

**Melton
Borough
Council**

**MELTON BOROUGH COUNCIL
PRIVATE SECTOR
HOUSING POLICY**

JANUARY 2010

INTRODUCTION

The Regulatory Reform (Housing Assistance) Order 2002 introduced a wide range of discretionary powers to local authorities to enable them to develop a range of financial and other assistance to carry out repairs and improvements in the private housing stock. The intention of this legislation was to give the local authorities the flexibility and discretion to tackle specific local housing issues.

The Government's view is that maintenance of privately owned property should be primarily the responsibility of the home owner. However in some circumstances, additional help through grants or other financial assistance is necessary to enable essential repairs and improvements to be carried out. The legislation enables local authorities to tackle the poorest housing occupied by the most vulnerable groups.

In conjunction with the Welland Partnership, the original Private Sector Housing Renewal Policy was adopted in 2003 and has since been reviewed and revised a number of times. The policy outlines the various forms of financial assistance available to increase the number of homes across the district meeting the Decent Homes Standard.

The Government has encouraged local authorities to move away from a grants only policy and to look at alternative forms of assistance such as loans and equity release products. However in the current financial climate and the difficulties of offering and operating an appropriate loan package, grants have been determined to be the best option for our client group.

The Private Sector Housing Renewal Policy will be monitored and kept under review and amended when deemed appropriate.

SECTION 1 - BACKGROUND

1.1 DISTRICT PROFILE

Melton Borough covers an area of 48,138 hectares of rural north east Leicestershire.



Figure 1: Location of the Borough of Melton

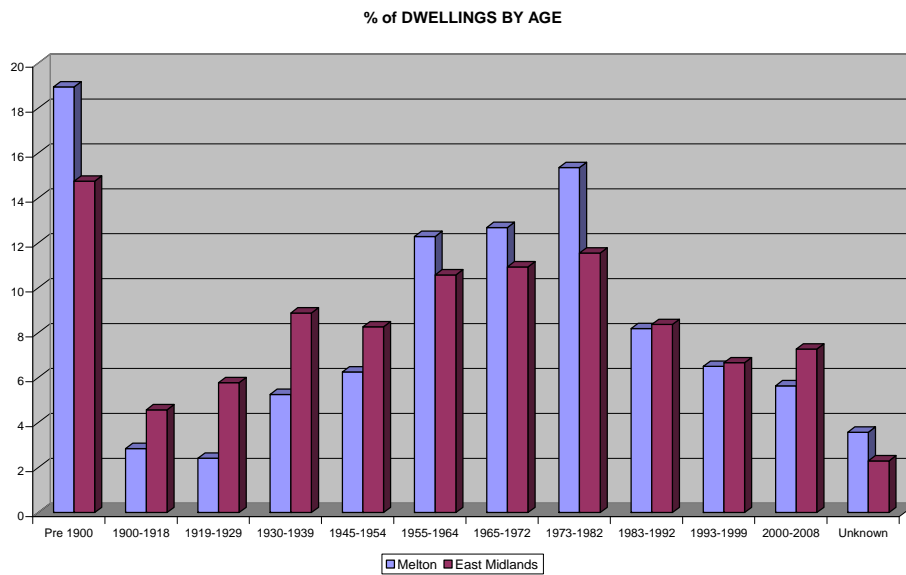
It is one of seven Leicestershire districts and lies within the East Midlands Region. The population of approximately 48,300 is split between the market town of Melton Mowbray, large villages such as Asfordby and Bottesford which serve as rural centres and 70 small rural settlements. The district is predominantly rural and farming continues to be the most widespread land use in the area.

The district has a high quality natural and built environment. The rural part of the district displays traditional features such as undulating landscapes, stretches of unfenced pastures and cultivated fields and patches of woodland, hedges and trees.

Most of the villages are compact and found in geographical and visually sensitive locations. There are 44 conservation areas and over 705 listed structures within the district.

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Fig 2 shows the private sector housing profile by property age for the district.



It can be seen that compared to the East Midlands average, Melton has more pre-1900 properties and a higher proportion built between 1955 and 1982. This is likely to have an impact on the state of repair and energy efficiency of the housing stock generally.

Further investigation indicates that the villages tend to have more pre-1900 stock, in particular Croxton Kerrial, Somerby and Wymondham.

Figure 3: Map of the Villages in the Borough of Melton



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The town that has the highest proportions of mid 20th century stock.

Table 1: Growth of Melton Town by Ward and Date

Date	Wards
1945-1954	Egerton
1955-1964	Sysonby, Warwick
1965-1982	Dorian
1972-1982	Newport
1983-1992	Sysonby

Figure 4: Map of Melton town wards to indicate growth by area



In the Borough of Melton there is a higher percentage of detached properties compared to the East Midlands (Fig 4). This would have an effect on the average repair costs which would be higher for these types of properties compared to the smaller, more traditional

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terraced type dwellings. Also **SAP ratings** (Standard Assessment Procedure - a method of calculating the energy efficiency for homes) can be lower as the properties are detached (not joined together conserving heat), many have solid walls, many villages have no gas supply and conservation areas limiting the use of double glazing units.

Fig 5. Comparison of Property House Type in Melton to the East Midlands

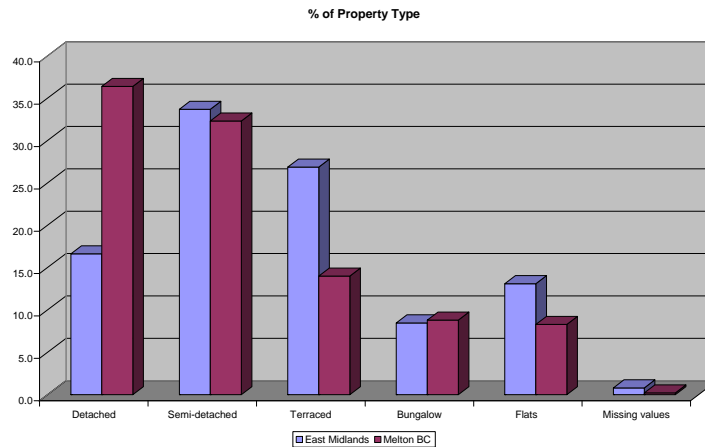
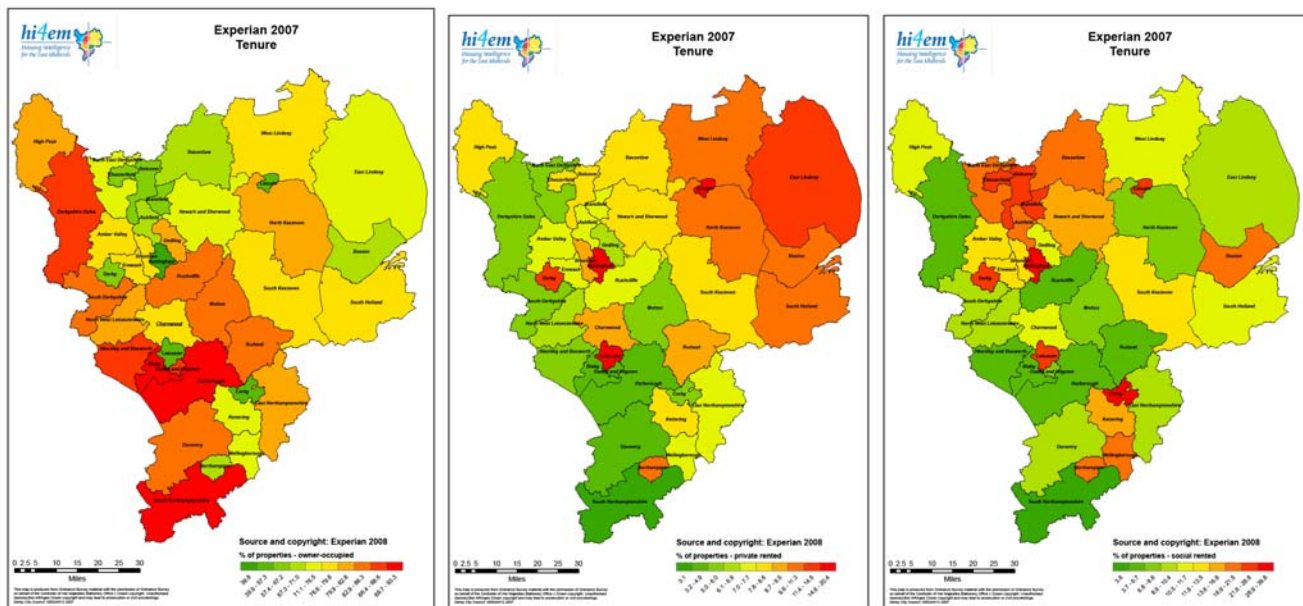


Fig 6. A comparison of tenure across the East Midlands



6a – Owner Occupation

6b Private Rented

6c Social Rented Sector

It can be seen from the three maps in Figure 6 that Melton (in the centre) has higher than average owner-occupation and lower than average private and social rented sectors.

Whilst it is recognized that the responsibility of maintaining private property rests with the owner, it is appreciated that there will be circumstances where the individual owner occupier

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will not be in a financial position to pay for essential repairs to be carried out and financial assistance from the local authority will be required.

Government requires that each local authority updates it's information of the condition of stock in the district. It is recommended that a house condition survey (HCS) is carried out on a 5 year cycle. The last survey was undertaken in 2005.

A Private Sector Stock Condition Survey (PSSCS) was undertaken across the district at the beginning of 2010. Some of the key findings of the survey are in the table below.

	MBC	English House Condition Survey 2007	Misc
% Dwellings with a Category 1 Hazard*	20.4	23.5	MBC 3.1 better
% Non-decent accommodation**	31.4	35.8	MBC 4.4 better
% vulnerable households in non-decent dwellings	32.4 (Note = 67.6 decent)		MM 23.7 RURAL 43.7
Cost of bringing all private sector dwellings up to the decent homes standard	£25.8 million		Cost per dwelling £4,400

Table 2

*As determined by the Housing Health and Safety Rating System defined in the Housing Act 2004

** See "A Decent Home – The definition and Guidance for Implementation" Department for Communities and Local Government.

2. Corporate and Community Vision

2.0 THE NATIONAL, REGIONAL AND LOCAL CONTEXT

2.1 NATIONAL PRIORITIES.

Central Government spending review of 2000 set a Public Service Agreement Target to “ensure that all social housing meets a standard of decency by 2010”. In 2002 the Government extended this to include vulnerable households in the private sector. A target of 70% of vulnerable households should live in decent accommodation by 2010, increasing to 75% by 2020.

In 2008 the Government published a National Strategy for Housing in an Ageing Society – “Lifetime Homes, Lifetime Neighbourhoods”. In this strategy the Government announced their ambitions to build homes to “Lifetime Homes” standards and a vision of Lifetime Neighbourhoods that are fit for all. The strategy also included the provision of improved advice and information and expanding help for simple repairs and adaptations, with more investment in major home adaptations to support independence.

THE REGIONAL AND SUB-REGIONAL CONTEXT

2.2 REGIONAL PRIORITIES.

The East Midlands Regional Housing Strategy has been published and sets out a vision for housing in the East Midlands, to provide public sector and private sector stakeholders with a common framework which helps them to deliver better housing for the people of the region.

There are 8 objectives set out in the Strategy:

- To ensure that regional housing and planning policy are informed by a robust understanding of need and housing market conditions in the region.
- To ensure that everyone in the region is able to both access and afford suitable housing to meet their needs
- To improve the co-ordination of housing’s contribution to economic development within the region
- To contribute to raising the quality of design in housing, and the creation of sustainable homes
- To develop a framework within which regional and local partners can develop sustainable and cohesive communities
- To ensure that rural affordable housing need is correctly addressed through the Regional Affordable Housing Programme

2. Corporate and Community Vision

- To improve the co-ordination of provision which meets the housing needs of vulnerable people.
- To ensure the region provides a robust response to the housing implications of our ageing population

2.3 LOCAL PRIORITIES.

Melton Borough Council is fully committed to deliver the Leicestershire Sustainable Community Strategy (SCS) through the Local Area Agreement (LAA). The LAA for Leicestershire is based on local priorities agreed by the County Council and it's partners, and also by Central Government. The LAA has set agreed targets for the provision of new homes, affordability and the provision of support to ensure vulnerable people can live as independently as possible.

In addition the Melton Sustainable Community Strategy for 2008-13 sets out a vision for improving the quality of life in the Borough of Melton linked to the Leicestershire Performance Framework developed through the Leicestershire SCS and LAA. The Leicestershire Performance Framework sets out key priorities and private sector housing has a direct input to the following priorities:

- Improved life chances for vulnerable people and places
- A safe and attractive place to live and work
- A healthier Leicestershire

In order to fully contribute to these outcomes, the priorities of the Private Sector Renewal Policy are:

- To ensure vulnerable people live in decent accommodation
- To ensure disabled occupants live in suitable accommodation to enable them to live as independent lives as possible
- To provide low income households with financial assistance to carry out essential repairs to their homes
- To ensure private rented accommodation is safe and in good state of repair
- To encourage long term empty properties to be brought back into use.

3. Private Sector Housing Renewal Policy

3.1 ASSISTANCE AVAILABLE

3.1.1 DISABLED ADAPTATIONS

If you are disabled, a means-tested grant is mandatory for essential adaptations to give you better freedom of movement into and around your home and to access essential facilities within it. Where necessary it can also provide the essential facilities themselves.

The most common adaptations in the Borough of Melton are:

- providing level access showers by removing existing bath or step-in shower
- providing a stairlift to enable access to bathing, toilet facilities and bedrooms
- providing a co-located bedroom/shower room for use by the disabled occupant (usually children).

3.1.2 CIRCLES OF NEED

Vulnerable people who need their properties adapting often have a raft of other related needs. “**First Contact**” being rolled out across many services throughout Leicestershire is a step in this direction. Circles of Need is being developed in the Borough of Melton and takes this concept further. It is very much a citizen centred view and it will be built into the customer records management systems (CRM) to enable effective management across services.

3.1.3 DECENT HOMES GRANTS

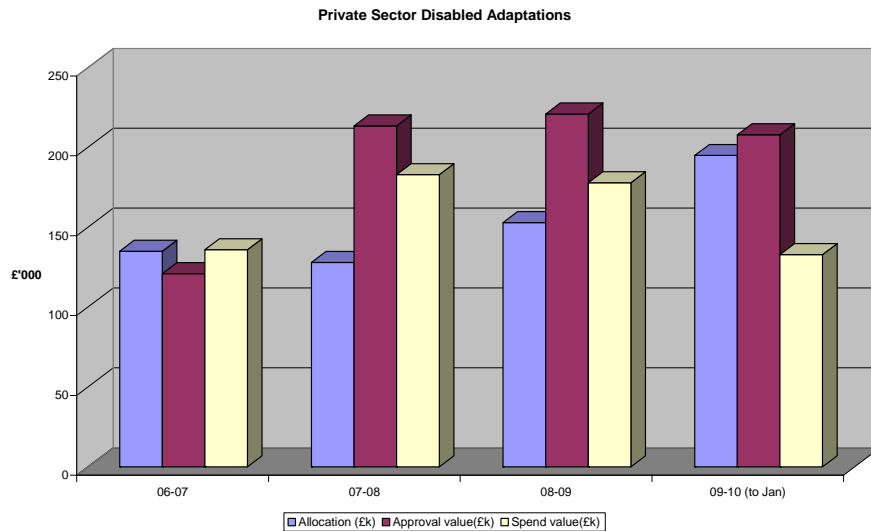
The Department for Communities and Local Government describe that a decent home should be warm, weatherproof and have reasonably modern facilities. For Melton Borough Council's decent homes grant purposes it should have (in descending order of priority) adequate central heating and be appropriately insulated, be free from serious hazards (see Figure 7 below) and be in a reasonable state of repair.

3.2 DISABLED ADAPTATIONS

Up until 2008 Government provided 60% of the grant budget and the local authority provided 40%. In 2009 the Government amended the funding rules and Melton Borough Council contributed 51%. Demand for disabled facilities grants is increasing year on year in Melton.

3. Private Sector Housing Renewal Policy

Fig 7. Detail of DFG allocation, approval and spend since 2006



3.2.1 ELIGIBLE WORKS

DISABLED ADAPTATIONS - MANDATORY ELIGIBLE WORKS

Melton Borough Council will follow the statutory process laid down in Acts, Regulations, Orders etc and will give due regard to guidance in considering, processing, approving and paying for recommended adaptations.

Any adaptation must be recommended by an Occupational Therapist from Adult or Child Social Care Services. They have to take into account the present needs of the applicant. The local authority has limited funding for an ever increasing demand. They will determine the most cost effective way of ensuring the needs of the applicant are met. Applicants may choose an alternate solution but will need to pay for any additional costs incurred.

The most common types of work are;

- to make it easier to get into and out of the dwelling by, for example, widening doors and installing ramps and rails;
- to make access easier to the living room;
- by providing or improving access to the bedroom, and kitchen, toilet, washbasin and bath (and/or shower) facilities; for example, by installing a stairlift, providing a level access shower or providing a downstairs bathroom;

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- to improve or provide a heating system which is suitable to the needs of the disabled person;
- to adapt heating or lighting controls to make them easier to use;
- to improve access and movement around the home to enable the disabled person to care for another person who lives in the property, such as a spouse, child or another person for whom the disabled person cares; and
- to improve access to and from the garden where feasible
- ensuring the safety of the disabled person and other occupants

Melton Borough Council will also consider whether the adaptation is reasonable and practicable depending on the age and condition of the property. Where the adaptation is not considered reasonable (including cost) or practical for example due to space, size, numerous changes in levels, a grant would be considered for the eligible applicant in a more appropriate property.

The limited budget means that no discretionary grants will be considered.

3.2.2 GRANT PROCESS

DISABLED ADAPTATIONS

Applicant to be:

In receipt of a passporting benefit, or

A child or young person (up to 19 years in full time ordinary education), or

A means test is carried out assessing income and savings to determine if eligible.

Eligibility of Applicant

- 1) The grant applicant must be over 18.
- 2) The disabled occupant must live in the property as their only or main residence.
- 3) Applicants can be owners or tenants who are able to sign an owners or tenants certificate as defined in S.19 Housing Grants Construction and Regeneration Act 1996. This certificate states that it is the intention that the disabled person benefiting from the grant will occupy the property for 5 years from completion of the works. A landlord may apply on behalf of a tenant.
- 4) The Council will receive a recommendation from an Occupational Therapist of Social Care Services (either adult or child services) that the proposed works

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are necessary and appropriate to meet the disabled person's needs. If the scheme meets these conditions and is reasonable and practical, the Council will approve the grant.

The Mandatory Disabled Facilities Grant Process

There are two distinct elements of eligibility in determining whether you will obtain a disabled facilities grant:

- obtaining a referral from an Occupational Therapist of Social Care Services
- the means test

There are certain passporting benefits prescribed in legislation/guidance, for example income support or guaranteed pension credits. If you are in receipt of a passporting benefit you will be entitled for a 100% grant for eligible works up to a maximum of £30,000.

Means Test

If you are not in receipt of a passporting benefit, a means test will be carried out. This is an assessment of your income and savings (and will include assets). The means test will determine whether you will receive a grant and how much you will have to pay towards the cost of works.

Only the disabled person and partner (if adults) will be means tested in order to determine their financial contribution to the works. The owner/tenant will not be means tested unless they are also the disabled person. Means testing will be carried out by comparing the applicant's financial resources to an applicable amount according to the formula dictated by the Housing (Grants) Regulations 1996 as amended. The applicant's financial contribution is calculated and the grant offered will make up the difference between the contribution and the actual cost of the eligible works, subject to the grant maximum limit (£30,000). The applicant may pay for additional works, for example the grant will cover basic amenities (white sanitary ware and white tiles, the applicant could pay the difference if they choose more expensive coloured tiles). The grant will be approved on the cheapest contractor. If however the applicant prefers the other, they can pay the difference to have that contractor carry out the works.

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A provisional means test can be carried out by the Home Improvement Agency - Anchor Staying Put. This will be subsequently checked and verified by Environmental Health staff at Melton Borough Council on approval of the grant.

Contact details for each of the above are available at the end of this section.

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ANCHOR STAYING PUT - HOME IMPROVEMENT AGENCY

Home Improvement Agencies (HIAs) are seen by the Government as having a particularly important role. HIAs provide a valuable service to help elderly, disabled and vulnerable people to remain living independently in their own home for as long as they wish. For the Disabled facilities grant process the HIA will:

- carry out a preliminary means test to determine if a potential applicant is eligible
- work with Social Care Services and Melton Borough Council to produce a suitable adaptation scheme (both appropriate and most cost effective option)
- produce a plan of the adaptation where appropriate which the client and Social Care Services can approve
- produce a schedule of works
- obtain at least two estimates for each piece of work for the client from suitable contractors. One estimate will be accepted in exceptional circumstances, for example a re-allocated stairlift or if there is only one supplier of a stairlift type.
- assist the applicant in completing the application form
- assist the applicant in providing the appropriate supporting evidence (proof of ownership, proof of benefits, proof of income and savings, national insurance numbers etc) for the application
- provide Melton Borough Council with before and after photographs of the adaptations
- submit the complete application and supporting evidence to Melton Borough Council
- on receipt of approval, appoint the contractor and obtain a start date
- monitor the building works and deal with any issues arising
- inform Melton Borough Council where interim payments are appropriate
- on completion of works, submit invoices and closing paperwork

The maximum fee for use of agents like the Home Improvement Agency or an Architect is 10% of the cost of works. This can be incorporated into the grant approval subject to the maximum of £30,000 (works £27272.72, fees £2727.28).

There is no obligation to use the HIA to assist the process, but if Anchor are not involved the applicant is responsible for obtaining their own estimates, completing the application, overseeing works in progress and dealing with issues and disputes on site and submitting the closing invoices and paperwork.

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Payment of Grant

The Council will only consider requests for stage payments where

- the contractor can show hardship or
- the value of works completed exceeds £5,000 or
- the request relates to the payment of Architectural Services or
- where there are multiple contractors.

The Council will pay the contractor directly, either by cheque or BACS payment. The Council will reimburse the applicant for Architect or other ancillary fees taken into account in the grant determination but only where satisfactory invoices and receipts can be provided.

Payments will only be made where the Council are satisfied with the quality and quantity of work.

A satisfactory and acceptable invoice, demand or receipts not given by the applicant or a member of his/her family, will be required before payment can be made.

Guarantees/Completion Certificates are required for some works. Please refer to the Council's General Specification and the Schedule of Works for your property for details of which certificates are required. Evidence of a current Home Insurance policy is also required before payment will be made.

3.3 CONDITIONS APPLICABLE TO DISABLED FACILITIES GRANTS

The Application

The applicant must provide proof that they own the property or that they propose to acquire the property.

The applicant must certify that they will occupy the property as their only or main residence and that it will be occupied by the disabled person throughout the grant condition period (10 years), or such shorter period as their health and other relevant circumstances permit.

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Anyone who knowingly signs a false declaration may be guilty of an offence and might be prosecuted if the Council has evidence of an intention to obtain a grant by deception.

Having an "owner's interest" means owning the freehold of the property, or having it on a tenancy of which not less than five years remain unexpired at the date of the application, whether the property is owned alone or jointly with others.

"Grant condition period" means the period of ten years, which has been imposed by the Council with the consent of the Secretary of State, beginning with the date certified by the Council as the date of completion of the eligible works to their satisfaction.

"Disabled occupant" means, in relation to an application for disabled facilities grant, the disabled person for whose benefit it is proposed to carry out any relevant works.

Photographs of before and after relevant works will be kept by Melton Borough Council and may be used or published by them.

The Specification

Where the Council has provided a general or specific specification on eligible works, the works shall be carried out in accordance with that specification in addition to any plans or particulars forming part of the application.

The provisions of the Housing Grants, Construction and Regeneration Act 1996 shall apply in respect of all Grant applications including the provisions for occupation and repayment as summarised on the relevant Certificate of Future Occupation.

Grant Approval is not the same as Building Regulation Approval, Planning Consent or Listed Building Consent. Where such approvals or consents are required, these must be obtained from the relevant Divisions of the Council.

The Contractor

The works must be carried out by the contractor whose estimate accompanied the application and was accepted by the Council. The grant will be approved on the

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cheapest contractor. However if the applicant prefers the other, they can pay the difference to have that contractor carry out the works.

Only materials will be paid for (no labour), where works are carried out by the applicant or a member of the applicants family.

Time Limit on carrying out the works

The eligible works must be carried out within 12 months from the date of approval (unless further extended by the Council). In the case of a grant approved with a delayed payment clause the eligible works must be carried out within 12 months from the delayed payment date specified in the approval. In the case of unforeseeable works the Council will consider an application for an extension of time. The Council can refuse to pay the grant monies approved after this 12-month period.

Payment of the Grant will normally be made direct to the approved contractor. Such payment will not be made unless the Local Authority is satisfied that the work has been properly executed.

Notification of Relevant Disposal

The applicant shall forthwith notify Melton Borough Council of his intention to make a relevant disposal of the grant-aided property and shall furnish to the authority any information reasonably requested by them in connection with such notification. Disposal includes sale, assignment, transfer or otherwise. This condition applies for the 10 years following the certification of completion of the grant-aided works and is recorded as a local land charge. In the event of a breach of this condition the Council will demand repayment of the grant and compound interest on that amount as from the date of payment, calculated at such reasonable rate the authority may determine. The applicant will have to repay any value of grant approved over £5,000 to a maximum of £10,000 on disposal of the property, within a 10 year period from the certified date of completion of the grant. This information will be recorded on the local land charges register and will be binding on any person who is for the time being the owner of the dwelling. The repayment may be waived in some circumstances. An application must be made in writing to Melton Borough Council who will determine each case on it's merits.

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The applicant must if so required by notice furnish to the Council a statement within twenty-one days showing that the Grant Conditions are being fulfilled.

Continued Eligibility for Disabled Facilities Grant

If it subsequently appears to the Council that the applicant(s) were not at the time of the application entitled to a grant or before the works are certified as complete the grant applicant(s) ceases to be entitled to the grant, no grant shall be paid or as the case may be, no further instalments shall be paid. Furthermore the Council may demand the repayment of any instalment of the grant already paid along with interest, the interest being calculated from the date on which the instalment was paid until repayment, at such reasonable rate as the authority may determine.

An applicant ceases to be a person entitled to a disabled facilities grant -

- a) In the case of an owner's application -
 - i) if he does not have or ceases to have a qualifying owner's interest, or
 - ii) if he ceases to have the intention specified in the owner's certificate which accompanied the application

- b) In the case of a tenant's application -
 - i) if he ceases to be a qualifying tenant of the dwelling, or
 - ii) if the application was accompanied by an owner's certificate and the landlord ceases to have the intention specified in the certificate.

Cases in which disabled facilities grants may be recalculated, withheld or repaid.

Where a situation arises as described in a, b, c, d or e below, the Council may refuse to pay the grant or any further instalment of grant which remains to be paid, or may make a reduction in the grant and they may demand repayment by the applicant forthwith, in whole or part, of the grant or any instalment of the grant paid, together with interest at such reasonable rate as the authority may determine from the date of payment until repayment.

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- (a) the authority ascertains that the grant amount was determined on the basis of inaccurate or incomplete information and exceeds that to which the applicant was entitled
- (b) the authority ascertains that without their knowledge the eligible works were started before the application was approved
- (c) the eligible works are not completed to the satisfaction of the authority within the period specified or such extended period as they may allow
- (d) the authority ascertain that the aggregate of the cost of completing the eligible works and the costs incurred with respect to preliminary or ancillary services and charges, or is likely to be lower than the estimated expense, or
- (e) the authority ascertain that without their knowledge the eligible works were carried out by a contractor whose estimates did not form part of the grant application and/or were not agreed upon by the Council.

Change of circumstances affecting disabled occupant

The Council may take such action as listed below in a) to c) in the following cases:

- i) the works cease to be necessary or appropriate to meet the needs of the disabled occupant, or
 - ii) the disabled occupant ceases to occupy the dwelling, qualifying houseboat, qualifying park home or flat concerned, or
 - iii) it ceases to be the intention that he should occupy it, or
 - iv) the disabled occupant dies
-
- a) that no grant shall be paid or, as the case may be, no further instalments shall be paid,
 - b) that the relevant works or some of them should be completed and the grant or an appropriate proportion of it paid, or
 - c) that the application should be re-determined in the light of the new circumstances.

If the authority decides that no grant shall be paid or that no further instalments shall be paid, they may demand that any instalment of the grant, which has been paid, be

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repaid forthwith, together with interest from the date on which it was paid until repayment, at such reasonable rate as the authority may determine.

Recovery of specialised equipment

Where in the case of a disabled facilities grant the eligible works consist of or include the installation of specialised equipment for the disabled occupant, the applicant shall notify the local authority if and as soon as the equipment is no longer needed. This condition applies for 10 years following of the Certification of Completion of the grant-aided works and is recorded as a local land charge. In the event of a breach of this condition the Council may demand repayment of the grant.

Property Insurance

Applicants for Disabled Facilities Grants shall arrange and maintain adequate insurance for their property, subject to and with the benefit of the completed works, throughout the grant condition period of 10 years commencing on the certified date on completion. This condition is recorded as a local land charge. In the event of a breach of this condition, the Council may demand repayment of the grant and compound interest on that amount as from the date of payment, calculated at such reasonable rate as the authority may determine.

3.4 BEST PRACTICE WITH REGISTERED SOCIAL LANDLORDS

The letter of Guidance from CLG and the Housing Corporation to CEOs of all RSLs, (Feb 29th 2008) states that RSL tenants are entitled to apply for DFGs, but also that 'It is expected that RSLs build into their business plans the funding of adaptations as part of their core activities'.

Guidance from Government and the Housing Corporation repeatedly states that associations should put resources into adaptations and negotiate agreements with local authorities.

Melton Borough Council will seek to enter into an Adaptations Agreement with partner RSLs. It is appropriate that Melton Borough Council work in partnership with the RSL to seek that their Decent Homes funding contributes to providing lifetime homes. This will enable clients to have level access showers etc as part of their

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decent homes improvements rather than expecting the local authority to fund all applications.

Where this agreement is in place, the following terms will apply.

Funding of major and minor adaptations

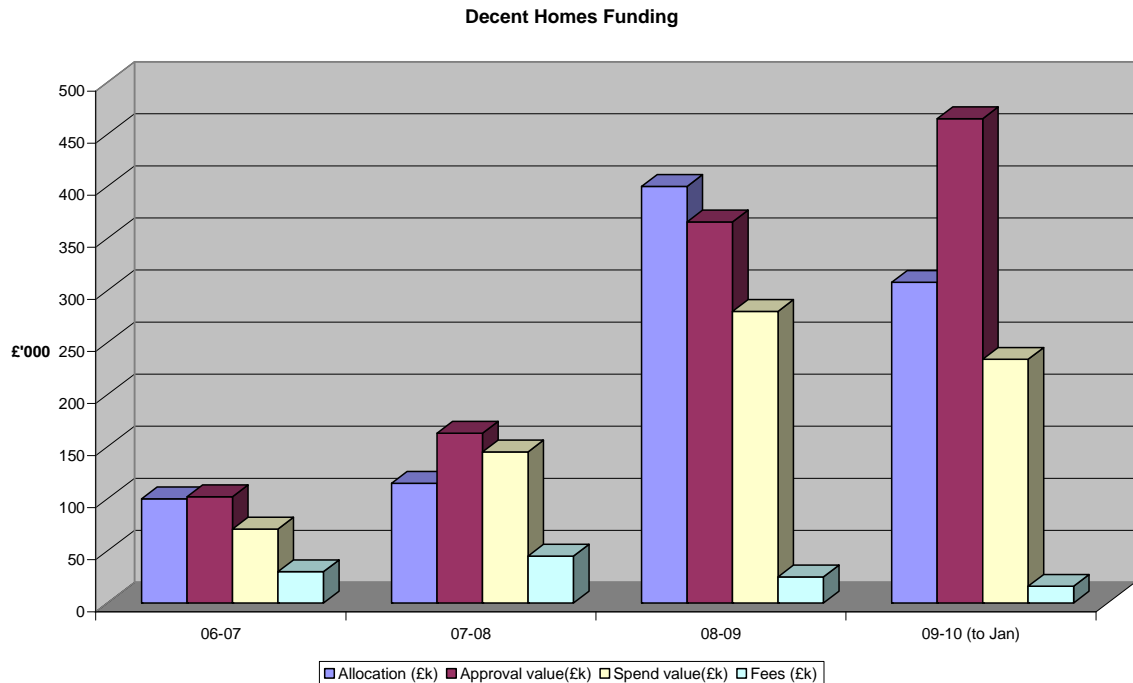
- The housing association will fund minor adaptations up to £1,000
- The housing association will provide 40% of funding and the local authority 60% of funding (net of means-tested contribution) for adaptations between £1,000 and £10,000
- The local authority will provide DFG full top-up funding for adaptations over £10,000
- Individual contributions will be determined by a means test
- Partners to agree arrangements where client is using Individual Budget (full/mixed funding)
- Variations and exceptions to be negotiated

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3.5 DECENT HOMES GRANTS

In 2006/7/8, Melton Borough Council bid for and obtained increased Decent Homes funding (see Figure 8 below). In 2009 the available funds reduced to £308k, in 2010 the allocated fund looks likely to reduce to £186k. It is anticipated that funding in future years will continue to diminish.

Fig 8: Detail of DH allocation, approval, spend and fees since 2006



From 2006-08 Anchor Staying Put our Home Improvement Agency were employed to generate work, carry out the administration and oversee the work. The spend value was not as successful as we hoped and the managerial charges did not seem to generate value. In 2008 the process was brought in house and the results are exceptional, both in terms of spend and value for money. To continue this value for money project, the Decent Homes process will stay in house in 2010. The funding will pay all necessary costs for one part time EHO and one part time Technical Officer.

3.5.1 A DECENT HOME

Decent Homes: A Definition and Guidance for Implementation June 2006 – Update (DCLG)

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The definition of what is a decent home has been updated to reflect the Housing, Health and Safety Rating System (HHSRS) which replaced the Housing Fitness Standard on 6 April 2006. A decent home meets the following four criteria:

a) It meets the current statutory minimum standard for housing

Dwellings which fail to meet this criterion are those containing one or more hazards assessed as serious ('Category 1') under the HHSRS.

b) It is in a reasonable state of repair

Dwellings which fail to meet this criterion are those where either:

- one or more of the key building components are old and, because of their condition, need replacing or major repair; or
- two or more of the other building components are old and, because of their condition, need replacing or major repair.

c) It has reasonably modern facilities and services

Dwellings which fail to meet this criterion are those which lack three or more of the following:

- a reasonably modern kitchen (20 years old or less);
- a kitchen with adequate space and layout;
- a reasonably modern bathroom (30 years old or less);
- an appropriately located bathroom and WC;
- adequate insulation against external noise (where external noise is a problem); and
- adequate size and layout of common areas for blocks of flats.

A home lacking two or fewer of the above is still classed as decent, therefore it is not necessary to modernise kitchens and bathrooms if a home meets the remaining criteria.

d) It provides a reasonable degree of thermal comfort

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This criterion requires dwellings to have both effective insulation and efficient heating. It should be noted that, whilst dwellings meeting criteria b, c and d are likely also to meet criterion a, some Category 1 hazards may remain to be addressed. For example, a dwelling meeting criterion d may still contain a Category 1 damp or cold hazard.

3.5.2 DECENT HOMES ELIGIBLE WORKS

The bid to GOEM for funds is primarily for heating and insulation in priority areas. These priority areas will be determined using various statistical data sources for example;

- Melton Borough Council Priority Areas
- BRE data (Building Research Establishment)
- Private Sector Stock Condition Survey Results
- Hi4em data (Housing Intelligence for the East Midlands)
- Indices of Deprivation – (Super Output Area Living Environment Domain) with a predominance of non-decent housing and priority will be given to vulnerable occupiers.

Insulation measures (cavity wall and loft insulation only) may also be available for non-vulnerable households depending upon availability of funding.

Homes with no heating get priority, those with non-controllable heating are second priority and those with partial heating are next priority.

Homes with existing central heating systems where the boiler has failed or where there is a report from an engineer stating that the boiler is no longer serviceable may also be eligible.

Where funding is limited then priority will be given to proving central heating in owner occupied properties occupied by vulnerable persons in receipt of a pass-porting benefit.

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3.5.3 Properties in the Councils Intervention Areas

We are able to provide grants to assist homeowners and tenants in the private rented sector of properties within the Councils intervention areas. Eligible works, in order of priority, include:

- The provision of full central heating
- For providing or improving insulation
- The provision of an appropriately located bathroom and WC where these are lacking
- For essential repairs to one or more of the key building components (these include the external components of the property, plus internal components that have potential safety implications). Further details can be found in *Decent Homes: A Definition and Guidance for Implementation June 2006 – Update (DCLG)*

Please see the maps below of the intervention areas.

Fig 9: Melton Intervention Area 1 – Egerton Ward



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Fig 10: Melton Intervention Area 2 – Town Centre



Fig 11: Melton Intervention Area 3 – South Melton



3.5.4 Other Properties (not in the Intervention Areas)

We are able to provide grants to assist homeowners and tenants in the private rented sector for the installation of full central heating. Once eligible we may also be able to assist with the provision of any lacking facilities and any essential repairs to one or more of the key building components (these include the external components of the

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property plus internal components that have potential safety implications). The property must also meet minimum insulation criteria.

Efficient heating is defined as any gas or oil programmable central heating or efficient programmable electric heaters or programmable LPG/solid fuel central heating or similarly efficient heating systems which are developed in the future. Programmable heating is where the timing and the temperature of the heating can be controlled by the occupants.

3.5.5 Qualifying Criteria

1. The property must be occupied by a vulnerable person or persons (or be likely to be occupied by such persons in the case of an application by a landlord). The definition of vulnerable includes people in receipt of one of the principal means tested or disability related benefits. The grant awarded varies between 0 -100% of the eligible expense (50% maximum for landlords).
2. If the occupier is not classified as a vulnerable person but the property could be occupied by a vulnerable person and does not have a full central heating system, grant assistance towards part of the cost may be available. The amount would be determined by completion of a test of resources (means test). As funding is limited, only those with an assessed contribution of less than £500.00 will be considered.
3. You must have owned or lived in the property for 1 year prior to application.

3.5.6 Eligible Applicants for Decent Homes Grants

Vulnerable households have been defined for the purpose of the Decent Homes standard as those in receipt of at least one of the principal means tested or disability related benefits. These are known as passporting benefits, and are primarily listed below:

Income support

Income based job seekers allowance

Working tax credit or total household income below the working tax credit threshold

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Guaranteed Pension Credits

Pensions below the tax threshold (may include pension credit)

Housing benefit

Council tax benefit

The application will also state the age of the applicant (to determine whether they are a pensioner), whether the benefit includes a disability element or whether the applicant has children under 16 years old.

Tenants in the private rented sector occupy some of the worst housing both nationally and in the Borough of Melton. Applications for improvements to rented properties from owners or landlords of rented properties will be considered for priority areas which are (or may be) occupied by vulnerable occupiers. The owner will be required to fund 50% of eligible works and may be required to carry out some additional works required to make a property 'decent'.

Melton Borough Council funding will primarily be used to contribute to making properties decent by installing fully controllable central heating and insulation in homes in priority areas.

There will also be limited funding for urgent and emergency works which make a home non-decent. This would include failure of an element which renders the property not watertight or weatherproof. This will be a strict standard rather than simply potential to fail. The maximum grant for emergency works will be £5k.

3.5.7 MAXIMUM AWARDS

Owner-occupiers: The maximum grant will be £15,000. This will be a means tested grant using the criteria prescribed for mandatory disabled grants.

Landlord: The maximum grant will be £15,000, calculated from a maximum 50% of the cost of eligible works. Following completion of the works:

- the property must be rented out for a five year period on the open market (i.e. not to a member of the family or friend)
- the rental value must not be increased for a period of at least two years following completion of the works

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- If the property is sold within five years of the grant, the value of the grant will have to be re-paid.

The private rented sector continues to have some of the poorest housing in the UK. This policy seeks to redress this in the Borough of Melton, particularly focussing on the vulnerable households.

3.5.8 PROCESS OF THE DECENT HOMES GRANT APPLICATION

Potential applicants should contact Melton Borough Council for an assessment of eligibility. When the Officer has assessed the works and agreed that they are eligible for a grant with Melton Borough Council, the application form will be issued with a schedule of works. The form must be completed and returned with two estimates for the work, proof of ownership and proof of receipt of benefit (and proof of age if necessary). Melton Borough Council will approve an eligible application within one month.

The grant guidance developed through the Housing Grants, Construction and Regeneration Act 1996, associated Regulations, Circulars and Orders will continue to be applied to grant applications, except where the rules are superseded by details in this policy.

3.5.9 CONDITIONS APPLICABLE TO DECENT HOMES GRANTS

Grants will only cover the main living accommodation, not outhouses, gardens, garages, conservatories, lean-to constructions or other temporary buildings.

Only one grant application per property in each financial year (regardless of value) will be eligible. This does not include disabled facilities grants.

The Specification

Where the Council has provided a general or specific specification on eligible works, the works shall be carried out in accordance with that specification in addition to any plans or particulars forming part of the application.

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The Contractor

The works must be carried out by the contractor whose estimate accompanied the application and was accepted by the Council. The grant will be approved on the cheapest contractor. However if the applicant prefers the other, they can pay the difference to have that contractor carry out the works.

The applicant will be responsible for the appointment of the contractor and any concerns over the quality of works will be a matter for the applicant to resolve with the contractor.

Qualifications of Contractors

It is a condition of the grant that only contractors who are registered with a Competent Person's Scheme or are registered with a recognised trade body such as NICEIC, ECA or NAPIT may carry out electrical works and Gas Safe registered contractors' carry out works on gas installations.

Commencement of works

The works must not start before the grant has been approved

Time Limit on carrying out the works

Unless prior consent has been given, the works must be carried out within three months from the date of approval. The Council can refuse to pay the grant monies approved after this time. In the case of unforeseen works the Council will consider an application for an extension of time.

Guarantees/Certificates

Guarantees/Certificates are required for some builders and service works. Details of what is required will be provided on the schedule of works. The final payment on the grant will not be made until the appropriate paperwork has been provided.

Building Insurance

The grant recipient shall arrange and maintain adequate insurance for their property, subject to and with the benefit of the completed works, throughout the grant period.

Misinformation

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Where the authority ascertain that the grant amount was determined on the basis of inaccurate or incomplete information and exceeds that to which the applicant was entitled to, the grant may have to be repaid or a re-assessment may be carried out.

Miscellaneous

All grants will be repaid in full if the property is sold or ownership is transferred within a period of 5 years from the date of closing the grant following completion of works.

Each and every case will be assessed on the individual merits of that case.

HIA, architects and other fees shall not exceed 10% of total cost.

Where applicants are eligible for grant under Warmfront or other schemes, assistance may be given to gain access to these funds.

Photographs of before and after relevant works will be kept by Melton Borough Council and may be used or published by them.

3.5.10 ADDITIONAL CONDITIONS FOR LANDLORDS

The eligible work must be carried out within three months from the date on which the Grant was approved unless further extended by the Council.

Grant Approval is not the same as Building Regulation Approval, Planning Consent or Listed Building Consent. Where such approvals or consents are required, these must be obtained by the applicant from the relevant Sections of the Council.

Payment of the Grant will normally be made direct to the approved contractor. Such payment will not be made unless the Local Authority is satisfied that the work has been properly executed.

The applicant must notify the Council in writing of his intention to make a relevant disposal of any property to which Grant Conditions apply and must supply any information reasonably requested during the Grant Condition period.

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It is a condition of the grant that the property must be let for a period of 5 years from the certified completion date. Disposal of the property before this time will result in the Council demanding repayment of the grant.

The provisions of the Housing Grants, Construction and Regeneration Act 1996 shall apply in respect of all Grant applications including the provisions for occupation and repayment as summarised on the relevant Certificate of Future Occupation.

Details of the Grant will be recorded in the register of local Land Charges and will be binding on any person who is for the time being the owner of the dwelling.

The applicant must if so required by notice furnish to the Council a statement within twenty-one days showing that the Grant Conditions are being fulfilled.

Anyone who knowingly signs a false declaration may be guilty of an offence and might be prosecuted if the Council has evidence of an intention to obtain a grant by deception.

3.6 EXTRA WARM GRANTS

The Melton Extra Warm Scheme was launched in 2009 to provide a reasonable degree of thermal comfort for householders. This is a partnership between Melton Borough Council, the Energy Saving Trust and Street Energy.

This requires a dwelling to have both:

- efficient heating (see Decent Home Grants); and
- effective insulation

Effective insulation will include cavity wall insulation and loft insulation up to 270mm. In limited circumstances consideration may be given to insulating solid walls. Draught proofing & hot water cylinder jacket may be eligible where other works are carried out.

Cavity and Loft insulation (Street Energy) EXTRA WARM - 0800 043 5690

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3.7 NEIGHBOURHOOD RENEWAL, REGENERATION AND SOCIAL INCLUSION.

Empty Housing

We will still offer grants (subject to availability) to carry out repairs to enable empty homes to be brought back into use. It will be limited to long term empty, non decent properties and priority will be given to those properties which are detrimental to the neighbourhood.

A maximum grant of £15000, calculated at a maximum of 50% of the cost of eligible works. Following completion of the works, the property must be rented out for a five year period on the open market (i.e. not to a member of the family or friend). This has been successfully used to regenerate parts of Melton Mowbray Town Centre.

If an owner wishes to bring an empty property back into use for their own main residence, then means testing will be applied.

3.8 COMPLAINTS POLICY

Should an applicant or member of the public wish to lodge a complaint regarding the grant policy or progression or refusal of a grant this should initially be addressed to the Principal Environmental Health Officer. If complainants are still not satisfied the Council's Corporate Complaints Policy will be available on the www.melton.gov.uk web site or from the Customer Service Centre (01664 502502). This contains information about complaints to the Ombudsman.

3.9 ANTI-FRAUD MEASURES

This Council is under a duty to protect the public funds it administers and to this end may use the information provided in grant application forms within this Authority for the prevention and detection of fraud. It may also share this information with other bodies administering public funds solely for these purposes.

3.10 FEES

HIA, architects and other fees shall not exceed 10% of total cost of the grant, unless there are exceptional circumstances.

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3.11 REVIEW

The policy will be subject to ongoing review, but will be specifically examined annually to determine that it is still appropriate to the needs of the Melton area. Minor changes may be made internally, the policy shall be brought to Committee for review every three years.

Grant Contact Details

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Bibliography

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