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27 February 2007

### **S U M M O N S**

**MEETING:** Housing Board  
**DATE:** 7 March 2007  
**TIME:** 6.00pm  
**PLACE:** Committee Room 1, Town Hall, Gosport  
**Democratic Services contact:** Lindsey Holloway



**BOROUGH SOLICITOR**

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### **MEMBERS OF THE BOARD**

Councillor Mrs Wright (Chairman)  
Councillor Cully (Vice Chairman)

Councillor Allen	Councillor Gill
Councillor Burgess	Councillor Mrs Mudie
Councillor Foster	Councillor Philpott
Councillor Foster-Reed	Councillor Rigg

The Mayor (Councillor Mrs Cully)(ex-officio)

### **FIRE PRECAUTIONS**

(To be read from the Chair if members of the public are present)

**In the event of the fire alarm (continuous ringing) or bomb alert (intermittent ringing) sounding, please leave the room immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, follow any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.**

### **IMPORTANT NOTICE:**

- **The Summons, Agenda and accompanying Reports can be provided in large print, on tape, in Braille or in other languages on request**
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If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

## AGENDA

RECOMMENDED  
MINUTE  
FORMAT

### PART A ITEMS

1. APOLOGIES FOR NON-ATTENDANCE
2. DECLARATIONS OF INTEREST

*All Members present are required to declare, at this point in the meeting or as soon as possible thereafter, any personal or personal and prejudicial interest in any item(s) being considered at this meeting.*

3. MINUTES OF THE MEETINGS OF THE BOARD HELD ON 10<sup>th</sup> and 24<sup>th</sup> January 2007 [Copies herewith].

4. DEPUTATIONS – STANDING ORDER 3.5

*(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Monday 5 March 2007. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).*

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

*(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Monday 5 March 2007).*

6. HOUSING REPAIRS PROGRAMME 2007/08

*The report sets out the proposed 2007/08 Housing Repairs Programme and seeks Board approval for the programme (report attached).*

PART II  
Contact Officer  
Charles Harman  
Extension 5287

7. HOUSING RENEWAL POLICY 2007/08

*A formally adopted Housing Renewal Policy is required in order to implement changes to the home improvement grant system (report attached).*

**Note:** Appendix A of the report (68 pages) will be available in hard copy format for Members in the Members Room, in Democratic Services for Members of the Public and for viewing in soft copy format on the GBC website [www.gosport.gov.uk](http://www.gosport.gov.uk)  
Appendix B is attached to the report.

PART II  
Contact Officer  
Trevor Charlesworth  
Extension 5510

**Continued next page**

Housing Board  
7 March 2007

8. REVIEW OF THE ALLOCATIONS POLICY

*To advise Members of the details of the change back to a points-based system as agreed at the last meeting of the Housing Board. To inform Members of a revised points system as discussed at the last meeting of the Housing Board, and the financial and resource implications thereof (report attached).*

PART II  
Contact Officer:  
Steve Newton  
Extension 5296

9. ANY OTHER ITEMS

*- which, in the opinion of the Chairman should be considered as a matter of urgency by reason of special circumstances.*

**A MEETING OF THE HOUSING BOARD**

**WAS HELD ON 10 JANUARY 2007**

The Mayor (Councillor Mrs Cully) (ex-officio) (P), Councillors Allen (P), Burgess (P), Cully (P), Foster (P), Foster-Reed (P), Gill, Mrs Mudie (P), Philpott (P), Rigg (P) and Mrs Wright (P).

Also in attendance: Tenant Representative – Mrs Janne Carter

It was reported that, in accordance with Standing Orders, notice had been received that Councillor Smith would replace Councillor Gill for this meeting.

**23 APOLOGIES**

Apologies for inability to attend the meeting were received on behalf of Councillor Gill.

**24 ELECTION OF CHAIRMAN**

RESOLVED: That Councillor Mrs Wright be appointed as Chairman of the Board.

**25 ELECTION OF VICE CHAIRMAN**

RESOLVED: That Councillor Cully be appointed as Vice Chairman of the Board.

**26 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**27 MINUTES**

RESOLVED: That the Minutes of the meeting held on 1 November 2006 be approved and signed by the Chairman as a true and correct record.

**28 DEPUTATIONS**

There were no deputations.

**29 PUBLIC QUESTIONS**

There were no public questions.

**PART II**

**30 BEST VALUE SHELTERED HOUSING WORKING GROUP**

The Board considered the report of the Housing Services Manager (a copy of which is attached in the Minute Book as Appendix 'A') bringing before Members the conclusions of the Working Group on the Best Value Sheltered Housing Review.

The Chairman of the Sheltered Housing Working Group thanked all the group members for their commitment for the duration of the Best Value Sheltered Housing Review.

It was proposed and seconded that this matter be deferred to allow time for consultation with residents of all the Sheltered Housing Schemes. It was suggested that consultation should consist of an afternoon at some schemes with residents, Group Spokespersons, Ward Councillors and officers.

Members suggested that those residents unable to attend the consultation afternoons could be supplied with a report and given an opportunity to submit their views.

RESOLVED: That the Board defers the decision on the recommendations to the Housing Board meeting in June 2007 to give time for consultation afternoons to take place at the Sheltered Housing Schemes.

### **31 ALLOCATIONS POLICY REVIEW**

The Board considered the report of the Housing Services Manager (a copy of which is attached in the Minute Book as Appendix 'B') seeking Members' approval of recommendations to amend the existing Allocations Policy, prior to consultation with customers and housing association partners.

It was suggested that encouragement to use the bidding process could be enhanced by requesting for a declaration to be signed by the customer confirming that they understood the bidding process thereby encouraging bidding. Members were informed that, at present the law was not clear and therefore officers requested sight of the amendments when available to establish any impact this might have, before any changes were made. The Borough Solicitor stated that case law did not identify what was 'a reasonable length of time' to bid. It was explained that the law changed in 2002 and was not yet fully explored therefore officers could only note concern and explore the Code of Guidance once published otherwise a penalty could be incurred.

Members were also concerned about bidding penalties as they related to vulnerable people. The process was explained including the right of appeal, that reasons for refusal were likely to give an indication of vulnerability as would the updating of medical information and that authorised persons could bid on the vulnerable person's behalf. Members welcomed the work on homelessness waiting lists and the Tower Blocks.

The Borough Solicitor explained that under the law, factors were given to reasonable preference groups, the legality of the scheme would have given weight to 'local connection' rather than 'residency' enabling a balance to be struck and if this was not adhered to it could appear to be potentially unlawful.

Some Members reported that residents were unhappy with the new Banding System as it appeared to be less transparent and less understandable and local people appeared to be disadvantaged and disillusioned by the system. It was proposed and seconded that the present Banding System should revert to a Points System arrangement as previously, starting from the 8 May 2007 bidding cycle.

There was concern as to the impact of returning to a points system might cause and the

large amount of resources that might be needed to reverse the systems especially when taking into account the increase in numbers on the Housing Register and the significant number of changes to records. There was some support for preparing an assessment to compare the two systems prior to making a decision on any reversal and/or to let the new system settle down.

The Housing Services Manager advised that it had been a long and detailed process to set up the new banding system and offered to make an assessment of the issues and the implications of reverting to the points system. He felt it would be very difficult to achieve a switch of the systems by March 2007 because of the resources needed to change the IT system and other processes.

RESOLVED: That

- (a) With effect from bidding cycle 8 May 2007, the present banding system should revert to a points based system and ensure compliance with legislation;
- (b) In future amendments to the Allocations Policy and Choice Based Letting Scheme should be considered jointly;
- (c) The Choice Based Lettings Scheme should be reviewed and a report should be presented to a future Housing Board meeting;
- (d) Delegated powers be given to the Housing Services Manager to implement the recommendations approved by this Housing Board and that they be deferred for further consideration at a future Housing Board meeting;
- (e) The Planned Lettings targets be amended as follows:
  - 1 General Needs:
    - Homeless down from 45% to 35%
    - Transfer static at 25%
    - Waiting list up from 30% to 40%
  - 2 New Developments
    - Transfer down from 90% to 70%
    - Waiting list and homeless up from 10% to 30%
  - 3 Sheltered and Designated Elderly
    - Transfer 50%
    - Waiting list and homeless 50%
  - 4 Tower Blocks
    - Homeless customers 10%
    - Transfer customers 10%
    - Waiting list customers 80%
  - 5 Amend the definition of a new development from:  
Cherque Farm, Clarence Yard, Royal Barracks to any new development involving 10 or more new properties in one location;
- (f) Customers subject to specified behaviour penalty provisions within the Allocations Policy be additionally subject to special rules relating to sensitive lettings, namely:
  - a) Approval of any offer of re-housing, where a dwelling is a sensitive letting, be subject to Head of Section (Housing Options) discretion; and
  - b) The Head of Section (Housing Options) to have delegated powers to amend

the applicant's priority, in the negative, to a maximum permissible under law in the specific circumstances of that application

c) The definition of a specified behaviour penalty in this recommendation excludes penalties applied for refusal of offer of re-housing, rent arrears and financial means

d) Sensitive lettings are defined as:

i) The actual property being re-let was void due to repossession action (formal written notice or beyond) against the previous tenant for nuisance/anti-social behaviour, criminal behaviour justifying possession action; or

ii) An immediate neighbouring property is currently subject to repossession action as in (1); or

iii) In the sub-locality area a minimum of 10% of tenancies are currently subject to repossession action as in (1);

iv) For the sub-locality area the Police or Principal Housing Officer, or equivalent, has made a strong recommendation to the Council that it be designated a sensitive letting area (recommendations to be reviewed every six months) and that recommendation has been accepted. Such recommendation to be made within a framework protocol (to be produced)

v) In the sub-locality a minimum of 10% of tenancies are currently occupied by sublet tenants; and

- (g) Customers refusing an offer of re-housing that they have personally bid for, and where that refusal is not reasonable, have a penalty applied to their application (minor penalty as defined in Allocations Policy).

## **32 REVIEW OF THE CHOICE BASED LETTINGS SCHEME**

The Board considered the report of the Housing Services Manager (a copy of which is attached in the Minute Book as Appendix 'C') giving information on the first 24 weeks of the Scheme to the end of November 2006. Members had previously received an interim report at Housing Board on 1 November 2006 encompassing the first 12 weeks of the new Choice Based Lettings Scheme (CBL).

Members were informed that there were amendments to Table 6 in the report in that the 'comparison of numbers of applications received immediately before and after Choice Based Lettings was introduced' should be '22 weeks post CBL with 46.5 average weekly applications and total applications received 1024'.

RESOLVED: That the contents of the Housing Services Manager's report be noted.

## **33 REVISED REPAIRS PROGRAMME 2006/07**

The Board considered the report of the Housing Services Manager (a copy of which is attached in the Minute Book as Appendix 'D') setting out a revised Housing Repairs Programme for 2006/07 and sought Members' approval for the revised programme.

Due to a significant reduction in Supported Capital Expenditure (Borrowing) from the Regional Housing Board, officers had identified savings of £250,000 with no likely disruption to residents. It was explained that St Vincents storm damage specified in the appendix to the report, was that suffered towards the end of 2005 and that the door entry systems item referred to St Johns Square in March 2006.



The primary reasons for the increasing difficulty in identifying properties where the tenant would accept gas fired central heating were explained and a Member requested that when there was a change in tenancy this matter could be addressed. Members were positive about the low number of Right to Buy sales.

RESOLVED: That the Board approve the Housing Repairs Programme 2006/07 subject to Policy and Organisation Board's approval of the revised budget.

### **34 PARTNERING ARRANGEMENTS FOR PAINTING AND DECORATING; HEATING AND ELECTRICAL INSTALLATIONS**

The Board considered the report of the Housing Services Manager (a copy of which is attached in the Minute Book as Appendix 'E') seeking Members' approval for the proposed appointment of a painting and decorating partner for the next five years and the Board's approval to extend the current heating/electrical partnership with 1<sup>st</sup> Saxon-Clenmay for a further two years from April 2007.

Members questioned why Councillors had been excluded from the selection process for the appointment of a painting and decorating partner but acknowledged that this had been regrettable and would be addressed. Officers explained that this omission had not been intentional and that Tenants' Representatives and Internal Audit had been involved.

Members requested that representatives from all political parties should be present at similar future selection processes and partnering arrangements and welcomed the proposed protocol.

RESOLVED: That

- (a) Contract Standing Orders be waived in accordance with Standing Order 1.4.1 and that Richardson Decorating be appointed as the Housing Services painting and decorating partner for 5 years from January 2007 to January 2012;
- (b) The extension of the current partnering arrangement for heating and electrical installations until April 2009 with 1<sup>st</sup> Saxon – Clenmay be approved; and
- (c) A protocol that the Housing Board Chairman and Housing Group Spokespersons or nominated deputies be invited to participate in the selection processes for all Housing partnering arrangements be approved.

### **35 GARAGE REVIEW: PROPOSED AMENDMENT TO LICENCES**

The Board considered the report of the Housing Services Manager (a copy of which is attached in the Minute Book as Appendix 'F') proposing a change in policy to allow the storage of household goods in garages and that the garage licence agreement be amended accordingly.

Members were informed that a review into the condition of Council garage stock had been underway since July 2006 and was likely to be completed by March 2007. A copy of an interim progress report to the Chairman of Housing had been circulated to Members in November 2006. It had become apparent that there was a clear demand for storage space by residents, this practice was not included in the current Housing Service garage

licence and the storing of household items was difficult to patrol and enforce.

There was a perception by some Members that Bridgemary had been singled out for garage inspections but it was confirmed that the review had simply started with Bridgemary. The second phase of inspections was likely to include Leesland and Lee-on-the-Solent Wards. There was Member support for inspecting all garages in the Borough both internally and externally or alternatively repairs could be made when reported or as part of Housing Officers' visits. Members would welcome information on the new licence agreement to be sent to the tenants of garages. It was confirmed that it had been planned to inspect all garages in the Borough but resources had been limited although other resources could be redirected to address the matter.

Members were assured that the storage of household items would not include dangerous materials and if this was found to be the case enforcement action could be taken and licences could be terminated. There was some support for gaining entry to the garages where no access had so far been possible to establish their usage.

Members were in favour of amending the recommendation to include details of the amended licence.

**RESOLVED:** That the licence agreement be amended, in consultation with Legal Services, to additionally allow the keeping of household goods in Council garages as detailed below:

- A licence is granted by the Council for the purpose of garaging/parking a vehicle owned by the licensee (or member of their family), **and additionally if required the storage of household items.**
- No trade or business shall be carried out and the licensee must not sub-let, assign, or allow any third party to use the garage/car port/locking post.
- The Council and persons authorised by them shall, at any time, be permitted to enter/inspect and/or carry out work.

### **36 PRIVATE SECTOR HOUSING ENERGY EFFICIENCY PROPOSAL**

The Board considered the report of the Housing Services Manager (a copy of which is attached in the Minute Book as Appendix 'G'). The report gave an outline of the British Gas incentive scheme, its relevance to improving energy efficiency in Gosport, why it would be advantageous for the Council to participate, the benefits it would bring to local residents and the gains in relation to improved energy efficiency.

Members were informed that this proposed scheme for the private sector was one of a number of alternative schemes available. Following a request, a précis of the alternative schemes would be circulated to Members of the Board.

Members welcomed the British Gas scheme and it was confirmed that the government placed a climate change levy on all the major energy utilities. It was money from this fund that British Gas used to finance its Council Tax refund scheme to install insulation in private properties. It was confirmed that if residents took part in the proposed scheme they would not be obliged to switch energy suppliers.

It was confirmed that in some cases the construction of a property might not lend itself to any further insulation and those residents would be advised accordingly. Following a Member's question it was confirmed that it would be established whether 'blown fibre' insulation might be suitable in these cases.

RESOLVED: That the British Gas incentive scheme as outlined in the Housing Services Manager's report be endorsed and officers be instructed to enrol Gosport Borough Council in the British Gas sponsored scheme to promote energy efficiency.

The meeting commenced at 6pm and concluded at 7.57pm

CHAIRMAN

**A MEETING OF THE HOUSING BOARD**

**WAS HELD ON 24 JANUARY 2007**

The Mayor (Councillor Mrs Cully) (ex-officio) (P), Councillors Allen, Burgess, Cully (P), Foster (P), Foster-Reed (P), Gill (P), Mrs Mudie (P), Philpott (P), Rigg (P) and Mrs Wright (P).

Also in attendance: Tenant Representative – Mrs Janne Carter

It was reported that, in accordance with Standing Orders, notice had been received that Councillors Hook and Langdon would replace Councillors Burgess and Allen for this meeting.

**37 APOLOGIES**

Apologies for inability to attend the meeting were received on behalf of Councillors Allen and Burgess.

**38 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**39 DEPUTATIONS**

There were no deputations.

**40 PUBLIC QUESTIONS**

There were no public questions.

**PART I**

**41 COUNCIL DWELLING RENTS 2007/08**

The Board considered the Part II report of the Financial Services Manager and Housing Services Manager (a copy of which is attached in the Minute Book as Appendix 'A') considering the Board's revised 2006/2007 budget and the 2007/2008 budget for the Housing Revenue Account (HRA) and made recommendations on rent levels for the following year.

The Financial Services Manager confirmed that references in the report to page numbers in the draft budget book should be amended, in that Item 1.1 should read 'page 19' and item 3.1 should read 'page 46'.

The Chairman moved and it was agreed that this report should be considered as a Part I item.

RECOMMENDED: That the Board recommends to Council that with effect from 2<sup>nd</sup> April 2007 the Housing Revenue Account revised 2006/2007 budget and the 2007/2008 budget be approved including:

- (a) Average weekly Council Dwelling rents increase of 4.9%.
- (b) Garage, carports and parking lot rents increase of 3.0%.

## **PART II**

### **42 HOUSING GENERAL FUND BUDGET 2007/2008**

The Board considered the report of the Borough Treasurer and Housing Services Manager (a copy of which is attached in the Minute Book as Appendix 'B') regarding the Board's revised 2006/2007 budget and the 2007/2008 budget for the Housing General Fund and recommends thereon the Policy and Organisation Board for inclusion in the Council's overall budget proposals.

A Member questioned the reduction in the Housing General Fund budget for 2007/08 as against the original and revised budgets for 2006/07 and the concern that homelessness and bed and breakfast costs could increase leaving a shortfall. The Housing Services Manager explained that a business plan to provide a hostel was being produced which would reduce our reliance on expensive bed and breakfast accommodation. Members were also informed of homelessness percentages in the Borough, that the Housing Options Team was working on homelessness using the range of initiatives available to prevent homelessness. It was further explained that the service was under pressure in some areas such as people with mental health difficulties and services for those between 16 and 25 years.

A Member questioned the provision for garage repairs in the Capital Programme in the light of the garage review due to be completed in Spring 2007. The Housing Services Manager advised that the Repairs Programme for 2007/08 would be presented to the Board on 7 March 2007.

The draft Capital Programme 2006/07 to 2011/12 for the Board was included in the budget book that had been circulated to Members previously.

RESOLVED: That the Board recommends to the Policy and Organisation Board its requirements for the Revenue Budget (revised 2006/07 and estimate 2007/08) and the Capital Programme 2006/07 to 2011/2012.

The meeting commenced at 6pm and concluded at 6.13pm

CHAIRMAN

## AGENDA ITEM NO. 6

<b>Board/Committee:</b>	Housing Board
<b>Date of Meeting:</b>	7 March 2007
<b>Title:</b>	Housing Repairs Programme 2007/08
<b>Author:</b>	Housing Services Manager/CH
<b>Status:</b>	FOR DECISION

### **Purpose**

The report sets out the proposed 2007/08 Housing Repairs Programme and seeks the Board's approval for the programme.

### **Recommendation**

1. That the Board approve the proposed 2007/08 Housing Repairs Programme.
2. That Officers follow the principles approved at the Housing Board meeting of March 2005 as detailed below:
  - a) That Officers be required to seek Board approval to vary the Housing Repairs Programme where work within an identified element of the approved Housing Repairs Programme cannot take place;
  - b) That where urgent works are identified after approval of the Housing Repairs Programme for which there is no identified provision, Officers in consultation with the Chair of the Housing Board be permitted to vary the programme for works up to £60,000;
  - c) That where urgent works are identified after approval of the Housing Repairs Programme for which there is no identified provision, Officers in consultation with the Chair and Group Spokespersons be permitted to vary the programme for works between £60,000 and £100,000;
  - d) That Officers be required to seek Board approval to vary the approved Housing Repairs Programme where urgent works are identified after approval of the programme, for which there is no identified provision and the value of these works exceeds £100,000;
  - e) That Officers be required to seek Board approval where work within an identified element of the approved Housing Repairs Programme is going to under- or over-spend by more than £100,000;
  - f) That Members be informed of significant variations to the Programme, as outlined in a) to e) above, which are relevant to their Ward.

## **1.0 Background**

- 1.1 This is an annual report to Housing Board on the proposed budget allocations for 2007/08 on day-to-day and planned repair and maintenance works.
- 1.2 The key priority for the investment programme remains the meeting of the Decent Homes Standard by 2010.
- 1.3 This improvement programme is a continuation of the principles agreed by Housing Board (January 2005) and is founded on 'worst-first' principles, minimising 'pepper-potting' and will effectively complete the programmes for the installation of new kitchens, central heating systems and double glazing elements under the Decent Homes programme, with only a relatively few properties subsequently being picked up in sweep up programmes.
- 1.4 Whilst delivery of decent homes is a key priority for the Housing Service, it is not seen as an obstacle to us carrying out work that falls outside the DHS such as;
  - Improving the quality of a local area through environmental works to an estate
  - Physical improvements to help design out crime
  - Provision of disabled persons' adaptations
- 1.5 In addition, in November 2006 the Housing Board approved wider investment in the council housing stock (as contained in the report "*Delivering Decent Homes 2010 And Beyond*"). This proposed investment is over and above the limiting goals of the Decent Home Standard. The intention is to include the following capital works from 2007/08 onwards:
  - A 10-year bathroom modernisation programme
  - Develop a programme to replace worn / tired roofs
  - Develop a programme to replace flat roofs on blocks of flats with pitched roofs
  - Develop a programme to address structural deficiencies identified from the stock condition survey
  - Improvements to Sheltered Housing schemes
- 1.6 These elements will be incorporated in the forthcoming Asset Management Strategy but Members will note that a number of elements have been able to have been included in advance of that strategy and are contained in this programme.
- 1.7 Members may wish to note that under the Decent Homes drive Housing Services have installed 1608 new central heating systems into properties between 2001-07, 640 new kitchens (with 350-70 to follow in 2007-08) and 453 homes have benefited from the installation of double glazing since 2002-03, as well large numbers benefiting from increased thermal

installation.

One of the consequences of this work is that by March 2006 the energy efficiency Standard Assessment Performance (SAP) rating for Council property had increased to 78, the 3<sup>rd</sup> highest rating for all local authorities in England and Wales.

## **2.0 Report**

2.1 The proposed 2007-08 Housing Repairs Programme is outlined in Appendix A. This shows an indicative breakdown of expenditure for 2007/08. It should be noted that virement between individual budgets, but remaining within the overall repairs budget, is an accepted practice that may be undertaken if under/overspends are projected within any heading.

2.2 Resources in 2007-08 are being directed at meeting the Decent Homes Standard in two specific areas:

- (a) Criterion 3: Reasonably Modern Facilities and Services (through the installation of kitchens and bathrooms)
- (b) Criterion 4: Thermal Comfort (through external cladding of blocks and the continued installation of central heating into properties)

2.3 A schedule of the properties that are planned to receive these improvements in 2007-08 is attached as Appendix B.

2.4 The individual budget allocations should be regarded as a guide only. The actual level of tender prices and the level of expenditure on unplanned repairs may require adjustments to the proposed programme during the course of the year (see recommendation 2 above).

2.5 *Variations from the 2006/07 budget:*

- Expenditure for Decent Homes works indicates an increase of £251,000 over 2006-07. £175,000 of this increase was expenditure re-scheduled from 2006-07 (and covered in the Housing Board report in January 2007 "Revised repairs programme 2006/07").
- The £140,000 increase in roof renewals (flat to pitch conversions) will address Health & Safety concerns on a number of blocks in the Housing stock including St Vincent's Road and St Johns Square.
- Gas servicing reduction of £50,000 as a result of decreasing dilapidation costs as systems are replaced under the installation/upgrade programme.



- Health & Safety Management increase by £30,000 in the main because of the inclusion of fly tipping and waste disposal now under this umbrella
- Electrical rewiring and testing increase by £145,000 in part as a result of work re-scheduled from 2006-07
- Tenant suggested improvements (kitchen and fencing scheme) have been increased by £10k as a result of increasing demand for the fencing element of the scheme.

### **3.0 Section 17 Crime & Disorder Act 1998**

3.1 Included in the day-to-day repairs programme are specific works for security and target hardening. This expenditure will contribute towards the Councils' responsibility under Section 17 of the Crime and Disorder Act 1998 to do all that can reasonably be done to prevent crime and disorder in the area. Further funding that can be deployed to address crime and anti-social behaviour issues is identified in the increased Environmental Improvement budget.

### **4.0 Conclusion**

- 4.1 The repairs programme continues towards meeting the Council's objective of reaching the Decent Homes Standard by 2010.
- 4.2 The programme continues to include work outside the scope of Decent Homes particularly in relation to disabled aids and adaptations, the reduction of anti-social behaviour & nuisance and environmental improvements.
- 4.3 The programme has also included sums for structural, communal and health & safety works in keeping with the desire for wider investment in the fabric of the council housing stock over and above the limiting goals of the Decent Home Standard.

<b>Financial Services comments:</b>	Housing repairs expenditure covered by this report is included in the Council's budget for 2007/08
<b>Legal Services comments:</b>	None for the purposes of this report
<b>Service Improvement Plan implications:</b>	The meeting of the Decent Homes Standard by 2010 is a Service Improvement Plan objective.
<b>Corporate Plan:</b>	The maintaining of the Council housing stock is a strategic priority for 'Prosperity' (PR2/01).
<b>Risk Assessment:</b>	The total risk rating for budget over/under spends is: low
<b>Background papers:</b>	<p>Housing Board Report (Nov 2002)  <i>"Capital Programme Works Priorities 2003-06"</i></p> <p>Housing Board Report (March 2006)  <i>"Housing Repairs Programme 2006/07"</i></p> <p>Housing Board Report (Nov 2006) <i>"Delivering Decent Homes 2010 And Beyond"</i></p> <p>Housing Board Report (Jan 2007)  <i>"Revised Repairs Programme 2006/07"</i></p>
<b>Appendices/Enclosures:</b>	<p>Appendix A: Budget allocations 2007-08</p> <p>Appendix B: Programmes of work</p>
<b>Report author/ Lead Officer:</b>	Charles Harman & Phil Clift/Andy Elder

## APPENDIX A

BUDGET HEADING	BUDGET ALLOCATION 2007-08
Day-to-day repairs	1,200,000
Repairs to void properties	500,000
Decent Homes works kitchens and central heating installations	3,438,000
Barclay and Burney House health and safety	8,000
Barclay/ Burney House Day to Day and Voids	45,000
Barclay Upgrading Works	24,000
Environmental Improvements Panel	40,000
Gas servicing	350,000
Lift service and repairs	30,000
Door entry systems	65,000
Health and safety management	40,000
Estate Warden team	10,000
Disabled aids	180,000
Electrical rewiring and testing	250,000
Asbestos removal	50,000
Energy efficiency	10,000
Tenant-led improvements (kitchen and fencing scheme)	35,000
Transfer Incentive Scheme	10,000
Professional fees	10,000
Sheltered scheme improvements	120,000
Sheltered schemes general health and safety	25,000
Structural repairs	60,000
Roof Renewals (incl. flat to pitch conversions)	200,000
<b>TOTAL</b>	<b>6,700,000</b>

FUNDED FROM	BUDGET ALLOCATION 2007-08 £
Capital Programme	4,606,000
Revenue Budget	2,094,000
<b>TOTAL</b>	<b>6,700,000</b>

## APPENDIX B

### Decent Homes Programmes

Properties in these roads with kitchens which fail the Decent Homes Standard will be provided with a new kitchen.

Archer House	Farriers Walk	Park Terrace	<i>The Anchorage:</i>
Arminers Close	Fraser Road	Pettycot	Ramillies House
Ash Close	Gregson Close	Crescent	Renown House
Astra Walk	Ham Lane	Prideaux Brune	Resolution House
Baronsmere	Hamlet Way	Avenue	Revenge House
Blackthorn	Harwood Road	Queens Close	
Drive	Hilton Road	Richard Grove	Vian Close
Bricketts	Hornet Close	Seahorse Walk	Watergate
Terrace	Hove Court	Sedgeley	White Lion Walk
Bridgemary	James Close	Grove	Willis Road
Grove	Kennet Close	Selborne	Wilmott Lane
Bridgemary	Kent Road	Gardens	Warnford Close
Road	Laphorn	Shamrock	
Boldens Road	Close	Close	<i>Sheltered</i>
Boyd Road	Mabey Close	Skipper Way	<i>Schemes(subject</i>
Brookers Lane	Maple Close	Stanley Close	<i>to outcome of</i>
Burnhams Walk	Mariners Way	Stoners Close	<i>review)</i>
Chatfield Road	Moutbatten		Alec Rose House
Chester Court	Close	<i>South Street:</i>	(incl Slocum
Conifer Grove	Naish Drive	Burney House	House)
Dayshes Close	Nesbitt Close	Nelson House	Fortune House
Dolphin	Osborn	Portland	Gloucester House
Crescent	Crescent	House	Woodlands House
Droxford Close		Rodney	
Dunkeld Road		House	
Elmore Avenue		York House	
Elmore Road		Winchfield	
Elmore Close		House	
Endeavour			
Close		Tamworth	
Exmouth Road		Court	
		The Mead	
		The Mews	

### **Central Heating programme**

£250,000 for properties which are identified in conjunction with Decent Homes Surveys and aged failures from Gas Servicing.

### **Electrical Programme**

Acorn Close 18  
Agnew Road 6  
Brewers Lane 6  
Bridgemary Avenue 1  
Brookers Lane 4  
Elmore Close 11  
Elmore Road 10  
Giles Close 14  
Gregson Close 9  
Keyes Close 7  
Long Drive 21  
Mill Lane 17  
Montgomery Road 7  
Nobes Avenue 32  
Park Terrace 9  
Queens Close 16  
Ramilies House 12  
Renown House 11  
Resolution House 5  
Revenge House 9  
Sycamore Close 9  
Tukes Avenue 49  
Warnford Close 14  
Willis Road 8  
Wych Lane 14

Total properties for testing 319

### **Window and Door Replacement Programme**

Dieppe Gardens 10  
Kealy Road 8  
Wheeler Close 16  
Varos Close 7  
St Vincent Road (Houses - doors only) 13

### **Over cladding - External Wall Insulation**

South Street Blocks (planning approved)

Landon Road (subject to planning)  
Tudor Close(subject to planning)

**External Painting and Associated Repairs**

*Alma Street 3*  
Anns Hill Road 4  
Austerberry Way 15  
*Beryton Close 27*  
Bracklesham Road 7  
Brewers Lane 6  
Bridgemary Grove 4  
*Camden Street 1*  
*Chilworth Grove 40*  
Dieppe Gardens 10  
Droxford Close 6  
Elmore Avenue 21  
Elmore Close 11  
Elmore Road 10  
Ferrol Road 1  
High Drive 5  
*Hilton Road incl A/B 17*  
Horton Road 2  
James Close 9  
*Kealey Road 8*  
Mabey Close 15  
*Mill Lane 17*  
Montgomery Road 7  
Nightingale Close 5  
*Queens Road 3*  
*Rogers Close 2*  
*Sedgeley Grove 1*  
*Stradbrook 1*  
*Tamworth Court 16*  
The Links 20

**Total Properties 294**

**Communal Area Redecoration**

Hove Court 1-30  
Nyria Way 2 -24 (Evens)  
Ramillies House 1-15  
Renown House 1-15  
Resolution House 1-15  
Revenge House 1 -15  
*Turner Avenue 35 - 57*  
*Turner Avenue 107 - 167*

## AGENDA ITEM NO. 7

<b>Board/Committee:</b>	Housing Board
<b>Date of Meeting:</b>	7 March 2007
<b>Title:</b>	Housing Renewal Policy 2007-2008
<b>Author:</b>	Housing Services Manager/TC
<b>Status:</b>	For Recommendation to Policy & Organisation Board

### **Purpose**

A formally adopted Housing Renewal Policy is required in order to implement changes to the home improvement grant system.

### **Recommendation**

1. That the Board approves the new draft Housing Renewal Policy for 2007/2008
2. That the Board recommends to the Policy and Organisation Board (Meeting on 14.3.07) that the Housing Renewal Policy be formally adopted.

### **1 Background**

- 1.1 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 replaced the existing grant regime with a more flexible system for providing assistance to applicants. All Local Housing Authorities were required to have arrangements in place, including a formal Housing Renewal Policy, by 18 July 2003. The Council put in place a Housing Renewal Policy in April 2003.
- 1.2 The Regulatory Reform Order 2002 also requires that the Authority review the Housing Renewal Policy at intervals of not more than twelve months. The Housing Renewal Policy was last approved by Members at the Housing Board Meeting on 8th March 2006, and subsequently endorsed by the Policy and Organisation Board Meeting also of March 2006.
- 1.3 A draft Housing Renewal Policy 2007-08 (soft copy) is attached (see Appendix A), and upon approval of this Board will be referred to the Policy and Organisation Board Meeting on 14<sup>th</sup> March 2007. Due to the length of this document (68 pages) the Chairman requested that an appendix be provided outlining the major changes in the Housing Renewal Policy 2007-08 over the previous (2006-07) Housing Renewal Policy (see Appendix B). A hard copy of the draft Policy is available in the Members Room.

- 1.4 The draft Housing Renewal Policy for 2007-08 proposes that in the forthcoming financial year assistance should remain essentially in line with the previous Policy. It is again primarily based on a broad package of grant-based assistance. It will be targeting specified low income groups for vital, small scale repairs; assisting in the conversion of empty shops, offices and commercial properties and or under-occupied properties into flats for rent; and low cost energy efficiency improvements to assist DFG (Disabled Facilities Grant) applicants and tenants in the private sector. This will be backed up by appropriate advice and, where necessary, enforcement action. The document largely mirrors the structure, rules and conditions of the grant programme under the preceding system.

## **2 Report**

- 2.1 **The range and type of assistance to be made available** – the Housing Capital Programme, approved on 7<sup>th</sup> February 2007, will fully fund the grant proposals set out in the draft Policy (Section 8);
- 2.2 **Targeting of grant assistance** – the draft Policy suggests that this remains unchanged, i.e. targeting assistance to older and disabled people on low incomes living in poor condition properties, cost effective energy efficiency improvement grants and promoting the conversion of empty shops, offices and commercial properties and under occupied homes into flats for rent;
- 2.3 **Applicant eligibility** – the proposal will continue to limit eligibility to owner-occupiers, landlords and private tenants;
- 2.4 **Grant limits** – proposed limits are set out in paragraph 10.18 of the draft Policy;
- 2.5 **Time limits** – the previous grant regime required that all grant approvals remained valid for a minimum of twelve months. This is sometimes unnecessary, especially for smaller schemes, and makes programme management more unpredictable. The proposal in paragraph 10.23 is for the time limit on an approval to be set according to the nature of the work; approval deadlines can be extended if necessary, thereby retaining flexibility;



- 2.6 **Repayment conditions** – the draft Policy sets out a number of conditions that would require repayment of any discretionary grant, namely:–

Issue	Proposal	Reference in Draft Policy
Disposal of the property within 5 years of grant payment	Grant repayable in full plus compound interest	10.31
Rented property not let or made available for letting for 5 years after payment	Grant repayable in full plus compound interest except – <ul style="list-style-type: none"> <li>• All Handyperson Scheme works (due to value), and</li> <li>• Any other case subject to approval by Housing Services Manager</li> </ul>	10.31 & 10.32
Failure to provide information on grant condition compliance within 21 days	Grant repayable in full plus interest	10.33
Successful insurance claim	Repay all grant paid in respect of such works, or the value of the insurance payment if lower; no interest	10.35

It is proposed that these conditions will remain in force for a period of five years (as at present, where applicable).

- 2.7 **Appeal arrangements** – Section 11 of the draft Policy sets out the arrangements for appeals against individual decisions on the level of assistance offered, namely that these should initially be assessed by the Housing Services Manager in consultation with the Housing Board Chairman.
- 2.8 **Key service standards** – there are currently no service standards approved for the home improvement grant service; proposals are set out in Appendix A of the draft Policy.
- 2.9 The enforcement policy set out in Section 12 is in accordance with the Council's approved enforcement policy and the provisions of the Enforcement Concordat.

### **3 Development of Existing Policy**

- 3.1 The introduction of a new Low Cost Energy Efficiency Improvement Grant in Gosport for DFG applicants.

3.2 It has been recognised, through the last Private Sector House Condition Survey, and the English House Condition Survey that there are many households in the private sector, many non-vulnerable, who have difficulty in heating their homes due to the lack of adequate insulation and inefficient heating appliances. In order to assist a portion of this sector it is proposed to offer the owners of privately owned properties who have received a DFG, Low Cost Energy Efficiency Improvement Grants. That is, a grant of 50% (up to a maximum of £2,000 per property) towards the cost of installing gas central heating and loft and cavity wall insulation. These grants would be available to owner-occupiers who have in the past or present received a DFG where:

- No member of the renting household is in receipt of an income related benefit.

A member of the renting household is in receipt of an income-related benefit but fails to qualify for the Government Warmfront Scheme.

3.3 The objective of this grant is to help registered disabled owner-occupiers to keep warm and save money on their heating bills, as well as reducing the amount of carbon dioxide produced when fossil fuels are burned; also, to increase the quality of the owner-occupied sector housing stock. Work here would complement both the Energy Efficiency and Fuel Poverty Strategies.

#### 3.4 **Crime and Disorder Act 1998, Section 17**

Under the provisions of the Crime and Disorder Act 1998, Section 17; it is the duty of all local authorities to consider the crime and disorder implications of their actions in the exercise of their various functions. With regards to this Report, there are two items that could reasonably be deemed as aiding in the prevention of crime and disorder in the Borough. These two grant aided proposals are: -

- Handyperson Scheme: This provides elderly and registered disabled residents (not in employment and in receipt of a pension) with the opportunity of using a reliable workman (employed by a non-profit making charity, Southern Focus Trust) to undertake minor works of repair or maintenance at a reduced cost to themselves, as the service is subsidised by the local authority. The Handyperson may carry out works such as providing improved security locks, door chains etc. These works will, hopefully, lessen the chances of that home being targeted by intruders as well as reducing this fear for the occupant. See 8.5 in the Housing Renewal Policy 2007-08.

- Discretionary Conversion Grants: These small grants often provide the impetus to private landlords to convert empty commercial properties (shops, offices etc) into self-contained units of accommodation for renting in the private sector. Frequently an empty shop or public house can attract unwarranted damage by vandals. The conversion of these properties into self-contained units removes this criminal temptation, as well as providing much needed accommodation. See 8.3 in the Housing Renewal Policy 2007-08.

#### 4 Progress Update on South Coast Money Line (SCML)

- 4.1 In March 2004 the Housing Board approved the Council's participation in a consortium of local authorities to set up a pilot regional resource to provide low cost home repair/maintenance loans to applicants seeking to repair or improve their homes up to the Decent Homes Standard. These would be loans made to homeowners whose financial circumstances would not allow them access to mainstream financial institutions. The Scheme, named 'Southern Home Loans Partnership' made its first loans in 2006. It is proposed to carry over the funding agreed at the March 2006 Housing Board to finance the project in 2007-2008 from savings made in the current (2006-07) Grants Budget\*.
- 4.2 It is therefore requested that Housing Board approve a budget allocation for this project for 2007-2008 as detailed in Table 4.3 below. Members should note:
  - a) The annual 'membership fee', is the amount required from all consortium members to meet ongoing costs. This will be payable for up to seven years, in gradually decreasing amounts. After seven years it is anticipated the scheme should be self-sustaining and this fee would no longer be payable.
  - b) That a loan provision of £30,000 be made to cover any loans that may be offered exclusively to Gosport Borough residents during 2007-2008. **No monies forwarded by the Borough Council may be used by residents in any other area except those residing in Gosport Borough itself.** This £30,000 can be made from savings in the current (2006-07) Grants Budget and so would not impact on the proposed allocation for 2007-08.

- 4.3 The total allocation set aside for 2007-2008 is therefore £45,000 (see table below).

Funds	Amount
The annual 'membership fee' approved from Housing Board of March 2004	£15,000
Savings identified in the 2006-2007 Grants Budget for the loan	£30,000
Total Funding	£45,000

\*Note: Some parts of the discretionary grant budget are essentially in place to act as a 'safety net' to quickly assist the most vulnerable low-income homeowners. This budget must be made available so that it may be used for 'deserving' cases. The current and previous budget savings (identified in the table above) were able to be made because no residents contacting GBC fitted the criteria for GBC grants.

- 4.4 The loan provisions identified in 4.3 above are from savings identified in the 2006-2007 Grants Budget. It should be noted that the allocation of £30,000 to cover loan applications is "recyclable" in that any monies 'come back' to be re-lent to other residents in the future.

There will be no impact on the 2007-2008 Grant Budget from this allocation.

## **5 Capital Spending Proposal 2007- 08**

- 5.1 The approved capital programme elements of this Policy are as follows:

Housing Renewal	£ 97,000
Regional Housing Board	£ 60,000
Disabled Facilities Grants (DFG's)	<u>£222,000</u>
Total	<u>£379,000</u>

Housing Renewal usually covers all proposed discretionary grant expenditure (£157,000 in this case). However, the Borough Council has received funding from the Regional Housing Board of £60,000 to help towards achieving the Decent Homes Standard (Public Service Agreement) target. On this basis the Council could, subject to any changes in the course of the financial year, claim subsidy of up to 60% of the value of Disabled Facilities Grants (DFG's) paid; this would be a maximum of £133,000 (hence the Borough Council's contribution to DFG's would be a maximum of £89,000) making the net cost to the Borough Council £186,000.

5.2 Private Sector House Condition Survey: The Government advice recommends that surveys be repeated at intervals of not more than five years. The Government Office for the South East has indicated that failure to obtain reliable data will adversely affect the assessment of the Council's overall housing performance. Independent surveyors undertook this work on behalf of the Borough Council and the results have assisted in formulating this Housing Renewal Policy.

5.3 The spending proposals for 2007-08 are therefore as follows:–

Disabled Facilities Grants	£222,000
Conversion Grants	£ 45,000
Home Repair Assistance – priority repairs and adaptations	£ 45,000
Handyperson Service	£ 10,000
Low Cost Energy Efficiency Improvement Grants	£ 57,000
<b>Total</b>	<b>£379,000</b>
ODPM subsidy on Disabled Facilities Grants (60%)	£133,000
Regional Housing Board	£ 60,000
Net Cost to Gosport Borough Council	£186,000

Details of the proposed grants can be found in Section 8 of the draft Policy.

## 6 Conclusion

- 6.1 The 2007-08 Housing Renewal Policy will enable the Private Sector Housing Team to perform the key functions of their roles.
- 6.2 Approving the additions to the Housing Renewal Policy will help Gosport Borough Council to meet Government objectives. The Government has made it clear that it acknowledges the importance of private sector housing and its effect on the health of the nation, and who should take responsibility for repairs in that sector:

“Poor quality housing can have an impact on the health of the occupants and on the quality of life in an area. The Government's view is that it is primarily the responsibility of homeowners to maintain their own property.” [*Introduction, paragraph 2; Housing Renewal Guidance (Consultative Document), June 2002*]

The Government has also stressed that local authorities have a key role in steering homeowners on the road to self-reliance and away from a grant dependency culture. However, the Government has also

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stressed that it would consider that an authority was failing in its duty as a housing enabler and in its responsibility to consider the condition of the local private sector stock if it did not make some provision for assistance:

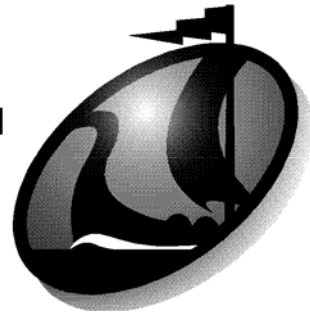
“A blanket ‘no assistance policy’, whether for grants, loans or both, would therefore be unacceptable.” *[paragraph 4.3, Housing Renewal Guidance (Consultative Document), June 2002]*

<b>Financial Services comments:</b>	<p>The net cost to the Council included in the capital budget for 2007/08 is £186,000 - £84,000 for Disabled Facilities Grants &amp; £102,000 for Housing Renewal.</p> <p>The proposed cost to the Council included in this report for 2007/08 is also £186,000 - £89,000 for Disabled Facilities Grants &amp; £97,000 for Housing Renewal.</p>
<b>Legal Services comments:</b>	None for the purposes of this report.
<b>Service Improvement Plan implications:</b>	The implementation and monitoring of the Housing Renewal Policy will be part of the Housing Service Improvement Plan for 2007-08.
<b>Corporate Plan:</b>	The Strategic Priority of Prosperity includes the provision of decent housing.
<b>Risk Assessment:</b>	<p>Risk assessments have been carried out for separate elements of the Housing Renewal Policy:</p> <p>South Coast Money Line – Medium likelihood/Medium Severity. Risk Status: Medium.</p>
<b>Background papers:</b>	<p>The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 1860).</p> <p>Housing Renewal Guidance (Consultative Document) June 2002 (DCLG)</p> <p>Gosport Private Sector House Condition Survey 2004/05</p> <p>Housing Renewal Policy 2006-07</p> <p>Housing Renewal Policy 2007-08</p>

<b>Appendices/Enclosures:</b>	
	Appendix 'A'; Housing Renewal Policy 2007-08.
	Appendix 'B'; Major changes in the Housing Renewal Policy 2007-08 over the previous (2006-07) Housing Renewal Policy.
<b>Report author/ Lead Officer:</b>	Trevor Charlesworth Principal EHO / Oona Hickson Head of Strategy & Enabling.

**GOSPORT**

BOROUGH COUNCIL



APPENDIX A

# **Private Sector Housing Renewal Policy 2007/8**



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## 1.0 **INTRODUCTION**

- 1.1 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 came into force on 18 July 2002. This repealed most of the prescriptive legislation governing the previous housing assistance regime and replaced it with new wide-ranging powers whereby local housing authorities (LA's) could provide assistance for housing renewal significantly based on local needs and achievement of local and regional strategic objectives.
- 1.2 The increased flexibility permits the possibility of new and innovative approaches to housing renewal based upon locally perceived needs, though this also means it will require regular review together with the overall Housing Strategy.
- 1.3 The first Private Sector Housing Renewal Policy was approved by Members and became effective from 1<sup>st</sup> April 2003. Following Government direction, in Article 3 of the 2002 Order, public notice of the adoption of this first Policy was given in two newspapers and full copies were made available for residents to inspect in the main library, Citizens Advice Bureau and at the Town Hall. A copy was also made available on the website. This Gosport Borough Council Private Sector Housing Renewal Policy is effective from 1 April 2007 and replaces the one made 12 months earlier. It is being adopted for the purposes of Article 3 of the 2002 Order. The Policy will be posted on the Gosport Borough Council website (customers will be able to make comments on the Policy on line), and a hard copy (paper) summary will be available (free of charge) upon request. The Policy is subject to regular review, usually at annual intervals, but also when significant changes occur, such as to the type of assistance available.
- 1.4 This Policy document limits itself to consideration of works of repair, improvement or adaptation, etc., rather than enabling housing provision in the first place which will be considered through the Housing Strategy.

1.5 Relevant Extracts from Housing Renewal Guidance (Consultative Document), June 2002

“Poor quality housing can have an impact on the health of the occupants and on the quality of life in an area. The Government’s view is that it is primarily the responsibility of homeowners to maintain their own property. But it recognizes that some owners, particularly the elderly and most vulnerable, do not have the necessary resources to repair or improve their homes. Local authorities therefore have an important role to play in providing assistance in these cases.” [*Introduction, paragraph 2*]

“The Government accepts that loans will not be suitable for all those in need of assistance and the Order is not intended to bring about the wholesale replacement of grants with loans. The Government would also consider that an authority was failing in its duty as a housing enabler and in its responsibility to consider the condition of the local private sector stock if it did not make some provision for assistance. ***A blanket ‘no assistance policy’, whether for grants, loans or both, would therefore be unacceptable.***” [*Paragraph 4.3*]

1.6 It is in this context that the Borough Council has produced this Private Sector Housing Renewal Policy

2.0 **THE LOCAL CONTEXT**

2.1 The Borough of Gosport is part of the internationally famous maritime recreational area of the Solent with its prime location on the South Coast of England.

2.2 With a population of 76,415, (2001 Census) and set on a peninsula of only 2,750 hectares (27.5 square kilometres), it is one of the most densely populated urban areas in the south.

- 2.3 Despite its crowded nature, the Borough boasts over 27 kilometres of beaches, inlets and marinas around Portsmouth Harbour and the Solent. The Alver Valley, which extends to 243 hectares, provides a green gap between Gosport town and Lee-on-the-Solent, providing the community with an invaluable rural recreational resource. The inlets and coastal waters are of national and international nature conservation significance and reach far into the urban fabric, whilst the Alver Valley has elements of ancient woodlands and rare reed beds along the River Alver.
- 2.4 The built heritage of the Borough is both rich and unique, primarily a product of the Borough's long association with the Royal Navy and the defence of Portsmouth Harbour. Many of the waterfront naval and military establishments are of national historic importance.
- 2.5 The rural origins of Rowner Village, the Georgian splendour of Anglesey and the medieval street patterns of Alverstoke Village are still in evidence. The historic gardens, memorials and ancient open spaces, footpaths and street patterns are reflected in the Borough's 14 Conservation Areas.
- 2.6 The Borough is justifiably proud of the quality of its physical and historic landscape – a quality that few, if any, other military towns can equal. But the Borough is also proud of its present, and recent achievements include the construction of the 5 kilometres long Millennium Promenade which has opened up coastal areas closed to public access for hundreds of years. Along with this have come spectacular waterfront housing developments, the restoration of prominent historic buildings and the opportunity to create further improvements and to provide community facilities.
- 2.7 Running hand in hand with these have been the construction of modern marinas and new industrial estates.
- 2.8 Aside from the history, the new developments and the plans for the future the Borough have their share of challenges. Land use and employment

have been dominated by the MOD (Ministry of Defence), but as its influence declines, it brings both concerns and new opportunities.

- 2.9 The review of the MOD in Gosport is continuing to release new land for regeneration and development, but the legacy of the defence industry leaves problems in its wake.
- 2.10 It has been estimated that at one stage over two thirds of the local economy was dependent on the MOD, but as demands have declined, many local people have been forced to seek work outside the Borough. With only one single carriageway access road (A32), no train line, no LRT (Light Rapid Transport System) and only a pedestrian ferry access to Portsmouth, daily commuting from Gosport brings major congestion problems.
- 2.11 There are isolated pockets of social deprivation and low educational achievement that should be addressed. In the Borough as a whole 'retired' household now make up just over half of the total. In some areas of the Borough there are a significant number of single parent families, and state benefits support many people, 22% of households are classed as 'vulnerable'; that is, in receipt of at least one of the principal means tested or disability related benefits. See Appendix 2 for a detailed definition.
- 2.12 To meet these challenges and to give Gosport a more sustainable future, more jobs, more community facilities and transport improvements are needed to serve the peninsula, whilst more resources must become available to help those most in need.
- 2.13 The Borough must continue to protect and enhance its built and natural environment. At the same time there is a responsibility to maximise the benefits of its development potential, provide modern facilities and increase opportunities for the whole community.

- 2.14 A survey of the condition of private sector housing using a sample of randomly selected stratified properties was last undertaken in 2004, and the Report produced in early 2005. Some of the key findings, extended for the total private sector stock are summarised as follows:

**Table : Key facts from Private Sector Stock Condition Survey 2004-05**

Population of the Borough/District (2001 Census)	76,415
Total number of houses private sector dwellings, including registered social landlord stock but excluding MOD	30,828
Total number of owner occupied dwellings (2004 HIP return)	28,489
Rate of unfitness	1.5% (462 dwellings)
Cost of repairing unfit houses	£1.75 m
Number of homes not achieving the Decent Homes Standard	2,838 (9%)
Number of vulnerable households	6,936 (22%)
Number of vulnerable households in Decent Homes	2,299 (67%)
Percentage of households occupied by: 50 – 65 yr olds	28%
Retired persons	51%
Percentage of unfitness in the private rented sector (includes Registered Social Landlord dwellings but not GBC or MOD)	2.55%
Average SAP rating	56%
Percentage of dwellings with inadequate loft insulation	50%
Percentage of private sector vacant dwellings	1%

- 2.15 More recent regional research has been undertaken by CURS (Centre for Urban and Regional Studies) based at the University of Birmingham. CURS was commissioned by the Regional Housing Board of the South-east region in December 2005 to undertake a study into the location, nature and extent of poor housing conditions in the private sector in order to inform decisions on resource allocations in the future. The report was published in May 2006. One of the key elements of the Report revealed that in the south east region as a whole, 75% of properties that failed the DHS were on thermal comfort considerations. 89% of dwellings failing on the grounds of thermal comfort did so for reasons of poor insulation. 61% of dwellings failed the DHS on thermal comfort alone.

### **3.0 POLICY IMPLEMENTATION PLAN**

- 3.1 The Borough's first Private Sector Housing Renewal Policy became operational on 12 March 2003, following approval by the Policy and Organisation Board (endorsing the Approval of the Housing Board Meeting on 5 March 2003) Meeting on that date. It is subject, as a minimum, to annual review through the overall Housing Strategy processes; whilst regular review of the Council Corporate Plan and Best Value Performance Plan will also influence possible future developments. The current Private Sector Housing Renewal Policy was approved by the Housing Board meeting on 8 March 2006, and affirmed by the Policy & Organisation Board Meeting on 15 March 2006.
- 3.2 Performance within this Policy will be reported in line with corporate reporting of national and local Performance Indicators to Council Management Team and the Housing Board.
- 3.3 This will remain in force for a maximum of one year prior to major review. Intermediate amendment should only be necessary in case of significant change to policy items. Minor changes will be made by the Housing Services Manager in consultation with the Housing Board Chairman where such changes make no significant difference to service provision, for example there is no change to grant assistance offered but there is a name change, etc. Where amendments produce significant changes to service provision those amendments will require the approval of the Housing Board and Policy and Organisation Board before the revised policy can take effect.
- 3.4 The Private Sector Housing Renewal Policy will be amended to reflect the changing needs of the local community and/or homes. Such information will be conveyed to the Council by various means including stock condition and housing needs surveys.

- 3.5 There may be 'external' factors which prompt major review earlier than anticipated, such as:
- Changes to capital spending plans.
  - Acute changes to local circumstances.
  - National policy/legislative changes.
  - Local strategic partnership influences.
- 3.6 In implementing its own Policy, the Council will make reference to all relevant national legislation and guidance currently in place or introduced during the life of this document. The guidance issued for Housing Renewal will be of particular relevance especially where it deals with Fitness Enforcement/Decent Home Standard, Neighbourhood Renewal Assessment and re-affirms conditions, such as in relation to Mandatory Disabled Facilities Grants.
- 3.7 The Housing Act 2004 changed the methodology for assessing housing when it abolished the Fitness Standard and replaced it with the Housing Health and Safety Rating System (HHSRS) See Appendix 3. With regards to the Decent Home Standard (DHS), the definition of what is a decent home has been updated to reflect this fact (see Appendix 4 for a detailed definition). A national licensing scheme for Houses in Multiple Occupation (that are three storeys or more and occupied by five or more separate households) was introduced at the same time. Other key national policies, including the application of the Decent Homes Standard for the private rented sector have also now taken effect. Such legislative changes affect the underlying processes, but do not in themselves create significant change in the Policy.



#### 4.0 **MEETING KEY STRATEGIC AND SERVICE-RELATED AIMS AND OBJECTIVES**

4.1 The Council has a strategic role and responsibility to promote the economic, social and environmental well-being of the Borough and implement the Government's initiatives to modernise local government for the benefit of the local community.

4.2 Gosport Borough Council's Mission Statement is: -  
*To work with the community to improve everyone's quality of life, establishing a sustainable future for the Borough.*

4.3 The Council has identified a number of challenges that face the Borough in the next few years and in response to these and in order to achieve its mission, the Council will need to:

- Continue to regenerate the Borough, facilitate a robust local economy and tackle social exclusion and deprivation;
- Respond to the increasing pressures on the local environment and the need to improve access to the Gosport peninsula;
- Utilise the Waterfront and ex-MOD land for the benefit of the local community;
- Deliver best value, quality services which meet the needs of the community;
- Make efficient use of limited resources and identify and develop new sources of income.

4.4 **Service Delivery Values:** to help achieve its mission, the Council provides a wide range of services -

- Statutory services (which have to be delivered by law);
- Discretionary services (which have been established over a period of time in response to customer needs); and
- Support services that help the Council operate.

- 4.5 Provision of all of these services is underpinned by certain values:
- Customer care – seeking to provide the quality and level of customer care that customers expect;
  - Consultation – listening to the community with the aim of improving services and meeting community needs;
  - Community Leadership – providing a focus for community leadership;
  - Partnership – working with other service providers and the community to share expertise, increase co-ordination, and access funding to achieve improved service delivery;
  - Sustainability – ensuring a better quality of life for everyone now and for future generations;
  - Best Value – ensuring the provision of efficient, effective, quality services;
  - Equal Opportunities – ensuring fair and equal treatment for all and recognizing the value of diversity;
  - Democratic arrangements – ensuring openness, integrity and accountability in the Council's operations;
  - Investing in staff – using best employment practices to recruit, retain and develop staff;
  - Financial management – ensuring financial accountability, effective use of assets and the maximisation of income streams;
  - Risk management – identifying, evaluating and managing risk to secure the Council's assets and to assist in continued corporate well-being.

4.6 Strategic Priorities: although it is important to deliver all of the Council's services to a high standard, it is also necessary to identify which areas of delivery or focus have a particularly high priority. These are the Council's Strategic Priorities that are supported by a mixture of short, medium and long-term projects or actions that will assist with their delivery. These priorities are reviewed and refreshed annually:

- 'Safer communities' – to improve community safety and reduce crime (and the fear of crime) in the Borough. The Council will be a proactive

member of the Gosport Community Safety Partnership. It will also take steps where possible to ensure that its service delivery positively contributes towards this aim, for example through the provision of youth shelters and Gosport High Street improvements;

- ‘Clean, green environment’ – to increase the cleanliness standards and levels of waste recycling and to reduce pollution. The Council will keep the Borough clean by promoting higher environmental standards, encouraging more sustainable activity, improving cleansing and introducing new recycling schemes;
- ‘Active and healthy lifestyle’ – to provide leisure facilities to enable the community to stay fit and healthy. The Council will improve sports facilities, redevelop Holbrook in the medium term, develop the Alver Valley and protect and enhance other parks and open spaces;
- ‘Neighbourhood renewal’ – to regenerate neighbourhoods and ensure that good quality housing is available. The Council will work towards the Rowner Village Development Plan and future regeneration of areas such as Camden and Leesland as part of its long-term priorities. The Council will also ensure that its own housing stock is maintained;
- ‘Council assets’ – to maximise the potential of the Council’s assets in a balanced way. The Council will make best use of development areas such as Priddy’s Hard and the Waterfront Bus Station as part of its longer-term priorities.

4.7 Community Strategy: Gosport Borough Council is a member of the Gosport Partnership. This unique partnership of local organisations, businesses, agencies and community groups has been formed to work towards improving the quality of life in Gosport. To support this aim, the partnership has developed a Community Strategy, and all Members have agreed to work towards delivering the priorities identified by the community that are detailed therein.

- 4.8 The Community Strategy is focused around eight community priorities: Health and Well Being; Community Safety; Transport; Economy and Employment; Education and Training; Environment; Housing; and Leisure, Recreation, Culture and Tourism. The goals associated with each of these community priorities align closely to the Borough Council's Strategic Priorities.
- 4.9 The Council will work in partnership to support each community priority. It should be recognised that the key service providers for Health, Transport and Education are the Health Authority and Hampshire County Council respectively.
- 4.10 There are a number of other supporting Plans that have private sector housing links, e.g.
- Corporate Plan
  - Service Improvement Plan
- 4.11 Relevant extracts are set out below:

Plan/Plan	Aim/Objective Of Relevance To This Policy
<b>Community Strategy Partnership Document 2003 - 2- 6</b>	<p>Relevant goals include:–</p> <p><u>Health &amp; Social Well Being</u>: To improve the health and well being of all Gosport residents; tackling health inequalities, promoting independence and preventative programmes, and modernising local health and social care services - healthy people require less specialized housing.</p> <p><u>Community Safety</u>: To create a climate for Gosport in which the community feels safe, with the common aim of raising awareness, reducing crime, encouraging ownership by the local community, thereby providing reassurance and improved community safety – improving home security.</p> <p><u>Environment</u>: To conserve and enhance the natural and built environment of Gosport, creating a clean, healthy and</p>

	<p>attractive place in which to live and work – housing provision, fuel poverty and contaminated land.</p> <p><u>Housing</u>: To provide adequate and appropriate homes to suit the means and hopes of the Gosport community – securing investment in the ageing housing stock.</p> <p>See also relevant entries in “Delivering Community Priorities – Community Strategy Action Plan 2004-2005”</p>
<b>Corporate Plan</b>	<p><u>Objectives:-</u></p> <ul style="list-style-type: none"> <li>○ Continuous assessment of housing needs and the development of appropriate responses to meet them.</li> <li>○ The efficient use of the existing housing stock and buildings to maximize resources.</li> <li>○ The provision of affordable housing to meet local and special social and economic needs.</li> <li>○ Sustainability by balancing housing growth with employment and regeneration.</li> <li>○ The provision of advice services to prevent homelessness and provide information on a range of housing options.</li> <li>○ Energy efficiency improvements to the dwellings in the Borough.</li> <li>○ Adequate social and physical infrastructure to support existing and any proposed housing areas.</li> </ul>
<b>Housing Services Plan</b>	<p><u>Examples:-</u></p> <ul style="list-style-type: none"> <li>• Undertake, via consultants, a comprehensive survey of private sector stock conditions</li> <li>• Send Landlord Packs to all known local landlords and managing agents, providing info on gas safety, condensation minimisation and energy efficiency.</li> </ul>

<b>Housing Strategy</b>	<u>Example:-</u> <ul style="list-style-type: none"> <li>• Improve the physical standard of housing in the Private Sector and continue to direct any additional funding at schemes that promote regeneration and sustainability.</li> </ul>
<b>Energy Conservation Strategy</b>	<u>Examples:-</u> <ul style="list-style-type: none"> <li>• Improve the energy efficiency of the residential accommodation in the Gosport area by 30% over a 15 year period from a baseline at 1st April 1996.</li> <li>• Increase the promotion of all appropriate grants and co-ordinate the range of energy efficiency advice available to all housing sectors.</li> </ul>
<b>Empty Homes Strategy</b>	<u>Example:-</u> <ul style="list-style-type: none"> <li>• Develop initiatives and target resources towards encouraging regeneration.</li> </ul>
<b>Gosport Crime and Disorder Strategy 2002-2005</b>	<p>Section 8 – Delivery of the Strategic Priorities</p> <p>8.6 – <u>Burglary</u></p> <p>To develop more activity between agencies to reduce the incidence of domestic (household) burglary, especially looking at target hardening (i.e. locks, alarms and gates etc) and awareness raising.</p>

4.12 In addition the South East Regional Housing Statement 2002-2005 includes the following key regional priorities:

- Priority 4 To meet the needs of those who require supported housing;
- Priority 6 To improve the quality and suitability of the housing stock;
- Priority 7 To promote regeneration & neighbourhood renewal;
- Priority 9 To support crime reduction through housing provision.

This Statement specifically focuses on Decent Homes, Private Sector Renewal, energy efficiency and fuel poverty.

4.13 The Council recognises that pockets of deprivation exist in certain wards with individual properties being in substantial disrepair. In line with the rest of the country, the Borough has an ageing population. In Great Britain the number of over 65's will increase by two million by 2015, and the number of over 75's by 40% by 2022. However, in Gosport the increase is at a much higher pace than the national average. Recent research by the South East Regional Public Health Group (part of the Government Office for the South East, November 2005) has deduced that, after Milton Keynes, Gosport has the highest projected increase in the number of persons aged over 65 in the South East and Thames Valley. This rise will obviously lead to increasing demands from this age group to be able to remain independent in their own homes whilst local, national and international issues mean we must try and reduce fuel poverty and global warming. It is on these key foundations that this Private Sector Housing Renewal Policy is constructed.

4.14 In addition the Borough Council must meet key national priorities: Circular 05/2003 refers to the extension to the PSA 7 (Public Service Agreement) target, which aims to increase the proportion of vulnerable households in the private sector living in decent homes. A home meets the decency standard if it:

- meets the current statutory minimum standard for housing;
- is in a reasonable state of repair;
- has reasonably modern facilities and services; and
- provides a reasonable degree of thermal comfort

See Appendix 4 for a detailed definition.

Specifically, compliance with this target requires the proportion of 'vulnerable' households, defined as those in receipt of at least one of the principal means tested or disability related benefits (see Appendix 2 for a detailed definition) living in Decent Homes (from a 2001 baseline of 57%) to reach the following levels:

63% by 2005

70% by 2010

75% by 2020

The Government's commitment to achieving the Decent Homes target for private sector housing has been confirmed in the Office of the Deputy Prime Minister's (ODPM's) Five Year Plan 'Sustainable Communities: Homes for All'.

The provision of an adequate supply of decent homes is hence a key element of the Government's Sustainable Communities Plan.

4.15 The key conclusions of the Stern Review on the Economics of Climate Change, published in October 2006, were welcomed by the Government. Those of main relevance in this Policy focus on the serious threat that climate change makes and the demands for an urgent response. The domestic energy consumption and hence carbon emissions account for over a quarter of the UK total. So this is an obvious area that the Government believes local authorities must target for improvements especially as these improvements may be achieved in a relatively cost-efficient fashion. The reasons for this are as follows: -

- The cost of insulating a loft is minimal.
- The cost of cavity wall insulation is minimal.
- The re-payment time (in reduced bills) for both of the above is minimal.
- Generous Government Grants exist to help many vulnerable households (over 60, registered disabled, or with a child and in receipt of an income related benefit).
- Generous discounts are available to all householders for loft and cavity wall insulation from the main utility companies.

4.16 By encouraging local authorities to target domestic energy efficiency the Government hopes to achieve the following: -

- Help to reduce the large number of people that die from the effects of cold in the winter (excess winter mortality\*).
- Help to moderate the effects of global warming.
- Help to reduce the amount of energy used in heating and lighting so reducing the risk of a household suffering fuel poverty. Using the Government's definition, the latest figures suggest that in 2004 there



were two million households in the UK in fuel poverty, and that one and a half million of those were vulnerable.

\* Excess winter mortality is defined as the increase in number of deaths that occur during the winter when compared with levels for the non-winter period. The increase in the winter mortality over the last 10 years in the UK has been about 35,000 per annum. According to National Energy Action, the number has varied between 27,000 in 1997-98 and 54,000 in 1999-2000. The colder the winter, the more deaths.

## 5.0 **RESOURCING THE PRIVATE SECTOR HOUSING RENEWAL POLICY**

- 5.1 The provision of operational services resulting from this Private Sector Housing Renewal Policy will be undertaken through the Private Sector Housing Team, part of Housing Strategy and Enabling within the Housing Services Business Unit.
- 5.2 Revenue expenditure is primarily aimed at the payment of salaries. Support is provided to the Home Improvement Agency provided through Southern Focus Trust Community Support Services (formerly Care & Repair).
- 5.3 The capital funding of assistance for approved works or other measures substantially comes from the Council's own resources although the Government reimburses 60% of all expenditure on Mandatory Disabled Facilities Grants below an allocation of specified capital grant from the Department of Communities and Local Government (DCLG, formerly ODPM). The allocation of capital funds for private sector housing renewal depends on the prevailing priorities within the wider capital programme. These include Local Authority Supported Housing Grant to Housing Associations and direct spend on its own stock.

5.4 Capital allocated for all grants and loans, including Mandatory Disabled Facilities Grants for 2007/8 totals £426,000. This amount equates to contributions of £186,000 from the Borough Council (a reduction of £60,000 on previous years), £60,000 from the Regional Housing Board (to be used towards achieving the Private Sector Decent Homes Standard target) and £180,000 from the DCLG.

5.5 The Council recognises the needs and benefits of supporting the private housing sector in a targeted and effective manner and will continue to do so.

## 6.0 **TYPES OF ASSISTANCE AVAILABLE**

6.1 Under Article 3 of The Regulatory Reform Order Etc. Order 2002 the Borough Council has the power to render assistance, directly or indirectly, to any resident in a number of ways: -

- to acquire living accommodation (whether within or outside their area);
- to adapt or improve living accommodation (whether by alteration, conversion or enlargement, by the installation of any thing or injection of any substance, or otherwise);
- to repair living accommodation;
- to demolish buildings comprising or including living accommodation;
- where buildings comprising or including living accommodation have been demolished, to construct buildings that comprise or include replacement living accommodation.

It is the intention of this Policy to discharge these powers by providing assistance in the form of education and encouragement, direct financial assistance and enforcement.

### **Education and Encouragement**

- 6.2 The Council's officers will, except where statute requires otherwise or there is an imminent risk to health or safety, attempt to resolve all problems through education, mediation, negotiation and awareness raising. The objective will be to enable property owners to fulfil their responsibilities in an environment of understanding that meets their needs and promotes the benefits of such action.
- 6.3 In addition, the Council will undertake specific targeted education campaigns in order to achieve certain objectives, such as to improve understanding of the need to maintain the home, energy conservation measures, etc.
- 6.4 The Regulatory Reform Order enables local authorities to provide assistance in the form of advice, either directly or through a third party. The provision of advice and encouragement may or may not also involve financial assistance.

### **Direct Financial Assistance**

- 6.5 The Regulatory Reform Order enables local authorities to provide financial assistance in the form of a grant, or a loan, either directly or through a third party.

### **GRANTS**

The Council must provide Mandatory Disabled Facilities Grants (DFG's) when it has been assessed (usually by an Occupational Therapist) that the works entailed will meet the needs of a registered or registerable disabled person towards:–

- Facilitating access by the disabled occupant to, from and within the property;
- Making the property safe for the disabled occupant;
- Providing suitable and accessible living, sleeping, bathing and cooking facilities;
- Providing suitable heating;

- Altering as required the heating, lighting and electrical systems/fittings.

6.7 In addition, the Council will offer the following discretionary grants to individual applicants or to selected organisations, subject to terms and conditions:

6.7.1 **Handyperson Scheme:** To promote the concept of personal responsibility for the maintenance of one's own property, even for older people, the registered disabled and the less well off. This Scheme provides a reliable reduced cost service for items of repair or maintenance such as replacing a tap washer, installing security measures, clearing eaves gutters etc. that would be difficult for older people to undertake themselves, matters that, if not attended to can quickly lead to larger problems of disrepair and the gradual deterioration of a person's property.

6.7.2 **Home Repair Assistance Grants:** For vital repairs or minor adaptations: Applicants must:–

- Be home owners and over 60 years of age, or
- Have a child under the age of 5, or
- Be registered disabled

AND should be in receipt of –

- Income Support
- Income-Based Jobseekers Allowance or
- Council Tax Benefit.

Council or housing association tenants are NOT eligible.

The grants cover repairs and/or adaptations (averaging at about £1,000) that, if not carried out, could directly affect the occupant's health, safety and welfare, such as:-

- Repair or replacement (when not economically viable) of hot water cylinder or boiler or main living room heater;

- Severe water penetration;
- Rewiring in cases where the existing electrical circuit is judged to be dangerous by a NICEIC (National Inspection Council for Electrical Installation Contracting) approved electrician;
- An emergency adaptation for a person who is registered disabled (i.e. to prevent “bed-blocking”).

6.7.3 **Conversion Grants:** Paid to private landlords for the conversion of empty shops, offices or commercial buildings, or under-occupied properties, into smaller self-contained units for subsequent renting.

6.7.4 **Low Cost Energy Efficiency Improvement Grants:** A grant of 50% (up to a maximum of £2,000 per property) towards gas central heating and loft and cavity wall insulation (if applicable). Available to landlords of privately rented properties and to any person who has received a DFG where:

- No member of the rented household is in receipt of an income related benefit;
- A member of the rented household is in receipt of an income related benefit but fails to qualify for the Government Warmfront Scheme.

## 6.8 **Loans, Equity Release etc.**

The Council will not directly provide any loan or arrange any equity release or other funding. Due to there being a dire shortage of suitable products from mainstream High Street lenders; the Borough Council, in conjunction with a consortium of other neighbouring local authorities (five in all, including Brighton, Chichester, Eastleigh and Portsmouth) commissioned a feasibility study on a range of potential secured and unsecured loans through South Coast Money Line (SCML) [formerly Portsmouth Area Regeneration Trust (PART)]. The Report recommended that a pilot scheme be introduced and to that end Members agreed in the Housing Renewal Policy 2004/5 to fund initial set-up costs and loan funding each year. The Scheme, named ‘Southern Home Loans Partnership’ made its first loans in 2006. Again, this Scheme follows the Government’s belief

that the primary responsibility to repair one's home rests with the owner but, unlike the Handyperson Scheme, this loan scheme will be for larger scale repair works by owner-occupiers who find it very difficult to access funding from mainstream financial institutions. Loans will be made available to owner-occupiers, who own the freehold of their property, to bring their homes up to the Decent Homes Standard. No monies forwarded by the Borough Council may be used by residents in any other area except those residing in Gosport Borough itself. Loans will not be offered to leaseholders of properties whose freeholder is a Registered Social Landlord (RSL), as RSL's provide many ways in which payments can be made for key repairs. Neither will loans be offered to home owners who would qualify for a loan from a main High Street lender. A key task for the SCML will be to identify sources of loan funds, other than direct from the commissioning local authorities. In time, with the repayment of loans, and hence re-cycling of the original funds provided, it is hoped that the Scheme will become more and more self-financing.

#### 6.9 **Level of Assistance**

The Government is insistent that local authorities must make some provision for assistance, even though a suitable range of financial products may become available through private lenders. The Council will therefore continue to offer a range of direct grant assistance. Some applicants for Disabled Facilities Grants will, following a test of financial resources, be expected to make appropriate contributions towards the costs of improvement, adaptation, etc. These applicants may have to arrange loans, etc., to cover their share of the cost of the works. Other applicants, such as landlords applying for Conversion Grants, will be offered a fixed sum as an incentive. Home Repair Assistance Grants will only be awarded for specific, high priority works for applicants on very low incomes. Where direct grant funding is not available or is insufficient to cover project costs, or where the applicant intends to carry out further works which are not the subject of a qualifying application, applicants will be directed to seek assistance from an Independent Financial Advisor or SCML.

- 6.10 The Council will monitor the availability of appropriate private sector funding products and will actively seek to ensure that such products are made available locally. However, the Council will not offer financial advice to individual applicants.

**Promotion and Encouragement**

- 6.11 The Council would consider supporting any third party that met the approval of the Council, such as an energy management company, who can, at no cost to the Council, promote and co-ordinate Insulation Schemes in the Borough that will benefit local residents.

6.12 **Enforcement**

Enforcement action will not normally be the first response to minor contraventions of legislation. Following Government guidance, enforcement action usually only follows when the “softer skills” of mediation, negotiation and even listening have failed to achieve the desired result. This follows Central Government’s determination to attack the housing shortage in the private rented sector by persuading landlords of the benefits of entering this business. When enforcement does occur, it will be undertaken in accordance with the Enforcement Policy detailed in Section 12. The need for immediate formal enforcement may be brought about by various factors such as the severity of a problem, imminent risk, previous history, confidence in a landlord, public interest, etc

**7.0 ACCESSING DISCRETIONARY GRANT AID**

- 7.1 The Council’s Policy on assistance takes into account the responsibilities of owners to maintain their own properties but also considers their ability so to do and the vulnerability of different groups as well as other criteria in determining eligibility, terms and conditions. It also takes into account the local need for private rented accommodation. Those people who are able to qualify for assistance will be given every opportunity to access the

process through the full dissemination of information at Council points of contact, and those of partner organisations.

- 7.2 A hard copy (paper) summary of the Council's Policy will be made available on request, free of charge, from the Town Hall. A full copy of this Policy will also be posted on the website. Customers will also be able to make comments on the Policy on line. A soft copy of this Policy will be offered to all potentially interested organisations, e.g. Southern Focus Trust (SFT) Community Support Services (formerly Care & Repair), Citizens Advice Bureau etc.
- 7.3 Access may thus be via existing points of contact within the Council, its partner organisations or other interested parties or by written, telephone or electronic enquiry.
- 7.4 The first stage in the process comes when a potential applicant makes initial contact and enquires about possible assistance for repair, improvement, adaptation, conversion or insulation. In appropriate cases the enquiry will be passed to SFT Community Support Services who can assist with administration, selection of contractors, supervision of works, etc. In the event of a person not wishing to use the services of SFT, verbal assistance and all relevant forms can be provided. However, in order to retain the independence of Council employees in these instances, no assistance may be given with form filling or in finding suitable contractors. In the event of assistance being likely towards a flat conversion project, the enquirer will be expected to make a substantial financial contribution, and then rent the property out in the private sector. If assistance is likely towards gas central heating and insulation measures, the enquiry will be passed to SFT Community Support Services, acting as the Council's agent. Where no financial assistance can be provided, the enquirer may be advised to obtain independent financial assistance for loans, equity release or other funding that may be available from commercial lenders.



- 7.5 If the Council believes grant funding may be available, the next stage will be the completion of the application formalities including appropriate certificates and agreement with terms and conditions etc, as well as the required number of estimates/quotes. The Council may approve a grant based on the lowest estimate of a minimum of two requested. The level of any Home Repair Assistance Grant approved, or Low Cost Energy Efficiency Grants, will be the total cost of agreed works. In the case of a Conversion Grant, the level will be restricted to not more than 50% of all reasonable costs of the total cost of the project up to a maximum of £5,000 per resultant self-contained unit. Low Cost Energy Efficiency Grants will be restricted to a maximum of 50% of all reasonable costs up to a maximum of £2,000 grant aid.
- 7.6 It should be noted that enquiries/applications from private sector landlords would only be entertained for either the conversion of empty shops, offices or commercial properties, or under-occupied properties, or gas central heating and insulation measures. In both cases the properties would have to be used for renting in the private sector for a minimum of five years. No financial assistance will be paid towards the cost of repairing tenanted dwellings, nor for works to provide means of escape in case of fire or basic amenities or in HMO's (houses in multiple occupation); these needs will be remedied by recourse to enforcement action if appropriate (see Section 12).
- 7.7 The result of the second stage of the process will be conveyed to applicants in writing, as stated in Article 3 (5) of the 2002 Order.
- 7.8 The amount of information required of applicants will be commensurate with the Council being satisfied that all necessary audit checks have been complied with. Some applicants may be required to provide more information than others for the same type and level of grant. The same standard form will be used by all applicants for the same classification of grant regardless of the value of works.

## 8.0 **GRANT DETAILS**

### **Mandatory Disabled Facilities Grants**

- 8.1 The Council will award Mandatory Disabled Facilities Grants (DFG) according to the prevailing legislation and Government guidance that determines, amongst other things, the type of work that can be funded, the maximum contribution that may be made, and the test of financial resources that must be applied. It is a statutory requirement that all applicants must make their initial approach to Hampshire County Council Adult Services Occupational Therapy Unit and, where appropriate, will be urged to pursue their application via SFT Community Support Services.

### **Discretionary Disabled Facilities Grants**

- 8.2 The Council will not normally consider applications for Discretionary Disabled Facilities Grants. Where applicants have a contribution to make according to the outcome of the test of financial resources they may provide written evidence to the Council from an independent third party financial advisor of their inability to raise sufficient funds to cover their own contribution. In such circumstances the applicant will be recommended to approach SCML. If the applicant refuses to do this and so requests, a confidential report on the application will be presented to the Housing Board and Members will decide what level, if any, of additional funding will be awarded.

### **Discretionary Conversion Grants**

- 8.3 The Council will consider applications for Discretionary Conversion Grants from private sector landlords for the conversion of suitable properties (that is; for the conversion of empty shops, offices or commercial buildings, or under-occupied properties, into smaller self-contained units for subsequent renting) into self-contained units of accommodation, subject to specified terms and conditions. To qualify, the resultant units must be rented, or

available to rent, for a period of not less than five years from the Certified Date of Completion. The maximum level of assistance will be £5,000 per unit created; the Council will consider the cost of all proposed work in the light of the eligibility of work and reasonableness of costed items on estimates/quotations. It shall be a condition of this grant that if the relevant property is disposed of within 5 years of receiving grant aid, then the grant plus interest at compound rate must be repaid to the Borough Council.

#### **Discretionary Home Repair Assistance Grants for repair/adaptation**

- 8.4 The Council will consider applications for discretionary Home Repair Assistance Grants for repairs and/or adaptations where both the applicants and the proposed works comply with 6.7.2 above. The method of means testing for this type of assistance shall be a simple transference method whereby applicants will qualify if they already receive a means tested benefit listed in 6.7.2. It shall be a condition of this grant that if the relevant property is disposed of within 5 years of receiving grant aid, then the grant plus interest at compound rate must be repaid to the Borough Council.

#### **Handyperson Scheme**

- 8.5 The Handyperson Scheme provides elderly and registered disabled residents with the opportunity of using a reliable workman to undertake minor works of repair or maintenance at a reduced cost to themselves, as the service is subsidised by the local authority. The recent Gosport Private Sector House Condition Survey revealed that 51% of local households contain retired people, one of the highest concentrations in the United Kingdom. Surveys have also shown that older homeowners have a real fear of employing 'unknown' workmen, and have difficulty in finding trustworthy contractors to undertake small-scale works in the first place. Small-scale home repairs and other works can, if not attended to promptly, turn into large-scale problems for the householder. For instance, blocked eaves-gutters can often lead to damp penetration which can also lead to dry rot; a slipped gully can lead to the same thing but also rainwater washing away the foundations and major structural disrepair in that corner of a property. A Government consultation paper has recently been

released which looks at the role of Home Improvement Agencies (HIAs). It stresses their value and the need for them to expand their roles and their coverage across the entire country. The Gosport Handyperson Scheme is funded for two days per week, which when added with the half day per week contribution from Social Services means that a Handyperson is available to the older and registered disabled residents of Gosport for half of each week. The Scheme is available to all residents who are over the age of 60 (not in employment and in receipt of a pension), or who are registered disabled (in receipt of Disabled Living Allowance). This is aimed primarily at promoting self-reliance and responsibility for the repair and maintenance of one's own home, another key point of Government intention. The works that the Handyperson may undertake cover such items as changing a tap washer, installing new or additional locks and bolts, door viewers, clearing eaves-gutters of leaves etc.

#### **Low Cost Energy Efficiency Improvement Grants**

- 8.6 These offer a grant of 50% (up to a maximum of £2,000 per property) towards the cost of installing gas central heating and loft and cavity wall insulation in privately rented properties, or owner-occupier properties who have received a DFG, where no member of the renting household is in receipt of an income related benefit, or a member of the renting household is in receipt of an income-related benefit but fails to qualify for the Government's Warmfront Scheme. Any private sector tenant who is in receipt of qualifying benefits and is either over the age of 60, is registered disabled or has a child will qualify for a Government Warmfront Grant for the same measures. The reason for including Private Sector Landlords in this Scheme is that the Government has noted (2006 Pre-Budget Report) that a particular market failure exists in the private rented sector because cost savings from investing in energy efficiency are difficult for landlords to recover in increased rent. The objective is multi-fold: First of all to help residents (especially vulnerable ones) to keep warm and save money on their heating bills ("affordable warmth"), as well as reducing the amount of carbon dioxide produced when fossil fuels are burned (households account for over one quarter of UK energy consumption and carbon emissions);

secondly, to help to reduce the number of households (especially vulnerable households) living in non-Decent Homes; thirdly, to tie in with The Stern Review, which stressed the need to ensure that emissions reductions are delivered in the most cost-effective way and; finally, to increase the comfort of persons who are registered disabled and the quality of the privately rented sector stock by increasing the SAP (Standard Assessment Procedure) rating of these properties. It has been estimated by the DCLG that in 2005-06 that 30,000 older people in England and Wales died of preventable, cold-related illnesses. So work here would complement both the Energy Efficiency and Fuel Poverty Strategies.

#### **Change of name of a welfare benefit**

- 8.7 Certain benefits, such as Income Support, may change or be amended by statute. The Housing Services Manager has the discretion to continue to award grant aid in cases where the nature of the recipient's benefit remains substantially unchanged.

### **9.0 PRIORITISATION OF APPLICATIONS FOR ASSISTANCE**

- 9.1 First priority will be given to applicants for Mandatory DFG.
- 9.2 Second priority will be given to those grant applicants whose health, safety and welfare would be compromised if essential works are not carried out quickly.

9.3 Third priority will be given to assistance towards the cost of installing low cost energy efficiency improvements in the homes of owner-occupiers receiving or who have received a DFG and private sector landlords who are renting their accommodation.

9.4 The Council operates to a fixed budget. When this budget runs out no further grants will be paid.

#### 10.0 **TERMS AND CONDITIONS**

10.1 These terms and conditions form part of the Council's Private Sector Housing Renewal Policy and will be applicable to all elements of it, except where otherwise stated. In so much as the terms and conditions applicable to Mandatory DFG are set by statute determined by the Government, these terms and conditions are not applicable to these grants although some may be the same as those which are applicable to such grants, details of which are separately available.

10.2 The terms, conditions and eligibility criteria for discretionary grants detailed within this policy will be set down in writing for all grant applicants, as stated in Article 3(5) of the 2002 Order. In addition, all applicants will be required to sign a relevant application form to indicate that they accept the Borough Council's terms of grant assistance, and consent to the actual works being carried out at their home.

10.3 In making an application for assistance, applicants are agreeing to all the terms and conditions as detailed by the Council.

10.4 **Information provided** to the Council by applicants as part of the application 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, upon the discretion of the Head of Audit, to

prevent and detect fraud or in investigation of other possible criminal activities.

- 10.5 Applications or enquiries will only be accepted on the **prescribed forms** of the Council.
- 10.6 Applicants must be 18 years of age or older at the date of application and in the case of joint applications, one must be over 18 at the date of application.
- 10.7 Applicants for assistance will be required to sign a declaration as to the accuracy of information provided and that of supporting paperwork, such as wage slips and accounts, etc. The Council will determine the level of assistance, if any, of Mandatory DFG as set out in the prevailing Housing Renewal Grants Regulations. The Council will routinely carry out cross-checks on information provided and paragraph 10.4 above will apply to all such information.
- 10.8 No application will be accepted for works required to reinstate any dwelling designated as defective under Section 528 or 559 of the Housing Act 1985, although applications for other types of work to defective dwellings will be considered, such as for a DFG.
- 10.9 All applications for assistance, excluding those for Home Repair Assistance Grants, must be accompanied by an Owner Occupation Certificate or a Tenant's Certificate or a Certificate Of Intended Letting, which states that the applicant has, or proposes to acquire, a qualifying interest in the property which is the subject to the application; or, that he will rent out the property for a minimum of five years. In addition the following separate requirements will apply:-
  - 10.9.1 *Owner Occupation Certificate:* in the case of an application for a DFG, the applicant must confirm that he/she intends that the property will be the only or main residence of the disabled occupant throughout the condition period

or such shorter period as his/her health and other relevant circumstances may permit.

- 10.9.2 *Intended Letting Certificate*: that throughout a period of five years from the completion date the property will be let or available for letting as a residence, not a holiday home, to a person(s) not related or connected with the owner of the dwelling for which assistance is being received.
- 10.9.3 **Proof of title** shall also be required to enable property ownership to be confirmed, and **consent of any mortgagee** will be needed.
- 10.10 **The applicant employs the builder or contractor** to undertake agreed works and the Council have no contractual liabilities in that relationship as their role is only to administer the grant/loan process.
- 10.11 The applicant is ultimately responsible for ensuring the quality of the completed works. This responsibility can be transferred to an agent of the applicant, such as an architect or a Home Improvement Agency, such as SFT Community Support Services.
- 10.12 If an applicant submits an **estimate/quote from a member of their family** who then carries out the agreed works the grant will be paid on the basis of the cost of materials only and no allowance will be paid towards labour.
- 10.13 Upon the conclusion of a Discretionary Conversion Grant, it will be expected that the property will be **left in a statutorily fit condition** (or free from any Category 1 or 2 hazard identified through the Housing Health and Safety Rating System); any exception to this will require the authority of the Housing Services Manager.
- 10.14 **Tenants**: Grant applications from private sector tenants and housing association tenants will only be accepted for a DFG. Assistance for private sector, Council and housing association tenants will be accepted for the Handyperson Scheme. A Tenant's Certificate stating that the



applicant is a qualifying tenant of the dwelling and that she/he intends to live in the dwelling as their only or main residence must accompany applications from qualifying tenants. A tenant's DFG application must also be supported by written permission from the landlord agreeing to the proposed adaptation. In all circumstances, other than the Handyperson Scheme, work to a property will require the **owner's written authority** and the knowledge of any mortgagee.

- 10.15 An application for a DFG will only be considered complete and then processed when it is accompanied by an **Occupational Therapist's Report** recommending the necessary works. It is expected that such a report will be provided at the commencement of the enquiry/application process.
- 10.16 An application for assistance towards **works that have already been completed** will not be accepted. However, in the case of DFG's, where it is adjudged that the needs of the applicant are critical, but for some reason (such as lack of funds) a DFG cannot be approved immediately, then applicants will be permitted to commence the relevant works following the issue of written authorisation from the Council.
- 10.17 The details of **means testing** referred to in individual grant description shall apply to all applications made for DFG except in cases where the grant is for a child.
- 10.18 The amount of **grant payable**, for each application, shall be the actual cost of undertaking the eligible works (including any associated fees) less any contribution required from the applicant, up to the prevailing limits as listed below. For Mandatory DFG the limit is absolute, based on Government legislation; for other grants the limit is determined locally.

Mandatory Disabled Facilities Grant	£25,000
Discretionary Disabled Facilities Grant	Determined by

	Housing Board
Discretionary Conversion Grant	50% up to a maximum of £5,000 per unit
Handyperson Scheme	£250
Home Repair Assistance Grants for essential repair or minor adaptation	£5,000
Low Cost Energy Efficiency Improvement Grant	50% up to a maximum of £2,000

- 10.19 Funding will only be increased beyond the sum originally approved, up to the maximum set out in 10.18, in the event of:-
- Unforeseen work being required to allow completion of eligible works, or
  - Associated works needed to protect the health and safety of occupiers, or
  - Evidenced increases in costs to the contractor from their suppliers, etc.

A formal **Revised Approval** will be required before any additional payment is made.

- 10.20 All **payments** shall be conditional upon receipt of an acceptable invoice and made direct to the appropriate contractor following agreement with the applicant that works to the appropriate stage have been satisfactorily completed. In any dispute between the applicant and contractor, which is not resolved in a reasonable time period, the grant, or part thereof, may be paid to the applicant at the discretion of the Council.

- 10.21 The Council will include the cost of **Preliminary or Ancillary Services Fees and Charges** within the calculation of assistance and each submission of fees will be individually considered for reasonableness. Payment towards any such fees is conditional on a grant being approved and the specified works being completed in full and the Council will not be held responsible for any fees incurred before or after approval.

- 10.22 The Council will consider requests for **Interim Payments** such that no interim payment will be more than 90% of the cost of completed work and in aggregate no more than 90% of the total approved amount before final completion.
- 10.23 The Council will determine in each approval document the **time period allowed for works** to be completed, which will not normally exceed 12 months and may be significantly shorter for small items of work.
- 10.24 The grant **works must be carried out** by one of the contractors whose estimates/quotes were submitted as part of the application process, the grant having been calculated using the lowest priced estimate/quote. Exceptions to this rule will only be made in special circumstances, such as the original contractor being unavailable to carry out the work.
- 10.25 **The number of estimates/quotes** accompanying an application for assistance for a DFG shall be at least two. The exception shall be in cases where the adaptation or aid required is so specialised that only one manufacturer can supply it. In the case of a Home Repair Assistance Grant or Low Cost Energy Efficiency Improvement Grant the minimum requirement will be one estimate/quote. No separate estimate/quote will be required in the case of Handyperson Scheme; costs shall be determined according to a standard schedule of rates agreed with the contractor, SFT. The Council reserves the right to ask for more estimates/quotes if it is not satisfied with that/those already submitted.
- 10.26 In any case where **financial circumstances** at the time of application are later confirmed differently to those submitted by the applicant(s) such as would lead to reduced assistance or denial of assistance, the original approval will be amended/cancelled and the Council is entitled to demand repayment together with compound interest from the date on which any payment was made until the date of full repayment, at such reasonable rate as the Council may determine to recover any over payment. In such

circumstances, the local authority may choose to cancel the whole approval or demand repayment of all monies paid, plus compound interest, despite the fact that a reduced level of assistance would have been approved, where it is felt the degree of error in the applicant completing the original means test forms is such to suggest a deliberate attempt to deceive.

- 10.27 Where an **applicant's circumstances change**, or are confirmed as different from originally stated, after the application has been approved, such that approval would no longer be given, the grant approval will be cancelled and no payments made, or no further payments made where interim payments have already been paid, except in exceptional circumstances when the Housing Services Manager may give authority to provide further funding so as to conclude work at a suitable and appropriate stage. Where payments have been made, the local authority may demand repayment together with compound interest from the date on which payment was made until the date of full repayment, at such reasonable rate as the Council may determine.
- 10.28 In certain circumstances where the Council believe that applicants may have attempted to **deliberately defraud** the Council, details will be passed to the Head of Audit who may recommend that the file be passed to the Police for investigation.
- 10.29 In the case of assistance for **works to common parts** (as some part or the whole works of a DFG) an individual applicant must obtain permission for the works to be undertaken by the Freeholder, unless there is evidence to the contrary, such as deeds or tenancy agreements, which prove otherwise.
- 10.30 In the case of a **Conversion Grant**, or a **Low Cost Energy Efficiency Improvement Grant** (made to a landlord) for which part or complete payment has been made, and where the applicant **disposes of the property**, or ceases to make it available for letting as the case may be,

before the conclusion of a five-year period following the date of final payment then he/she shall repay to the Council on demand the full amount of assistance paid plus compound interest at a reasonable rate determined by the Council. The compound interest part of this equation may be waived in exceptional circumstances, such as the ill-health of the original applicant being unable to continue his business.

10.31 In the case of a **Home Repairs Assistance Grant**, or a **Low Cost Energy Efficiency Improvement Grant** (made to an owner-occupier who has received a DFG) for which part or complete payment has been made, and where the applicant **disposes of the property**, or does not use the property as their sole or main dwelling as the case may be, before the conclusion of a five-year period following the date of final payment then he/she shall repay to the Council on demand the full amount of assistance paid plus compound interest at a reasonable rate determined by the Council. The compound interest part of this equation may be waived in exceptional circumstances, such as the ill-health of the original applicant forcing them to move properties.

10.32 The condition requiring repayment of assistance in the event of sale, etc, within the five full years after final payment is made shall not apply to the following:

- Handyperson Scheme
- Disabled Facilities Grants (DFG)
- Exceptional circumstances at the discretion of the Housing Services Manager.

Repayment shall not be made in the instance of discretionary grant aid for the Handyperson Scheme because their low cost value, i.e. less than £250, would make recovery uneconomic and in any event the measures undertaken have improved the housing stock as a whole. No repayment may be demanded, by law, from the recipient of a DFG if they choose to sell their property, even if this occurs months after the completion of a grant. An example of an exceptional circumstance that may be considered

by the Housing Services Manager is the applicant having to move into a nursing or residential home.

- 10.33 If a property is disposed of within five years and the grant recipient feels they have a case for repayment to be foregone, representations will be considered by the Housing Services Manager, who will determine whether to waive repayment or not, or to recover the grant in total or in part. Bearing in mind Article 3(4), the Housing Services Manager shall have regard to the ability of the person concerned to make that repayment in full or part.
- 10.34 In the five-year period following final payment of grant, the applicant shall, upon written request from the Council, reply in writing within 21 days of the date of the request stating how he/she is **complying with any of the terms and conditions** of the grant. Failure to comply with this requirement will be deemed a failure of grant conditions requiring total repayment of grant plus compound interest at a reasonable rate determined by the Council.
- 10.35 The conditions relating to **repayment of grant** apply equally to whichever certificate were signed for a five-year period from the date of final payment of grant.
- 10.36 In the event of a grant recipient pursuing a **successful insurance claim**, action for legal damages, etc, which covers the cost of works for which grant was previously paid, the applicant will on demand repay the total value of grant paid relating to such works or the value of the insurance payment/legal damages if lower.
- 10.37 The Council will **not undertake works on behalf of applicants**, except where works may be due in default of an owner's, tenant's, etc, failure to comply with a statutory notice.

- 10.38 The Council or their agents will hold final authority to determine what works are included on **grant schedules** although it may be acceptable for owners, tenants or their agents, etc, to draw up initial schedules of work which may be reduced or added to by the Council in terms of work qualifying for possible assistance.
- 10.39 The **payment** of a grant will only be considered after any applicant's contribution has been accounted for in the value of invoices submitted.
- 10.40 The responsibility to gain all **necessary approvals for works** to be undertaken with assistance rests with the applicant or their agent; such approvals may be Planning Permission or Building Regulation Approval or any of the matters raised within the terms and conditions of grant assistance.
- 10.41 Grant assistance will only be approved for the benefit of applicants who are able to provide evidence of a **valid National Insurance Number**.
- 10.42 The **discretionary grants** the Council awards are all subject to levels of available funding in each financial year and as such the Council reserves the right to defer consideration or approval of applications for periods of time of its own choosing in order to properly manage its finances.
- 10.43 In considering applications for the benefit of people with disabilities, the Council may choose not to grant aid adaptations for which Hampshire County Council are responsible under the **Chronically Sick and Disabled Persons Act 1970**.
- 10.44 The Council may specify in grant approvals involving the installation of specialised equipment for the benefit of people with disabilities that the **equipment is to be returned** to the Council if it is no longer needed or the property is sold. The grant recipient, or a representative, shall notify the Council as soon as the equipment is no longer needed and the Council or their agent may choose to remove it for re-use elsewhere, making good

any damage caused by its removal. This principle shall apply even where the original grant was approved with a contribution from the applicant.

- 10.45 The Council **may refer enquiries** for assistance to the externally managed Warm Front Scheme or to the Home Improvement Agency if appropriate.
- 10.46 The Council may from time to time utilise **special funding** from Central Government or other sources aimed at specific works to target issues of local and national concern in accordance with any special conditions, such as the replacement of inefficient boilers. Any special terms and conditions applicable to such initiatives will be appended to the Private Sector Housing Renewal Policy, as they will not significantly alter the Council's primary approach.
- 10.47 The Council does not require applicants who are able to raise their own funding through equity release or similar schemes to raise **funds in excess of the cost of agreed works** where they do not wish to do so, as a result of any minimum funding values imposed by potential lenders.
- 10.48 The Council may determine not to consider applications from persons, organisations, etc, where there is a possible **alternative source of funding** for maintaining properties, such as the NHS

## **11.0 APPLICATIONS OUTSIDE POLICY**

- 11.1 Article 4 of the 2002 Order makes it plain that the Borough Council cannot provide assistance unless the power is exercised in accordance with the Policy.



## **12.0 PRIVATE SECTOR HOUSING ENFORCEMENT POLICY**

### **Introduction**

- 12.1 This policy is an integral element of the Private Sector Housing Renewal Policy and although the Council will do all it can to educate, inform and encourage property owners to undertake their responsibilities, firm enforcement action to protect the health and safety of tenants, occupiers and others will sometimes be essential. The initiation of formal enforcement action will only occur when other measures have failed to produce the necessary response, or where there is an urgent need for action or controlling legislation requires such.
- 12.2 In addition, the Council fully adopts the principles of the Central and Local Government Concordat on Good Enforcement. By adopting the Concordat we commit ourselves to the following policies and procedures, which contribute to best value and will provide information to show that we are observing them.
- 12.3 This Enforcement Policy sets out the general principles and approach which the Council will follow when considering enforcement action in the field of private sector housing, dealing with unfitness, disrepair, insecure premises, and statutory nuisances.

### **Purpose and method of enforcement**

- 12.4 The primary objective is to ensure a fair, reasonable and consistent approach to enforcement in accordance with all appropriate guidelines and legislation.
- 12.5 Enforcement is distinct from civil claims for compensation and it is not undertaken in all circumstances where civil claims may be pursued, nor to assist such claims.

- 12.6 The Council has a range of tools at its disposal in seeking to secure compliance with the law and to ensure a proportionate response to criminal offences. Council officers may offer information and advice, verbally and in writing, which may include warnings that the law is not being complied with and, where appropriate, notices may be served, cautions issued and prosecutions taken.

### **Principles of enforcement**

- 12.7 The Council must seek to ensure compliance with the law but will carry out this duty in an appropriate manner according to the following principles:
- Proportionality: any action that we take will relate to the seriousness of the risk to the health, safety and welfare of any individual or the environment and to the seriousness of any breach of the law;
  - Consistency: we will try to ensure that our officers act in a similar way when faced with similar circumstances. We will also work with other authorities to ensure that this principle is applied at a local and national level;
  - Transparency: the Council will try to help people to understand what the law requires of them and make clear what needs to be done, and not done, to comply. We will also make clear what people should do if they are not happy about any action we have taken or are proposing to take;
  - Targeting: our enforcement efforts will be directed against those whose activities pose the most serious risks or those who have a history of non-compliance.
- 12.8 The Council will undertake appropriate quality checks to ensure that its officers are following these principles. Specific internal guidance will be adopted where there is insufficient national guidance.

### **Decision Making**

- 12.9 The decision to take formal enforcement action is made by the Borough Council through its Boards or Officers in accordance with the scheme of delegation to Boards and officers contained in the Constitution.

- 12.10 Decisions about whether to prosecute or offer a formal caution are made by the service manager concerned in consultation with the Borough Solicitor in accordance with the principles set out in this policy and the Council's Constitution.

**Minor breaches of legislation**

- 12.11 Where a minor breach of the law has occurred we will try to deal informally with the matter and will therefore advise the person responsible what needs to be done to comply. When requested, written confirmation will be given and this will identify those matters that are legal requirements and those which are recommendations for good practice. No further action will normally be taken by the Council when the person responsible is prepared to put things right. The person/business written to will always be advised who to contact should they not understand or disagree with the requirements.

**Serious breaches of legislation**

- 12.12 The Council prefers to secure compliance with legislation by a process of education and encouragement and will enforce such requirements in writing. It will sometimes be necessary for more formal action to be taken. This may involve the service of a Statutory Notice that states what must be done and gives a date for completion.

**Breaches of licence conditions**

- 12.13 Minor breaches of licence conditions will usually be dealt with informally, at least on the first occasion. As licence conditions are imposed in order to control activities that would otherwise cause harm, serious breaches will tend to result in prosecution/formal caution and/or revocation of the licence.

**Practical application of the Policy**

- 12.14 The Council will strive to ensure that enforcement decisions are always fair and consistent. In coming to any decision we will consider the seriousness of the offence, relevant past history, our confidence in person or business, the consequences of non-compliance, such as the risk to public health, and the likely effectiveness of enforcement options.
- 12.15 Where regular inspections are made of business premises, the frequency of these will be based on risk to the public and employees arising from the activities at those premises. Risk will be determined in accordance with national Codes of Practice and guidance.

#### **Enforcement options**

- 12.16 Upon consideration of all available evidence the enforcement officer has a number of options :
- 8.6.1.1.1.1 To take no action
  - 8.6.1.1.1.2 Informal action/advice
  - 8.6.1.1.1.3 Service of Statutory Notice
  - 8.6.1.1.1.4 Issue of a Formal Caution
  - 8.6.1.1.1.5 Prosecution
  - 8.6.1.1.1.6 Works in Default

These courses of action are not necessarily mutually exclusive and an act of enforcement could involve a number of these options.

#### **To take no action**

- 12.17 Upon investigation, if no breaches of legislation are identified then this is the only applicable option.

#### **Informal action/advice**

- 12.18 Includes offering of verbal or written advice, verbal warnings and written requests for action. Advice will be clearly stated and confirmed in writing, if requested or required, and will explain why remedial work is necessary over what timescale and what a legal requirement is and what is not.

Informal action is appropriate when:

- The matter is not serious enough to warrant formal action;
- Previous history suggest informal action will achieve compliance;
- Confidence in the owner, landlord etc is high;
- Generally standards are high;
- The consequences of non-compliance do not present a significant risk;
- The matter concerned is not a strict breach of law but the advice is good practice.

12.19 An investigating officer may determine that even where some of the above criteria are not met, initially informal action may be more effective than a formal approach.

#### **Service of statutory notices**

12.20 The use of statutory notices will be linked to criteria including risk, except where local authorities are required to serve notice by controlling legislation upon identification of certain matters, such as Statutory Nuisances and the Environmental Protection Act 1990.

Service of Statutory Notice is appropriate when:

- There are significant contraventions of legislation;
- Owners, landlords etc have shown reluctance to comply with legislation;
- There is a lack of confidence in a successful outcome from an informal approach;
- There is a serious risk to health and/or safety;
- The consequences of non-compliance present a significant risk;
- There are multiple breaches of legislation;
- No remedial action has been taken after an informal approach;
- Generally standards are not good;
- Confidence in the owner/landlord etc, is low;
- There is a statutory duty to serve.

- 12.21 Notices must only be served where there is proof that an offence has been or will be committed such that the evidence available would be admissible as evidence in a Court of law.
- 12.22 The limits specified in the notice must be realistic and where possible all requirements of the notice should be agreed with the recipient in advance. In arriving at limits and requirements for a notice the officer must give due consideration to the likely cost of works, extent of works, availability of equipment and/or expertise required in order to ensure a realistic outcome.
- 12.23 All statutory notices served must set out rights of appeal and clearly state that failure to comply may result in court proceedings or work being carried out in default, if appropriate, at the owners/landlords expense.
- 12.24 The Council may be required for certain notices to undertake a process of advance disclosure of their intention to act which the Council may also choose to utilise on a voluntary basis if considered appropriate.

### **Formal Caution**

- 12.25 As part of investigations, any alleged guilty party will be interviewed in accordance with PACE. A Formal Caution is an alternative to prosecution which is designed to deal quickly with less serious offences, avoid unnecessary Court appearances and reduce the likelihood of re-offending. When we are satisfied that an offence has been committed, and that the public interest would be best served by using this alternative, the offender may be given the option of accepting a Formal Caution. The implications of a Formal Caution will be clearly explained to the recipient in all cases before they are asked to sign.
- 12.26 The investigating officer must complete a 'prosecution' file before the Formal Caution is offered to the alleged guilty party.

12.27 The alleged guilty party must be given sufficient information to understand the significance of a Formal Caution.

12.28 In the event of the offer of a Formal Caution being refused, the Council will pursue the offence through a prosecution, except in exceptional circumstances as authorised by the appropriate officer.

### **Prosecution**

12.29 The Council prefers to deal with contraventions of the law in other ways, but on occasion it will be necessary for businesses and individuals to be prosecuted.

12.30 Then considering prosecution, we will consider all available information and wherever possible discuss matters with the person or business responsible to ensure that a fair, consistent and objective decision is made. We will consider the 'Crown Prosecution Service Guide – The Code for Crown Prosecutors', and in particular look at the following:

- The seriousness of the offence;
- Previous history and the willingness to prevent a repetition;
- Any explanation given;
- The public benefit.

12.31 If the evidential criteria are met then the public interest criteria in support of prosecution will be considered:

- A conviction is likely to result in a significant penalty;
- There has been a blatant disregard for the law, including where the economic advantages of breaking the law are substantial and the law-abiding are placed at a disadvantage to those who disregard it;
- When there appears to have been reckless disregard for the health and safety of occupier or others;
- Where there have been repeated breaches of legal requirements in a property or several properties in the same ownership and it appears the

owner/landlord is neither willing nor structured to deal adequately with these;

- Where, as a result of a substantial legal contravention, there has been a serious accident or a case of ill health;
- Where there are persistent poor standards;
- The requirements and recommendations previously given have not been taken and the owner/landlord has failed to correct a serious risk having been given reasonable opportunity;
- A statutory notice has been served and the time allowed for works to be undertaken expired, without an appeal being raised;
- A Formal Caution has been offered and refused, or where a Formal Caution has previously been accepted for a similar offence.

12.32 It is also necessary to consider public interest criteria against prosecution:

- The court is likely to impose a very small fine or nominal penalty;
- The offence was committed as a result of a genuine mistake or misunderstanding (balanced against the seriousness of an offence);
- Loss or harm suffered can be considered minor and was the result of a single incident, particularly if caused by misjudgement;
- There has been a long delay between the offence occurring and the date of the trial, unless:
  - The offence is serious;
  - The delay has been caused in part by the defendant;
  - The offence has only recently come to light, or
  - The complexity of the offence has meant that there has been a long investigation;
- A prosecution is likely to have a very bad effect on the physical or mental health of the tenant/victim (bearing in mind the seriousness of the offence);
- The defendant is elderly or is, or was at the time of the offence, suffering from significant mental or physical ill health, unless the offence is serious or there is a real possibility it may be repeated;



- The defendant has put right the defects, loss or harm that was caused (defendants will not avoid prosecution simply because they can pay compensation);
- A willingness of the defendant to prevent a recurrence of the problem;
- Information may enter the public domain that the Council or other public bodies may at least consider inappropriate;
- If it would be a more efficient use of public funds to simply proceed to carrying out works in default (bearing in mind the seriousness of the offence).

12.33 The decision on public interest is not simply an arithmetic calculation of pros and cons but involves officers deciding how important each factor is in the circumstances of individual cases and reaching an overall conclusion.

12.34 In reaching any decision to prosecute, this does not necessarily preclude the act of serving a notice or carrying out works in default as well, dependant on any specific direction associated with particular pieces of legislation.

### **Appeals/Right To Be Heard**

12.35 Most legislation gives rights of appeal against enforcement action to either the Courts or Tribunals and these rights will be clearly explained when any such action is taken. This appeals procedure may be time-consuming, costly and complicated. The Council has an informal appeals procedure that people can use prior to service of notices or other enforcement action. Rights of appeal can therefore be divided into informal and formal rights.

### **Informal appeal**

12.36 If a business or individual is unhappy with any proposed action they should discuss the matter with the Officer concerned in the first instance. If still unhappy, the Officer will provide the name of a Senior Officer within the Council who will be available to review the decision. At this time there will be an opportunity for the individual or business to make representations as to why the proposed course of action is unnecessary or unreasonable.

### **Formal appeal**

- 12.37 Once legal action, such as the service of a statutory notice or a decision to prosecute, has been taken, it is no longer possible to use the informal appeals procedure. Any appeal against the action taken will therefore need to be made to the relevant Court or Tribunal. Information outlining rights of appeal will be given to the recipient of each notice served. Recipients of notices etc will also be advised to take independent legal advice.
- 12.38 It should be noted that the formal right of appeal to the Court or Tribunal is unaffected by the informal process. Most formal appeals have to be lodged within a specific time.

### **Works in default**

- 12.39 The use of this power will initially be determined by the legislation under which a statutory notice was served and whether it allows for work to be carried out in default.
- 12.40 Works in default will generally be carried out when:
- The person served with a notice fails to comply with its requirements;
  - There has been no appeal against the notice, or an appeal has been quashed;
  - It is considered more appropriate/effective than prosecution or a successful prosecution has been taken and the problem remains;
  - The problem may be so serious as to require quick remediation through work in default at the same time as prosecution;
  - The recipient of the notice has requested such and given an undertaking to pay, in writing.
- 12.41 In determining whether to carry out works in default the following criteria will be considered:
- The seriousness of the defect and the urgency of the need to remedy the situation;

- The ability of the Council to reclaim the cost of undertaking the works, plus an administration charge, should the recipient of the notice appeal the costs;
- The comments of the recipient of the notice.

12.42 In commissioning any works so as to carry out works in default the councils' normal rules governing financial matters will be adhered to which includes provision for the possible ordering of works in emergency situations.

12.43 In all cases where controlling legislation allows, the Council will seek to recover costs incurred plus a reasonable charge for administration and interest where payment is delayed or through later recovery of a charge put on a property.

#### **General matters**

12.44 In cases of Formal Caution or prosecution, appropriate reference shall be made to the Borough Solicitor as part of the decision-making process.

12.45 The decision-making process undertaken through this policy will be carried out in line with the Council's Constitution giving authority to Members and officers for varying functions.

12.46 In carrying out this enforcement policy, any of the Council's duly authorised officers may use any of their powers, including power to enter premises to investigate particular offences, and in other circumstances. In appropriate cases an investigating officer may apply to the Court for a warrant to enter using reasonable force if necessary.

12.47 The Council will ensure all officers carrying out enforcement duties are suitably trained to do so and are subject to additional training as and when necessary for new legislation, etc.

- 12.48 The Council may make a charge for undertaking enforcement action when controlling legislation allows.

### **13.0 COMPLAINTS POLICY**

- 13.1 Any customer who is dissatisfied with the service provided will initially be asked to contact the officer who has been dealing with their case and give them the opportunity to alter the services or to or explain the decision/outcome.

- 13.2 If after contact with the officer dealing with the case a customer is still dissatisfied and wishes to explore the matter further they will be asked to contact the Head of Housing Strategy and Enabling who will provide a full written response within 10 working days of becoming aware of the matter. In the event of all enquiries not being complete to enable a full response within 10 working days, an interim response will be made within 3 working days indicating when a full response may be expected.

- 13.3 In the event that a customer is still dissatisfied, the Council has a formal complaints procedure and a leaflet is available upon request. This is a three-stage process as set out below:
- *Step 1:* If the customer is still unhappy they should contact the Housing Services Manager;
  - *Step 2:* The Housing Services Manager can resolve most complaints. However, if the customer still feels that their complaint has not been dealt with satisfactorily, or they would like to discuss it further, they can contact the Borough Solicitor who will carry out an independent review or arrange for one to be carried out.
  - *Step 3:* If the customer remains dissatisfied, their complaint can go before a panel of elected Councillors. They should request this through the Chief Executive or Borough Solicitor.

At this stage of the procedure the customer will receive a letter explaining the decision that has been made in relation to their complaint and the

reason for it. Letters sent after Steps 1 and 2 will explain what can be done. If the customer still feels aggrieved they can ask the Local Government Ombudsman to investigate their complaint.

#### **14.0 DEFINITIONS WITHIN THIS POLICY**

“Administration Charge”	Will be imposed by the Council to cover the cost (plus VAT) of its officers organising works in default of an owner, e.g. after a statutory notice has not been complied with or when a responsible person requests the Council to organise works.
“Agreed Works”	Are those works appearing on a schedule produced or authorised by the Council
“Charge on a Property”	Is where the local authority legally places a debt on the record of a house and recovers the debt, plus interest, upon its sale if not settled beforehand.
“Common Parts”	In relation to a building, includes the structure and exterior of the building and common facilities provided, whether in the building or elsewhere, for persons who include the occupiers of one or more flats in the building.
“Consent of Mortgagee”	Is given by the building society, bank, etc., with whom the applicant has their mortgage in the case of freeholders and leaseholders.
“Conversion Application”	Means an application in respect of works to provide one or

	more dwellings by the conversion of a house or other building, or for the provision of a House in Multiple Occupation by the conversion of a house or other building.
“Date of final payment of grant”	Is the date of the final cheque from the Council that completes payment of the grant assistance.
“Decent Home Standard”  See Appendix 4 for a more detailed definition.	A Decent Home is defined as meeting four criteria: <ul style="list-style-type: none"> <li>• It meets the current statutory minimum standard for housing.</li> <li>• It is in a reasonable state of repair.</li> <li>• It has reasonably modern facilities and services.</li> <li>• It provides a reasonable degree of thermal comfort.</li> </ul>
“Equity Release”	Is a means by which elderly persons can raise money against the value of their home where the difference between any outstanding mortgage/loan and its current market value is significant, also applicable where there is no outstanding mortgage/loan. The method of repayment can vary but generally the value of the loan, with or without interest, is repaid upon sale of the property.
“Household Income”	Means the amount of money the financial markets will consider available from a household to fund a loan, but will not include income from children, etc., residing in the home, but purely from owner(s) and any spouse or partner living in the property.
“House in Multiple Occupation”	And references to the owner of or person managing such a house shall have the same meaning as in Parts 2 and 7 of the Housing Act 2004 or any successor statutory definition.
“Housing Health and Safety Rating System” (HHSRS) See Appendix 3 for a more detailed definition.	A system of assessment of dwellings to determine the nature and severity of risks to the health and safety of the occupants; implemented on 6 April 2006.

“Mandatory Disabled Facilities Grant”	Is defined as per in the Housing Grants Construction and Regeneration Act 1996, as amended, or as in any successor statutory definition.
“Means Tested Benefit’s”	Is any income-based benefit received by an applicant, as defined and listed in a separate information sheet.
“Member of the family”	Includes spouses, persons who live together as husband and wife, parents, grandparents, children, grandchildren, brothers, sisters, uncles, aunts, nephews and nieces. It also includes same sex couples for discretionary grant aid only.
“Person with a disability/people with disabilities”	She/he is registered as a person with a disability or, in the opinion of the Social Services Authority is registerable as a person with a disability. This definition recognises the fact that the majority of people will not be on a register.
“Persons not related or connected with the owner of a dwelling”	Means not being a member of the owner’s family in accordance with the definition of ‘Member of the family’.
“Preliminary or Ancillary Services, Fees and Charges”	<p>Which may be included in a grant/loan application are:</p> <p>Technical and structural surveys;</p> <p>Designing and preparing plans and drawings and preparing schedules of works;</p> <p>Obtaining estimates and valuations;</p> <p>Applications for building regulations approval and planning permission;</p> <p>Supervision of works;</p> <p>Disconnection and reconnection of electricity, gas, water and drainage utilities made necessary by the works (but no charges arising out of non-payment of bills);</p> <p>Advice on contracts and on financing the cost of works.</p> <p>Including such services given by or through home</p>

improvement agencies.

“Proof of Title”

Is completed by a Solicitor or Building Society on an applicant's behalf in the case of freeholders or leaseholders to confirm ownership.

“Reasonable Repair”

Means the Council shall have due regard to the age and character of a dwelling and the locality in which it is situated, but not its state of internal decoration, when considering its condition.

SAP Rating  
(Standard Assessment  
Procedure)

The SAP is the Government's recommended system for the energy rating of dwellings. The SAP is used for:

- Calculating the SAP rating, on a scale from 1 to 100, based on the annual energy costs for space and water heating. The higher the figure the more energy efficient is the property.
- Calculating the Carbon Index, on a scale of 0.0 to 10.0, based on the annual CO2 emissions associated with space and water heating.

SAP ratings allow comparisons of energy efficiency to be made, and can show the likely effect of improvements to a dwelling in terms of energy use.

NB ‘Super Efficient’ homes may be specially constructed using the latest technology that actually generate more energy (by wind turbines and ground source heat pumps etc) than they use. Surplus energy being ‘sold’ back to the energy utility company. These properties are measured out of 120. It is believed that no such properties exist in the Borough of Gosport.

“Statutory Notice”

Is a notice requiring owners/responsible persons to carry out work or some other action with regard to their property. The



notice is served using the power of a national law and failure to comply may result in prosecution through the courts or works being carried out at the responsible person's expense.

“Substantial Disrepair”

Means repairs to a single property, being required to put it in reasonable repair that will cost over £1,000.

“Tenant”

Means a person occupying property on an assured short term letting basis

“Vulnerable Household”

See Appendix 2 for a more detailed definition.

A household where at least one member is in receipt of at least one of the principal means tested or disability related benefits

“Works in Default”

Means works that the Council organise and possibly carry out as a result of the recipient of a statutory notice failing to comply with its requirements within a reasonable period of time.

“Working Days”

Means days excluding Saturday and Sundays and Bank Holidays.

## APPENDIX 1

### KEY SERVICE STANDARDS 2004/5

ACTIVITY	TARGET
Respond to urgent service requests, such as no hot water in private tenanted home of member of vulnerable group (vis-à-vis aged >60, family with child <5, or Registered Disabled), or severe water penetration in private tenanted home, or complete electrical failure in private tenanted home, or in Houses in Multiple Occupation where the gas/electric/water are cut off.	100% within 1 working day
The proportion of unfit private sector dwellings made fit or demolished as a direct result of action by the local authority	4 % pa
Respond to all requests for private sector housing service	95% within 5 working days 100% within 10 working days
Inspect premises for priority grant aid upon receipt of request, or request the Home Improvement Agency to take on the request	90% within 10 working days 100% within 20 working days
Determine all valid and fully made housing renewal grant applications	95% within 30 working days 100% within 60 working days
Authorise payment of grant monies following the satisfactory completion and inspection of the work and submission of all documentation	100% within 10 working days

## **APPENDIX 2**

### **Definition of a Vulnerable Household**

Vulnerable households have been defined for the purposes of the Decent Homes Standard as a whole as those in which at least one household member is in receipt of at least one of the principal means tested or disability related benefits. These being:

- Income Support.
- Housing Benefit.
- Council Tax Benefit.
- Disabled Persons Tax Credit.
- Income Based Job Seekers Allowance.
- Working Families Tax Credit.
- Attendance Allowance.
- Disability Living Allowance.
- Industrial Injuries Disablement Benefit.
- War Disablement Pension.
- Child Tax Credit.
- Working Tax Credit.
- Pension Credit.

The definition of qualifying benefits used to define 'vulnerable' will be subject to change, for instance; the last three qualifying benefits (above) have been introduced since 2001 and they have different qualifying thresholds.

## **APPENDIX 3**

### **Housing Health and Safety Rating System – the 29 categories of housing hazard and the most vulnerable age groups, as defined by the ODPM**

- 1. Damp and mould growth**  
Health threat from dust mites, mould or fungal growths caused by dampness and/or high humidity.  
**Most vulnerable:** 14 years or less
- 2. Excess cold**  
Health threat from sub-optimal indoor temperatures.  
**Most vulnerable:** 65 years plus
- 3. Excess heat**  
Health threat caused by excessively high indoor temperatures.  
**Most vulnerable:** 65 years plus
- 4. Asbestos and manufactured mineral fibres**  
Health threat from inhalation of microscopic fibres.  
**Most vulnerable:** no specific group
- 5. Biocides**  
Hazards resulting from contact with chemicals used to treat timber and mould growth.  
**Most vulnerable:** no specific group
- 6. Carbon monoxide and fuel combustion products.**  
Hazards resulting from excess levels.  
**Most vulnerable:** CO, 65 years plus. NO<sub>2</sub>, SO<sub>2</sub> and smoke, no specific group.
- 7. Lead**  
Hazards resulting from ingestion.  
**Most vulnerable:** under 3 years
- 8. Radiation**  
Principally health threat from exposure to Radon and its sister gases.  
**Most vulnerable:** all persons aged between 60 and 64 years who have had a lifetime exposure to radon.
- 9. Uncombusted gas**  
Threat of asphyxiation from escaping fuel gas.  
**Most vulnerable:** no specific group
- 10. Volatile organic compounds**  
Health threat from exposure to harmful gasses released from fabrics and paints etc at room temperature.  
**Most vulnerable:** no specific group

- 11. Crowding and space**  
Health hazards linked to lack of space for sleeping and normal household life.  
**Most vulnerable:** no specific group
- 12. Entry by intruders**  
Psychological and actual threat to health and safety from inadequate security against unauthorised entry.  
**Most vulnerable:** no specific group
- 13. Lighting**  
Threats to mental and physical health from poor lighting.  
**Most vulnerable:** no specific group
- 14. Noise**  
Threats to mental and physical health from excessive noise  
**Most vulnerable:** no specific group
- 15. Domestic hygiene, pests and refuse**  
Health hazards due to poor design, construction and disposal of household waste.  
**Most vulnerable:** no specific group
- 16. Food safety**  
Threats of infection from unhygienic conditions  
**Most vulnerable:** no specific group
- 17. Personal hygiene, sanitation and drainage**  
Threats of infection and to mental health from unhygienic conditions.  
**Most vulnerable:** under 5 years
- 18. Water supply for domestic purposes**  
Health threats from polluted water.  
**Most vulnerable:** no specific group
- 19. Falls associated with baths etc**  
Includes injury from falls associated with showers.  
**Most vulnerable:** 60 years plus
- 20. Falls on the level**  
Includes injury from trip steps, thresholds and ramps where the change in level is less than 300mm.  
**Most vulnerable:** 60 years plus
- 21. Falls associated with stairs and steps**  
Includes injury from stairs and steps where the change in level is greater than 300mm.  
**Most vulnerable:** 60 years plus

- 22. Falls between levels**  
Includes injury from falls from windows, balconies and landings.  
**Most vulnerable:** under 5 years
- 23. Electrical hazards**  
Hazards from electric shock and electricity burns.  
**Most vulnerable:** under 5 years
- 24. Fire**  
Threats to health from uncontrolled fires including the effects of smoke.  
**Most vulnerable:** 60 years plus
- 25. Hot surfaces and materials**  
Includes burns and scolds from non-hot water based liquids.  
**Most vulnerable:** under 5 years
- 26. Collision and entrapment**  
Injury from trapping body parts in architectural features, such as windows (**most vulnerable:** under 5 years); and, striking (colliding with) objects that are architectural features such as low ceilings, door openings (**most vulnerable:** 16 years plus).
- 27. Explosions**  
Injury caused from the blast of an explosion.  
**Most vulnerable:** no specific group
- 28. Ergonomics**  
Strains caused by poor design and layout.  
**Most vulnerable:** 60 years plus
- 29. Structural collapse and falling elements**  
Injury from falling objects due to structural failure, inadequate fixings and disrepair.  
**Most vulnerable:** no specific group

## **APPENDIX 4**

### **THE DETAILED DEFINITION OF A DECENT HOME**

1. This section gives detailed definitions of each of the four criteria that make up the decent home standard (DHS).

#### **Criterion A: It meets the current statutory minimum standard for housing**

2. The Housing Health and Safety Rating System (HHSRS), which assesses health and safety hazards in the home and designates them Category 1 or 2 according to their severity, is the statutory minimum standard for housing. A Category 1 hazard triggers a duty on an authority to take appropriate enforcement action and also triggers action in the context of decent homes.

#### **Criterion B: It is in a reasonable state of repair**

3. A dwelling satisfies this criterion unless:
  - One or more key building components are old *and*, because of their condition need replacing or major repair; or
  - Two or more other building components are old *and*, because of their condition need replacing or major repair.

A building component can only fail to satisfy this criterion by being old and requiring replacing or repair. A component cannot fail this criterion based on age alone.

#### **Building Components**

4. Building components are the structural parts of a dwelling (e.g. wall structure, roof structure), other external elements (e.g. roof covering, chimneys) and internal services and amenities (e.g. kitchens, heating systems). Key building components are those that, if in poor condition, could have an immediate impact on the integrity of the building and cause further deterioration in other components. They are the external components plus internal components that have potential safety implications and include:
  - external walls;
  - roof structure and covering;
  - windows/doors;
  - chimneys;
  - central heating boilers;
  - gas fires;
  - storage heaters; and
  - electrics.

5. Lifts are not considered to be a key component unless the lift or the lift shafts have a direct effect upon the integrity of the building.
6. If any of these components are old and need replacing, or require immediate major repair, then the dwelling is not in a reasonable state of repair and remedial action is required.
7. Other building components are those that have a less immediate impact on the integrity of the dwelling. Their combined effect is therefore considered, with a dwelling not in a reasonable state of repair if two or more are old and need replacing or require immediate major repair.

#### Old and in Poor Condition

8. A component is defined as 'old' if it is older than its expected or standard lifetime.
9. Components are in poor condition if they need major work, either full replacement or major repair.
10. One or more key components, or two or more other components, must be both old and in poor condition to render the dwelling non-decent on grounds of disrepair. Components that are old but in good condition or in poor condition but not old would not, in themselves, cause the dwelling to fail the standard.
11. A building component that requires replacing before it reaches its expected lifetime has failed early. Under the terms of the definition, this early failure does not render the dwelling non-decent.
12. The disrepair criterion is set in such a way that it helps plan future investment needs. Owners are more likely to be able to predict component failure after the component has reached a certain age than predicting early failures.
13. Where the disrepair is of a component affecting a block of flats the flats that are classed as non-decent are those directly affected by the disrepair.

#### **Criterion C: It has reasonably modern facilities and services**

14. A dwelling is considered not to meet this criterion if it lacks three or more of the following facilities:
  - a kitchen which is 20 years old or less;
  - a kitchen with adequate space and layout;
  - a bathroom which is 30 years old or less;
  - an appropriately located bathroom and WC;
  - adequate noise insulation; and
  - adequate size and layout of common entrance areas for blocks of flats.
15. The ages used to define the 'modern' kitchen and bathroom are less than those for the disrepair criterion. This is to take account of the modernity of kitchens and bathrooms, as well as their functionality and condition.



16. These standards are used to calculate the national standard and have been measured in the English House Condition Survey (EHCS) for many years. For example, in the EHCS:
- a kitchen failing on adequate space and layout would be one that was too small to contain all the required items (sink, cupboards cooker space, worktops etc) appropriate to the size of the dwelling;
  - an inappropriately located bathroom and WC is one where the main bathroom or WC is located in a bedroom or accessed through a bedroom (unless the bedroom is not used or the dwelling is for a single person). A dwelling would also fail if the main WC is external or located on a different floor to the nearest wash hand basin, or if a WC without a wash hand basin opens on to a kitchen in an inappropriate area, for example next to the food preparation area;
  - inadequate insulation from external airborne noise would be where there are problems with, for example, traffic (rail, road and aeroplanes) or factory noise. Landlords should ensure reasonable insulation from these problems through installation of appropriate acoustic glazing in line with the current Building Regulations; and
  - inadequate size and layout of common entrance areas for blocks of flats would be one with insufficient room to manoeuvre easily for example where there are narrow access ways with awkward corners and turnings, steep staircases, inadequate landings, absence of handrails, low headroom etc.
17. Owners may work to different detailed standards than those set out above. In some instances there may be factors that may make the improvements required to meet the decent homes standards challenging, or impossible, factors such as physical or planning restrictions. Where such limiting factors occur the property should be assessed to determine the most satisfactory course of action in consultation with the relevant body or agency so as to determine the best solution. The outcome may determine that some improvements may be possible even if all are not. A dwelling would not fail this criterion, where it is impossible to make the required improvements to components for planning reasons.

**Criteria D: It provides a reasonable degree of thermal comfort**

18. The revised definition requires a dwelling to have both:
- efficient heating; and
  - effective insulation.
19. Efficient heating is defined as any gas or oil programmable central heating or electric storage heaters or programmable LPG/solid fuel central heating or similarly efficient heating systems that are developed in the future. Heating sources that provide less energy efficient options fail the decent home standard. Programmable heating is where the timing and the temperature of the heating can be controlled by the occupants.

20. Because of the differences in efficiency between gas/oil heating systems and the other heating systems listed, the level of insulation that is appropriate also differs:

- For dwellings with gas/oil programmable heating, cavity wall insulation (if there are cavity walls that can be insulated effectively) or at least 50mm loft insulation (if there is loft space) is an effective package of insulation; and
- For dwellings heated by electric storage heaters/LPG/programmable solid fuel central heating a higher specification of insulation is required: at least 200mm of loft insulation (if there is a loft) and cavity wall insulation (if there are cavity walls that can be insulated effectively).

21. Loft insulation thickness of 50mm is a minimum designed to trigger action on the worst housing. Where insulation is being fitted, owners should take the opportunity to improve the energy efficiency and install insulation to a much greater depth.

(Source: A Decent Home – The definition and guidance for implementation, ODPM, Feb 2004)

## **APPENDIX 5**

### **CONTACT DETAILS**

Private Sector Housing Team  
Housing Strategy & Enabling  
Housing Services  
Gosport Borough Council  
Town Hall  
High Street  
GOSPORT  
PO12 1EB

Tel: - 023 92 545510

## APPENDIX B

### Major changes in the Housing Renewal Policy 2007-08

#### **Introduction:**

This Appendix is a précis of the major changes over the previous (2006-07) Housing Renewal Policy.

Some changes have been made necessary due to the new Housing Act 2004; elements of which, despite the date of the Act, did not pass into statute law until July 2006.

Other changes have been necessitated by the publication of new research. However, I have also included more definitions, in the light of Members questions in the Housing Board Meeting on 8<sup>th</sup> March 2006.

#### **Main Changes:**

2.15 alludes to recent research by CURS (Centre for Urban and Regional Studies, at Birmingham University), May 2006, concerning poor housing conditions in the private sector in South-east England.

3.7 notes the introduction of the Licensing Scheme for many of the larger HMO's (Houses in Multiple Occupation), and the abolition of the Fitness Standard and its replacement with the new Housing Health & Safety Rating System, as well as the Decent Homes Standard. Through-out the Policy, the expression 'Fitness Standard' has thus been replaced by 'Decent Home Standard'.

In order to assist Members with these changes I have included more definitions in **14.0: "Definitions within this Policy"** [i.e. SAP (Standard Assessment Procedure) - the Government's recommended system for the energy rating of dwellings] and the following new appendices: -

Appendix 2 – Definition of a Vulnerable Household.

Appendix 3 – Housing Health & Safety Rating System - the 29 categories of housing hazard and the most vulnerable age groups, as defined by the ODPM (Office of the Deputy Prime Minister).

Appendix 4 – Detailed Definition of the Decent Home Standard.

4.14 refers to the extension of the PSA7 (Public Service Agreement) target, which aims to increase the proportion of vulnerable households in the private sector living in decent homes.

4.15 & 4.16 outlines the key conclusions of the Stern Review 'Economics of Climate Change' (October 2006); in particular, focusing on domestic energy consumption (and hence carbon emissions) which accounts for over a quarter of the UK total.

7.7.4 & 8.6 refers to the extension of the Low Cost Energy Efficiency Improvement Grants to recipients of Disabled Facilities Grants (where no member of the household would qualify for a Warmfront Grant). This is also mentioned in 3.2 of the Board Report proper.

## AGENDA ITEM NO. 8

<b>Board/Committee:</b>	HOUSING BOARD
<b>Date of Meeting:</b>	7 <sup>TH</sup> MARCH 2007
<b>Title:</b>	REVIEW OF THE ALLOCATIONS POLICY
<b>Author:</b>	HOUSING SERVICES MANAGER
<b>Status:</b>	FOR DECISION

### **Purpose**

To advise Members of the details of the change back to a points based system as agreed at the last meeting of the Housing Board. To inform Members of a revised points system as discussed at the last meeting of the Housing Board, and the financial and resource implications thereof.

### **Recommendation**

That Members:

1. Approve the recommended scheme at Appendix A and the timetable referred to in paragraph 2.7
2. Approve the resources (in relation to cost and additional staffing) within Housing budgets.
3. Note that adoption of these changes is subject advising our Housing Association Partners in accordance with Section 167(7) of the Housing Act 1996 and the relevant statutory and voluntary agencies.

## **1 Background**

- 1.1 The January 2006 the Housing Board approved various amendments to the then existing Allocations Policy. Some of those changes related to the planned introduction of the Choice Based Lettings scheme (adopted in June 2006). These changes are not relevant to this report and therefore have not been covered here.

The January 2007 Housing Board considered a further report – The Allocations Policy Review. That report set out significant adjustments within the adopted banding structure and simplified housing need assessment. Members resolved to return to:

- A pointing scheme; and,
- Re-introduce the historical pointing scheme to achieve a more complex housing need assessment which is easily understood by customers.

- 1.2 Since the January 2007 Housing Board, the Government has released a new Code of Guidance for Lettings.

The Guidance promotes a banding system but also acknowledges that there is no reason why a Council could not implement a point's based system. This report is therefore consistent with that guidance.

## **2 Report**

- 2.1 The concerns Members have expressed about the current band scheme are:

- It is too simple and provides insufficient scope for low level need factors to be acknowledged within the Housing Need assessment; and,
- There is insufficient priority given to residence in the district;
- Points are easier for customers to understand than a banding scheme.

A proposed points scheme is at Appendix A.

- 2.2 Whenever a substantial change is planned to an Allocations Policy there is a need to assess:

- The current scheme and how can areas that are to be retained be migrated to a new scheme:
  - The most economical migration is for the I.T. system to be able to convert data from existing to new (e.g. bands to points);
  - Manual adjustments and possibly investigations that would be required for data that it is not possible to migrate via I.T. (i.e. confirmation of residence information given by customers)
- Should new assessment criteria be adopted in order to return to an effective points based system
  - This would involve manual collection of data from customers and assessment /input.

- 2.3 The cost of conducting manual adjustments is obviously higher than I.T. migration and the cost of implementing any new components in a scheme represent additional costs due to the additional data collection issues.

In addition, it is also necessary to consider the length of time required to capture all the information needed for a full customers housing need assessment.

- 2.4 An analysis of the options for migration to a new housing need assessment scheme has been completed, addressing all of the above. The scheme has therefore been costed to give a guide price for Members.
- 2.5 Appendix B provides the detail of costing associated with implementation of the recommended scheme.
- 2.6 The overall cost to implement the scheme is set out below.

Implementation costs			Annual, on-going costs
Staff costs	I.T costs	Other costs	
£41,166	£15,000	£3,340	£21,758

As can be seen from the above table, the staffing costs involved represent by far the highest variable costs. This is an extra staffing resource to manage the additional work of the revised system. Officers will aim to identify suitable staffing resources from throughout the Town Hall to assist with the introduction of the revised points system. Appendix A sets out the detailed costings and assumptions involved.

There is inevitably a degree of judgement involved in these costings, but based on historic changes to the I.T. system and previous experience, officers are confident that these are a realistic representation of the expected costs.

- 2.7 The timescale for implementation has been considered by Officers and discussed with IBS (the software consultants that would be amending the computer programme). Officers are planning towards an introduction of a new points based system from September 2007.

Appendix C sets out the anticipated timescale of implementation of a new scheme and assumes two full-time equivalent posts are employed for a period in addition to the retention of the post covering the maternity leave of the medical officer.

### **3 Risk Assessment**

- 3.1 The primary risk involved with any substantial change to any Allocations Policy is that the timescale for implementation may be altered by factors outside of Officer's control, for example unexpected delays with the IBS system implementation or testing showing further alterations are needed. The risk of these factors impacting on the overall timetable is considered medium.

#### **4 Conclusion**

- 4.1 This report sets out a proposed scheme that could be adopted to replace the existing housing needs assessment of the Allocations Policy.

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<b>Financial Services comments:</b>	The estimated financial implications associated with the change back to the points based system are detailed in paragraph 2.6 and Appendix B of the report. Officers are confident that these can be met from existing housing budgets.
<b>Legal Services comments:</b>	The Council's allocation scheme has to ensure that reasonable preference is given to the reasonable preference groups set out in Section 167 of the Housing Act 1996. The Housing Services Manager has confirmed that the amendments to the Allocation scheme do comply with this statutory requirement.
<b>Service Improvement Plan implications:</b>	None
<b>Corporate Plan:</b>	None
<b>Risk Assessment:</b>	See paragraph 3.1
<b>Background papers:</b>	Allocations Policy Review: January 2006 and January 2007 Housing Boards
<b>Appendices/Enclosures:</b>	
Appendix 'A'	Proposed Points Scheme
Appendix 'B'	Detailed costing for implementation
Appendix 'C'	Project implementation timetable
<b>Report author/ Lead Officer:</b>	Andy Elder, Housing Services Manager



## APPENDIX A

### PROPOSED POINTS SCHEME

Note: shaded areas show what is currently included in the bands scheme – however medical and social priority has been expanded to allow for more in depth assessment

		<b>Scheme Three</b>
	<b>Housing Need</b>	<b>Points</b>
1	Homelessness	75 or 5
2	Move-on/MRP	100
3	Under-occupation	30
4	Medical	10, 20, 30, 100
5	Social	10, 20, 30
6	Unsatisfactory or unfit housing	N/A
7	Local Connection	50, 25
8	Residence of up to 5 years	Up to 10 points
10	Waiting time on list	5 per year
11	Minor Penalty	Lose all non-statutory priority factors and 50% of statutory preference priority*
12	Major penalty	Lose all priority
13	Pregnancy	10 points
14	Sharing living room/kitchen/bathroom with relatives	2 points per item
15	Sharing living room/kitchen/bathroom with non-relatives	4 points per item
16	No access to living room/kitchen/bathroom	10 points each
17	No essential amenities (gas, if supplied, electric, water)	10 points per missing amenity
18	No heating or hot water	10 per missing item
19	No garden	10 points
20	Children above ground floor	10 points
21	Unfit Housing	20 points
22	Hardship	Up to 20 points
23	Valid notice to get out	5 points
24	Court Order to get out	20 points
25	One bedroom short	10 points
26	More than one bedroom short	20 points

## APPENDIX B

### COSTING INFORMATION TO IMPLEMENT AMENDED SCHEME

#### Detail

Medical:	All customers who have been awarded priority <b>or have applied</b> would have to be re-assessed because the existing assessment of 2 levels of priority/not priority would change to 4 levels of priority / no priority:
Social:	All customers who have been awarded priority <b>or have applied</b> would have to be re-assessed because the existing assessment of 1 level of priority/not priority would change to 3 levels of priority / no priority:
Other points	Rows 13 -24. All customers would need to complete additional information that would need assessment and verification.

#### Staffing Implementation costs

Medical / Social Priority re-assessments:

- Average of 1 hour per case;
- 602 cases at 18/1/07;
- Grade 5 officer assessment;
- Direct staff costs\* = £24,500 @ 60 minutes per case = £12.73 per case x 602 =£7,663

Past Residence

- Average of 30 minutes assessment and verification + 10 minutes data capture = 40 minutes average per case;
- Total cases = 3016 (18/1/07) – (35% of 3016 – historical information available) = 2246 cases;
- Predominately grade 4 officer assessment;
- Average direct staffing costs\* = £19,800 @ 40 minutes = £6.86 per case x 2246 cases = £15,407

Other points

- Average additional time compared to current system - 25 minutes per case additional input and verification, plus 10 minutes data capture;
- Total cases 3016 (18/1/07) – as this will assess current housing circumstances it is more efficient to re-do this data for all
- Grade 4 officer assessment
- Average direct staffing costs\* = £19,800 @ 35 minutes per case =£6.00 x 3016 = £18,096

### **Staffing annual costs**

- Medical/Social assessments: are 2 hours each – nil increase in cost on the basis of it takes the same officer time to give nil awards as an award. However, by including low level priority it is reasonable to expect more applications. Estimate of an additional 212 applications to assess per year (based on pre-CBL evidence) =  $\text{£}24,500 \times 120 \text{ minutes} = \text{£}25.47 \text{ per case} \times 212 \text{ applications pa} = \text{£}5,400$
- Past Residence: 65% rotation of customers per year @ baseline figure of 3016 applications = 1960 cases to assess per year where no increase in total on the Housing Register =  $\text{£}3.43 \text{ per case} \times 1960 = \text{£}6,723$
- Other pointing categories: Average direct staffing costs\* =  $\text{£}19,800 \times 25 \text{ minutes per case} = \text{£}4.29 \text{ per case} \times (3016 \times 65\% = 2246) = \text{£}9,635$

## APPENDIX C

## PROPOSED IMPLEMENTATION TIMETABLE

[illegible]

[illegible]