



**PRIVATE SECTOR HOUSING
RENEWAL POLICY 2003**

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1. INTRODUCTION

Until July 2003 the prescriptive legislation which has dictated grant policy was the Housing Grants, Construction and Regeneration Act 1996. The Regulatory Reform Order on Housing Renewal came into force on 18 July 2002 and from 18 July 2003 replaces the previous legislation (with the exception of Mandatory Disabled Facilities Grants) providing Local Authorities with a much greater degree of flexibility to deal with poor condition private sector housing. This will enable Local Authorities to tailor the assistance they provide to the private sector to reflect local strategic objectives in addition to regional and national policies.

The current Private Sector Housing Policy has been reviewed resulting in this Housing Renewal Policy which came into effect on 18 July 2003 and sets out how Three Rivers District Council will provide assistance to improve and maintain standards of the private sector housing within the district.

2. THE LOCAL CONTEXT

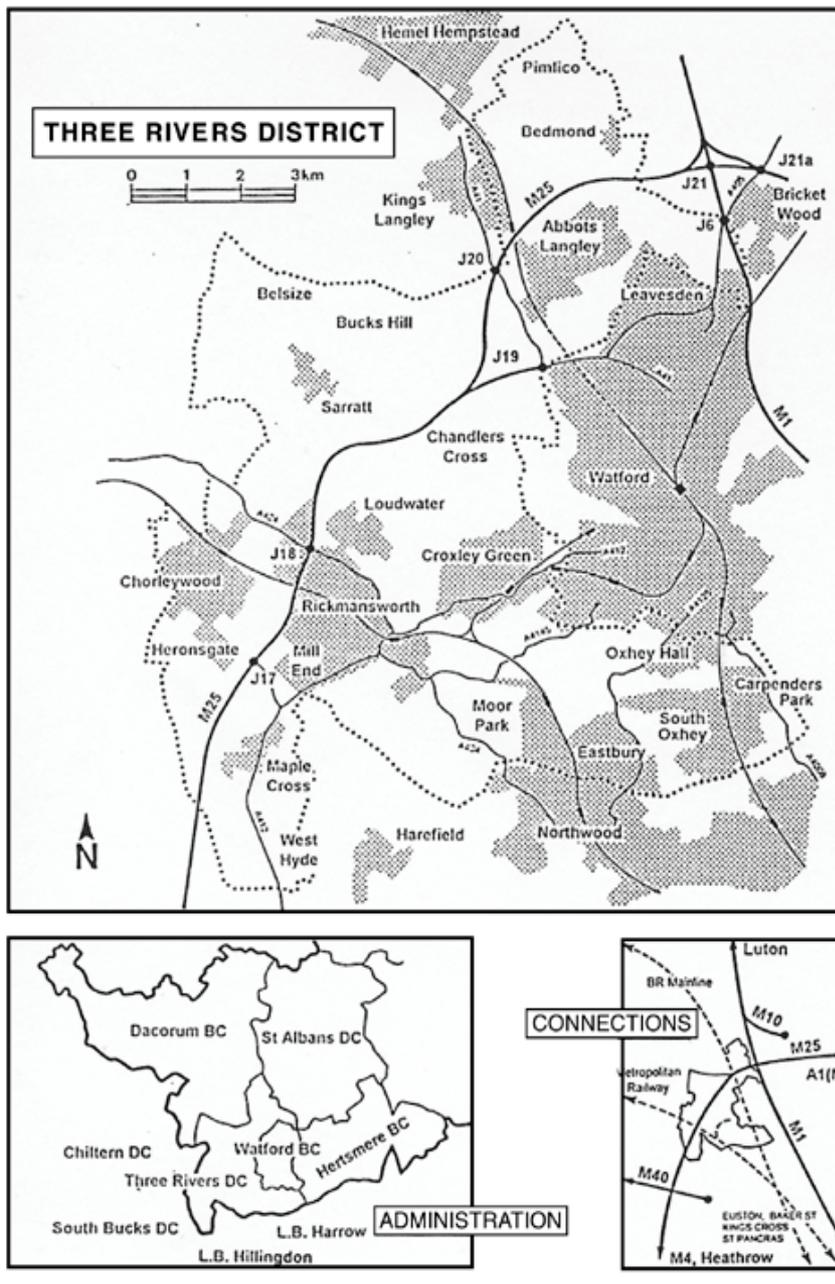
Three Rivers is a small district of which 65% is green belt, located in the southwest corner of Hertfordshire. The district comprises 12 villages and small towns. The district has a mixed economy with no dominant employer. Areas of the district feature relatively highly on national and county deprivation indexes for unemployment and poor health contrasting with other prosperous areas within the district with some of the lowest unemployment rates and highest house prices in the country.

There are approximately 29,000 private sector dwellings within the district. A stock condition survey of the private sector carried out in 2002 identified that:

- The percentage of unfit dwellings within the private sector is 13% mainly in older pre 1919 dwellings. This is much lower than the national average of 19.3%.
- 17.7% of unfit properties are occupied by households aged over 60 and on low incomes
- There is no particular area of the district where there is a significant number of unfit properties.
- 15.6% of dwellings were found to be substantial disrepair
- The energy efficiency rating is 54 which is higher than the national average of 44.
- The percentage of empty properties in the private sector is below the national average and are mainly second homes.

Overall, the private housing sector within the district is considered to be asset rich but cash poor.

2.1 Map of Administrative Area



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3. POLICY IMPLEMENTATION

The implementation date of this policy is 18 July 2003. The policy has been formulated within the framework of the key strategic priorities identified in the Council's Housing Strategy 2001-2005, key Government Housing Policies, key Regional Housing Policies and the Council's Vision, Aims and Objectives which express the Council's continued commitment to improving housing quality across the private and public sectors.

Implementation of this policy is delivered by the Residential Standards Team within the Environmental Health Section of the Council. All officers of this team will have regard to this policy and all relevant legislation when delivering the service.

4. MEETING KEY STRATEGIC AND SERVICE RELATED AIMS AND OBJECTIVES

This policy reflects the Council's Vision which is to 'Three Rivers should be a prosperous, safe and healthy place where people want and are able to live and work'. The Council's aims identified in the Strategic Plan continuously support the vision:

- Healthy Communities
- Prosperous Communities
- Safer Communities
- Sustainable Communities

This Policy interlinks and supports the above by targeting investment (financial, advisory, enforcement) in the community to improve and maintain standards of housing that are suitable for modern living, promote good health and a sustainable community.

In addition, as an integral element of the Council's strategic housing role this policy also contributes to delivering the four key strategic priorities in the Housing Strategy 2002 – 2005 which reflect key Government and Regional Housing Policies and Priorities.

- To provide sufficient sustainable and affordable housing which takes account of the range, cost, size and location of housing required by local people and specific groups to meet changing demographic needs.
- Wherever possible, give people choice about where they want to live and ensure everyone has equal opportunity to access suitable accommodation according to need.
- To ensure both public and private housing in the district is of a standard suitable for modern day living and encourages good health.
- To work with local communities to ensure that the district is a safe place to work and live, with vibrant neighbourhoods where there is respect for our diverse population.

Other Council policies that are supported by private sector housing renewal are:

- Empty Homes Strategy (being reviewed)
- Anti Poverty & Fuel Poverty Strategy

5. RESOURCING THE PRIVATE SECTOR HOUSING RENEWAL POLICY

Limited budgets used to provide direct financial assistance in the form of a grant will be targeted at the most vulnerable and needy within the private housing sector and on a priority basis. To support this, applicants for assistance will be required to investigate existing commercial lending markets and grant aid will only be considered when all other avenues can be shown to have been exhausted.

TYPES OF ASSISTANCE AVAILABLE

The types of assistance available fall into three broad categories of advice, financial and enforcement.

6.1 ADVICE

Councils officers will, except where statute says otherwise or there is an imminent risk to health or safety, attempt to resolve all issues through processes of education and awareness raising to enable property owners to undertake their responsibilities in an environment of understanding the needs and benefits of such action.

In addition the Council will undertake specific targeted education campaigns in order to raise awareness of home maintenance issues.

Advice will be provided with respect to existing government and local initiatives in addition to any other relevant avenues to improve housing standards eg energy efficiency schemes.

The provision of advice may or may not lead to financial assistance.

6.2 FINANCIAL ASSISTANCE

Grants

The Council will offer Mandatory Disabled Facility Grants.

The Council may offer the following grants subject to terms and conditions:

- Discretionary Renovation Grants
- Discretionary Home Repair Assistance Grants
- Discretionary Landlord Grants

Loans, Equity Release etc

The Council will not directly provide loans or equity release funding but will initially direct all appropriate enquiries to Independent Financial Advisory services for advice on options to fund their own home repairs utilising existing financial lending markets. In the event of commercial funding not being of sufficient level to fund all qualifying works then the application (together with written confirmation of financial advice received and any level of commercial funding available) will be accepted by the Council for possible grant assistance.

6.3 ENFORCEMENT

The council's policy is to strive to ensure that people in Three Rivers private housing sector have access to safe, healthy, affordable and sustainable accommodation.

This will be achieved through supporting and facilitating responsible property owners and managers who seek to provide good quality, safe accommodation that meets all legal requirements. Conversely, the Council will ensure that those landlords and managers who do not strive to achieve such standards will be subject to enforcement action, where appropriate. Any action will be taken in accordance with the Private Sector Housing Enforcement Policy and the Council's Concordat on Good Enforcement.

THE GRANT APPLICATION PROCESS AND HOW TO ACCESS IT

The Council's policy on assistance takes into account responsibilities of owners to maintain their own properties but also considers ability to do so and vulnerability of different groups as well as other factors in determining eligibility criteria and terms and conditions. All applicants for assistance will be given every opportunity to access the process through full dissemination of information at Council points of contact and those of other organisations such as Citizens' Advice Bureau.

A summary of this policy is provided at such outlets and electronically on the Council's website www.threerivers.gov.uk where customers will be able to register an initial enquiry on line. The summary will also be reproduced in the Council's newsletter on an annual basis.

A two stage process to access grant provision operates. **All** grants are means tested and applicants for discretionary grants will be required to seek a formal assessment of loan/equity release funding from the commercial financial markets. The second stage of access to possible grant aid from the Council will only be considered after confirmatory evidence of the outcome of investigation of the commercial lending market is received.

It should be noted that enquiries/applications by landlords will be subject to an alternative means of assessing the landlord's resources. The method to be used is detailed in section 8.5.2, however the principles of accessing the process remain the same.

The result of the second stage of the process will be conveyed to applicants in writing.

8. GRANT DETAILS AND TERMS AND CONDITIONS

8.1 Mandatory Disabled Facilities Grants

In meeting its responsibilities under Section 8 of the Housing Act 1985 to consider housing conditions and provision in their area, the Council will have regard to the special needs of chronically sick and disabled persons in their area under their powers in Section 3 of the Chronically Sick and Disabled Persons Act 1970.

8.1.2 Eligible Applicants

The Council will only accept applications subject to the following:

- All applications must be supported by a referral from Hertfordshire County Council Adult Care Services (Occupational Therapists)
- The applicant has, or proposes to acquire, a qualifying owner's interest and intends that the disabled occupant will live in the dwelling or flat as his/her only main residence throughout the grant condition period of 5 years except in exceptional circumstances.
- A tenant applicant intending to live in the dwelling or flat as his/her only main residence throughout the 5 year grant condition period except in exceptional circumstances. The landlord is required to agree to the works, in writing, and produce an owner's certificate at the same time.

8.1.3 Grant Conditions

- ❖ While the grants are mandatory the Council will not approve an application unless the relevant works are necessary and appropriate and that it is reasonable and practicable to carry out the works having regard to the dwelling or building.
- ❖ In the case of an application for a disabled facilities grant not being approved because it is not reasonable and practical to carry out works, having regard to age, character or conditions of a building although necessary and appropriate, the Council will consider (subject to a means test, removal expenses of up to £3,000 for rehousing to appropriate accommodation.
- ❖ Normally the maximum grant limit is £25,000.
- ❖ In exceptional circumstances, the Council's Executive Committee will consider mandatory disabled facilities grants over £25,000
- ❖ Recovery of any grant assistance provided will be considered if there is a change of circumstances which deems such consideration appropriate.

8.2 Discretionary Renovation Grants

These may be made available for the improvement or repair of a dwelling or for the provision of dwellings by the conversion of a house or other building over 10 years' old at the time of application. It can be available to owners and qualifying tenants.

Eligible Applicants

The Council will only accept applications subject to the following:

- An owner applicant has resided in the property for the previous three years.
- A tenant applicant has a certificate from the landlord confirming tenancy status.

8.3.2 Grant Conditions

- ❖ Grants will only be considered for works to bring a property up to the fitness standard as currently defined in S604 of the Housing Act 1985 or any future revised fitness standard such as the Housing and Health Fitness Rating, or when a property is in serious disrepair.
- ❖ The maximum grant that may be awarded is £20,000
- ❖ The Council will require grant aid to be repaid in full plus interest if the property is disposed of after any instalment of the grant has been paid and before the certified completion date or within 5 years of the completion date.
- ❖ The amount of any grant given will be registered as a charge on the property at the Land Registry.

8.4 Discretionary Home Repairs Assistance

This grant is primarily designed to provide assistance with small scale works of repair, improvement and adaptations to a dwelling. The dwelling may be a building, a houseboat or a mobile home.

8.4.1 Eligible Applicants

The Council will only accept applications subject to:

- The applicant lives in the dwelling as the main residence
- The applicant has an owner's interest or is a tenant
- The applicant or partner is in receipt of Income Support, Family Credit, Housing Benefit, Council Tax Benefit or Disability Working Allowance or
- An applicant who is over 60 years old, disabled or infirm or to an applicant in respect of works to adapt a dwelling to enable the elderly, disabled or infirm person who lives or proposes to live in the dwelling to be cared for.
- Applicants requiring fast track essential repairs where these repairs are needed prior to discharge from hospital.

8.4.2 Grant Conditions

- ❖ A prior qualifying period of 3 years applies except in the case of works to adapt a dwelling to enable an elderly person who lives or proposes to live in the dwelling as his only or main residence to be cared for.
- ❖ Grant aid will only be considered after written confirmation has been received that commercial financial assistance has been explored and the outcome known.
- ❖ An exception to the requirement to explore the commercial financial assistance will be made for fast track essential repairs where these repairs are needed prior to discharge from hospital.
- ❖ The maximum amount of grant aid that may be provided is £5,000 as a one and only application by an applicant
- ❖ The Council will require grant aid to be repaid in full plus interest if the property is disposed of after any instalment of the grant has been paid

and before the certified completion date or within 5 years of the completion date.

- ❖ The amount of any grant given will be registered as a charge on the property at the Land Registry.

8.5 Discretionary Landlord Grants

These grants are subject to consideration and approval by the Council's Executive Committee.

- **Houses in Multiple Occupation Grants** – for works to render a House in Multiple Occupation fit for habitation and fit for the number of occupants.
- **Landlord Common Parts Grant** – for works of improvement and repair to common parts of buildings containing flats where at least three quarters of the flats are occupied by persons who occupies their flats as their main residence.
- **Renovation Grants** – for works to render properties other than Houses in Multiple Occupation fit for habitation

8.5.1 Eligible Applicants

- The Council will not accept an application from any landlord for any grant unless it is accompanied by a Certificate of future occupation. The Certificate must certify that the applicant, as well as having an owners interest, intends throughout the 10 year period after completion of the grant, that the dwelling will be residentially occupied or available for residential occupation under tenancies or licences by persons who are not connected to the owner.

8.5.2 Grant Conditions

- ❖ The grants are subject to a means test with a maximum limit of £20,000 In addition to the personal means test applicable to all discretionary grant applicants; landlords will be subject to a further means test. This means test will be based on the current market value of the property and current rent levels and future market value after work is completed and likely future rent levels.
- ❖ Any landlord grant given by the Council will be subject to the Council being given the right to nominate tenants from the Council's housing waiting list.
- ❖ The Council will require grant aid to be repaid in full plus interest if the property is disposed of after any instalment of the grant has been paid and before the certified completion date or within 10 years of the completion date.
- ❖ The amount of any grant given will be registered as a charge on the property at the Land Registry.

9. PRIORITISATION FOR GRANT APPLICATIONS

Any discretionary grant application considered by the Council after failure to secure commercial funding (as detailed in section 7 of this policy) will be prioritised according to the severity of the impact on the property and any other relevant issues.

10. PROCESS FOR GRANT APPLICATIONS OUTSIDE POLICY

All requests for assistance will be considered within the context of Three Rivers Housing Renewal Policy. Any request for consideration of assistance outside this policy should be in writing with supporting details and addressed to the Residential Standards Manager within Environmental Health at Three Rivers District Council. A written response will be sent confirming the decision and the reason. Any appeal should be made in writing to the Chief Environmental Health Officer at Three Rivers District Council.

11. PRIVATE SECTOR HOUSING ENFORCEMENT POLICY

The Private Sector Housing Enforcement Policy and the Council's Concordat on Good Enforcement, both which govern the manner in which enforcement action is undertaken is available on the Council's website www.threerivers.gov.uk and hard copy available upon request.

12. APPEALS AGAINST REFUSAL OF GRANT ASSISTANCE

Appeals relating to refusal of grant aid should be made in writing with supporting details and addressed to the Residential Standards Manager within Environmental Health at Three Rivers District Council.

13. COMPLAINTS

All complaints relating to service delivery will be dealt with in accordance with the Council's Complaint Policy which is available on request.

APPENDIX I

KEY SERVICE STANDARDS

- All Council services are delivered with the aim of provide quality services that meet local needs and provide value for money.
- The Residential Standards Team within Environmental Health at Three Rivers District Council deliver services relating to housing conditions within the private sector. In all matters relating to this the following service standards will apply:
- All officers answering the telephone will be provide their name, be courteous, professional and endeavour to answer any queries as fully as possible. In the event of an officer not being present to take a telephone call or an officer being unable to fully answer a query, a return response will be provided within 24 hours during the working week or the following Monday if the call was made on a Friday.
- Upon an initial enquiry for grant aid, information will be provided in accordance with Three Rivers District Council's Private Sector Renewal Policy and any other relevant guidance. All relevant paperwork will be dispatched within two working days from the initial enquiry, the name of the case officer and contact details will be provided.
- Any letter received will be provided with a response within five working days.
- These service standards will be regularly reviewed taking into account feedback from customer satisfaction surveys that are continuously carried out.