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Ward(s) Affected: All
**Author: Sarah Thompson, Housing Service Manager
Hannah McCoubrey, Housing Strategy Officer**
**Lead Executive Member: Cllr Mark Crane, Leader of the Council and Lead
Executive Member for Housing, Leisure, Strategic
Matters, External Relations and Partnerships**
Lead Officer: June Rothwell, Head of Operational Services

Title: Draft Private Sector Housing Assistance Policy 2021-23

Summary:

The Council's Private Sector Housing Assistance Policy 2021-23 is made under Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. This gives the Council greater freedoms to provide financial assistance for adaptations, essential home repairs or to improve housing conditions to benefit an individual's health, wellbeing, or quality of life. These discretionary powers allow the Council to develop different forms of assistance to meet local need, based on local housing conditions and available resources. Whilst responsibility for maintaining privately owned homes rests first and foremost with their owners, this policy recognises that some owners, particularly the elderly and vulnerable, do not always have the necessary resources to repair or improve their homes. Local authorities therefore have an important role to play in providing assistance in these cases.

Recommendation:

That Executive Members approve the draft Private Sector Housing Assistance Policy 2021-23 in order to progress with consultation.

Reasons for recommendation:

Prosperous and sustainable communities need good quality homes that are safe and decent, and that meet the needs of the people who live in them. In 2017, almost 6000 dwellings in Selby's private sector were categorised as having a Category 1 safety hazard, that being those which cause a serious and immediate risk to a person's health and safety. By approving the draft policy for consultation, we will be closer to implementing a policy which will provide appropriate advice and assistance to those in the private sector, particularly the vulnerable and elderly. This increased

assistance will encourage improvement in private housing choice and quality across the district and enable independent living wherever possible.

1 Introduction and background

- 1.1** The Council's current assistance policy is for the period 2018-2023. Over the last 3 years, a considerable amount of work has been done by the team to build and strengthen relationships between the district Council and NYCC to ensure that the customer experiences a single and effective service. However, we are bringing forward review of this policy as we are now in the position to further align and enhance these services, and offer them to Selby residents.
- 1.2** Stock condition work completed in the district in 2017 showed that there are 39,423 dwellings in Selby: 74% owner occupied, 14% private rented and 12% social rented. Selby's population structure also has a higher than average proportion of people in every age cohort from 40 and over. This is likely to place increasing pressures on health, social care and acute services. Older people are also more vulnerable to accidents in the home, with those aged 65 plus having the highest risk of falling.
- 1.3** At the same time, almost 6000 dwellings in Selby's private sector were categorised as having a Category 1 safety hazard (equating to 17% of total private stock). More detail relating to hazards can be found in Appendix A. The total cost of mitigating all such hazards was estimated to be £20.9 million, whilst the cost to the NHS of treating accidents and ill-health caused by these hazards was estimated at £1.1 million each year. If the wider costs to society are also considered, total costs are estimated to be £14.4 million per year. Almost 9% of all households were also classed as being in fuel poverty, more likely to be experienced in central Selby and our more rural wards. Issues with excess cold were highest again in more rural parishes.
- 1.4** Both reports commissioned by the Council in 2017 (the Health Impact Assessment and Stock Condition Report) found that improvement scenarios involving a spectrum of low cost measures were seen to provide high levels of savings. For example, it is often the case that removing Category 1 hazards requires relatively inexpensive housing solutions, such as an adequate stair or grab rail, which can save organisations thousands if it prevents an accident or further health issues. The table below shows the total cost of mitigating Category 1 hazards by tenure in the Selby district and the average cost per private dwelling:

Housing Hazard Type	Cost of Mitigating Hazards				Avg. cost per dwelling
	Total Private Stock	Owner Occupied	Private Rented	IMD Lowest 20%	
Damp and mould growth	£380,823	£276,754	£104,069	£6,862	£7,016
Excess cold	£17,019,878	£14,400,326	£2,619,552	£38,452	£4,807
Crowding and space	£24,687	£17,940	£6,746	£445	£16,646

Entry by intruders	£43,723	£31,774	£11,948	£788	£1,137
Domestic hygiene, pests, refuge	£16,010	£11,635	£4,375	£288	£895
Food safety	£31,451	£22,857	£8,595	£567	£2,948
Personal hygiene, sanitation, drainage	£19,332	£14,049	£5,283	£348	£1,185
Falls associated with baths etc.	£0	£0	£0	£0	£531
Falling on level surfaces etc.	£571,221	£448,961	£122,261	£9,853	£972
Falling on stairs etc.	£2,114,161	£1,661,660	£452,502	£36,465	£1,029
Falling between levels	£80,390	£58,421	£21,968	£1,448	£924
Electrical hazards	£11,332	£8,228	£3,094	£204	£1,646
Fire	£400,433	£291,005	£109,428	£7,215	£4,748
Flames, hot surfaces etc.	£189,222	£137,513	£51,709	£3,409	£2,049
Collision and entrapment	£21,037	£15,288	£5,749	£379	£597
TOTAL	£20,923,690	£17,396,411	£3,527,279	£106,724	

1.5 Consequently, the aim of this policy is to encourage improvement in private housing choice and quality across the district through support and assistance. We will also ensure that, where appropriate and necessary, enforcement action is taken in line with Council policy. Ultimately, the Council will seek to:

- Help owner-occupiers maintain and repair their homes.
- Remove or reduce housing related defects that are detrimental to health.
- Assist people whose independence may be at risk, to remain in or return to their homes.
- Boost domestic energy efficiency to reduce the number of households in fuel poverty, improve heating and reduce carbon dioxide levels.
- Encourage and enable private landlords to provide good quality and well managed properties for their tenants.
- Maximise the use of existing housing stock to increase housing choice across the district.
- Increase the number of empty properties brought back into use, particularly where this can be used to relieve homelessness.

2 Policy Detail

- 2.1 The policy makes it clear that Selby District Council will provide information and advice to assist any person to improve, repair, adapt or rebuild residential premises. We recognise the importance of education and encouragement when working with Private Sector Landlords and with private owners to uphold legislative requirements, improve standards and to increase housing choice.
- 2.2 However, the Council recognises that there may be occasions where advice is not enough and it is both necessary and appropriate to provide financial assistance to support this work. The policy details the various types of assistance available to applicants, along with information relating to eligibility criteria, typical works, maximum grant amount, the application process, and any conditions relating to the assistance.
- 2.3 The policy details both the mandatory Disabled Facilities Grant (DFG) as well as other forms of discretionary assistance afforded under the Regulatory Reform Order. For example, 'Discretionary Adaptations Assistance' includes works under a DFG that may otherwise not be eligible for assistance via the traditional route. It can include specialised equipment and smart technology, as well as aids and adaptations for people with mental health issues, behavioural and/or learning disabilities. It will also be applied where adaptations are expected to cost less than £6,000 and has the potential to 'top-up' a DFG award if adaptation work exceeds the £30,000 limit and offer relocation assistance to an applicant where adaptation is not suitable in their current property for whatever reason.
- 2.4 Healthy Homes Assistance is also a new initiative which is intended to ensure vulnerable or disabled households can live in homes that are safe, warm and secure. Good health and good housing are intrinsically linked with a great deal of evidence highlighting the damage that poor housing does to our health, safety and wellbeing through the effects of cold, pollution, noise and unsafe conditions. With a maximum grant or loan amount of £6,000, this work will generally relate to the removal of, or help to remedy, defects or deficiencies within the home that impact on health, such as: installation or replacement central heating systems or improvement to the energy performance of the home, work to prevent falls around the home, as well as additional security measures. The hope is this will ultimately prevent applicants from having to require additional health and social care provisions which would no doubt cost both the Council and its partners considerably more. Other schemes include Empty Homes Assistance, Energy Repayment Loans and Dementia Friendly Homes.
- 2.5 With a combination of mandatory DFGs and the use of discretionary assistance, we will help to ensure that more Selby district residents are living independently, in suitable accommodation, and prevented from needing additional health and social care intervention.

Funding information

- 2.6 In 2016, the Government made changes to the funding mechanism for DFGs which became allocated as part of the Better Care Fund. This pooled budget enables health, social care, and housing services to work more closely, assisting people to manage their health and wellbeing and to live independently in their communities for as long as possible. It also enabled the introduction of preventative services, designed for early intervention in order to delay or prevent the need for more intense services.
- 2.7 The table below shows the amount of funding made available to the Council each year via the Better Care Fund, which in turn will fund the various assistance schemes detailed in the policy:

Year	Grant Allocation	Total Budget Available	Total budget spent
2016/17	£196,000	£ 358,870	£ 276,600
2017/18	£346,958	£ 448,206	£ 179,173
2018/19	£411,094	£ 668,203	£ 440,093
2019/20	£443,595	£ 630,445	£ 347,397
2020/21	£443,595	£ 726,643	£ 302,624
2021/22	£503,327	£ 816,977	

- 2.8 Discretionary assistance will only be awarded to households where a disabled or vulnerable person is resident, ensuring the Council targets residents (and properties) most in need. Availability is also subject to the Council's annual budget setting procedure and the availability of sufficient levels of external funding. All payments are at the Council's discretion and will be removed once available funds are exhausted.
- 2.9 Many types of assistance, both mandatory and discretionary, are also provided on the condition of a land charge being applied to the property. Any and all monies received from the disposal of such properties will be returned to the Private Sector Housing Assistance budget and will be ringfenced for future assistance schemes delivered under this policy.
- 2.10 In regard to decision-making on individual discretionary grants, the policy is written so as to ensure that the relevant Director is able to delegate authority to the relevant Officer/s. For instance, some cases may be a Housing Management concern i.e., looking to move a tenant to a more suitable property, whereas another may be for Property Services if the issue is around the condition or suitability of a property for adaptation.

3 Consultation

- 3.1 Approval of the draft policy would allow us to progress to consultation. This would include both Council tenants and Selby residents more widely. In light of the current climate, this is likely to take the form of an online questionnaire publicised via our website. Given the demographics of those who are more

likely to apply for such assistance, we will also make our statutory and voluntary partners aware in order for them to pass this information on to their customers. We will also provide hard copies of the questionnaire for those residents who prefer or require them.

3.2 We will also consult with our partners at North Yorkshire County Council, as well as with other statutory and voluntary organisation who are likely to work with both the elderly and vulnerable customers this policy relates to.

3.3 A timetable for consultation and reapproval is detailed below:

Dates	Events
02/12/2021	Draft Private Sector Housing Assistance Policy 2021-23 at Executive for consultation approval.
06/12/2021 – 31/12/2021	Consultation with residents and stakeholders.
04/01/2022 – 14/01/2022	Time taken to consider feedback and make changes.
17/01/2022 – 28/01/2022	Final discussions with key stakeholders.
10/03/2022	Policy taken back to Executive for final approval.

4 Alternative Options Considered

None.

5 Implications

5.1 Legal Implications

Section 8 of the Housing Act 1985 requires local housing authorities to consider housing conditions in their area, having regard to the needs of chronically sick and disabled persons; including the adaptation of existing accommodation.

This policy is made under Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 Statutory Instrument No.1860. This gives local authorities a general power to provide 'assistance' 'in any form' to 'any person' through the introduction of policies relating to renewals, repairs and adaptations in private homes, through grants or loans.

5.2 Financial Implications

The financial assistance included within the policy is largely discretionary (other than the mandatory DFG award). The policy makes it clear that, at times of high demand, assistance schemes may be amended, suspended, or removed entirely, to ensure that the Council can meet its statutory responsibilities.

5.3 Policy and Risk Implications

N/A

5.4 Corporate Plan Implications

N/A

5.5 Resource Implications

Under our previous policy, much of the work was undertaken by the Council's Private Sector Officer (1 FTE). However, it is expected that assistance will also be provided via the Council's Empty Homes Officer, Technical Officer and DFG Co-Ordinator. No further additional resource is expected to be required.

5.6 Other Implications

N/A

5.7 Equalities Impact Assessment

Under the Equality Act 2010, local authorities must demonstrate 'due regard' to the Public Sector Equality Duty, working to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act; advance equality of opportunity between people who share a protected characteristic and those who do not; and foster good relations between people who share a protected characteristic and those who do not.

An Equality, Diversity, and Community Impact Screening was completed on 22/06/2021. It notes that local authorities have an important role to play in providing assistance in relevant cases where residents are particularly vulnerable; this could be due to age, ill health or low income, for example. The policy is an updated document which provides additional forms of assistance for such people. This could be through an advice service or through financial assistance, in the hope of positively impacting upon an applicant's health and wellbeing and/or the condition of the property they live in.

6 Conclusion

It has long been accepted that poor quality housing has both negative impacts on the health of occupants as well as on the quality of life in that area. And whilst responsibility for maintaining privately owned homes rests primarily with their owners, this policy recognises that particularly elderly and vulnerable residents do not always have the necessary resources to repair or improve their homes. This can lead to poor health, dangerous properties and a limited private stock. However, through the use of this policy and the various advice and assistance schemes it offers, we aim to:

- Improve housing conditions across the Selby district.
- Increase the number of residents who are able to live independently and safely at home.
- Improve the health and wellbeing of people living within the Selby district.

Executive approval allows us to consult with key stakeholders and residents on the proposed policy, to ensure that we take on board all relevant feedback and use this to shape our housing service delivery.

7 Background Documents

Private Sector Housing Assistance Policy 2018-2020

8 Appendices

Appendix A: The 29 Hazards

Appendix B: Draft Private Sector Housing Assistance Policy 2021-23

Contact Officers:

Sarah Thompson, Housing Service Manager

sthompson@selby.gov.uk

Hannah McCoubrey, Housing Strategy Officer

hmccoubrey@selby.gov.uk