

REPORT TO	DATE OF MEETING
Council	18 January 2017

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SUBJECT	PORTFOLIO	AUTHOR	ITEM
Private Sector Housing Grants Programme	Strategic Planning and Housing	Strategic Housing Manager	

1. SUMMARY AND LINK TO CORPORATE PRIORITIES

The last Private Sector House Condition Survey was undertaken in 2012, and found that 19.8% of the private sector housing stock within the borough was non-decent. In response to this, it is proposed that the Council implement a grants programme to specifically address category 1 hazards under the Housing Health and Safety Rating System. This will form part of the Housing Capital Programme to support the delivery of the South Ribble Housing Framework, which was approved by Cabinet in February 2016.

The contents of this report supports the Corporate Priorities of “A Strong South Ribble in the heart of a prosperous Central Lancashire” and “Creating Strong and Healthy Communities”.

2. RECOMMENDATIONS

It is recommended that Council:

- a) Note the contents of this report and approve the Private Sector Housing Grants Programme

3. DETAILS AND REASONING

3.1 Background

In 2012, a Private Sector House Condition Survey was commissioned by the Council to understand the nature and condition of the private sector housing in the borough. It identified that 19.8% of private sector housing stock in the borough still failed to meet the Decent Homes Standard. Of this figure, 87% are owner occupied properties, which equates to 7367 properties. The national level of non-decent homes is higher at 22% (English Housing Survey, 2012).

A house is deemed to meet the decent standard, if it meets the following:

- the statutory minimum standard for housing (the Housing Health and Safety System (HHSRS) since April 2006); homes posing a Category 1 hazard under the HHSRS are considered non-decent.
- be in a reasonable state of repair
- have reasonably modern facilities and services
- provide a reasonable degree of thermal comfort

Appendix 1 provides more details on the Decent Home Standard and the Housing Health and Safety Rating System.

The Housing Framework identifies the improvement of the housing stock as one of the three main priorities: **Maintaining, and where possible improving, the quality of existing homes.**

3.2 Current work

In the past, the Council has provided financial assistance to homeowners to address non-decent elements of their homes (i.e. category 1 hazards).

Currently, the main focus of the Council's private sector work is energy efficiency. The Council provides limited assistance to home owners which provides energy efficiency measures funded through the Lancashire County Council's Winter Warmer campaign.

There is currently no funding available to address non-decent homes.

3.3 Proposed Grants Programme

The South Ribble Housing Framework 2016-19 has identified improving existing housing stock as a priority, with an action to reduce the number of non-decent homes across the borough.

As such, the Council has allocated £500,000 for a three year grants programme to support homeowners address category 1 hazards within their homes, and ensure they meet the Decent Homes Standard. This forms part of the Housing Capital Programme which was approved by Cabinet in February 2016. These monies have come from historical Right to Buy receipts, which are eligible to be spent on Council capital projects.

The proposed grants programme is detailed below. It should be noted that this programme has been informed by the Housing Health and Safety Rating System.

3.4 Available Grants

Grant assistance will be available to address category 1 hazards for the following measures:

	Heating	Double Glazing	Disrepair (Appendix 2 provides definition of disrepair)	Cavity Wall and Loft Insulation/External Wall Insulation
Grants available	50% of the cost of the works, up to a maximum grant of £1000.	50% of the cost of the works, up to a maximum grant of £2000	50% of the cost of the works, up to a maximum grant of £5000.	A maximum grant of £100 for cavity wall insulation. A maximum grant of £200 for loft insulation. A maximum grant of £4000 for external wall insulation.

The maximum grant which a homeowner can receive is £5000, as if there are multiple category 1 hazards which require several interventions, this will fall under disrepair.

3.5 Eligibility

To be eligible for a grant, the applicant must meet the following criteria:

- Be an owner occupier, and the grant must be for the main residence of the applicant.
- Have lived in the property for a minimum of 3 years.

Tenants of private landlords and registered providers (i.e. housing associations) are not eligible for the grant.

There are no restrictions applied as the vulnerable age groups identified by the Housing Health and Safety System for each hazard will be applied dependent on the hazard. These age groups are detailed within appendix 1 within the hazard information.

3.6 Financial Assessment

Given the Council's statutory obligations in relation to category 1 hazards, if it is made aware of such a hazard within a home, it must take action, in this case either financial assistance through a grant or enforcement action regardless of the financial status of the owner. This is under the Housing Act 2004.

A means test cannot be undertaken for this grant as regardless of the outcome, as the Council cannot ignore the category 1 hazard under its statutory obligations. In response to Members' concerns, a "financial check" will be introduced. This is not a means test, but a high level assessment of the homeowners' finances to determine affordability to pay for the cost of the work to address the category 1 hazards identified. Based on the outcome of the assessment one of the following options will be considered.

1. Where it is identified that they were able to meet some of the costs of the work then assistance of 50% would be offered and a charge for 5 years would be placed on the property.
2. Where it is identified that there is genuine hardship and inability to pay for the work then 100% of the costs will be offered with a lifetime charge placed on the property.
3. Where it is identified that they were in a position to undertake the cost of the works to remedy the category 1 hazard the homeowner will have it explained to them the consequences of not undertaking the required works, and advice will be provided in how they may undertake the works. If the owner is not willing to carry out the work identified then enforcement action will be taken against the owner.

All land charges will be recorded by the Council's Legal department. When the property is about to be sold, this land charge will be visible on the legal searches undertaken by the purchaser and the Council will be notified. This is when any monies outstanding will need to be paid back to the council before the land charge is removed, this will not require any further monitoring from the Council once the land charge is registered.

Where a 50% grant is paid, the land charge will be placed on the property for five years meaning the grant will be repaid if the property is sold or ownership is transferred within 5 years of the grant. This is proportionate for the level of grant made available to homeowners and provides an incentive to meet the cost of the works if they are able to do so.

3.7 Payment

Approved grants will be paid directly to the contractor following the completion and sign off of the improvement works by the Strategic Housing team. Only works to remedy the category 1 hazard will be funded, and the lowest cost bid will be selected.

It is difficult to predict exactly how many households will apply for a grant, but a promotional campaign will be prepared in order to raise the profile of the assistance programme. It is estimated that a minimum of 100 properties could benefit from a grant.

3.8 Enforcement Action

Under the Housing Act 2004, the Council has the ability to undertake enforcement action against homeowners where there is a category 1 hazard.

As stated above, where a homeowner is genuinely unable to afford the work to remedy the category 1 hazards, enforcement action will be taken. This means that the works will be undertaken in default and fully funded by the Council. However, a charge will be placed upon the property until it is sold. The Council will then be able to fully recoup the cost of the works.

Enforcement action may also be taken where a homeowner has the financial resources to undertake the necessary works but refuses to do so. In these cases, a different course of enforcement action may be taken, and in extreme cases this may lead to prosecution.

WIDER IMPLICATIONS

In the preparation of this report, consideration has been given to the impact of its proposals in all the areas listed below, and the table shows any implications in respect of each of these. The risk assessment which has been carried out forms part of the background papers to the report.

<p>FINANCIAL</p>	<p>The Council's approved Capital Programme includes a budget of £500,000 in 2016/17 for the Private Sector Home Improvement Grant Programme, funded from Right To Buy clawback receipts. This budget will be re-phased to reflect the expected delivery of the programme over a three year period.</p>
<p>LEGAL</p>	<p>The proposed expenditure is clearly for a lawful purpose – amongst other statutory provisions section 1 of the Localism Act 2011 is relevant here.</p> <p>Clearly the housing officers will need to ensure that all applicants for grants are robustly checked to ensure they meet the requirements of our programme/policy.</p> <p>The Legal team will ensure that all appropriate entries are made on the land charge register.</p>

RISK	Housing grants programmes have been delivered for several years, and procedures are in place to ensure effective management of the process. Regular Housing Capital Programme meetings will support the management of the expenditure of the funds.
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THE IMPACT ON EQUALITY	An equality impact assessment has been undertaken for the Strategic Housing service and there is a neutral impact on the protected characteristic groups. Given that this grants programme will benefit residents households with children this proposal will have a positive impact on the following protected characteristics: maternity.
OTHER (see below)	

<i>Asset Management</i>	<i>Corporate Plans and Policies</i>	<i>Crime and Disorder</i>	<i>Efficiency Savings/Value for Money</i>
<i>Equality, Diversity and Community Cohesion</i>	<i>Freedom of Information/ Data Protection</i>	<i>Health and Safety</i>	<i>Health Inequalities</i>
<i>Human Rights Act 1998</i>	<i>Implementing Electronic Government</i>	<i>Staffing, Training and Development</i>	<i>Sustainability</i>

BACKGROUND DOCUMENTS

South Ribble Strategic Housing Framework 2016/2019.

Appendix 1

Decent Home Standard

A house is deemed to meet the decent standard, if it meets the following:

- The statutory minimum standard for housing (the Housing Health and Safety System (HHSRS) since April 2006); homes posing a Category 1 hazard under the HHSRS are considered non-decent.
- Be in a reasonable state of repair
 - Dwellings which fail to meet this criterion are those where either: one or more of the key building components are old and, because of their condition, need replacing or major repair; **or**
 - two or more of the other building components are old and, because of their condition, need replacing or major repair.
- Have reasonably modern facilities and services
 - Dwellings which fail to meet this criterion are those which lack three or more of the following:
 - a reasonably modern kitchen (20 years old or less);
 - a kitchen with adequate space and layout;
 - a reasonably modern bathroom (30 years old or less);
 - an appropriately located bathroom and WC;
 - adequate insulation against external noise (where external noise is a problem); and
 - adequate size and layout of common areas for blocks of flats

(A home lacking two or fewer of the above is still classed as decent, therefore it is not necessary to modernise kitchens and bathrooms if a home meets the remaining criteria.)
- Provide a reasonable degree of thermal comfort.
 - This criterion requires dwellings to have both effective insulation and efficient heating.

Housing Health and Safety Rating System (HHSRS)

- The HHSRS was introduced in the Housing Act 2004 as a new way for Councils to assess housing conditions. It replaced the Housing Fitness Standard, which was purely property based, whereas the HHSRS also focused on the 'effects of the defects' on the occupants. It is a **risk based assessment approach** and considers the effects of **hazards** within the property.
- Hazards are rated according to how serious they are and the effect they are having, or could have, on the occupants, that is, 'the effect of the defect'. The basic principle is that the property should be safe for occupation. "Hazard" means any risk of harm to the health or safety of an actual or potential occupier of a dwelling which arises from a deficiency in the dwelling. "Category 1 hazard" means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method for calculating the seriousness of hazards of that description, a numerical score of or above a prescribed

amount. A Local Authority has duty to act if they discover a “category 1 hazard” in a property.

Below provides a list of the hazards.

1 Damp and mould growth (All persons aged 14 years or under)

Health threats due to dust mites, mould or fungal including mental and social wellbeing health threats associated with damp, humid and mouldy conditions.

2 Excess cold (All persons 65 years or over)

Threats to health from cold indoor temperatures. A healthy indoor temperature is 18oC to 21oC.

3 Excess heat (All persons aged 65 years or over)

Threats due to high indoor temperatures.

4 Asbestos and MMF (No Age Group)

Exposure to asbestos fibres and Manufactured Mineral Fibres (MMF).

5 Biocides (No Age Group)

Threats to health from chemicals used to treat timber and mould growth.

6 Carbon Monoxide and fuel combustion products (All persons aged 65 years or over)

Excess levels of carbon monoxide, nitrogen dioxide, sulphur dioxide and smoke.

7 Lead (All persons aged under 3 years)

Threats to health from lead ingestion from paint, water pipes, soil and fumes from leaded petrol.

8 Radiation (All persons aged 60 -64 years)

Health threats from radon gas and its daughters, primarily airborne but also radon dissolved in water.

9 Uncombusted fuel gas (No Age Group)

Threat from fuel gas escaping into the atmosphere within a property.

10 Volatile organic compounds (No Age Group)

Threat to health from a diverse group of organic chemicals including formaldehyde that are gaseous at room temperature and can be found in a wide variety of materials in the home.

11 Crowding and space (No Age Group)

Hazards associated with lack of space for living, sleeping and normal household or family life.

12 Entry by intruders (No Age Group)

Problems keeping a property secure against unauthorised entry and maintaining defensible space.

13 Lighting (No Age Group)

Threats to physical and mental health associated with inadequate natural or artificial light, including the psychological effects associated with the view from the property through glazing.

14 Noise (No Age Group)

Threats to physical and mental health due to exposure to noise within the property or within its curtilage.

15 Domestic hygiene, pests and refuse (No Age Group)

Health hazards due to poor design, layout and construction making it hard to keep clean and hygienic, attracting pests and inadequate and unhygienic provision for storing household waste.

16 Food safety (No Age Group)

Threats of infection from poor provision and facilities to store, prepare and cook food.

17 Personal hygiene, sanitation and drainage (All persons under 5 years of age)

Threats of infections and threat to mental health associated with personal hygiene, including personal and clothes washing facilities, sanitation and drainage.

18 Water supply (No Age Group)

Threats to health from contamination by bacteria, parasites, viruses and chemical pollutants due to the quality of water supply for drinking household use such as cooking, washing and sanitation.

19 Falls associated with baths (All persons 60 or more years of age)

Falls associated with a bath, shower or similar facility.

20 Falls on the level surfaces (All persons 60 or more years of age)

Falls on any level surface such as floor, yards and paths, including falls associated with trip steps, thresholds or ramps where the change in level is less than 300mm.

21 Falls associated with stairs and steps (All persons 60 or more years of age)

Falls associated with stairs and ramps where the change in level is greater than 300mm. It includes internal stairs or ramps within a property, external steps or ramps associated with the property, access to the property and to shared facilities or means of escape from fire and falls over stairs, ramp or step guarding.

22 Falls between levels (All persons under 5 years of age)

Falls from one level to another, inside or outside a dwelling where the difference is more than 300mm.

23 Electrical hazards (All persons under 5 years of age)

Hazards from electric shock and electricity burns.

24 Fire (All persons 60 or more years of age)

Threats to health from exposure to uncontrolled fire and associated smoke. It includes injuries from clothing catching fire, a common injuring when trying to put a fire out.

25 Flames, hot surfaces and materials (All persons under 5 years of age)

Burns or injuries caused by contact with a hot flame or fire, hot objects and non-water based liquids.

26 Collision and entrapment (All persons under 5 years of age)

Risks of physical injuries from trapping body parts in architectural features such as trapping fingers in doors and windows and colliding with objects such as windows, doors and low ceilings.

27 Explosions (No Age Group)

Threats from the blast of an explosion, from debris generated by the blast and from partial or total collapse of a building as a result of the explosion.

28 Position and Operability of Amenities (All persons 60 or more years of age)

Threats of physical strain associated with functional space and other features at the dwelling.

29 Structural collapse and falling elements (No Age Group)

The threat of the dwelling collapsing or part of the fabric being displaced or falling due to inadequate fixing or disrepair or as a result of adverse weather.

Appendix 2

Disrepair Definition

Disrepair means property does not comply with the Housing Health and Safety Rating System, which means it does not meet the Decent Homes Standard, a legally defined standard.

Disrepair is when some part of your home is in a worse condition than it was at some earlier point in time, for example, when you moved in. Disrepair may make the property inhabitable, in need of repairs or affect the health of the occupiers. These essential repairs would be required to ensure that the property meets the Decent Homes Standard.

Repairs are neglected by owners for many reasons, these include health, and financial reasons.

Disrepair can result in numerous different impacts on a property, which will require different interventions. These interventions can range from the replacement of plug sockets to the rebuilding of a gable wall.