

HIGH PEAK BOROUGH COUNCIL
HOUSING RENEWAL ASSISTANCE POLICY 2010

1. INTRODUCTION

1.1. Background

The Regulatory Reform (Housing Assistance) (England and Wales) Order came into force in 2002 and repealed much of the existing prescriptive legislation governing the provision of renewal grants to homeowners, replacing it with a new flexible and wide-ranging power to provide assistance for housing renewal based on local circumstances and needs.

The first Housing Renewal Assistance policy was produced in 2003 as a response to the order, and was reviewed again in 2008. The current policy, reviewed in 2010, incorporates the changes introduced in the Housing Act 2004.

1.2. Process of producing the policy

The policy was originally produced in discussion with the neighbouring local authority Derbyshire Dales District Council. This is to take into account the common characteristics and problems of the sub-region. It also enables the sharing of costs and expertise in developing new policy tools. However, for ease of approval and adoption, each local authority area has its own policy, albeit offering similar and complementary forms of assistance.

As well as neighbouring local authorities, the policy has been developed in consultation with local Home Improvement Agencies, has gone through the consultation process with the Local Strategic Partnership, and has been approved by the political process.

This process will be ongoing and will therefore allow the policy to be reviewed and updated periodically to take account of changing circumstances, and new forms of assistance to be incorporated.

1.3. Policy content

In accordance with the Guidance issued by the government, the policy document details the assistance that will be made available under Article 3 of

the Order, and the reasoning for adopting the policy as it is. It therefore includes the following:

- Strategic context – how the policy will contribute towards the fulfilment of the local authority’s strategic aims, objectives and priorities, and how it reflects relevant regional and national strategies.
- A statement of the key priorities which the policy will address and the reasons for selecting them
- The resources committed to implementing the policy
- A description of the types of assistance available, what it will be used for, the circumstances in which households may be eligible, the amounts of assistance available, the conditions that will apply, how they will be enforced and the circumstances in which they may be waived, and the outcomes that can be expected.
- The procedures for implementing the policy, including:
 - Details of ancillary fees and charges associated with the provision of assistance
 - The process for applying for assistance
 - How households can obtain access to the process of applying for assistance, including the provision of advice to assist enquirers.
 - Details of conditions that will apply, how they will be enforced, and in what circumstances they may be waived
 - Arrangements for complaints about the policy and its implementation
 - Arrangements for applications for assistance to be considered when these fall outside policy
 - Key service standards, for example how long it will take to approve an application
- National and local performance indicators and targets that will be used to measure progress towards meeting strategic aims, objectives and priorities.
- A policy implementation plan that details dates and timescales for implementing and reporting on the policy, and details the priority areas targeted for assistance.
- A Definitions section.
 - Sections of the 1996 Act to be adopted.

2. STRATEGIC CONTEXT

This policy and its priorities have been developed with the aim of reflecting local, regional and national strategies and policies.

2.1. The Corporate Plan

The Corporate Plan 2010-11 sets out the vision for the High Peak and all its citizens.

The plans aims and priorities lie at the heart of all the Council's work and are a constant theme running through the development and implementation of the Housing Renewals Assistance Policy.

2.2 The Housing Strategy 2003-2009

The Housing Strategy sets out to address the key priorities for housing in High Peak:

The Council has established a vision and five objectives that focus priorities in the areas of housing need throughout the borough.

The Council will endeavour to work with stakeholder partners to deliver the following objectives:

- New housing that meets the needs of local people, that is both affordable and of an appropriate design to secure the long term flexibility of the housing stock
- Provide in association with specialist providers, supported housing schemes that reflect the expressed need of the local population
- Good quality and variety of accommodation across all tenures of the housing stock
- Provide assistance, advice and other services for individuals and families to access housing appropriate to their needs, circumstances and aspirations
- Ensure that older and vulnerable people receive targeted assistance to ensure that they benefit from the above and in particular can access services linked to their particular needs.

2.4 Other local strategic initiatives

Within the Borough, the Housing Renewal Assistance Policy has been developed within the context of:

- The Community Strategy
- The Corporate Plan.
- The Housing Strategy.
- The Emerging Local Development Framework
- The Supporting People agenda

2.3 Regional Strategic context

Within the regional context the Housing Renewal Assistance Policy has been specifically informed by the Regional Housing Strategy and the East Midlands Regional Planning Guidance, both of which place emphasis on urban and rural renaissance and identify the key policy issues for housing as being:

- Housing Market Renewal
- Economic development
- House conditions
- Housing choice
- Local housing need

2.4 National Strategic context

The Housing Green Paper “Quality and Choice - A Decent Home for All” was published in April 2000. This formed the basis of the subsequent consultation paper on the reform of housing renewal legislation, and outlined several priorities including:

- Making it work locally - the importance of local delivery of housing policies tailored to local circumstances.
- Encouraging sustainable home ownership - developing a framework where owners can afford the commitments of ownership in the long term.
- Promoting a healthy private rented sector - encouraging new investment and tackling problems at the bottom end of the sector.

The consultation resulted in the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, which introduced a new general power enabling local authorities to provide assistance for housing renewal, and required a published policy to be in place in order to provide assistance after 18th July 2003.

The Order introduced a wide discretionary power to allow local authorities to provide a range of financial and other assistance for repairs, improvements and adaptations. The new powers also allow assistance to be given to enable homeowners to move to more suitable accommodation if it is not cost-effective to renovate the existing property. The intention was to allow greater flexibility and discretion in delivering housing renewal to address local needs.

The Government's view is that the responsibility for maintaining privately owned property should rest primarily with the homeowner. In some circumstances however, help in the form of grants or loans may be needed to assist in carrying out essential repairs or improvements. The new legislation allows local authorities to target help to those who need it most, and to encourage more effective use of resources.

The Housing Act 2004 came into force in April 2006, and the Housing Renewals Assistance Policy takes account of the Council's powers and duties under the Act. These include:

- A Housing Health and Safety Rating System to replace the old housing fitness standard, which involves a assessment of the risk and severity of a range of hazards, taking into account vulnerable occupants.
- Licensing of Houses in Multiple Occupation (HMOs) with mandatory licensing for larger, higher-risk HMOs and discretionary powers to license smaller, multiple-occupied properties.
- New powers to selectively license private landlords to tackle low housing demand and the difficulties of anti-social behaviour.
- Additional powers to apply for an Interim Empty Dwelling Management Order where a dwelling has been vacant long-term, which can be considered as part of the Councils Empty Property Strategy.

Additional key national issues underpinning and influencing the policy are:

- Best Value.
- Housing Market Interventions
- The Supporting People Initiative
- Planning Policy Guidance for Housing
- The UK Fuel Poverty Strategy.

3. KEY PRIORITIES

3.1 Introduction

The overall aim of the policy is to improve housing conditions in the borough by reducing the proportion of dwellings which do not meet the Decent Homes Standard, and to deal with urgent disrepair which affects health and safety.

The Regulatory Reform Order enables assistance to be offered to households whatever the tenure. However, it is the Government's view that policies should not undermine the responsibilities of the landlord in maintaining the property. The priority will therefore be the owner-occupier, except in limited circumstances as part of an area-based approach or as part of a strategy to tackle problems in the private rented sector.

3.2 Review of current private sector housing issues in High Peak

The Council has recently completed a borough-wide stock condition survey that will further influence this policy in the future. However the principle issues that provided a background for the policy are:

- A significant number of vacant properties.
- A significant number of residents requiring adaptations to their homes.
- There are no areas of concentration of non-decent housing in the borough.

On this basis the priorities have been devised as follows:

3.3 Property-based priorities

There will be some particular property types where specific assistance may need to be directed or excluded because of their particular characteristics. Examples of these are (but not exclusively) the properties set out below:-

- Certain system-built properties;
- Privately owned properties situated within social housing estates;
- Empty residential or commercial properties;
- Accommodation above shops where conversion would provide residential accommodation.

3.4 Tenure-based priorities

Within the overarching area-based priority system, the priority tenure for assistance will in the main be the owner-occupier. This is because other tenures have other sources of funding, and private landlords would generally be expected to invest in their properties from their own resources. Exceptions to this, subject to resources, would be properties in areas defined in need of significant help through refurbishment where the priority would be to improve whole blocks of properties, irrespective of tenure.

Additionally, subject to resources, as part of a programme to enforce good standards of landlord practice, assistance may be available in certain circumstances to encourage landlords to carry out improvements. Also specific assistance may be directed toward improving the quality of privately rented accommodation by encouraging the conversion of bed-sit accommodation into self-contained flats.

3.5 Needs-based priorities

Irrespective of area-based priorities, there will always be a need to ensure that the most vulnerable households are living in safe accommodation. The Policy therefore includes the provision of limited repairs for those who are unable to carry out essential work to their homes, assistance for those in need of disabled facilities, work to facilitate hospital discharge and provision of additional thermal comfort.

4. RESOURCES COMMITTED TO IMPLEMENTING THE POLICY

4.1 Resources committed by the Council

The Housing Capital Programme committed to implementing the policy is set out in the Housing Capital programme 2010-13.

4.2 Housing Capital Programme 2010-13

EXPENDITURE	2010/11	2011/12	2012/13	Total Programme
	£'000	£'000	£'000	£'000
Housing				
Affordable Housing	402	400	54	904
Decent Homes Grants	210	150	150	784
Private Sector - Affordable Warmth	71	0	0	81
Landlord Accreditation Grant	15	0	0	20
Empty Property Grant	94	0	0	98
Disabled Facilities Grants	246	242	242	1,030
Home Improvement Service - (Spirita)	41	43	44	167
	1,079	835	490	3,171

5. TYPES OF ASSISTANCE

5.1 Introduction

The following are the current types of assistance, which will be available for housing renewal. These may be added to from time to time as new initiatives are developed and as a result of on-going consultation as to need.

In any of the types of assistance set out below before the provision of the same the Council will give the applicant a written statement of the conditions to which the assistance is subject to (if any) and will ensure that the applicant has received the appropriate advice about the extent and nature of the obligations imposed as a result of the assistance. In any case where there may be a condition requiring repayment of the assistance the Council will, before such a condition is imposed, have regard to an applicant's ability to make a repayment. In any type of assistance all applicants must be aged 18 or over.

All types of assistance will be dependent upon the financial resources available at any given time. Notwithstanding the fact that an applicant may be

eligible for a certain type of assistance the Council will not be liable and will not be required to provide the assistance if the financial resources are not available. However, the Council will always undertake a consideration of cases that are exceptions to the policy.

5.2 Home Repairs Assistance

5.2.1. Background

The aim of this type of assistance is to ensure that the most vulnerable householders living in the worst conditions receive help to ensure that their homes are safe to live in.

5.2.2 Assistance

This type of assistance consists of a grant of up to £2000 over a 2-year period to carry out specified emergency repairs to ensure the health and safety of the occupant. These property defects must represent an imminent risk to the occupier. The grant will be available to owner-occupiers and to tenants who are subject to a repairing obligation by the terms of their lease.

Examples of essential repairs include:

- electrical rewiring
- roofing
- windows in serious disrepair
- energy efficiency measures
- damp remediation

5.2.3 Conditions

- The property should be a minimum of 10 years old.
- The applicant must be receiving a defined income-related benefit (see definitions), or have no contribution to make following a means test (see definitions).
- The applicant must be living in the property at the time of application, and must have owned or occupied the property for at least three years prior to grant approval.
- The applicant must undertake to complete the specified works (see definitions) within 6 months of grant approval.
- If the total value of assistance is less than £2,000, subsequent applications for assistance for different specified works may be approved, providing the total assistance within a 2-year period does not exceed £2,000.

- In any case where the applicant, without reasonable excuse, fails to comply with a condition requiring the completion of the specified works within a stated time, the council will have the right to withhold payment of the assistance until the works are completed. In such cases the Council will not be liable for the payment of any works instigated by the applicant as a result of the grant of assistance.
- Once this type of assistance has been paid there will be a requirement for the applicant or a member of his family (see definitions) to live in the property for a period of 5 years, otherwise the grant will be repayable on a sliding scale. Accordingly the repayment will be reduced by 20% for each complete year after the certified date of the completion of the works. This can be waived in exceptional circumstances. However in any case where consideration is being given to any repayment the Council will have regard to the applicant's ability to make repayments. Any determination on repayment will be subject to a right of appeal by the applicant against that determination.
 - Examples of exceptional circumstances where repayment of the grant may be waived within the 5 year period are:
 - when the person who has received the grant has to move for reasons connected with his/her physical or mental health.
 - when the person who received the grant has died.
 - when the person who has received the grant has to move for employment reasons.
 - when the person who has received the grant would suffer extreme financial hardship because of repayment.

5.3 Assistance to move house

5.3.1. Background

Assistance to move house will normally be a key form of assistance in properties or areas defined in need of significant help through clearance. It will be an important tool to facilitate households living in unsustainable accommodation to move.

In addition, other assistance contained within this Policy may also be available to applicants, but in such cases the assistance (including the assistance to move house) will ordinarily be limited to £30,000 in total.

Assistance to move house may also be available for tenants of eligible properties who wish to become owner/occupiers subject to the conditions referred to below.

5.3.2. Eligible Properties

The types of properties normally eligible for this type of assistance will include the following:

- Properties which are defined as “in need of significant help through clearance” in cases where the Council has the authority to purchase such properties. Such properties can either be owner-occupied or tenanted.
- Owner-occupied properties whereby the property is deemed inappropriate for the household because of a disability of a member of that household.

5.4 Empty Homes Renovation Assistance

5.4.1. Background

This type of assistance is primarily aimed at owners of empty properties that do not meet the Decent Homes Standard. The purpose is to enable owners to bring their properties up to the Decent Homes Standard and return them to occupation. (See definitions).

5.4.2. Assistance

Owners of vacant properties who wish to renovate so that they can let the property, can claim a grant of up to 75% of the eligible expense. The maximum payment will be £18,750 per unit of accommodation. The eligible expense is the cost of the works that grant aid can be awarded for.

Requests for assistance will be prioritised based on an assessment by the Council of the level of disrepair and the urgency of the works required.

5.4.3. Conditions

To qualify for this type of assistance the following conditions should normally be met:-

- The property should be a minimum of 10 years old.
- The property must fail to meet the Decent Homes Standard at the time of application, and be in serious disrepair (see definitions).
- The property must have been vacant for at least six months prior to an application for assistance.
- The applicant must undertake to complete the specified works (see definitions) to bring the property to the Decent Homes standard (see definitions) within 12 months of assistance approval.
- All applicants receiving grant assistance for empty properties will be required to charge an affordable rent (defined by the Council) for a period of up to ten years as agreed with the Council, with the proviso that the minimum period will be not less than five years.
- Where there is a balance remaining in relation to outstanding costs the applicants will be put in touch with agencies who are able to provide advice on a loan to cover the balance.

- Once this type of assistance has been paid there will be a requirement for the applicant to let the property for a period of 10 years, otherwise the grant will be repayable on a sliding scale. Accordingly the repayment will be reduced by 10% for each complete year after the certified date of the completion of the works. This can be waived in exceptional circumstances. However in any case where consideration is being given to any repayment the Council will have regard to the applicant's ability to make repayments. Any determination on repayment will be subject to a right of appeal by the applicant against that determination.
 - Examples of exceptional circumstances where repayment of the grant may be waived within the 10 year period are:
 - when the person who has received the grant has to move for reasons connected with his/her physical or mental health.
 - when the person who received the grant has died.
 - when the person who has received the grant has to move for employment reasons.
 - when the person who has received the grant would suffer extreme financial hardship because of repayment.
- In any case where the applicant, without reasonable excuse, fails to comply with a condition requiring the completion of the specified works within a stated time, the council will have the right to withhold payment of the assistance until the works are completed. In such cases the Council will not be liable for the payment of any works instigated by the applicant as a result of the grant of assistance.
- In addition this type of grant assistance may also be available for the conversion of bedsits to self-contained flats, or for the provision of a flat over a shop. To qualify the conditions detailed above should normally be met, with the exception of the building failing the Decent Homes Standard.

5.5 Landlord Accreditation Grants

5.5.1 Background

The aim of this type of assistance is to encourage good practice in privately rented housing. It is therefore aimed at landlords who have joined a recognised Accreditation Scheme in operation within the Borough.

5.5.2 Assistance

The assistance consists of a grant of up to £2,000 per Accredited property towards the cost of eligible works. The eligible work must relate to one or more of the following criteria;

- the Thermal Efficiency element of the Decent Homes standard;
- The installation of a mains wired fire detection system in dwelling houses (HMO's are not included);
- Radon testing and remediation;
- Improvements to the security of the property.

In the case of flats, landlords can apply for assistance for each separate dwelling unit.

In the case of Houses in Multiple Occupation let as bedsits, the landlord can make one application per three households.

5.5.3 Conditions

- Properties must meet the Decent Homes standard and be fit for the number of occupants at the time of completion of the eligible works.
- The grant will not be subject to a test of resources.
- The total grant will be repayable if the property is sold or remains unoccupied within the first year of grant payment.
- Grant assistance will be limited to three applications per Accredited landlord in any one financial year.

5.6 Advice

It is recognised that good quality advice will be very important to many householders living in sub-standard accommodation. In many cases, advice may be the only form of assistance available, at least in the short term. An advice pack will be available which will include:

- maintenance advice
- information about local agencies and service providers who will in turn be able to provide specific, independent advice.
- housing options
- information on loans and where to obtain financial advice
- up to date advice on the assistance policy and available resources

Enquirers will also have access to verbal advice from appropriate officers at the Council and partner organisations. The advice will be accessible to all people, for example through the availability of language line, translation of leaflets into appropriate languages, and the provision of minicom.

5.7 Disabled Facilities

Disabled Facilities Grants are still mandatory and can be offered by request in accordance with the requirements of section 23 of the Housing Grants, Construction and Regeneration Act 1996.

5.7.1` Derbyshire County Council Partnership

Discussion with Derbyshire County Council was initiated following the report submitted to the Accommodation and Supporting People Strategy Group. A joint project is now proposed to integrate all parts of the present major housing adaptations process. This would replace the current arrangements split between the two Councils with an integrated

system organised and administered by Derbyshire County Council adding to existing social care assessment and support functions carried out by Adult Care and the work undertaken to design and commission adaptations for local people carried out by County Property. Additional functions would involve:

1. Completing a financial assessment and the calculation of the grant funding to be provided for adult applicants using the current criteria and financial assessment procedure currently used by HPBC for private landlord properties and home owner applicants. (For children and young people under 18yrs of age housing adaptations grant is not subject to financial assessment but would be administered by Derbyshire County Council). This would be integrated with a refined system of assessment of personal finances needed by the Council to deal with funding required to address hardship or exceptional cases where the applicant cannot afford their assessed contribution; or the adaptation exceeds the mandatory grant maximum of £30,000. It will also be linked to welfare benefits checks.
2. Undertaking the relevant land and property searches required to ensure eligibility of applicants to fulfill relevant legal requirements.
3. Establishing legal charges for relevant cases in line with the agreed policy and established procedures of both Councils. (Drafting Note: This is still subject to discussion/decision)
4. Extending the Direct Payment scheme for the provision of stair lifts that has been piloted with Bolsover District Council and Amber Valley Borough Council. This makes it possible to very significantly speed up the installation of stair lifts for those people (or their representative) who wish to take direct responsibility for the purchase and installation.
5. Establish a single point of access and one person in Adult Care, usually the Occupational Therapist, as holding responsibility for all casework with each person. This will secure a more person centred and proactive overview and management of the process, reducing duplication of involvement and providing clearer more consistent information to the local person and their carers.
6. Monitoring expenditure and providing reports for senior managers of the Councils; production of reports on trend in expenditure, projected growth of demand and performance against agreed standards.

5.7.2 Because of the demand for mandatory grants, discretionary disabled facilities grants are not offered under the policy except in exceptional circumstances. In addition the authority will place a charge on the property where the 'footprint' of the property has been extended. The charge will be between £5,000 and £10,000 as appropriate according to the size of the financial assistance.

5.8 Decent Homes Renovation Assistance

5.8.1. Background

This type of assistance is primarily aimed at owners of non-decent properties. The purpose of which is to enable owners to bring their properties up to the fitness standard and to the Decent Homes Standard (See definitions).

5.8.2. Assistance

This type of assistance will be means tested (see definitions) and will consist of a grant to owner/occupiers up to a maximum of £15,000. The eligible expense is the cost of the works that grant aid can be awarded for.

5.8.3. Conditions

To qualify for this type of assistance the following conditions should normally be met:-

- The property should be a minimum of 10 years old.
- The property must be classified as non-decent at the time of application.
- The authority will not entertain an owner/occupier application unless the applicant is able to demonstrate that he has lived in the dwelling for the preceding 3 years.
- The applicant must undertake to complete the specified works (see definitions) to bring the property to the Decent Homes standard (see definitions) within 12 months of assistance approval.
- Where there is a balance remaining in relation to outstanding costs the applicants will be put in touch with agencies who are able to provide advice on a loan to cover the balance.
- Once this type of assistance has been paid there will be a requirement for the applicant or a member of his family (see definitions) to live in the property for a period of at least 5 years following the certified completion of the grant works, otherwise the grant will be repayable on a sliding scale. Accordingly the repayment will be reduced by 20% for each complete year after the certified date of the completion of the works. This can be waived in exceptional circumstances. However in any case where consideration is being given to any repayment the Council will have regard to the applicant's ability to make repayments. Any determination on repayment will be subject to a right of appeal by the applicant against that determination.

Examples of exceptional circumstances where repayment of the grant may be waived within the 5 year period are:

- when the person who has received the grant has to move for reasons connected with his/her physical or mental health.
- when the person who received the grant has died.
- when the person who has received the grant has to move for employment reasons.

- when the person who has received the grant would suffer extreme financial hardship because of repayment.

In any case where the applicant, without reasonable excuse, fails to comply with a condition requiring the completion of the specified works within a stated time, the council will have the right to withhold payment of the assistance until the works are completed. In such cases the Council will not be liable for the payment of any works instigated by the applicant as a result of the grant of assistance

5.9 Energy Efficiency

The Council is committed to meeting its obligations under the Home Energy Conservation Act 1995 and developing its Affordable Warmth Strategy. This involves promoting the Government Warm Front grant, as well as developing local initiatives to improve the thermal efficiency of houses in the Borough, and providing advice to residents. Current forms of assistance are:

5.9.1 Warm Front

This scheme is directly funded by the Government and focuses on private sector households with the greatest health risks. Assistance is as follows:

- The grant provides insulation and heating improvements and repairs as appropriate for the property concerned and according to the level of assistance.
- Warm Front provides a grant of up to £3,500 towards improvements in insulation and heating of a property (or £6,000 if oil central heating is involved) for people over 60 on income related benefits (see definitions), and for householders with children under 16 or householders who are pregnant, and on income-related benefits, or householders on disability benefits (see definitions).

6 PROCEDURES

6.1. Fees and other ancillary services

In addition to the actual cost of carrying out works of improvement or repair, other necessary charges incurred in undertaking grant-aided works will also be eligible for grant. These expenses include costs such as architects' or surveyors' fees; charges for planning permission and building regulation approval; costs relating to confirmation of ownership and fees for agency services. The inclusion of these fees will enable grant applicants to receive advice and assistance in matters relating to their application and the work to be carried out.

Particulars of the fees will be required in the application so that the reasonableness of the costs and whether they are properly incurred can be considered.

The payment of grant in respect of these fees will be dependent on the provision of a satisfactory receipt or invoice.

6.2. Process of application

The following section outlines the process to be used to apply for the various forms of assistance. High Peak Borough Council has made arrangements to expand the Home Improvement Agency (HIA) service in partnership with Spirita Housing Association and the County Council. A service level agreement sets out the service standards that apply to the HIA.

6.2.1 Renovation assistance

- Initial enquiry from potential applicant will be referred to Spirita. *(Applicant provided with appropriate information within 2 days of receipt of information by Spirita).*
- Applicant sent appropriate response following receipt of enquiry form and informal means test. *(Home visit letter / enquiry held on file letter / not eligible letter - sent within 10 days of receiving enquiry form).*
- Assessment of grant eligible expense, eligible works, calculation of grant amount, and issue of approval notice. *(Within 10 days of formal application – subject to funding).*
- Commencement of work.
- Final inspection when work is complete. *(Within 5 days of notification).*
- Payment of grant as authorised by applicant. *(10 days after receipt of invoice following certification of completion).*

6.2.2 Financial Assistance with the Provision of Disabled Facilities

- Initial enquiry from potential applicant referred to Social Services for assessment and implementation. *(Within 2 days of the enquiry).*
- Confirmation of funding approved from Derbyshire County Council Social Services. *(Within 10 days of formal application being agreed – subject to funding).*
- Commencement of work.
- Payment of invoice as authorised by Derbyshire County Council. *(10 days following receipt of invoice after certification of completion)*

6.2.3 Home Repair Assistance

- Initial enquiry from potential applicant and referred to Spirita Home Improvement Agency. *(Applicant sent appropriate information within 2 days –*
- Applicant sent appropriate response from Spirita following receipt of enquiry form and informal means test. *(Home visit letter / enquiry held on file letter / not eligible letter - sent within 7 days of receiving form).*
- Assessment of grant application, eligible expense and works and issue of approval notice within 10 days of formal application.
- Commencement of work. *(Applicant and contractor)*
- Final inspection when work is complete. *(Within 5 days of notification)*
- Payment of grant as authorised by applicant. *(10 days following receipt of invoice after satisfactory certification of completion)*

6.2.4 Assistance to move house

- Initial enquiry form and preliminary test of resources form, from potential applicant. *(Send appropriate information within 7 days. Test of resources outcome/Request extra information letter/advice pack/policy summary).*
- Applicant referred to Improvement Agency to bring forward

application.

- Individual cases will need to be tackled in close partnership with Home Improvement Agency.
- *(Contact vendor, estate agent to arrange independent valuation of property arrange visit to ascertain fitness/suitability of property – within 21 days).*
- Letter to applicant, stating suitability/unsuitability of property, valuation/sale price agreed/disagreed, confirmation of acceptance of application/turned down. *(Within 28 days of receipt of necessary documentation).*
- Confirmation from Solicitors/Bank/Building Society re actual P.P./loan amounts. *(Letter confirming grant approval to applicant, solicitor).*
- Payment to Solicitor on request, regarding completion of purchase *(14-21 days before completion of sale).*

6.3. Gaining access to the process of application

- The Council will provide information, advice and publicity about the Forms of assistance. The information will be clear, concise, easy to understand and readily accessible.
- Customers will have access to a policy summary and procedures for providing assistance.

Advice regarding the availability of assistance will be available at the Council's Customer Service Reception points, by telephone, in information leaflets, by email, and on the council's internet site.

- Customers who make enquiries who are likely to be eligible for assistance under the policy and where resources are available, will be given a policy summary, enquiry questionnaire and advice pack.
- When resources for assistance are not currently available or the customer is not eligible for assistance under the policy, a letter explaining the current situation will be sent with an advice pack. The enquirer's details will be kept on a database and contacted if and when assistance is being targeted in the area where their property is situated.
- Customers wishing to make enquiries or apply for assistance should in the first instance contact Spirita Ltd, Unit 16, Masons Place Business Park, Nottingham Road, Derby, DE21 6YZ

6.4. Complaints policy

If at any time an applicant is not satisfied with the service that they have received as a result of this policy the applicant will be referred to the Housing Manager. If this does not resolve the matter the applicant will be referred to the Council's Corporate Complaints Procedure.

6.5. Appeals Procedure

Where an applicant is refused a particular type of assistance he/she will have a right of appeal against the determination. The appeal will be conducted by an officer senior to the officer who made the initial determination. An applicant will also have a right of appeal against a decision requiring him or her to repay any type of assistance. Full details of the appeal procedure will be available to an applicant upon request.

APPENDICES

A DEFINITIONS

1. Decent Home Standard

Decent Homes are defined in the Guidance document published by the ODPM in June 2006 "A decent home: Definition and guidance for implementation", as follows:

A decent home meets the following four criteria:

a - It meets the current statutory minimum standard for housing

Dwellings below this standard are those defined as presenting Category 1 hazards as assessed under the Housing Health and Safety Rating System.

b - It is 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.

c - It has 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);
- adequate size and layout of common areas for blocks of flats.

d - It provides a reasonable degree of thermal comfort

This criterion requires dwellings to have both effective insulation and efficient heating. This will be calculated using the Fuel Poverty Index

2. Warmfront Grants

Applicants meeting the following criteria may be eligible for a Warm Front Grant.

1. Householders aged 60 or over in receipt of one or more of the following benefits:

- Income Support
- Council Tax Benefit
- Housing Benefit

- Job Seekers Allowance (income-based)
- Pension Credit

2. Householders with a child under 16, or pregnant women with maternity certificate MAT-B1, in receipt of one or more of the following benefits:

- Income Support
- Council Tax Benefit
- Housing Benefit
- Job Seekers Allowance (income-based)
- Pension Credit

3. Householders in receipt of one or more of the following benefits:

- Working Tax Credit (with an income of less than £15,460, which must include a disability element)
- Disability Living Allowance
- Child Tax Credit (with an income of less than £15,460)
- Housing Benefit (which must include a disability premium)
- Income Support (which must include a disability premium)
- Council Tax Benefit (which must include a disability premium)
- War Disablement Pension (which must include a mobility supplement or Constant Attendance Allowance)
- Industrial Injuries Disablement Benefit (which must include a mobility supplement or Constant Attendance Allowance)
- Attendance Allowance

NOTES:

The term 'Householder' includes the applicant's spouse, or partner, if they are living with the applicant

3. Family

A person is defined as a member of another's family if-

- he is the spouse of that person, or he and that person live together as husband and wife, or
- he is that person's parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece.

For the purpose of this definition

- a relationship by marriage shall be treated as a relationship by blood,

- a relationship of the half-blood shall be treated as a relationship of the whole blood, and
- the stepchild of a person shall be treated as his child.

4. Income Related benefits

The following benefits entitle an eligible applicant to a Renovation Grant or a Home Repairs Assistance grant:

- Income Support;
- Guaranteed Pension Credit (income related);
- Housing Benefit;
- Council Tax Benefit;
- Income Based Job Seekers Allowance.

Applicants in receipt of one of the above benefits will generally qualify for a 100% grant, subject to a maximum of £15,000.

Working Tax Credit (with a disability element),
 Child Tax Credit,
 Attendance Allowance,
 Disability Living Allowance,
 Industrial Injuries Disablement Benefit
 War Disablement Pension

In these circumstances the amount of grant will generally be the cost of the works, subject to a maximum of £15,000, minus the test of financial resources result (ie. 'means tested' – See 5. below)

5. Means Test

The means test applies a test of the financial resources of the applicant to determine their eligibility for assistance, in accordance with section 30 of the Housing Grants, Construction and Regeneration Act 1996, and associated regulations.

7. Registered Social Landlord

A not-for-profit Housing Association which is registered with the Housing Corporation and manages dwellings available for letting.

8. Social Housing

Residential accommodation managed by a Registered Social Landlord or Local Authority.

9. Specified works

Work specified by the Local Authority as being necessary to complete in order to qualify for assistance. The specification is included in the notification of approval of an application for assistance.

B. SECTIONS OF THE 1996 ACT TO BE ADOPTED

The following extracts from the Housing Grants, Construction and Regeneration Act 1996 have been adopted as part of the High Peak Borough Council Housing Renewal Assistance Policy.

- **Section 2** – applications for grants
- **Section 7** – owners and tenants applications
- **Section 8** – certificates required in case of owners application
- **Section 9** – certificates required in case of tenants application
- **Section 10** – prior qualifying period
- **Section 13** – approval of application
- **Section 29** – restriction on grants for work already done
- **Section 30** – means testing in the case of an application by an owner/occupier or tenant
- **Section 31** – determination of amount of grant in case of landlords application
- **Section 34** – decision and ratification of grant approval/refusal
- **Section 35** - payment of grants
- **Section 37** - payment of grants – conditions as to carrying out works
- **Section 38** - conditions as to contractors employed
- **Section 39** - payment of grants to contractor
- **Section 40** - applicant ceasing to be entitled before payment of grant
- **Section 42** – cases in which grants may be recalculated, withheld or repaid
- **Section 43** - repayment when applicant not entitled to grant
- **Section 44** – grant conditions – introductory
- **Section 45** – conditions for repayment on disposal
- **Section 48** – conditions as to owner- occupation
- **Section 49** – conditions as to availability for letting
- **Section 51** – conditions as to repayment in case of other compensation
- **Section 53** – meaning of relevant disposal
- **Section 54** – meaning of exempt disposal
- **Section 55** - cessation of conditions on repayment of grant
- **Section 56** – provision relating to death of applicant
- **Section 57** – power of local authority to carry out works which would attract a grant
- **Section 59** – index of defined expressions
- **Section 99** – definition of legal owner of a dwelling
- **Section 101** – definition of a disabled person