

Selby District Council

REPORT

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Item 6 - Public



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Executive Member: Cllr Chris Pearson; Lead Member for Housing,
Leisure, Health and Culture
Lead Officer: Julie Slatter, Director of Corporate Services and
Commissioning

Title: Private Housing Assistance Policy

Summary:

This report seeks approval for the new Private Housing Assistance Policy following consultation. The new policy introduces some new discretionary grants and loans as well as changes to the Disabled Facilities Grant.

Recommendations:

- I. Approve the Private Housing Assistance Policy for adoption.

Reasons for recommendation

It is recommended that the Private Housing Assistance Policy (appendix 1) is approved to allow the Council to provide discretionary private sector assistance. Amendments introduced through the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 allow housing authorities the flexibility to provide discretionary assistance but they must publish a policy and exercise their power in accordance with their policy.

1. Introduction and background

- 1.1 The Private Housing Assistance Policy sets out how we will deal with housing in the private sector, specifically the provision of housing assistance.

- 1.2 The Disabled Facilities Grant is a 'means-tested' financial grant that helps meet the cost of adapting a private property where a disabled person lives. Common adaptations include the installation of showers, stair lifts and ramps. Delivery of Disabled Facilities Grants is a mandatory service and the delivery of the grant is a requirement of each individual housing authority. Details of the provision are included in the policy.
- 1.3 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 ("the 2002 Order") gives a power to local authorities for the purpose of improving living conditions in their area by enabling a local housing authority to provide, directly or indirectly, assistance to any person for the purpose of enabling them to acquire accommodation, adapt or improve accommodation or to repair or demolish and rebuild accommodation. In using the powers under the 2002 Order the Council has discretion to provide assistance for the purpose of improving living conditions in the Selby District and to support our current corporate priorities. To meet the requirements of the 2002 Order the Council must adopt a policy that sets out under what circumstances the Council may provide assistance. Details of the discretionary proposals are set out in the Policy.
- 1.4 The technical element of the private sector grant delivery was previously included within a wider NYCC Supporting People (SP) Home Improvement Agency (HIA) Contract to which all the North Yorkshire districts signed up. The original contract ran from 1st April 2014 and ended on 31st March 2017 and on completion NYCC advised that the SP contract would not be re-tendered and would therefore end. It was, however, extended for a further year to allow the housing authorities to make alternative arrangements for the delivery of the statutory DFG element of the contract. From April 2018, the duties previously undertaken by the HIA will transfer to the Private Housing Team of Selby District Council.

2. The Report

2.1 Current Position

The current Private Housing Assistance Policy was adopted in 2013. Since then the funding available for Disabled Facilities Grants has increased considerably and there is an opportunity to use the funding more flexibly. In order to do this a new private housing policy is required. The Private Sector Housing Officer is responsible for approving any grants or loans and the budget is held by Selby District Council. The NYCC Occupational Therapist team supports the DFG process. Other discretionary loans are offered with support from Better Homes Yorkshire and the Yorkshire and Humber Home Loans Service.

2.2 The Private Housing Assistance Policy

The Private Housing Assistance Policy (appendix 1) aims to improve housing conditions across the district and to help people manage their own health and

wellbeing and live independently in their communities for as long as possible. Delivery will be through a mix of advice and financial assistance which is targeted at assisting those in most need.

The Government believes that it is primarily the responsibility of homeowners to maintain their own property. Whilst many homeowners do have the necessary funds to carry out repairs and improvements there remain a number of homeowners, particularly the elderly and vulnerable, who may not have access to the necessary resources to keep their homes in good repair.

This policy seeks to support these households by offering various methods of advice and financial assistance.

2.2.1 Mandatory Disabled Facilities Grants

The Disabled Facilities Grant remains the only mandatory grant available. Grants of up to £30,000 are available based on a referral from Occupational Therapists and a government prescribed financial assessment. Better Care funding is provided to pay for this grant. In 2014 DFG funding became part of the Better Care Fund, a pooled health and social care budget. The aim of the fund is to provide more joined-up and customer focussed services to reduce hospital and care admissions. Recognising the need for adaptations central government funding for the mandatory DFG (MDFG) has been increased considerably and in 17/18 the allocation for Selby District increased to £379,026. All grant approvals are undertaken by Selby District Council.

2.2.2 Discretionary Disabled Facilities Grants

The additional funding has allowed the Council to consider the introduction of discretionary DFG's (DDFG). Whilst the mandatory DFG is subject to a test of financial resources the new Private Housing Assistance Policy will use the discretionary powers to offer a DFG, without a means test, for works up to £5,000. Eligibility for the grant is still based on an assessment of the disabled person's needs carried out by the Occupational Therapist. In addition where work costs exceed the mandatory maximum the Council may offer an interest free loan of up to £10,000 to top up the grant. This will allow the Council to speed up the process, deliver a faster and more effective service and thereby meet the aims of the Better Care Fund and provide better outcomes for local residents in need of adaptations to live independently in their own homes. All DDFG's would be approved by Selby District Council, subject to available funding.

2.2.3 Repair Assistance Loans

Discretionary repair assistance loans are available for vulnerable owner occupiers or private tenants with repairing obligations. The Repair Assistance Scheme offers urgent/emergency repairs up to a maximum of £6,000. All repair assistance loans are approved by Selby District Council and registered as a local land charge thereby repayable at the point of sale. This loan is

funded through the Council's capital programme and through recycled loans and available subject to sufficient available funding.

2.2.4 Empty Property Loans and Grants

An Empty Property Loan is available for owners of long term empty properties. It offers an interest free loan of up to £15,000 to make properties suitable for re-occupation.

An Empty Property Grant is available for owners of long term empty properties who:

- agree to let their property for a five year period;
- at an affordable rent;
- to tenants with a local connection
- for a minimum of a 12 month fixed term;

Funding has been allocated from P4G and from S106 receipts.

All empty property loans and grants would be approved by Selby District Council and subject to sufficient available funding. When introducing the loan a repayment procedure will be agreed and, to ensure repayment, a local land charge registered.

2.3 Consultation

The draft policy has undergone a 6 week consultation period during which time it has been;

- available on the SDC website – no comments received;
- sent to the NYCC Occupational Therapist team – general support was expressed from the Occupational Therapy team for the new flexibility built into the DFG process;
- discussed with other North Yorkshire district/borough councils – positive support has been received. Many of the DFG proposals are also being adopted by other NY authorities;
- reported to SDC Policy Review Committee on 16th January 2018 - The Committee asked Officers about the policy, specifically about the expected budget for discretionary disabled facilities grants and emergency repairs. They were generally supportive of the assistance proposals within the policy.

3. Legal/Financial Controls and other Policy matters

Legal Issues

- 3.1 The Council has a mandatory duty to deliver adaptations through the Disabled Facility Grant scheme and the legislative provisions governing disabled facilities grants (DFGs) are contained in the Housing Grants, Construction and Regeneration Act 1996 (as amended) (HGCRA 1996).

Article 3 of The Regulatory Reform (Housing Assistance)(England and Wales) Order 2002 enables local housing authorities to provide discretionary assistance for the purpose of improving living conditions. Assistance may be in any form and may include grants. Such assistance may **not** be given unless the local housing authority has adopted a policy for the provision of such assistance and they have given the public notice of such adoption.

Financial Issues

- 3.2 The Better Care Fund will be used to provide mandatory and discretionary DFG's and will fund the cost of delivering that service. Although adaptations can be jointly procured for Council Housing and Private Housing, any Council adaptations will be funded through the HRA capital programme and not through the Better Care Funding.

Funding for any discretionary loans is identified in the Council's capital programme and any discretionary grant or loan is subject to the availability of funding and as such will cease once available funds are exhausted.

Local Land charges are registered for any discretionary grant or loan reducing the financial risk of non-payment.

Impact Assessment

- 3.3 The Private Housing Assistance Policy aims to provide a framework for supporting vulnerable households with necessary property improvements and repairs.

An Equality Impact Assessment has been completed and the Policy is inclusive of the relevant protected characteristics of age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. It is designed to have a positive impact on vulnerable households which will include people with disabilities.

The support offered by the policy will specifically benefit the following;

- Independence;
- Accessible housing for all;
- Improved health, safety and well-being;
- Early discharge from hospital;
- Prevent homelessness;
- Allow people to stay in their own homes;
- Allow disabled parents to care for their children;
- Allow disabled children to have more choice;
- To prevent social exclusion;
- To keep families together and to provide help for carers.

4. Conclusion

- 4.1 The Private Housing Assistance Policy will support the continued delivery of Disabled Facilities Grants. It will also allow the Council to provide

discretionary assistance to residents in private sector housing in the form of grants and loans that will improve housing conditions across the district and will help people manage their own health and wellbeing and remain independent in their own home for as long as possible. The empty homes loans will help bring much needed accommodation back into use.

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Appendices:

Appendix 1 – The Private Housing Assistance Policy