

**PRIVATE SECTOR HOUSING RENEWALS
(FINANCIAL ASSISTANCE)
POLICY**

MARCH 2010

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1. INTRODUCTION

It is acknowledged that the primary responsibility for the maintenance and repair of homes rests with owners of a property. In light of this discretionary grants will be paid as the last resort and will only be made available if the homeowner is not able to raise private finance themselves or if they are not eligible for an Interest Free Equity Loan.

This will allow the Council to assist more homeowners as capital budgets are reducing and demand is increasing by recycling the available finance to others in need.

2. PURPOSE OF THE POLICY

This policy fulfils the Council's obligation contained in the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to set out how it administers financial assistance to homeowners.

The policy details how the Council aims to help homeowners and landlords to achieve homes which not only meet the legal minimum standard contained in the Housing Act 2004 but are also measured using the Housing Health and Safety Rating System and to reduce fuel poverty.

3. BACKGROUND

3.1 The Regulatory Reform Order 2002 (RRO)

This Private Sector Housing Renewals Policy has been developed following the implementation of the Regulatory Reform (Housing Assistance (England and Wales) Order 2002 (RRO). The RRO came into force on the 18th July 2003 and effectively repealed much of the legislation, which has formed the basis of Redbridge Council's previous strategies, which addressed private sector housing conditions.

Until July 2003 the purposes for which grants were available to homeowners, tenants and landlords and the maximum level of grants had been prescribed in legislation, and had prescribed procedures to be followed when awarding grants.

The RRO is a much more flexible approach and gives local authorities wider powers to provide assistance for repairs, improvements, adaptations and to demolish and re-construct homes. It also enables authorities to provide assistance to acquire living accommodation where this would be a better option than adapting or repairing an existing property.

This assistance may take the form of a grant, loan, facilitating equity release, or more practical assistance such as home surveys or small repairs services. As well as providing this assistance themselves authorities may also provide it through other organisations such as community development finance initiatives.

Local authorities have the responsibility to adopt and publish a policy that is based on accurate and contemporary information on the housing stock and local issues that can be affected by house condition including crime, deprivation, housing availability, health and equality statistics. There is also a duty to consider local, regional and national housing strategies/legislation and commitments in setting the priorities for future funding.

The RRO encourages local authorities to move away from awarding grants as their only means of assisting with the maintenance of the private sector stock by becoming involved with either awarding loans directly or enabling home owners to take up loans through a third party to finance the maintenance of their houses.

3.2 THE HOUSING ACT 2004

3.2.1 The Housing and Health Safety Rating System

The Housing Health and Safety Rating System (HHSRS) is a risk assessment procedure for residential properties.

The Housing Act 2004 places a duty upon the Council to deal with 'Category 1' hazards, identified by the HHSRS, by the most appropriate means (there is a choice of several methods) and a power to deal with 'Category 2' hazards. The Act has radically altered the manner in which housing standards are enforced. The enforcement options available are detailed in the Private Sector Housing Enforcement Policy.

The Housing Act 2004 replaces the Councils duty to

"... at least once in each year consider the housing conditions in their area with a view to determining what action to take in the performance of their functions"

with a duty to

"consider the housing conditions in their district with a view to determining what action to take under their powers to deal with hazards identified under the HHSRS or provide financial assistance for home repair and improvement".

3.2.2 Houses in Multiple Occupation. (HMOs)

The definition of Houses in Multiple Occupation (HMOs) has changed to include all flats or houses which are occupied by more than two unrelated people and share some facilities. Certain HMOs will be licensable under a national mandatory licensing scheme. E.g. properties of three stories and above.

3.3 Disabled Facilities Grants

The Council will continue to have a mandatory duty to award Disabled Facilities Grants in line with current legislation; however this policy will also cover the circumstances in which the local authority will consider awarding discretionary assistance to top up the mandatory grant. The policy will be underpinned by robust procedures, which will be available for inspection and audit to ensure that financial assistance is administered in a fair and consistent way in line with the principles set out in this policy

4. COMMENCEMENT AND TRANSITIONAL ARRANGEMENTS

4.1 Commencement

This policy will come into effect on the 1st April 2010 following approval by Cabinet on 23rd March 2010.

4.2 Implementation

- a) This policy shall have effect from 1st April 2010.
- b) All applications for assistance made under Chapters II and III of Part 1 of the 1996 Act shall be determined according to the provisions of the policy described in this document. This includes all future applications for assistance as well as those held on the current waiting list.
- c) The provisions related to Disabled Facilities 'top up' assistance described in this document will come into effect on 15th April 2010. All Occupational Therapy referrals received by the Housing Service after that date will be determined according to this policy.

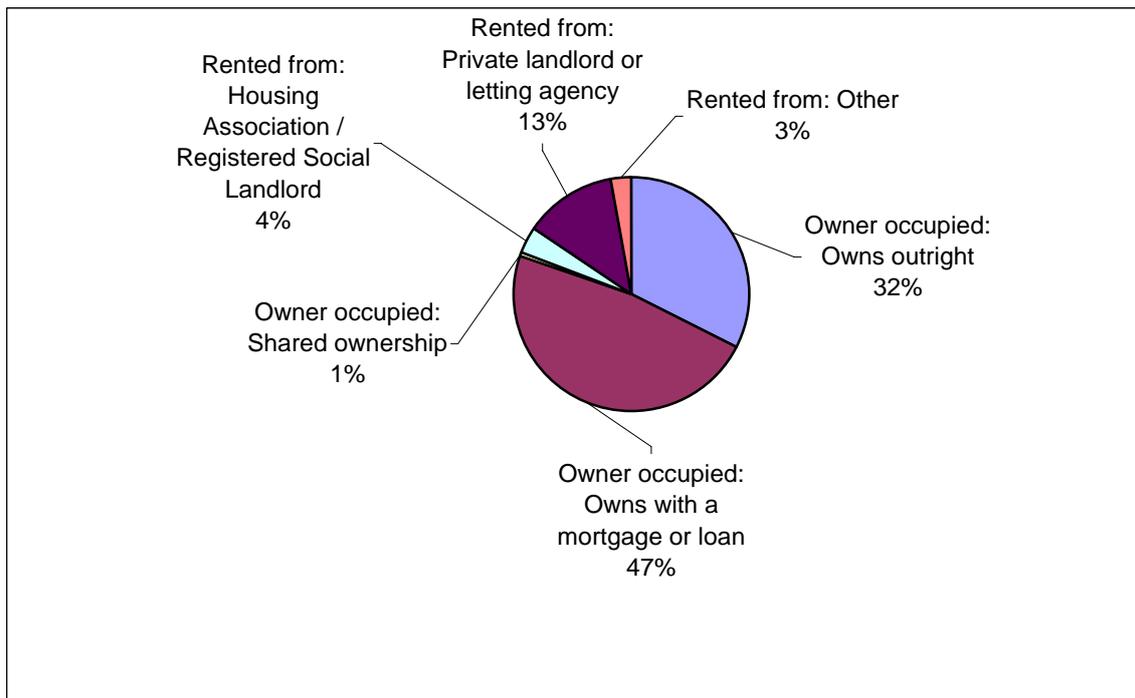
Referrals made before that date will be determined under the previous policy.

5. REDBRIDGE HOUSING STOCK

5.1 Tenure

There are 98,431 households in Redbridge. The breakdown in tenures is shown in Fig 1. Redbridge has the highest level of private sector housing in London with 90% being in this sector. The other 10% is made up of properties owned by Registered Social Landlords, the Council and the Local Authority.

Fig 1 Borough Tenure Comparison



Source: BRE Client Report 23 May 2005

Table 1 Private Sector Tenure Comparison

	Redbridge %	London %	England %
Owner occupied: Owns outright (Households, Apr01)	30.27	22.05	29.19
Owner occupied: Owns with a mortgage or loan (Households, Apr01) ¹	44.50	33.51	38.88
Owner occupied: Shared ownership (Households, Apr01)	0.52	0.96	0.65
Rented from: Housing Association / Registered Social Landlord (Households, Apr01)	3.40	9.09	6.05
Rented from: Private landlord or letting agency (Households, Apr01)	12.06	14.34	8.80
Rented from: Other (Households, Apr01)	2.51	2.93	3.22
Total	93.26	82.88	86.79

Source: 2001 Census

5.2 Housing Conditions

In 2005 the East London Renewal Partnership (ELRP) commissioned the Building Research Establishment (BRE) to provide estimates of local housing conditions to improve the Councils' understanding of its housing stock. This information was based on the National English House Conditions Survey carried out every five years. The BRE used a sophisticated model based on the Decent Homes Standard, other local information and Census data to give more detailed information, which would give reasonable assurances of accuracy. As it was commissioned four years after the English House Conditions Survey it was able to include new qualifying benefits to be taken into account when defining vulnerable people.

However this model continued to use the Fitness Standard as part of the Decent Homes assessment. Any future surveys would be based on the hazard rating system.

When comparing house conditions in Redbridge with the other seven Councils in the Sub Region this research identified that Redbridge has:

the highest proportions of non decent homes with 33% and 32% respectively while Tower hamlets only has 16%;

concentrations of wards with high levels of unfitnes;

the highest concentration of disrepair with 52 wards having 11% to 12 % of houses failing the decent homes standard due to disrepair.

This research also showed that the percentage of houses in disrepair or unfit are scattered throughout the Borough and no one single ward has a particularly high concentration of dwellings that fail these standards.

Table 2 All Dwellings (Proportions and totals)

	Total Numbers	As a percentage of all dwellings.
Dwellings	98431	
Non Decent	37,403	38
Inadequate Thermal Comfort	25,592	26
Disrepair	10,827	11
Unfit	4,921	5
Non Modern	4,921	5
Vulnerable Occupants	21,654	22
Vulnerable non decent.	11,811	12

6. DEMOGRAPHIC CONTEXT

The older population (60+) is the fastest growing segment of the overall population in Redbridge.

The Redbridge Housing Needs Survey estimated the following numbers of vulnerable people.

Table 3 Vulnerable People in Redbridge

Group	Estimated number of people
Total population	245,000
Older people (over 65)	38,200
Frail elderly	3,623
BME Elders	5,723
Young people	57,219
Young parents	139
Young people leaving care	80
Youth offenders	132
Population not living in a household	922
Population belonging to ethnic minority community	90,650
Physical disability	6,689
People with sensory impairment	2,996
People with mental health issues	1,877

The Indices of Multiple Deprivation 2007, ranked Redbridge as the 143rd most deprived in England and shows a decline since 2004 when it was placed 163rd. Most of these deprived areas are in the south of the Borough. This has resulted in a declaration of 13 of Local Super Output Areas (LSOAs) in 2007. In 2004 there were only six.

It is the case that the most vulnerable people are likely to live in the poorest quality housing. With a small and reducing public sector stock the housing solutions increasingly need to be found in the private sector.

Table 4 Super Output Areas

Ward	No. of LSOAs 2007	No. of LSOAs 2004
Clementswood	3	0
Valentines	2	2
Seven Kings	2	0
Loxford	2	2
Newbury	1	0
Hainault	1	0
Roding	1	1
Full well	1	1
Totals	13	6

Table 5 shows the number of people in the London Borough of Redbridge that are claiming Disability Living Allowance. This is 11% of the total population, which is the average for the UK as a whole and slightly lower than the London average of 12%. It also shows that this number has been increasing year on year since 2002

Table 5 Number of People Claiming Disability Living Allowance

(Source: Department of Works and Pensions)

2006	9,260
2005	9,030
2004	8,820
2003	8,450
2002	7,890

7. STRATEGIC CONTEXT

7.1 Government Objectives

The Government recognises that poor condition housing can impact on the health and quality of life of its occupants.

Nationally 30% percent of households are already headed by someone over retirement age. The Department of Communities and Local Government predict that there will be double the number of older disabled people in England rising from 2.3 million in 2002 to 4.6 million by 2041. Older people themselves say they want support to help them stay in their own homes and need a reliable adaptations service for 'that bit of help around the home'

In their national strategy for Housing in an Ageing Society "Lifetime Homes, Lifetime Neighbourhoods" published by The Department of Communities and Local Government makes the following statement "Everyone should have the opportunity to a decent home at a price they can afford, in sustainable communities where they want to live and work"

7.2 National Targets

Fuel Poverty

The Government has an aim to ensure that, as far as reasonably practicable, people in England do not live in fuel poverty after 2016. Rises in fuel prices will have the effect of bringing more households into fuel poverty. Works carried out to meet this target will also impact on carbon emissions target related to climate change.

7.3 Links to Sub Regional Policies

The Mayor of London in his draft Housing Strategy is proposing to:

Invest £60 million from the Regional Housing budget to start renovating the Capitals' empty homes in order to help low income Londoners come off waiting lists.

The Mayor also pledges to work with councils to provide more family sized homes.

East London Housing Partnership (ELHP)

The East London Housing Partnership Strategy 2005 - 2010 identified the following priorities for the private sector:

- Vulnerable residents living in properties containing no category 1 hazards.
- New homes from empty properties
- Drive up standards in the private rented sector

The London Borough of Redbridge is a member of this partnership and will be alongside ELHP to address these priorities and maximise funding for the Borough.

7.4 Links to Council Strategies

7.4.1 Council Vision

"Our ambition is for Redbridge to be a better place to live."

7.4.2. Council Aims

- Redbridge: A safer place to live.
- Redbridge: A better place for care
- Redbridge: A better place for business.
- Redbridge: A better place to live together

7.4.3 Budget Aims

A better place for care - by continuing to support the elderly, vulnerable children and vulnerable adults.

A better place for business - by promoting regeneration of the Borough.

A better place to live together - by promoting the Olympic, cultural and economic benefits of improving our sporting facilities and developing housing needs to meet the needs of our community.

7.5 Supporting People Strategy.

This policy meets the following visions detailed in the Supporting people policy 2006 – 2011

- enhance the quality of life of vulnerable people in Redbridge;
- enable people to live independently;
- allow people a choice of support, wherever they live; offer services that recognises diversity and responds to a range of needs

7.6 Sustainable Communities Strategy

This policy meets the following visions contained in the Sustainable Communities Strategy 2008 – 2016.

These are:-

- Increase levels of decent housing and access to supported housing
- Improve both Council and Privately owned housing to meet targets for decent homes
- Promote energy efficiency grants awards.
- Develop schemes to reduce overcrowding.

7.7 Equalities and Diversity Strategy.

The Housing Service has an Equalities and Diversity Strategy aimed at the provision of the most appropriate services for the community and for individuals accessing the service. All of our services are subject to Equalities Impact Assessments, also regular review and evaluation, including service user consultation.

This revised Renewals Policy will be the subject of an Equalities Impact Assessment to ensure it meets Corporate standards. This will scrutinize the effectiveness of how the service is consulted on, developed, marketed, and provided.

This service is to be targeted at the most vulnerable in the most unacceptable housing conditions. It is therefore vital that all individuals and sectors of the community experience a process that respects their right to receive information and advice in an effective, efficient manner, appropriate to their needs and in a format best understood by them.

The service operates to a set of service standards against which customer satisfaction is monitored. There are a range of systems and structures in place to ensure that shortfalls are identified and addressed, with relevant changes made to improve the services.

7.8 Customer Care

In line with the requirements of good customer care this policy will be available in different formats on request. It will also be available on Redbridge i- the Council's website.

Information in a leaflet form will be produced and placed in public areas most likely to be used by the groups requiring assistance. This leaflet will describe the assistance available, how to apply and how to make a complaint if the applicant is not happy with the service they receive.

Regular monitoring of customer satisfaction will take place to ensure that procedures are followed, that timescales are realistic and that corporate performance targets are met.

8 NATIONAL AND LOCAL INDICATORS

8.1 National Targets

Redbridge Strategic Partnership has included one target relevant to this policy as part of the Local Area Agreement 2008-2011

NI No 141 Percentage of vulnerable people achieving independent living

Of the 198 National Indicators the following are relevant to private sector housing renewal:

Table 6 National Indicators relevant to the Renewals policy

NI No	National Indicator	Relevance to Policy
131	Delayed transfers from hospital.	Minor works assistance can make improvements to the patients home so that they can be released from hospital
141	Number of vulnerable people achieving independent living	Financial assistance can enable a property to be adapted so that people with disabilities can remain in their own home.
187	Tackling fuel poverty – people receiving income based benefits living in homes with a low energy efficiency rating.	Grants to install insulation and/ or fitting a more efficient heating system will reduce fuel poverty.
129	End of life access to palliative care enabling people to choose to die at home	Fast tracking adaptations and repairs to properties will support palliative care at home and minimise bed blocking.
Redbridge Metropolitan Police - Local Target	Reduce domestic burglary by 7.8% (2008/9)	Financial assistance will allow minor works for safety and security of a vulnerable resident and those with relevant medical grounds to facilitate continuing to live at the premises.

8.2 Service Performance Indicators.

- Respond to letters within 5 working days
- Grant Officer to visit within 28 days of referral from OT
- Grant Officer to visit within 28 working days of the enquiry
- Applicant to be informed of the outcome of any visit within 28 days
- Payments to contractors made within 28days of receipt of the invoice.

8.3 Fuel Poverty

Poor insulation and inefficient heating systems lead to high energy bills. For those on low and fixed incomes this can lead to self disconnection by non payment of bills, turning the heating off leading to hypothermia or switching spending away from other essentials such as food. Removing category 1 hazards related to cold homes will help address fuel poverty.

9. KEY PRIORITIES

These priorities will enable us to target our resources towards issues, which are a priority for the Council, our partners and national Government. They will also guide us in applying for external funding.

Financial assistance will be available to vulnerable residents as defined in

Appendix 1. Discretionary financial assistance will usually be paid where homes are consequently free from category 1 hazards. However there may be circumstances where this is not a viable option.

The following will be our priorities:

- **Improving the housing stock;** by providing financial assistance and using enforcement to contribute to remove category 1 hazards.
- **Reducing fuel poverty.** By providing financial assistance and using enforcement for insulation and energy efficient heating systems.
- **Increasing affordable Housing Stock:** by providing financial assistance and using enforcement to bring empty properties in the Borough back into use.
- **Preventing homelessness** by providing assistance which allows vulnerable people to remain in their property.
- **Improving security:** improving aspects of safety and security in the homes of vulnerable residents. This includes tenants
- **Supporting independent living;** by providing financial assistance for people with disabilities to adept their homes.
- **Reducing bed blocking;** by providing financial assistance so that works can be carried out to enable hospital patients to return home.

10. MANDATORY ASSISTANCE

The process for applying for financial assistance is detailed in Appendix 1

10.1. Mandatory Grants.

This assistance is targeted at vulnerable people with disabilities to adapt their homes so that they can remain living in their own home independently.

The mandatory Disabled Facilities Grant (DFG) is set out in the Housing Grants Construction and Regeneration Act 1996 as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, The Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008, The Housing Renewal Grants (Amendment) (England) Regulations 2008 and The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008.

This assistance was established to help meet the cost of adapting a property in which a disabled adult or child lives.

Local Authorities have the discretion to impose a limited charge on adapted properties of owner-occupiers if it is sold within ten years where the cost of the DFG exceeds £5,000. The limit of the maximum charge will be £10,000.

This is in recognition that certain works such as providing an extension to the property to install a ground floor bathroom or bedroom will add value to the property.

However there are occasions where it is considered that the works can devalue the property such as where a stair lift is installed and the Council would not want to put a charge on the property in these circumstances. These works can cost more than £5,000.

The policy therefore sets the minimum grant where we would place a charge on the property at £8,000.

If within 10 years of the certified date the property is sold or transferred the Council could demand repayment of up to £8,000, if it is considered reasonable to do so. The conditions for waiving repayment of the grant are set out in the 1996 Act for renovation grants.

10.2 Relocation Grants

The RRO has given Councils the option to assist with the purchase and adaptation of a new property either within or outside the Authority's area. This option can be considered where it is not practicable to adapt the current property or it is a more cost effective option to move to a more suitable property. The maximum grant will be £5,000

The Council will not provide this type of assistance retrospectively. Applicants must receive written approval from the Council prior to relocating to another dwelling.

An individual who receives relocation assistance shall not be entitled to claim similar assistance for a period of 10 years. Receiving this grant does not prevent applicants applying and potentially receiving grants and assistance from other schemes in this policy.

For further information on eligibility please see Appendix 2.

11 DISCRETIONARY ASSISTANCE

Due to pressures on capital funding and an increase in demand all discretionary financial assistance will be means tested and offered as a loan in the first instance.

All applications for discretionary assistance will be referred to our partners Disability Adaptations Barking and Dagenham (DABD) to determine if private finance is likely to be available. If this is not available then a Council Interest Free Equity Loan will be considered. It is only if these other options are not available that a grant will be considered, and if eligible, approved by the Chief Housing Officer.

Discretionary assistance will only be considered if additional resources are made available over and above existing mandatory DFG funding.

11.1 Disability Adaptations Barking and Dagenham (DABD)

The Council and the East London Housing Partnership support DABD. This is an independent benefit-maximisation service with expertise in obtaining benefits. Its staff can also help clients consider how to get financial assistance, including private finance for home repairs and improvements.

The council would normally expect this type of loan to be provided through the private finance sector but would retain the option to use any surplus budgets to assist needy clients in this category where there was evidence that a private sector loan was not available, or if this is not the most viable option.

11.2 Discretionary Disabled Facilities Assistance (DDFAs)

Under this policy Discretionary Disabled Facilities Assistance (DFA) to 'top up' mandatory DFGs above the grant maximum of £30,000 may be awarded. The maximum award in addition to the £30,000 mandatory grant will normally be £15,000.

In recognition that funds are limited, assistance, in the first instance, unless there are exceptional circumstances, will be to provide advice through our partners DABD to obtain information related to finance for adaptations through normal private finance.

If this is not available an Interest Free Equity Loan will be made available provided that there is more than 30% equity in the property.

If neither of the above are available then grant assistance will be considered and awarded at the discretion of the Chief Housing Officer.

In exceptional circumstances the Chief Housing Officer in consultation with the Occupational Therapist, may deviate from this policy and award a grant without the need for exploring loan options.

Discretionary DFAs are available for essential works where a mandatory scheme is already subject to a grant application. However only essential works that:

- directly benefit the disabled person **AND**
- where the measures are supported by appropriate medical advice **AND**
- as a consequence of the work the home will be free from any category one hazards as identified in the Housing Act 2004
- where there is an imminent risk to the disabled person or those providing carer assistance

11.3 Discretionary Home Repairs Assistance

Repairs assistance is available to vulnerable property owners or tenants with a repairing obligation to remove category 1 hazards as defined in the Housing Act 2004.

Due to budget pressures grants will only be available if the loan options detailed below are not viable. The exception to this is where emergency repairs are required. These are detailed in 11.5

Eligibility however does not confer entitlement to assistance. Priority for awarding assistance will be determined having regard to the Council's available resources the individual circumstances and, under normal circumstances, on a first come first served basis.

Discretionary repairs assistance may be paid in addition to any emergency repairs grant and are only available if funds are available.

11.4 Equity Release

Assistance in the first instance will be to provide financial coaching and income maximisation through our partners DABD to explore possible options for customers to obtain finance for repairs through normal private market.

DABD will work with clients and provide details of other products such as: interest only equity release scheme loans and equity share initiatives

11.4.1.1 Interest Free Equity Release Loans (IFER)

LBR Interest free loans will be available if the following conditions apply:-

- The maximum loan will be £10,000
- Loans will be given to cover the cost of removing all category 1 hazards.
- There must be at least 30% equity in the property at the time of application
- Loans are aimed at cash poor/equity rich households. The means testing will disregard up to £6000 p.a. of occupational pension, maintenance or other supplementary income such as benefits that are not only paid to low earning households.

- IFER will only be made available where other forms of funding have been exhausted. Evidence of having received advice and having considered all other options will be required.
- Proof of savings and saleable assets will be taken into consideration.
- There is no age specification. If funds are limited, priority will be given to 'pensioners' and low-income families in the poorest housing conditions.

A Legal Charge will be placed on the property concerned so that when that property is sold or ownership is transferred the capital amount of the loan will be repaid. This condition may be waived on grounds of undue hardship at the discretion of the Chief Housing Officer and Cabinet Member for Housing and Health.

The amount of equity will be determined by calculating the amount of outstanding commitments secured on the property and the valuation will be obtained from trusted property valuation organisation.

In exceptional circumstances and if none of the above loans are an option then grant assistance will be considered. These will only be given at the discretion of the Chief Housing Officer.

A list of qualifying works which the financial assistance is available for are specified in Appendix 3.

11.5 Emergency Repairs Grants

It is recognised that there may be exceptional circumstances where assistance is required more urgently. For example if the conditions of a person's home prevents them from being discharged from hospital, or has an impact on an existing illness. In these cases Emergency Repairs Assistance will be available to a maximum of £3,000.

Where a property contains more than one category 1 hazard the emergency grant will be used to remedy the most immediate repair. The homeowner would then need to apply for Discretionary Repairs Assistance to remedy the other defects.

Due to the cost of setting up a loan agreement and the delays this incurs Emergency Repairs Assistance will continue to be grant funded to a maximum of £3,000. The assistance will become repayable if the property is sold or transferred within 10 years of the grant being paid.

So that the work can be completed within a short timescale the repairs **will** be carried out by contractor procured by the East London Renewal Partnership.

12 ENERGY EFFICIENCY AND FIRE SAFETY

12.1 Energy Efficiency

The Council is working in partnership with organisations to promote energy efficiency in the home. For example:

London Warmzone / East London Regeneration Partnership. Areas identified as fuel poor and that contain non-decent homes receive a visit from a surveyor. The surveyor refers eligible residents onto appropriate energy schemes that will help residents

implement energy efficiency measures for their home insulation and heating. Thus, help residents out of fuel poverty.

Redbridge Energy Efficiency Grant Scheme – scheme targets residents over the age of 60 who do not receive income related benefits.

Promotional activity & surveys – On going service providing free telephone advice of a general or specific nature, home energy check survey to residents, disseminating low energy lamps, staffing road shows to raise awareness, school visits.

Energy Efficiency web pages: The Council has an ongoing programme to review and update information on energy efficiency in the home so that it remains topical and relevant.

Advice & Financial Assistance: Advice is given and in some cases significant financial assistance can be provided such as grants for home insulation.

12.2 Fire Safety

The majority of fire deaths occur in the home and these often involve people over 60. Fires can increase during the winter months as people spend more time indoors and make greater use of heaters and cooking appliances.

The Council has been working with Redbridge London Fire Brigade (LFB) to assist LFB increase the number of home fire safety visits to the Borough's most vulnerable residents.

The Council is working in partnership with LFB to install free smoke alarms in the homes of vulnerable residents.

13 EMPTY PROPERTY ASSISTANCE

13.1 Empty Property Grants

This assistance may be available to landlords to enable them be to return their property back into use if funding is made available. Primarily the grant will be available to remove all Category 1 hazards as detailed in the Housing Act 2004. Only properties that are required to meet local housing demand will be considered for grant assistance.

Empty property grants will be available to return empty residential properties that have been empty for 1 year or more back into use as living accommodation or convert commercial premises/ space above shops into living accommodation.

To ensure that these grants benefit Redbridge residents in the most need of accommodation a condition of the grant will be that the Council will retain nomination rights for five years via one of the Councils approved managing agents.

The grant is repayable on the sale or transfer within the 5 year letting period.

Additional eligibility criteria are contained in Appendix 3.

The level of grant in each case will be 50% of the costs of the works up to a maximum of £15,000 per unit of accommodation.

There will be no minimum ownership period for landlords applying for such a grant, and conditions, secured by way of a local land charge entry, will be applied for a five-year period.

Empty Property Loans

In exceptional circumstances where the owner can demonstrate that they do not have the finance to raise their contribution and in addition to grant assistance an Interest Free Equity Loan may be available. Only one loan per owner can be considered within a three-year period and only if sufficient funding is available.

An Interest Free Equity Loan only option may also be considered where there the owner is not eligible for grant assistance as above due to there being no demand for the type of property for people currently on the waiting list for accommodation but there is a general demand in the Borough (i.e. one bed roomed flats above shops).

Where an Interest Free Loan is approved a charge will be placed on the property and will be repayable upon the sale or transfer of the property.

All Interest Free Equity Loans will be awarded at the discretion of the Chief Housing Officer. The maximum loan will be £15,000 and will be secured by way of a charge on the property until such a time as it is sold or transferred.

All approvals for Empty Property Assistance will be subject to conditions as detailed in Appendix 3

East London partnership Initiatives.

The East London Partnership is developing a scheme for bringing empty properties back into use. This initiative will be financed from grants awarded from the Mayor for London's Targeted funding stream fund.

This Council will participate in the ELRP scheme following approval of the Chief Housing Officer in consultation with the Portfolio Holder.

14. THE ROLE OF THE HOME IMPROVEMENT AGENCY

Redbridge Council operates the Redbridge Home Improvement Agency (HIA). Its function is to assist homeowners and private sector tenants who are older or disabled to remain in their own home. It assists people specifically by helping them through the application process and obtaining quotes, as this can be a daunting and technical process for many people. The Redbridge HIA also gives advice on home improvements and adaptations that their clients may need and help them apply for local authority grants or loans to fund the required work.

15 HANDYPERSON SCHEME

The Government in its National Strategy for Housing in an Ageing Society plans to develop new rapid repairs and adaptations services expanding coverage of the handypersons schemes from 2009.

Redbridge has a successful Handyperson Service. It is designed to help vulnerable groups in the private sector live independently and in a hazard free environment. The Handyperson service carries out health and safety related minor repairs or odd jobs.

Below is a list of some examples of services available under the Scheme:

- changing light bulbs, fitting smoke alarm
- works to prevent trips and falls such as securing trailing wires and fitting stair rails
- minor adaptations such as fitting grab rails
- works to improve security such as fitting chains spy-holes, and broken fencing
- minor water leaks, changing tap washers

Works outside the Schemes remit will be referred on to the Home Improvement Agency for signposting, advice or support.

The Scheme aims to help those who:

- are 60 years of age or over
- are on benefit(s) and have children up to 18 years in full-time education and living at the premises
- have an older person (over 60 years) in the household
- have disability or long term medical condition that prevents him/her from carrying out the work (minor repair/odd job)
- are on benefit(s) and have recently – in the last 6 months moved into settled accommodation having previously been in institutions and schemes for particular groups of vulnerable people, for example care leavers, teenage parents, those fleeing domestic violence and ex rough sleepers.

16 ENFORCEMENT TO SUPPORT THE AIMS OF THE POLICY

Guidance in relation to the application of HHSRS encourages Councils to use its powers to support strategic aims.

It is recognised that vulnerable groups are likely to spend more time in their homes and therefore are more likely to suffer health effects from any defects. It is also the case that people on low incomes are less likely to be able to exercise choice in relation to their homes. This is particularly the case for tenants in the private sector.

The hazards that can be assessed are those associated with or arising from the following:

FIG 2

Damp/mould growth (2)*	Radiation	Noise	Fire
Excess heat/cold (2)*	Uncombusted fuel gas	Hygiene (2)*	Hot surfaces
Asbestos	Volatile Organic Compounds	Food safety	Entrapment
Biocides	Crowding & space	Water supply	Explosions
Carbon monoxide etc	Intruders	Falls (4)*	Ergonomics
Lead	Lighting	Electrical	Structural

(* denotes number of hazards in that category)

The most common reason for properties to fail the Decent Homes Standard is on the thermal comfort element. Targeting enforcement action at this element will help to meet the targets for bringing homes into decency. It will also help reduce fuel poverty in the Borough.

Reducing domestic burglary by 7.8% is a target for the Redbridge Community Safety Partnership.

Slips trips and falls for the over 60s is a major contribution to mortality and morbidity. There should be increasing awareness that accident prevention should also be one of our priorities.

The Private Sector Enforcement Policy will therefore support the aims of this policy by targeting enforcement action at the most vulnerable people and where the hazards relate to excess cold and intruders.

17 FEES AND CHARGES

All fees and charges associated with the application for assistance will be paid as part of the award.

Where an agent is employed to project manage the work a fee of 15% will be paid as part of the final settlement.

18 MONITORING ARRANGEMENTS

The conditions set out in the policy will be monitored by the Councils' Internal Auditors and through the Performance Management arrangements within Housing Services.

19 ARRANGEMENTS FOR REVIEW AND CHANGES TO THE POLICY

This policy will be reviewed annually and material changes will be reported to Cabinet for approval.

20 PUBLICITY

The policy will be available on the Council web site, Redbridge i, and hard copies will be made available at the Contact Centre, Lynton House. Copies can be posted on request for no charge.

APPENDIX 1

MANDATORY DISABLED FACILITIES GRANTS

Eligibility

Mandatory Disabled Facilities Grants are available up to a maximum of £30,000 subject to a test of an applicant's financial resources, for:

- Facilitating access into and out of the dwelling
- Making a dwelling or building safe
- Facilitating access into the principal family room
- Facilitating access or provision of a room usable for sleeping
- Facilitating access or provision of a room with a toilet, wash hand basin and bath/shower or both, or facilitating the use of such amenities
- Facilitating the preparation and cooking of food
- Heating, lighting and power
- An adaptation to enable a disabled person to care for another person normally living in the same accommodation
- Facilitating access to and from the garden by a disabled occupant belonging to or usually enjoyed by that person. (Effective from 22nd May 2008)
- Making access to a garden safe for a disabled occupant (Effective from 22nd May 2008)

It is mandatory that this grant is 'means tested' where adults are concerned. DFGs for children are not means tested. The purpose of adaptation is to modify disabling environments in order to restore or enable independent living, privacy, confidence and dignity for individuals and their families.

The local authority shall only approve an application for a mandatory DFG following recommendation by an Occupational Therapist from Redbridge Council, who must specify what adaptations they consider necessary and appropriate, followed by a judgement by an officer within the Private Sector Housing Section that the adaptations specified are practical and feasible having regard to the age and condition of the dwelling.

Information in respect of the test of financial resources is detailed in The Housing Grants, Construction and Regeneration Act 1996 and in The Housing Renewal Grants Regulations 1996.

As part of an application for a mandatory DFG, the test of resources must be carried out in order to assess the amount, if any, that the applicant must contribute to cost of the works. This will follow a preliminary test of resources which is aimed at preventing individuals from going through the entire grant process only to find that they are not eligible for assistance. Documentary evidence will be required to assist with the calculation of financial resources. Assistance in the completion of forms and gathering of supporting documentation is available via the Council's Home Improvement Agency if required.

All requests for financial information, the clarification of any anomalies and the communication of the outcome of assessment will be treated sensitively and with the highest level of confidentiality.

Further guidance on the eligibility criteria, test of financial resources and grant conditions are contained in The Housing Grants, Construction & Regeneration Act 1996 and associated regulations and guidance.

Successive applications

There is an expectation that the initial adaptation will meet the long-term needs of the client, to prevent successive applications. However, it is accepted that further adaptations may be required for a disabled person who has a deteriorating condition.

There is therefore no restriction on the number of DFGs that can be applied for, for the same property. Depending on the time lapse between applications, there is provision for any means tested contribution made on the first grant not to be taken into account on a subsequent application. This is five years for a tenants' application, and ten years for an owner-occupier's application.

The Council will make every attempt to expedite procedures and work to achieve interim solutions, where delays are inevitable.

Payment of Fees

Where fees are being paid on any grant we should only pay for the fees that represent the appropriate percentage of the grant approved. In some DFGs the fees can reach and exceed £10,000 were we to pay this fee up front it would represent a substantial portion of the grant where works haven't even started.(i.e max on £30,000= £ 4500, on £45k = £ 6750)

The only additions would be for Party Wall agreements or structural engineers fees

APPENDIX 2

RELOCATION GRANTS

ELIGIBILITY

This assistance will be subject to the following eligibility criteria:

- The alternative property is suitable for adaptation to meet the needs of the disabled person as defined by the OT service.
- OR
- The alternative property is fully adapted to meet the needs of the disabled person as defined by the OT service.
- The cost of adapting the new property must not exceed current mandatory and discretionary maxima.
- The cost of the adapting alternative property including all removal fees is less than that which would be required if adaptations were made to the existing property.
- Removal fees may include estate agents fees, removal costs, connecting essential services, conveyancing fees up to a maximum of £5,000. The grant will also be available to cover the costs of fees charged by the Home Improvement Agency or similar organisation.
- The alternative property is not under or over occupied as assessed using HHSRS set out in the Housing Act 2004
- Repeat applications for relocation grants will not be considered within 10 years.

The Council will not provide this type of assistance retrospectively and may take into account the equity value of the property an owner-occupier is relocating from when assessing an application. Applicants must receive written approval from the Council prior to relocating to another dwelling.

Receiving this grant does not prevent applicants applying and potentially receiving grants and assistance from other schemes in this policy.

APPENDIX 3

DISCRETIONARY FINANCIAL ASSISTANCE

TERMS AND CONDITIONS FOR ALL DISCRETIONARY FINANCIAL ASSISTANCE

To qualify for discretionary financial assistance the following qualifying conditions must also be met in addition to those stated in the relevant sections specific to the financial assistance applied for.

- a. The property must have been built more than 10 years ago and with respect to HMOs the property has been used as a HMO for 10 years or planning permission has been granted for 3 years or more
- b. Where the application relates to a mobile home. The mobile home must qualify as a dwelling for the purposes of payment of council tax.
- c. The applicant must be a lawful occupant
- d. The mobile home must have been on the same land forming part of the same protected site within the meaning of the Mobile Homes Act 1983 for a period of at least 3 years preceding the date of the application
- e. The mobile home must be occupied under agreement to which the Act applies or under a gratuitous licence
- f. If the application relates to a HMO that requires a mandatory licence no assistance will be approved until a licence has been issued or an application has been made.
- g. A valid application will comprise of a correctly completed and signed current application form (as specified by the local authority) and conditions certificate, estimates for all specified works, proof of property ownership and specified proof of income.
- h. Continued occupation of the dwelling is the most reasonable housing option taking into account the reasonable needs and aspirations of the occupant and the sustainability of the property
- i. Where appropriate the Council will require documentary evidence confirming financial matters i.e. household income and expenditure or benefit status from the organisation providing the benefit.
- j. Where an applicant has a joint interest in a property all persons with an owner's interest will be required to sign the application forms and documentation as detailed in the 19996 Act be included in the Test of Resources. An exception to this would be where the other owners have not been found despite reasonable attempts to find have been made.
- k. Proof of title will be required from Land Registry or by production of the deeds to a property or a letter confirming ownership from a recognised financial or legal organisation.
- l. Tenants will be required to provide the tenancy agreement identifying their repairing responsibility or nature of tenancy. The local authority reserves the right to decide if the repairing obligation is held by the tenant.
- m. Where the property is rented, the applicant must submit written consent from their landlord stating that they consent to the work being carried out.
- n. Repeat applications will not be approved for the same eligible works
- o. Repeat applications will not be approved for the same property or applicant for a period of 5 years except in the case of emergency repairs assistance.

The local authority will not consider applications from persons, organisations etc where there are possible alternative sources of funding

It should be noted that eligibility does not confer entitlement to assistance. Priority for awarding assistance will be determined having regard to the Council's available resources and individual circumstances and on a first come first served basis.

The discretionary grants the local authority awards are all subject to levels of available funding in each financial year and as such the Council reserves the right to defer approval, or even consideration, of applications for periods of time of its own choosing in order to properly manage its budgets.

ELIGIBILITY

To be eligible for discretionary assistance the applicant must:

- Have owned and lived in the property as their only or main residence for the previous 3 years or be a tenant who has a repairing obligation and have 5 years or more remaining of their tenancy. **AND**
- Be over 18 years old. **AND**
- For an applicant to qualify for financial assistance they must qualify in one of the two categories set out below.

Category 1: An application for financial assistance by an owner occupier or a tenant with a repairing obligation can only be made if all persons with an owner's interest regardless of whether they reside in the property are entitled to or in receipt of one of the following benefits:

Table 3

➤ Income Support	➤ Attendance Allowance
➤ Housing Benefit	➤ Industrial Injuries Disablement Benefit
➤ Council Tax Benefit	➤ War Disablement Pension
➤ Guaranteed Pension Credit	➤ Disability Living Allowance
➤ Working Tax Credit (which includes a disability element and/or an income of less than £15,050)	➤ Child Tax Credit (with an income of less than £15,050)
➤ Income Based Job Seekers Allowance	

N.B The Council reserves the right to vary the eligibility criteria specified in the policy in line with changes to benefit legislation and guidance.

If reasonable attempts to find an owner have failed, assistance can be considered without the other owner's agreement.

All applicants in receipt of one of the relevant benefits will be passported through the system and will receive 100% assistance subject to the following limitations:

- a) The overall maximum assistance limits are not exceeded
- b) The council's assessment of cost of work is not exceeded.

Category 2: Where an application for assistance is received from persons aged 60 and over and does not fall within Category 1 the application will be subjected to a Test of Resources (using calculations set down in the Housing Grants Construction & Regeneration Act 1996). Their contribution is to be deducted from the cost of eligible works.

Where the Test of Resources is appropriate the financial resources of all persons with an owners interest, irrespective of residency, will be included in determining the contribution towards the cost of the works.

Subject to the following limitations the assistance shall meet the cost of work as assessed by the Council: -

- The overall maximum assistance limits are not exceeded
- The council's assessment of cost of work is not exceeded.

All approvals for Major Works Assistance will be subject to terms and conditions as detailed in Appendix 4

ELIGIBLE WORKS FOR DISCRETIONARY FINANCIAL ASSISTANCE

The purpose of this assistance is to enable vulnerable owner-occupiers and tenants with a repairing obligation of homes that have category 1 hazards to pay for works to be carried out so that the condition of their house meets minimum health and safety standards.

Financial Assistance will only be awarded if doing so is considered to be sustainable and the most satisfactory course of action using Government guidance as the basis of this decision.

It should be noted that it is the responsibility of the applicant to obtain Planning Permission or Building Regulation consent where necessary.

ELIGIBILITY CRITERIA AND ELIGIBLE WORKS FOR EMERGENCY REPAIRS ASSISTANCE

The purpose of this assistance is to enable vulnerable owner-occupiers of homes to pay for emergency repair works.

Emergency Repairs Assistance will be available to owner occupiers and tenants who have a repairing obligation and are on a low income to carry out major repairs or improvements to their property up to a maximum of £3,000.

Emergency Works Assistance will grant funded to a maximum of £3,000 and available to carry out urgent repairs where the condition of the property:

- Prevents an occupier from being discharged from hospital;
- Could result in the occupant being taken into a care home;
- Poses an immediate risk to an occupants health;

It should be noted that all persons with an owners interest will need to be in receipt or entitled to the relevant benefits even if they are a joint owner and not a resident of the property.

Subject to the following limitations the assistance shall meet the cost of work as assessed by the Council.

1. The overall maximum assistance limits are not exceeded
2. The council's assessment of cost of work is not exceeded and if it is a second estimate may be required.

Eligible works for the purposes of Emergency Repairs Assistance may include:

- Works to ensure that the property is wind and weather tight
- Works to repair an existing space and water heating system
- Works to ensure the integrity of a property or protect the occupants from immediate exposure to dangerous and/or insecure building elements
- Other category 1 hazards that pose an immediate and significant risk to the occupant.

Financial Assistances will only be awarded if doing so is considered to be sustainable and the most satisfactory course of action using government guidance as the basis of this decision.

Where the property contains several hazards the most immediate and significant risks will be remedied under emergency Repairs Assistance. All other hazards will be dealt with by way of Discretionary Repairs Assistance.

It should be noted that it is the responsibility of the applicant to obtain Planning Permission or Building Regulation consent where necessary

ELIGIBLE WORKS FOR EMPTY PROPERTY ASSISTANCE

The Council will consider applications for discretionary Assistance for the following eligible works, subject to its application process, terms and conditions and maximum grant limits:

- The renovation of residential properties that have been empty for 1 year or more to bring them back into use.
- The conversion of empty space above shops into one or more units of living accommodation.

All work will be subject to the approval of the Chief Housing Officer.

Financial Assistances will only be awarded if doing so is considered to be sustainable and the most satisfactory course of action using Government guidance as the basis of this decision.

It should be noted that it is the responsibility of the applicant to obtain Part Wall Notices, Planning Permission or Building Regulation consent where necessary.

ELIGIBLE WORKS FOR MANDATORY DFGs

Mandatory Disabled Facilities Grants, because of their status, will be assessed and paid under the provisions of the Housing Grants Construction and Regeneration Act 1996 (as amended) and associated regulations and guidance

It should be noted that it is the responsibility of the applicant to obtain Planning Permission or Building Regulation consent where necessary

ELIGIBLE WORKS FOR DISCRETIONARY Disabled Facilities Assistance

Eligible work available through discretionary DFAs may be made up of 2 elements. These elements comprise:

- Top up assistance
- Other assistance

Where the local authority is satisfied in accordance with Chapter 1 of the Housing Grants Construction and Regeneration Act 1996 the criteria for approving a mandatory DFG, are met but the assessed cost of the relevant work necessary and appropriate to meet the needs of the disabled occupant exceeds the statutory limit which can be given, the Council may, if it thinks fit, approve Top Up assistance to make up the difference between the statutory limit and the assessed costs

An example of the purpose for which Other Assistance may be approved could include:

- Provision for a disabled occupant to receive treatment or specialised care related to their disability in the home, for which the disabled person is responsible for meeting the cost of work necessary to enable this.
- Provision of a complete solution to the needs of a disabled occupant
- Where there is an imminent risk to disabled person or those providing carer assistance as identified by Occupational Therapist

Discretionary DFAs are only available for essential works where a mandatory scheme is already subject to a grant application. We would normally carry out essential works that directly benefit the disabled person and where the measures are supported by appropriate medical advice. However there may be some circumstances where it is reasonable to increase facilities for the extended family.

In considering applications for the benefit of people with disabilities the local authority will not grant a discretionary DFA for works for which Redbridge Council are responsible for under the Chronically Sick and Disabled Persons Act 1970.

A small amount is included in the discretionary element for 'making good' all work damaged or disturbed during the adaptation.

It should be noted that it is the responsibility of the applicant to obtain Party Wall Notices, Planning Permission or Building Regulation consent where necessary.

OTHER ANCILLARY MATTERS WHICH MAY BE ELIGIBLE FOR DISCRETIONARY ASSISTANCE

In addition to the actual costs of carrying out works of improvement or repair, other charges necessarily incurred in undertaking works are also eligible for Financial Assistance

Other charges and fees considered reasonable and necessary could include:

- Architects' fees
- Surveyors' fees
- Charges for Party Wall Notices, planning permission or building regulations approvals.
- Charges made by agency services for advising on or assisting with a client's applications
- Charges made to cover electrical, gas etc safety checks
- Charges for specialist reports.

It is at the local authority's discretion to determine when professional fees are considered reasonable and necessary and will be eligible for financial assistance.

Such fees and charges will only be paid when details are submitted as part of the application. As with the works themselves, the payment of Financial Assistance in respect of these fees is dependent on the provision of a satisfactory receipt or invoice and only reasonable and necessary fees and charges will be eligible for assistance.

It should be noted that the local authority cannot accept responsibility for the costs of reports, applications or surveys etc in the first instance or where an application does not proceed to the completion stage

NON-ELIGIBLE WORKS FOR DISCRETIONARY ASSISTANCE

The following works will **not** be eligible for discretionary financial assistance:

- Works to remedy negligence, vandalism, illegal alterations to a property or where an applicant or someone working on their behalf has deprived them of a facility within the property which would then qualify them for financial assistance.
- Any works that are subject of a legal dispute or insurance claim
- Where the relevant work has already been started or completed.

ESTIMATES FOR WORKS IN RESPECT OF DISCRETIONARY FINANCIAL ASSISTANCE

All work costing a total of above £1,000 will require two estimates. The lowest quotation will be used to calculate the assistance amount providing the estimate appears reasonable to Council officers.

Any work costing a total of less than £1,000 will require one estimate providing the estimate appears reasonable to Council officers.

Where the adaptations recommended by the Occupational Therapist are of a specialist nature to meet the specific needs of an individual e.g. automatic wc, ceiling track hoist, variable height bath, one estimate will be acceptable

The Council reserves the right to request additional estimates where those submitted with the Financial Assistance application are not considered to be satisfactory.

Where partner organisations can demonstrate that contractors costings are consistently lower than other comparable contractors or where only one contractor is able to compete on equal terms/ or only one contractor is willing to price for the works or the work to be considered is of a specialist nature the Chief Housing Officer may allow deviations from the above.

Contractors engaged through the ELRP that have been part of the tendering process can be engaged without the need for further tendering regardless of the total cost of the work.

Contractors' estimates are to take into account all terms and conditions detailed on the standard specification, which accompanies all schedules of work.

The contractor who provided the estimate on which the Financial Assistance was based must carry out work. The Council may give authorisation, in writing, for another contractor to carry out all or part of the work, but this will only be applicable if the work has not started and an estimate has been submitted by the new contractor.

The local authority may determine to offer a lower amount of grant should this new estimate be lower than the approval already issue.

Special Conditions for Emergency Repairs Assistance.

- This Assistance will be grant funded.
- The maximum grant will be £3,000
- Work will be completed by the ELRP contractor using a schedule of rates.
- A charge will be placed on the property and will be repayable if it is sold or transferred within 10 years of the payment of the grant.

GENERAL ANCILLARY MATTERS FOLLOWING APPROVAL OF DISCRETIONARY FINANCIAL ASSISTANCE

A written schedule of works will be sent to the applicant. Any variation from this schedule may only be made with the prior written approval from the Council.

Unforeseen works can only be considered upon prior inspection and agreement is obtained. A formal re-approval to a higher level of assistance will be required before any payment above the originally approved level is paid.

A Gas -Safe registered contractor must have carried out any works involving the gas supply/fittings.

Electrical works must be carried out by a contractor who is self certifying for the purposes of Part P of the Building Regulations

Following the completion of the eligible works the following criteria must be met prior to a payment being made:

- A satisfactory invoice is received by the local authority in relation to the work in question, together with any supporting documentation or information requested by the Council e.g. guarantees and professional fees. Where a guarantee is required this will be made clear in the schedule of works.
- Interim payments are to be a minimum of £5,000 and only paid at the discretion of a Manager.
- Interim payments are only made on the submission of an acceptable invoice for the works, including any professional fees, and will be paid to a maximum of 75% of the approved amount.
- The invoice must be made out to the applicant or their nominated agent.
- Invoices will be accepted from the applicant or a member of their family

Payments will be made to the appropriate contractor(s) or agent, unless otherwise instructed, following agreement with the applicant that works to the appropriate stage has been satisfactorily completed. In the case of a dispute between the applicant and the contractor, which is not resolved in a reasonable time period, the financial assistance, or part thereof, may be paid at the discretion of the Council.

FACTORS TAKEN INTO CONSIDERATION WHEN EXERCISING DISCRETION WHETHER TO RECOVER REPAYMENT OF DISCRETIONARY FINANCIAL ASSISTANCE

In cases where a property is disposed of and recipients wish to make representations as to why the assistance should not be repaid they will be considered by the Chief Housing Officer in consultation with the Portfolio Holder who will determine whether to waive or reduce the repayment or not. Their decision on this matter is final.

The need for discretion is triggered when a dwelling is disposed of within the assisted period where the applicant claims the breach is either unintentional or unavoidable and hardship would result from reclamation.

In exercising discretion, regard will be had to the following factors: -

- **Financial hardship:** where a recovery would cause hardship because the client's circumstances have changed since the Financial Assistance was approved.
- **Disposal proceeds:** where the net value of the property is less than the amount of financial assistance to be recovered.
- **Value of premises:** where there is relevant debt outstanding on the property and the gross value of the dwelling has increased by a lesser amount than the value of the financial assistance. E.g. If negative equity can be proven.

The value of any loan or mortgage taken out after the financial assistance was approved will not be taken into account when determining whether to recover or reduce the repayment of the financial assistance

If an applicant qualifies for discretion the actual amount to be waived will be calculated to take into account of:

- the amount of financial assistance
- period of occupancy since completion of assisted work
- relative values of property pre and post assisted work
- equity in property

The circumstances taken into account with respect to Mandatory DFGs are covered by statute.

CONSIDERATION OF APPLICATIONS FOR FINANCIAL ASSISTANCE THAT FALL OUTSIDE THE POLICY

The long standing delegated powers mechanism of consideration of applications outside the policy by the Chief Housing Officer in consultation with portfolio holder will continue. This process is also the mechanism by which appeals are considered and consideration given to the waiving of conditions. The decision made by the Chief Housing Officer in consultation with the portfolio holder is final.

There is no appeal against the outcome of means testing. However applicants who disagree with the means test can informally request a further calculation to be undertaken.

This appeals mechanism is supplemented by the Council's well-established corporate complaint procedure.

The Chief Housing Officer in consultation with the Portfolio Holder may approve Financial Assistance applications in excess of the normal maximum.

APPENDIX 4

FINANCIAL ASSISTANCE TERMS AND CONDITIONS

The local authority will attach suitable conditions to financial assistance it approves under this policy. It requires applicants to enter into a binding legal agreement that will form a charge on the property. The terms of that agreement will prevail over the information in this document.

If the owner makes a disposal of the whole or any part of the property he shall notify the Council in writing and pay to the Council the amount of Financial Assistance that has been paid. Failure to comply with this repayment condition within 28 days from the disposal of the property will result in compound interest set at the current Bank of England Base Rate being charged.

The assistance is recorded as a local land charge.

Financial Assistances will be paid subject to the condition that the applicant takes out and/or continues to arrange building insurance for the property subject to the financial assistance

Repayments of Financial Assistance as a result of breaches of conditions (apart from sale of property) will attract compound interest at the current Bank of England Base Rate

Repayment of Financial Assistance may be required if the information supporting the Financial Assistance application, approval or payment is found to be incorrect and affects the eligibility criteria or the cost of the works involved.

In cases where after financial assistance is approved and works have not started, an applicants' circumstances change or the local authority considers that incorrect or incomplete information was supplied with the application and approval would not have been given if the applicant had re-applied, then the Council will normally review the award of financial assistance with immediate effect. If this happens then no further payment will be made, although in exceptional circumstances the Chief Housing Officer may decide to allow some further payments to be made. Where money has been paid the local authority may demand repayment together with compound interest set at the current Bank of England Base rate from the date on which the payment was made until repayment, at such a reasonable rate as the Council may determine.

If the local authority believes the applicant or someone acting on their behalf may have been seeking to deceive or defraud the local authority then the local authority may put forward a case for prosecution.

The Chief Housing Officer may reduce, refuse or demand repayment in full or part thereof of any works already paid, where works are either not satisfactory completed, cost less than the estimate, or where work was commenced prior to approval (with or without compound interest set at the current Bank of England Base rate at such a reasonable rate as the Council may determine.)

Personal information obtained throughout the Financial Assistance process will be checked thoroughly and may be shared with other departments of the Council and other organisations involved in any aspect of handling public funds to help prevent and

detect fraud or in the investigation of other possible criminal activities. Non personal information will be kept by the Council and used for statistical and monitoring purposes

All work must be completed within 9 months from the date of approval. If the work is not complete after this date then the assistance will be withdrawn and any interim payments recovered from the applicant. The period for completion of the work can be extended at the discretion of the Chief Housing Officer.

In the event of a death of an applicant following the approval of the financial assistance and prior to the final payment of the financial assistance being made the provisions contained in Section 172 of the Housing Grants Construction & Regeneration Act 1996 will apply.

Following the making of an application and until any repayment liability has been discharged in full, the applicant shall on request supply the Council with any such information as the Council may reasonably require in connection with the application, including the ownership and/or occupation of the property which was the subject of the application

It is the applicant who employs the builder to undertake the agreed works and the Council have no contractual liabilities in that relationship as their role is only to administer the financial assistance process

The local authority or their agents will hold the final authority to determine what works are included on the financial assistance schedule.

The applicant is ultimately responsible for ensuring the quality of the completed works.

In the case of Empty Property Assistance, if the owner allows it's conditions to deteriorate so that enforcement action is necessary by means of a Statutory Notice within five full years of final payment being made then s/he shall repay to the local authority the full amount of the financial assistance that has been paid plus compound interest at a reasonable rate as determined by the Council, unless the conditions are improved within a time period the Council determines as reasonable according to the work that is necessary

If repayment of the assistance is required and the applicant fails to make the necessary arrangements the Council will seek to recover the money through the courts, which may involve a charging order.

At any time prior to repayment of the financial assistance the applicant shall upon written request from the local authority, reply in writing, within 21 days of the date of the request stating how s/he is complying with the terms and conditions of the assistance enquired about. Failure to comply with this item will be deemed as failure of the financial assistance conditions requiring total repayment of the financial assistance amount plus compound interest set at the current Bank of England Base rate at a reasonable rate determined by the local authority.

All conditions not explicitly referred to in this document will follow those previously set out in the House Grants Construction and Regeneration Act

The local authority reserves the right to re-consider any individual application against any of these terms and conditions upon the authority of the Chief Housing Officer.

The terms and conditions for mandatory DFGs are covered by statute

DEFINITIONS

The term “**grant**” means any form of financial assistance approved for the purpose of housing renewal.

The “**date of issue**” is the date on the financial assistance approval.

The “**certified date**” is the date of completion of the eligible works to the Councils satisfaction.

“**Valid application**” is the date when the authority (council) are in possession of all relevant information to determine an application for financial assistance i.e application form and supporting documentation, estimates, etc . Authorities must approve or refuse an application within six months of the validation date.

“**Owner**” shall have the same meaning as in Regulation 5(1) of the Regulatory Reform (Housing Assistance)(England and Wales) Order 2002 and may therefore include certain leasehold as well as freehold owners. In relation to living accommodation comprising a caravan or similar structure, means the person who is for the time being entitled to dispose of the caravan or similar structure.

Any reference to a “**disposal**” of a property means:

- sale, transfer or inheritance (unless member of family live their as their principal and main residence)
- a conveyance of the freehold an assignment of the lease, where the lease was used to qualify for the financial assistance-grant of a lease, other than a mortgage term, for a term of more than 21 years otherwise than at a rack rent
- or if appropriate cease to make it available for letting

Applicant means an owner who applies for any assistance within this and includes any such owner who also has an owner’s interest in the property.

Assistance includes any assistance given by the Council, including financial assistance.

Assisted Work- Any work carried out to a dwelling or property, which has been provided by financial assistance from the Council

Dwelling means any building or part of a building used wholly or partly as a private dwelling, together with any yard, garden, outhouses and appurtenances belonging to or usually enjoyed with that building or part.

Empty Property. A property that has been empty for 1 year or more. This includes previous commercial properties

Essential Work- Work which, if not done, means that condition of the property is a threat to the health and safety of the occupants, as measured by application of the Health and Hazard rating system, the severity of risk to the occupants is unacceptable.

Financial Assistance means any assistance given in which the Council provides a grant or loan to an applicant, or otherwise carries out work on the property of the owner.

Fuel Poverty- A household is defined as being in fuel poverty if it has to spend more than 10% of its disposable income on all energy costs

Owner Occupier -Has or proposes to acquire an owner's interest in the dwelling and intends to, throughout the assisted period to live at the dwelling as his only or main residence.

Owners Interest in relation to any premises, means-An estate in fee simple absolute in possession, or-a term of years absolute of which not less than five years remain unexpired at the date of the application, whether held by the applicant alone or jointly with others;

Property means the dwelling, house or building, which is the subject of financial assistance.

Qualifying Owner means an Owner or an Applicant as defined in this policy

Sustainable. In determining sustainability, consideration will be made of the following seven criteria.

- At the completion of agreed work: --the intrinsic design, location and type of the property should not be obsolete.
- There should be reasonable prospect in the foreseeable future of there being sufficient demand for property of that type, in that location, to ensure reasonably full occupancy.
- The property should be reasonably capable of improvement to the Decency Standard.
- It should not require a greater level of investment than the likely market value of the dwelling at that time.
- The design, layout and internal space available within the property should be sufficient and appropriate to accommodate the structure of the household receiving financial assistance.
- The property condition should be suitable for continued occupation by the applicant's household awarded financial assistance.
- It should be free from serious risk to health, secure and energy efficient.

Thermal Comfort. To achieve thermal comfort, a dwelling must:-

- Have a good standard of insulation in loft spaces, and where feasible in its wall construction **AND**
- An efficient and properly controlled heating equipment. This must be sufficiently efficient to maintain a satisfactory and affordable heating regime in all liveable rooms. The energy costs to achieve this should be affordable by a household on minimum state benefit income without being put into fuel poverty.

17.2 **Eligible works** are those that are detailed in a schedule of works provided.

17.3 **Vulnerable people.** Those people receiving the following benefits:

- Income support
- Income support mortgage interest
- Housing benefit
- Council tax benefit
- Council tax and disability premium

- Child tax credit
- Income based job seekers allowance
- Family tax credit
- Attendance allowance
- Disability living allowance
- Industrial injuries disablement benefit and constant care allowance
- War disablement pension and constant care allowance
- Guaranteed Pension credit
- Working tax credit which includes a disability or child tax credit providing that you are entitled to the tax credit and have a relevant income of less than **£15,460** as defined for the purpose of determining eligibility for the tax credit

APPLYING FOR HOUSING ASSISTANCE

The Council's Private Sector Housing Grants Team will manage all applications for financial assistance in accordance with this policy document.

The normal procedure for applying for assistance is as follows:

INITIAL ENQUIRY**Disabled Facilities Grants**

All enquiries relating to Disabled Facilities Grants are referred to Occupational Therapy for an assessment. This Council only processes Disabled Facilities Grants when in receipt of a referral/assessment from an Occupational Therapist. When a referral is received an application form and enquiry pack is sent to the applicant.

Discretionary Home Repairs Assistance

Upon receipt of initial enquiry for financial assistance the Housing Grants Team place the applicant on a waiting list. A letter is sent to advise the Customer.

An enquiry form and information pack is sent to the applicant when they reach the top of the waiting list.

Applicants must complete the enquiry form providing all necessary personal details, financial circumstances and information on the length of ownership of the property.

The remainder of this procedure refers to all types of financial assistance.

PRELIMINARY ASSESSMENT

Upon receipt of the enquiry form the Grants Team will undertake a preliminary assessment of the case to establish if it is likely to be eligible for grant. This will involve examination of the applicant's status in terms of income and an informal test of resources (means test) will be carried out. In addition the works required by the applicant will be assessed. Applicants will be informed of their likely eligibility and if appropriate, their potential contribution towards the cost of works. Eligible applications will be offered an appointment to have a home survey conducted by a Grant Officer.

Where it is established that an applicant is not eligible for financial assistance they will be advised accordingly and offered services such as sign posting to other agencies including the Home Improvement Agency, the Handy Person scheme or warmzone (for insulation and heating).

Survey

A member of the Housing Assistance Team will survey the property to establish eligibility of the works for assistance and the extent and nature of the works required.

FORMAL APPLICATION

Where it is determined that financial assistance may be available the applicant will be provided with an application pack including a schedule of works, an application form, forms relating to the ownership of the property and guidance notes on how to make an application.

The applicant must submit a formal application for assistance, this will ask more detailed questions and proof will be required to support the application. The following documentation is required within three months from the date of schedule:

- Fully completed application form (provided by the Council)
- An owner or owner-occupation certificate
- A certificate of title or a copy of the Land Registry entry for the property which confirms ownership
- Two itemised estimates from separate builders for the work specified by the Council. Except in the case of Emergency Repairs Assistance.
- Any necessary building plans or drawings
- Confirmation of any necessary Building Regulation approval or planning permission
- Information relating to the applicants financial circumstances such as proof of income

Where it is established that the applicant will have to make a contribution towards the cost of the works as a consequence of the test of resources or because the costs exceed the maximum level of grant they will be advised of that amount.

The applicant must confirm in writing that they are able to provide the amount of their contribution from their own resources.

APPROVAL OF APPLICATION

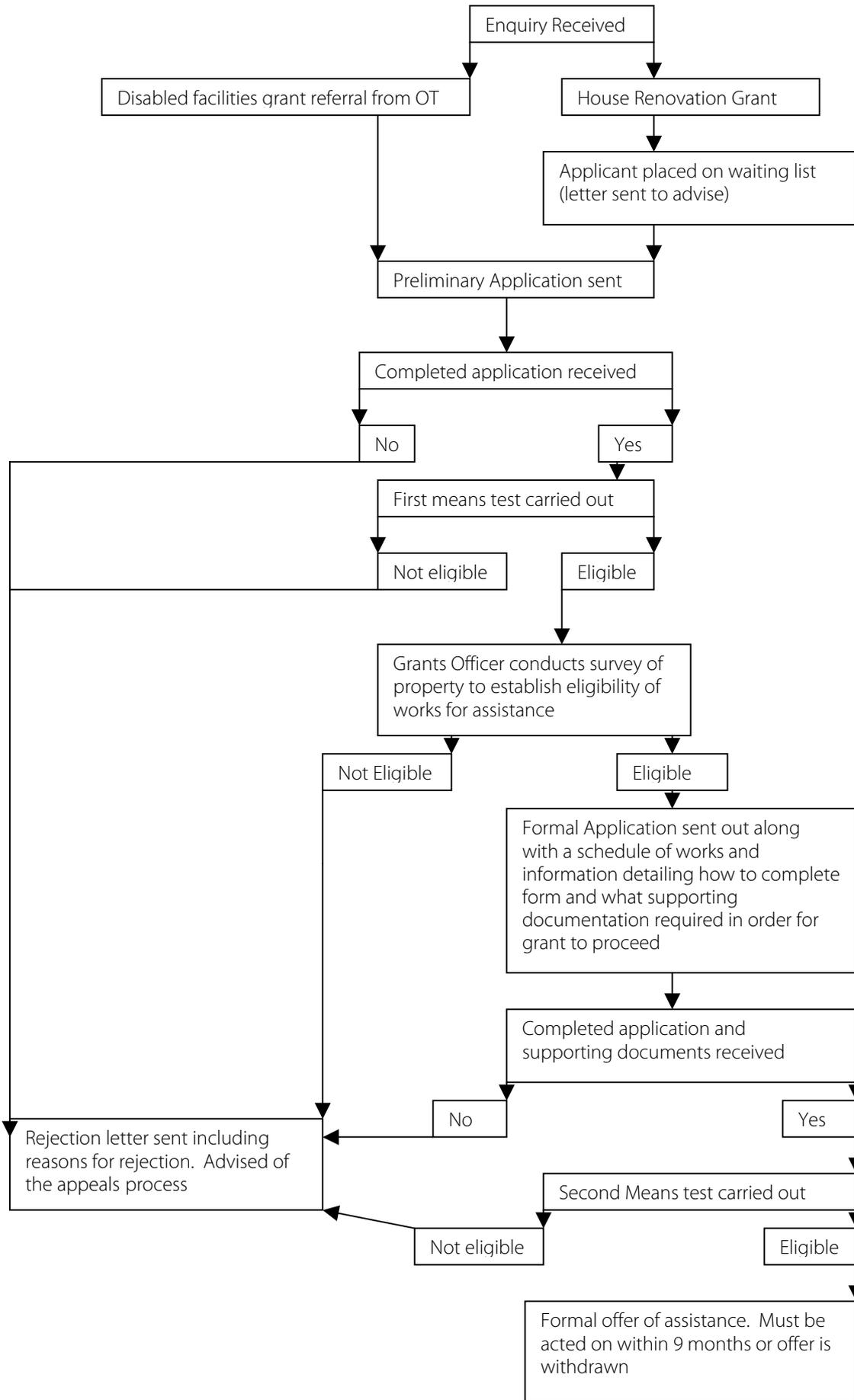
When the application has been determined the Council will make a formal offer of assistance. This must be acted upon within nine months from the date of approval otherwise grant offer will be withdrawn.

Preliminary and ancillary fees and charges associated with the provision of assistance will be considered as eligible for assistance. These fees and charges are listed below:

- Home Improvement Agency fees for administering the application.
- Architect/Surveyor fees or home improvement agency fees in relation to the preparation of plans and/or supervision of the works
- Loan arrangement costs including independent financial advice

An approval of assistance will be issued once the offer of assistance has been accepted. This will set out the terms and conditions of the approval including timescales for completion of works and methods of payment of assistance.

The Disabled Facilities Grant Application Process



The Process for Home Repairs Assistance and Discretionary Disabled Facilities Assistance

