Category 2 hazards under the Housing, Health and Safety Rating System.

Conditions and Requirements apply to each aspect of Discretionary Disabled Facilities Grants as detailed at Appendix B. However, to ensure that the Council does not “fetter its discretion”, applications will be accepted for consideration by the Director of Services (in conjunction with the Lead Member) for exception cases not already described within the policy.

3.5.3 Repairs Assistance Scheme (RAS):

RAS provides loans to homeowners up to £6,000, repayable on the sale of the property, for repairs (roof, windows, heating etc.). Applicants must be on an income-related benefit **and** be aged over 60, disabled, have a long-term illness or children under 16.

The Council will:

- Provide RAS in accordance with the purposes, eligibility and test of resources as defined by the RAS Procedure;
- Provide an optional and chargeable support service to applicants to include form completion, drawing up of schedule of works and contract management. (This service is currently contracted out to Yorkshire Housing Home Improvement Agency under the NYCC Supporting People Home Improvement Contract 2014/15-2017/18);
- Ensure that all contractors carrying out RAS works meet the required quality and professional standards. Verification to be carried out by Yorkshire Housing or in the case of offset grants⁵ where the contractor has not already been verified by Yorkshire Housing – they must be verified by the Council;
- Register a Local Land Charge against the property for the amount of the loan.

⁵ Offsets grants are where DFG works are a composite part of major works funded by the applicant. E.g. DFG works to a bathroom as part of a 2 storey extension

3.5.4 Energy Repayment Loan Scheme (ERL):

ERL provides interest free loans to homeowners up to £3,000, repayable in monthly instalments over 1 to 5 years, for works to address some form of energy efficiency improvement. The scheme is administered by Sheffield City Council using residual Regional Housing Board funding and Local Growth Funding. Applicants must be on an income-related benefit **and/or** be aged over 60, disabled, have a long-term illness or children under 16.

The Council will:

- Provide ERL in accordance with the purposes, eligibility and means test of resources as defined by the ERL Procedure;
- Provide an optional and chargeable support service to applicants to include form completion, drawing up of schedule of works and contract management;
- Ensure that all contractors carrying out ERL works meet the required quality and professional standards;
- Sheffield City Council will register a legal Charge for the amount of the loan.

3.5.5 Energy Home Appreciation Loans (EHAL)

This loan complements the Energy Repayment Loan approved by Policy Committee in June 2016. It is administered by Sheffield City Council using residual Regional Housing Board funding and Local Growth Fund funding.

The purpose of the loan is to help tackle Excess Cold and Fuel Poverty across the region. Excess cold is one of the most common reasons for failure of the decency standard, and which contributes most significantly to ill health and costly fuel bills, particularly for the most vulnerable.

This equity release loan is only available to households who cannot afford the monthly repayments of an Energy Repayment Loan. EHAL provides loans up to £3,000 to low income vulnerable homeowners⁶, repayable on the sale of the property, for work within their properties to address excess cold.

3.5.6 Empty Homes Initiative:

New Homes Bonus funding for this initiative by the Council has all been allocated and paid and there are no further funds available. Going forward we are unable to provide a dedicated funding programme to bring empty homes back into use.

However, using education and encouragement we will provide advice and assistance. Funding may also be available to communities on a case by case basis where proposals to return empty property to use will result in affordable housing.

Where necessary we are able to utilise our Enforcement powers to bring empty homes back into use.

3.6 In-direct Financial Assistance:

In order to be responsive to identified need and support partners to deliver shared objectives, we will utilise discretionary powers under Article 3 of the Regulatory

⁶ Definition of Low income and Vulnerable as defined in the Statement of Intent _Appendix C

Reform (Housing Assistance) (England and Wales) Order 2002 to provide additional financial assistance for housing adaptations.

The Council will use these powers to:

- Work in partnership with the Better Homes Programme Board to source and bid for funding under the banner of “Better Homes Yorkshire”. All initiatives will be made available to residents through signposting to the Better Homes Yorkshire delivery partner Keepmoat/Fortem;
- Support North Yorkshire Health & Wellbeing Strategy and Craven’s emerging Health & Wellbeing Action Plan;
- Support joint commissioning schemes to address housing and health impacts. In particular we are interested in qualifying projects to address fuel poverty, improve well-being and reduce admissions into hospital;
- Support joint commissioning of the NYCC Home Improvement Contract to provide advice and practical support for vulnerable households to help maintain independence and safety within the home for 2017/18.

3.7 Enforcement: The council has a range of powers available to improve, repair, adapt or rebuild residential premises or uphold legislation to protect the health, safety and legal rights of tenants in the private rented sector - where education and encouragement has been exhausted. Using the Housing Health and Safety Rating System⁷ (HHSRS) we may use our statutory powers to intervene.

The Policy states that the Council:

- Will use statutory powers⁸ to make the property safe and secure;
- May use Enforced Sales legislation⁹ to recoup debt payable to the Council;
- May use Empty Dwelling Management Orders¹⁰ to bring the property back into residential use (where the property has been empty for 2 or more years);
- May use Compulsory Purchase Orders¹¹ where the property has been empty for two or more years and it is not on the market to let or sell.

4 Implications

4.1 Financial and Value for Money Implications:

There are no financial implications as this is a policy setting report.

There are no value for money (VFM) implications arising from this report. Contractor costs are subject to VFM verification using schedule of works rates.

4.2 Legal Implications:

The Council is required by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to adopt and publish a policy setting out how it will exercise the power to provide the housing assistance set out in Article 3 of the Order.

4.3 Contribution to Corporate Priorities:

⁷ A risk based evaluation tool to identify risks and hazards, such as damp and excess cold, to health and safety deficiencies within the home.

⁸ Section 36 of the Local Government Act 1974

⁹ Law of Property Act 1925

¹⁰ The Housing (Empty Dwelling Management Orders) (Prescribed Period of Time and Additional Prescribed Requirements) (England) (Amendment) Order 2012

¹¹ Housing Act 1985

a) Craven District Council – Council Plan 2017 - 2020**Priority:** Resilient Communities**Contribution:** Improve quality of life for vulnerable and low income households through provision of measures to insulate and make their homes energy efficient.**b) Craven’s Housing & Homelessness Integrated Action Plan 2017/18****Priority:** Maintain and improve the quality of existing housing**Contribution:** Increasing the energy efficiency of housing - use of indirect financial assistance to improve the health and wellbeing of residents through making their homes warm, safe and energy efficient.**4.4 Risk Management:**

The amendments to the Craven Housing Renewal Policy are required to ensure that the Council is complying with Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

Local Authorities cannot “fetter their discretion” and a blanket policy of not considering anything other than the mandatory DFG provisions could be challenged.

4.5 Equality Impact Assessment:

The Council’s Equality Impact Assessment Procedure **has been** followed. An Equality Impact Assessment **has not** been completed on the proposals as completion of **Stage 1- Initial Screening** of the Procedure identified that the proposed policy, strategy, procedure or function **does not have** the potential to cause negative impact or discriminate against different groups in the community based on •age • disability •gender • race/ethnicity • religion or religious belief (faith) •sexual orientation, or • rural isolation.

5 Consultation with Others:

- a) North Yorkshire County Council – Health & Adult Services
- b) Yorkshire Housing – Home Improvement Agency

6 Access to Information : Background Documents:

Equalities Impact Assessment - Screening Form

7 Author of the Report:

Nina Pinder, 01756 706392 email: npinder@cravencd.gov.uk

Note: Members are invited to contact Nina Pinder (npinder@cravencd.gov.uk 01756 706392) in advance of the meeting with any detailed queries or requests for supporting customer/officer procedural documentation.

c) Appendices:

Appendix A – Craven Housing Renewal Policy 2017 - 2020

Appendix B – Discretionary Assistance – Conditions and Requirements

Appendix C – Low income and vulnerability definition contained within Craven’s Statement of Intent