

- **Housing Renewal Policy**

**Contents**

1. **Introduction**
2. **Aims of the Policy**
3. **Strategic context**
4. **Evidence base**
5. **Operation**
6. **Appendices**

**1**

**Introduction**

Breckland Council contends that it is the owner's responsibility to maintain their dwellings to an acceptable standard but recognises that some owners may not have the necessary resources to fully facilitate that responsibility.

Accordingly Breckland Council will offer assistance, predominantly targeted to vulnerable households, to further the aims of the Council's Private Sector Housing Strategy.

A range of schemes will be put in place to assist both owner-occupiers and landlords to maintain their properties. The schemes will be a mix of both financial and non-financial initiatives. Where applicable the Council will work in partnership with other agencies to lever in additional finance to support the Council's own capital resources. Partnerships will also be developed to ensure efficient delivery of the assistance.

Breckland Council will also, within its capabilities, offer advice and guidance on forms of assistance offered by other agencies.

The Disabled Facilities Grant programme is not covered by this policy, (but note Enhance Equity Release).

**2**

**Aims of the Policy**

The aims of the policy are:

- To reduce the number of dwellings with Category 1 or 2 hazards as determined by the Housing Hazard Safety Rating System
- To increase the number of dwellings achieving the Decent Homes standard
- To reduce the number of long-term empty dwellings
- To reduce the number of households in fuel poverty
- To increase the number of dwellings available for private renting
- To reduce the incidence of rogue trader related crime
- To reduce the incidence of household burglaries
- To reduce the incidence of housing related health inequalities

### **Strategic Context**

All enforcement, regulatory and advisory activity carried out by Breckland Council's Private Sector Housing Team is under the auspices of Acts of Parliament; Rules and Orders made there under; and Guidance, both statutory and advisory, issued by the appropriate National Authority. These, collectively, give either a duty or a power to the function.

Primary legislation – Housing Act 2004

Secondary legislation – Regulatory Reform (Housing Assistance) (England and Wales) Order 2002

BVPI – none

PSA – none

Written policy – yes

The Regulatory Reform Order (RRO) sets out the framework enabling Authorities to develop discretionary forms of assistance for owners and tenants where applicable. Assistance can be both financial and non-financial. Financial assistance can be in the form of grants, loans or equity release loans.

Breckland Council will work with other organisations to access funding or expertise to further its aims. Included will be organisations drawing funding primarily from the Carbon Emissions Reduction Target (CERT) pool provided by the energy supply companies directed at reducing fuel poverty.

It will be the Council's policy to provide assistance to improve or repair a dwelling to eliminate, as far as is practicable, all Category 1 and 2 hazards and to ensure that the dwelling reaches the Decent Homes standard and that any household in fuel poverty is removed there from.

### **Evidence base**

Information on the forms of assistance available from Breckland Council and its partners will be advertised in Breckland Voice, via the Council's website, leaflets and posters. Officers will also give this information verbally in response to direct contact. Opportunities to give this information via other forms of media will also be taken.

This information will allow potential applicants to "self select" as to whether, or not, they fit the criteria for assistance. Enquiries that cannot be screened out, or redirected to a partner, at the initial enquiry stage will receive a visit from an officer. At this stage an assessment will be made of both the dwelling and the household circumstances to ascertain a match against the criteria for assistance.

Primary source of evidence on overall stock condition will be through stock condition surveys carried out at five yearly intervals. Such surveys are sample surveys of around 1000 dwellings. The last such survey was carried out in July 2007 and indicated that 15.5% of the private stock failed to achieve the Decent

Homes standard (compared with 29% nationally). The cost for making all non-decent dwellings decent is estimated to be £42 million.

6% of the private stock contains Category 1 hazards. The estimated cost for eliminating all Category 1 hazards is £25 million.

3062 economically vulnerable households live in non-decent dwellings and 878 such households live in dwellings with a Category 1 hazard.

4902 elderly households live in non-decent dwellings and 1837 such households live in dwellings with a Category 1 hazard.

Predictive numbers of households in fuel poverty are obtained via the Centre for Sustainable Energy fuel poverty indicator. This predicts numbers of households in fuel poverty down to ward level. Further detail can be obtained from ARP on households within wards that are in receipt of benefits and, therefore, most likely to be in fuel poverty.

## 5

### Operation

Assistance will be delivered through a number of standalone schemes and on an *ad hoc* basis during day-to-day work.

The formal schemes are:

- **Safeguard**

Safeguard is a free, visual survey aimed at vulnerable households. Where the visual inspection indicates wider defects householders will be directed to appropriate professional services. An energy efficiency survey will form an integral part of a Safeguard inspection.

A brief written condition and energy efficiency report will be provided which will indicate defects and work required.

Safeguard will also indicate an appropriate timescale for work to be carried out and an indication of likely costs.

The purposes of Safeguard are:

- a) To provide vulnerable owner/occupied households with basic information on the condition of their property.

This will enable such households to make sensible plans for the repair and/or improvement of their dwelling including making appropriate budgetary provision.

It will empower individual householders to make informed choices over their future housing provision.

It will help combat so called “cowboy builders” and other disreputable tradesmen by giving the householders information to counter claims of “defects” identified by such operators.

- b) To assess whether or not external funding can be directed to vulnerable households.

As part of the wider remit of assistance Breckland will be able to direct householders to external sources of funding such as PACT (Home security) and Warm Front (energy efficiency).

- c) To provide the basis for financial assistance under the Enhance Programme.

Information gathered under a Safeguard inspection will form the basis of a schedule of work for an Enhance scheme.

- d) To provide detailed (level zero) information on the housing stock to compliment the data obtained through the sample survey carried out for the Breckland Housing Stock Condition Survey.

The limited number of individual surveys carried out for the BHSCS, whilst statistically confident, can only give an impression of the overall stock condition. More detailed information gained from Safeguard inspections will enable Breckland to satisfy itself of the robustness of the BHSCS data and to monitor progress against targets in a more comprehensive manner.

- **Enhance**

Enhance is a discretionary mixed grant (up to £2,500) and loan (£2,501 – £20,000) form of assistance aimed specifically at vulnerable households to tackle disrepair and improvements.

Enhance will also be offered as an equity release scheme. In this instance the loan will be offered on the basis of releasing a maximum of 35% of the available equity in the property. Repayment terms are on the basis of equity share. The property will be valued "as is" and then in it's improved state. If the property is valued at £100,000 for example and the loan is 25%, i.e. £25,000 then the repayment will be 25% of the "improved" value rather than £25,000. So, for example, if the "improved value is £125,000 then the sum to be repaid will be £31,250.

This is available as part of a successful bid by the 7 District Councils to EERA for funding. The bid has attracted £1 million pounds to run a pilot scheme as part of meeting a Norfolk LAA target to ensure that the Decent Homes target of 75% of vulnerable households living in Decent Homes by 2021 is met, ( note: Breckland has already met this target ). The administrative aspects of the scheme will be run by Great Yarmouth Borough Council for a fixed fee of £400. It is open to Councils to put additional funding into this scheme. Breckland will contribute through the Decent Homes capital budget to the extent necessary and subject to the overall funding available.

Where appropriate Enhance will be offered following a Safeguard inspection but may be accessed directly. Conditions will be attached to the loans requiring repayment upon sale, (maximum life of loan 20 years) ensuring recycling of available funds. Repayment will be the principle of the loan plus simple interest at 1% over bank base rate on the date of redemption. For repayment following a breach of conditions the interest will be 2% over bank base rate on the date of redemption. Enhance may be offered as materials rather than cash.

Enhance covers works in five main areas:

Disrepair – to repair or replace defective structural elements to ensure the dwelling provides a safe and healthy environment

Decent Homes – to ensure the dwelling meets the standard

Fuel Poverty – to ensure the heating and insulation levels in the dwelling are to an appropriate level to remove the household from fuel poverty or to prevent them falling into fuel poverty

Home Safety – to remove any hazards to ensure a safe environment

Home Security – to ensure that the dwelling is secure against entry by intruders

Assistive Technology – to provide fixed technology designed to assist a person to remain in residence

In addition Enhance funding may be available to bolster Disabled Facilities Grant funding for eligible applicants where such funding is insufficient, by it to meet the needs of a disabled person.

Funding from the equity release programme will also be available to assist with relocation. In some circumstances it will not be practical, cost effective or desirable to refurbish, improve or adapt a property. In those circumstances relocation is often the best option but may be beyond the financial capability of an owner. This would often be the case where a disabled person needs to move from a house to a bungalow which attracts a premium over an equivalent house. The additional funding from the equity release will bridge that gap.

Enhance will be available to owner/occupiers, long leaseholders and disabled tenants. There will be a maximum entitlement of two Enhance Schemes per dwelling in any five year period.

The full range of enforcement powers will be used in applicable circumstances and, where appropriate, in conjunction with an Enhance scheme.

The purposes of Enhance are:

- a) To provide financial support to vulnerable households, (owner/occupiers and long leaseholders) to repair and improve their dwellings including works to improve energy efficiency, security against crime and to remove threats to personal safety.

Enhance will provide financial support up to the value of £20,000 against the cost of eligible works to meet any of the criteria above.

Where the applicant is on a passport benefit or a member of their household is aged over 70 years they will be passported through to 100% assistance. In any other case the applicant will be required to participate in a test of financial resources to assess their capability to contribute towards the cost of the work. The test of financial resources will be the same as that used for Disabled Facilities Grants.

The base standard for the dwelling will be the Decent Homes Standard.

Financial assistance up to the value of £2,500 will be offered as a non-repayable grant. Assistance over £2,500 (inclusive) will be offered as a loan repayable upon the relevant disposal of the dwelling or breach of Conditions (see Appendix 1 later). In addition the cost of registering the land charge (and Conditions) will be an allowable fee extra to the maximum value of the Enhance scheme.

- b) To provide financial support to vulnerable households, (owner/occupiers and tenants), who have an approved Disabled Facilities Grant to the maximum value of £30,000 but where the costs of the eligible works exceed that value.

The cost of large scale adaptation works can often exceed the maximum value of a Disabled Facilities Grant and applicants could be placed in severe financial hardship without the ability to “top-up” such a grant.

- **Domicile**

Domicile is the form of discretionary assistance that will support Breckland’s Empty Homes policy. It will provide support specifically designed to make utilising empty properties financially viable.

Domicile will be available to potential owner/occupiers and landlords as a loan at 20% of the eligible expense. The loan will be repayable upon sale of the property or upon a breach of conditions. Repayment will be the principle loan plus simple interest at 1% over bank base rate on the date of redemption. For a breach of conditions interest will be at 2% over bank base rate. The loan will cease to be repayable after 20 years from the certified date.

Domicile can be used in conjunction with support offered by Breckland’s private sector leasing scheme, Key Potential, and schemes prepared following an Empty Dwelling Management Order.

Only one Domicile scheme will be available per dwelling.

The full range of enforcement powers will be used in applicable circumstances and, where appropriate, in conjunction with a Domicile scheme.

The purposes of Domicile are:

- a) To provide financial support to potential owner/occupiers and landlords to bring empty dwellings or unused commercial space back into use. The value of the assistance will be set at 20% of the total cost of the eligible expense, (works plus fees, VAT etc) and will be offered as a loan repayable upon relevant disposal of the created dwelling or upon a breach of Conditions, (see Appendix 1 later).

- **West Norfolk Care and Repair Handyperson Scheme**

This scheme is operated by West Norfolk Care and Repair, the Home Improvement Agency, (HIA) that covers the Breckland area.

The scheme provides a time limited, (2 hours), service which may include works that fall into the criteria for awarding an Enhance grant or loan. In such cases both material costs and the Handyperson charge can be covered.

- **Partnership funding**

For some works assistance will be available from external organisations that are complimentary to assistance provided by Breckland Council. In such cases applicants will be directed to those organisations in the first instance. This will primarily be the case for fuel poverty work, (Warm Front), and home security, (Norfolk PACT). In addition West Norfolk Care and Repair has some funding for assistive technology provided through Supporting People.

**6**  
**Appendices**

## Appendix 1

### The Conditions

The purposes of attaching conditions and registering a land charge or notification against dwellings where a scheme providing assistance has been carried out are:

- a) To ensure that public funds are properly utilised to support Breckland Council's priorities.
- b) To ensure that the dwelling remains in use as a dwelling and is not converted to some other use.
- c) To ensure that the value of public investment in private housing is not degraded by the subsequent failure of owners to maintain the dwelling in a satisfactory condition.
- d) To support other Breckland Council policies and programmes.
- e) To ensure that new funding is supported by the recovery of Enhance or Domicile scheme monies once their objectives have been achieved, and recovery will not adversely affect the recipient.

Conditions will apply from the certified date and will continue in force until either a relevant disposal or a voluntary repayment of assistance is made. Enhance loans will have a life of 20 years from the certified date and conditions will cease at that point.

Specifically, where the recipient of any assistance is an owner/occupier, the conditions attached to a dwelling upon completion of an Enhance or Domicile scheme will be:

- a) That the dwelling will remain in full time use as a dwelling for occupation by the recipient of the assistance and their immediate family as owner/occupiers.
- b) That the dwelling will not be used as a holiday home.
- c) That no part of the dwelling will be used in connection with any trade or business save that such a use may be carried on with the express permission of Breckland Council subject to any necessary Planning or Building Regulation permissions and the payment of appropriate rates.
- d) That the dwelling must be maintained in a reasonable state of repair.
- e) That the dwelling must not be used as a base for, or in connection with, any criminal activity.

Specifically, where the recipient of Domicile assistance is a landlord, the conditions attached upon completion of the scheme will be:

- a) That the dwelling will be let, or available for letting, to a *bona fida* tenant, not being a member of the landlords' family.

Additionally Conditions b to e, (owner/occupiers), above will also apply.

Any breach of any Condition will require the repayment of the original total sum of assistance plus the addition of interest at the rate of 2% over bank base rate on the date of the demand for repayment. It will be open to Breckland Council to demand a lesser amount, or for no repayment, upon representation of the person from whom the repayment is demanded, (see appeals later). Such a repayment will also discharge the loan registered against the dwelling.

## **Appendix 2**

### **Recovery of Enhance and Domicile assistance**

Enhance or Domicile assistance to the value of £2,500 or less will be awarded as a non-recoverable grant except where one or more of the Conditions are breached.

Enhance or Domicile assistance to the value of £2,501 - £20,000 (in total – inclusive) will be recoverable by repayment at the date of relevant disposal following the certified date of completion of the assistance.

The Conditions may be discharged at any time by the recipient of the assistance making a voluntary repayment of the original total sum of assistance plus the addition of interest at the rate of 1% over bank base rate on the date of demand for repayment. It will be open to Breckland Council to demand a lesser amount, or for no repayment, upon representation of the person from whom the repayment is demanded, (see appeals later). Such a repayment will also discharge the loan registered against the dwelling.

The amount repayable will be the original total sum of assistance plus the addition of interest at the rate of 1% over bank base rate on the date of demand for repayment. It will be open to Breckland Council to demand a lesser amount, or for no repayment, upon representation of the person from whom repayment is demanded, (see appeals later). Such a repayment will discharge the loan registered against the dwelling.

Where attached conditions have been breached Breckland Council may demand repayment to discharge the loan at the total sum of assistance plus the addition of interest at 2% over bank base rate on the date of redemption.

### **Land Charges**

The provision of the assistance and the post certified date conditions will be secured by a land charge, or notification, registered at the Land Registry, against the dwelling.

The cost of registering the charge will be added to the value of the assistance given and will be repayable in the same way as the assistance, (see above).

Land charges and notifications are declarable on search and may hinder the sale of a dwelling if not discharged.

## Appendix 3

### Eligible Expense

Where assistance is offered as either Enhance or Domicile a schedule of works will accompany the offer. Works on the schedule will be eligible works, i.e. works that will attract payment of the assistance if completed satisfactorily, subject the maximum value of assistance available. Costs will include labour and materials.

Variations to the schedule may be permitted where the original works cannot be carried out or where unforeseen works have come to light during the progress of the scheme. The value of assistance may be decreased or increased according to circumstances.

The following fees will be classed as eligible expense when forming necessary expenditure to ensure that the scheme can be completed:

- a) Planning and Building Regulation fees
- b) Fees for the preparation of plans etc.
- c) Fees for technical surveys
- d) Fees for the supervision of the works, seeking tenders etc.
- e) Disconnection and reconnection of services where necessary
- f) Fees for professional advice not included above

Fees and charges are only eligible up to the maximum value of the assistance.

Value Added Tax, where applicable, will be an eligible expense at the rate applicable at the date of approval.

Any fees and charges can only form part of the eligible expense if declared at the time of making the application, (except where relating to unforeseen works).

Land charge fees will added exclusively to the value of the eligible expense for any scheme.

## Appendix 4

### Persons eligible to apply for assistance

For both the Safeguard and Enhance assistance eligibility will be restricted to vulnerable households as defined by the Department of Communities and Local Government i.e. those households eligible for income or disability related benefits and who are likely to suffer additional health problems as a result of poor housing conditions.

Essentially these will be low income households with members considered to be at risk i.e. children under 16 years old and adults over 60 years old or suffering from a long term illness or disability.

Households with a member aged over 70 living permanently at the dwelling will also qualify.

Additionally both Safeguard and Enhance are restricted to owner/occupiers or long leaseholders with repairing obligations. The only exception to this will be tenants seeking assistance with works of adaptation or where assistance is being requested to help fund works under a Warm Front scheme. Tenants suffering poor housing conditions will be covered by Housing Act enforcement action.

Domicile will be available to both owner/occupiers and landlords.

Disabled Facilities Grants will continue to be available to owner/occupiers, tenants and landlords.

Applicants for Enhance on a qualifying passport benefit, as determined from time to time, will be passported to a 100% level of assistance. In all other cases a test of financial resources will be applied, which will be that which is set down in the legislation for applicants for a Disabled Facilities Grant.

It is intended that the forms of assistance available will be widely publicised through Breckland Voice, leaflets distributed through Breckland and Norfolk County Council offices, libraries etc, direct contact with appropriate statutory and voluntary agencies, the Energybus and dissemination of information through professional colleagues and partner organisations.

Upon first contact with the Private Sector Housing team enquirers will be asked to provide sufficient information for the team to determine whether or not they are eligible for any form of assistance.

If appropriate they will then be offered a Safeguard inspection although this will not be a pre-requisite for access to other forms of assistance.

Whether or not a Safeguard inspection has been carried out enquirers will receive information on the form of assistance appropriate to their circumstances which will indicate the level of assistance available, the eligible works covered, the conditions attached, the repayment requirements and the personal contact officer should they wish to pursue an application.

Enquirers who are not eligible for any form of assistance will be offered such advice and guidance as officers are able to give including referral to other agencies as appropriate.

## **Home Improvement Agencies**

Breckland does not operate an internal agency, there is a dedicated external agency operating within the District, West Norfolk Care and Repair.

Where appropriate, enquirers will be directed to the agency to assist with their applications, if they choose. The agency will offer a service subject to their capacity to take on the work. The fees for this service will be eligible for assistance.

## **Appendix 5**

### **Complaints against the service and appeals**

The current procedures for dealing with complaints against the service will apply to this service.

Applicants wishing to appeal against a refusal of an offer of assistance, the level of assistance offered or the imposition of conditions will be able to appeal to the licence and Appeals sub-committee for adjudication.

Complaints of maladministration not resolved locally may be referred to the Local Authority Ombudsman. Any issues as to the legality, or otherwise, may be referred for Judicial Review.

### **Applications falling outside of Policy**

Applications falling outside of policy but where the objectives of the application have merit in seeking to resolve potential legislative conflict, meet one or more of the wider priorities of Breckland Council or would significantly improve the quality of life of the applicant may be reported to Cabinet for consideration for assistance.

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## Appendix 6

### Service standards

From initial enquiry to offer of either a Safeguard inspection or other site inspection: 15 working days

From Safeguard inspection to issue of report: 15 working days

From other site inspection to offer, or refusal, of assistance: 15 working days

From confirmation of acceptance of Safeguard report to offer of assistance: 15 working days

From receipt of a complete application for Enhance or Domicile assistance to approval: 40 working days

From receipt of request for interim payment to inspection: 10 working days

From receipt of request for final payment to inspection: 10 working days

All reaction times are the maximum that we would consider acceptable and our aim will always be to deliver the service within those limits, subject to resource availability, and in a minimum of 90% of cases as a measure of success.

### Measures of success

A number of indicators, both internal and external, will be utilised to adjudge the success of the policy elements.

Indicators needing to be measured do not remain constant and are subject to Central Government instruction. The indicators listed below are those extant at the time of drawing up the policy or those believed likely to be introduced prior to the first policy review date.

#### Internal

Indicator – Service Standards 90% of actions completed within maximum number of days allowed.

#### External

Indicator – HECA To increase the energy efficiency of the housing stock by 30% within a 15 year period commencing 1 April 1996

Indicator – PSA 7 To increase the number of vulnerable households in decent homes to 65% by 2005 and to 70% by 2010 and to 75% by 2021

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Disabled Facilities Grants are subject to a separate set of standards agreed with both the Social Services Department and Registered Social Landlords.

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#### **Internal**

Indicator – Service Standards - 90% of actions completed within maximum number of days allowed.

#### **External**

Indicator – HECA - To increase the energy efficiency of the housing stock by 30% within a 15 year period commencing 1 April 1996 (note: includes RSL stock as well as private sector)

Indicator – PSA 7 - To increase the number of vulnerable households in decent homes to 65% by 2005, to 70% by 2010 and to 75% by 2015.

### **Links to other Breckland Council strategies and policies**

This policy is compatible with and supports:

The Corporate Plan  
Community Strategy  
Community Safety Strategy  
Housing Strategy  
Local Agenda 21

This policy will be reviewed for compatibility with all new strategies and policies and where existing strategies and policies are amended.

Best Value Performance Indicators take account of all forms of action taken by the Local authority not just grants and loans.

### **Information about the Policy**

A full copy of the policy will be available for inspection, without charge, at both the Dereham and Thetford offices of Breckland Council. A full copy will also be available on the Breckland Council website, ([www.breckland.gov.uk](http://www.breckland.gov.uk)).

A summary of the policy will be published in Breckland Voice from time to time.

Leaflets detailing individual the scheme will be widely distributed at Breckland and Norfolk County Council offices, libraries, surgeries, estate agents, banks and other places to which the public has access.