Appendix 1

Private Sector Housing Assistance Policy

ASHFORD
BOROUGH COUNCIL
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Private Sector Housing Assistance Policy

1. Introduction

1.16. Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (SI 2002/1860) (2002 Order) ("RRO") introduced a new general power to provide assistance for housing renewal. It repealed much of the prescriptive legislation relating to the provision of renewal grants to homeowners and effectively gives local authorities extended powers to issue loans to disabled facilities grant ("DFG") applicants without having to conduct a means test.

1.17. Assistance may be provided under the 2002 Order for improvement, repair and adaptation of housing. Help may also be given for the demolition of a dwelling and to help with rebuilding costs. However local authorities cannot use these discretionary powers unless they have first published a policy setting out how they intend to use them.

1.18. This document details how Ashford Borough Council ("the Council") intends to use its powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to improve the quality of privately owned homes for those most in need.

Further, this document sets out the assistance that is currently available in accordance with our Housing Assistance Policy.

This policy, takes account of the following key documents:

(e) Corporate Plan 2015 - 2020
(f) Housing – Framework 2013-2018
(g) Homelessness Strategy 2016
(h) Delivering Affordable Warmth - a fuel poverty strategy for Kent developed by The Kent Energy Efficiency Partnership (KEEP) available to all local authorities in Kent to adopt. The Council has adopted this.

1.19. Mandatory Disabled Facilities Grants are payable under the Housing Grants, Construction and Regeneration Act 1996. This policy details all other housing assistance that will be made available to help eligible applicants improve their homes.

Disabled Facilities Grant (DFG) Funding is used to help meet the costs of adaptations to a property to improve the quality of life for a disabled occupant in our borough.

The RRO also gives council’s the power to offer discretionary relocation grants to those seeking DFG assistance. The funding for such help would come from the DFG budget and would be used where relocation offered a better outcome for the applicant and value for the public purse. For example it is wholly impractical to adapt some properties, but if some DFG funding was also used to help an applicant in moving to a property that offered much better potential to adapt it could achieve significant savings.
Such grants would have to meet the full mean tested eligibility criteria for DFGs, but could be used on items such as legal fees, estate agent fees, stamp duty, land registration fees and survey fees.

The Head of Housing has authority to allow the use of some DFG funding to help with such costs where a clear case can be made for helping someone move to a more suitable property in order to save greater expense in adapting their current home.

2. **Link to the Council’s Strategic Aims, Objectives and Priorities**

2.1 **Corporate Plan**

The priorities are to have a borough that:

a) Promotes and delivers economic growth, including investment, jobs and skill levels

b) Delivers on quality housing and planning

c) Recognises the value of tourism and the benefits it brings to our towns, villages and the borough as a whole

d) Supports our growing senior population to lead full and independent lives

e) Provides healthy lifestyle choices and opportunities for all ages

f) Maintains its environments attractively, responsibly and safely

g) Is effective, efficient and sustainable in terms of finance, resources, service delivery and enforcement

2.2 **Council’s Housing Strategy**

The Housing Framework 2013-2018 sets out priorities and actions to tackle identified housing needs in the borough. The strategic priorities are:

a) Improve the supply of affordable housing to meet local housing needs in Ashford borough’s urban and rural areas

b) Improve environmental quality of homes and address fuel poverty in all tenures

c) Increase availability and choice of accommodation including for vulnerable people

d) Increase resident satisfaction with homes and neighbourhoods and increase opportunities for resident involvement
e) Prevent and reduce homelessness and increase access to settled accommodation for homeless households and those at risk of homelessness

3. Key Priorities of the Policy

The overall objectives of the housing assistance detailed in this policy will be to:

a) Target assistance to ensure homes are free from serious hazards under the Housing Act 2004

b) Ensure properties are suitable for the occupier’s needs

c) Ensure properties are adequately heated and insulated

d) Promote the use of renewable energy

e) Bring empty properties back into use

f) Increase the supply of decent rented accommodation.

4. Funding and Resources to Implement the Policy

4.1 Financial

The council continues to benefit from money which has been recycled from previous funding from the Regional Housing Board. Funding for our DFGs is now allocated through the Better Care Fund (BCF). The BCF is a programme spanning both the NHS and local government and seeks more joined up solutions to people’s health issues. It has been created to improve the lives of some of the most vulnerable people in our society, placing them at the centre of their care and support, and providing them with ‘wraparound’ fully integrated health and social care, resulting in an improved experience and better quality of life.

5. Types of assistance that may be considered, subject to approval and funding available.

5.1 Housing assistance may be offered by the council towards the cost of the improvement, repair or adaptation of living accommodation including mobile homes and houseboats.

5.2 The assistance may be in any form including, but not restricted to, advice, grant assistance and loan assistance via an intermediary party, for example the Home Improvement Agency.

5.3 Housing assistance grant where a means test is required will be determined using the means test under the Housing Grants, Construction and Regeneration Act 1996.
5.4 Other housing assistance will be in some cases by reference to whether the applicant is in receipt of an income or disability related benefit. The council will determine the eligible works.

5.5 Funding to bring empty properties back into use, by providing loans in conjunction with Kent County Council, on condition the property is sold or rented on completion of refurbishment works.

For details of current assistance available please contact Private Sector Housing on 01233 330624 or see link - http://www.ashford.gov.uk/private-sector-renewal-grants

5.6 Grant assistance is not available for the following:

a) Those dwellings that fall outside the definition of residential premises in accordance with the Housing Act 2004 Chapter 1 paragraph 1 (4) or those that fall outside of the Housing Grants, Construction and Regeneration Act 1996.

b) Cosmetic repairs such as redecoration or cleaning

c) Replacement of windows and doors which are in reasonable repair as determined under criteria 2 of the Decent Homes Standard

d) Finishing DIY jobs started by the owner or others, unless there are extenuating circumstances

e) Refurbishment of existing bathrooms and kitchens which meet the decent home criteria of reasonably modern facilities (unless to meet a disabled person’s needs)

f) Works which would normally be covered by a household insurance policy

g) Works which have already been completed.

5.7 The council retains the right to apply a maximum amount payable in respect of individual approvals for grant assistance. The council retains the right at any time to introduce a mechanism for further prioritisation of grant assistance under this policy to reflect budgetary requirements at the time.

6. DFG Relocation Grants

6.1 DFG Relocation Grants will be subject to a means test to determine the Clients ability to make a contribution.

6.2 The overall Relocation Grant maximum is set at £7,000

6.3 The offer of a Relocation Grant will be subject to a report from an occupational therapist as to why the existing property is not suitable for adaptations and the suitability of the new property is considered to be the most viable option. An inspection and report will also be required as to the suitability of the prospective property. Both inspections will also require the grant officer to attend to decide in conjunction with the OTs as to whether relocation will be a viable option to meet the requirements of the applicant.
6.4 Any Grant awarded to assist in relocating will have to meet the reasonable costs associated with moving together with the costs of any lesser adaptation that may be appropriate to meet the clients’ needs in the new property as identified by Social Services.

6.5 Reasonable costs of moving would include the following;

- Legal fees
- Estate agents fees
- Stamp duty
- Land registration fees
- Survey fees
- Electrical and drainage inspection fees
- Removal costs (lowest of at least two quotes)
- Redirection of mail if necessary (for a period of 12 weeks maximum)

6.6 The above relate only to those reasonable costs incurred as a result of a relocation involving the sale and purchase of a property.

6.7 The council will consider all relocation cases on their own merits and will give consideration to the most cost effective options/solutions.

6.8 The council will not consider providing funding to meet any cost difference between the new and existing property price.

6.9 The council will only consider assistance in respect to relocation to a property deemed to be more appropriate to meet the client’s needs.

- The council will only provide a relocation grant if relocating within our district.

6.10 The Relocation Grant will be added to the total cost of the adaptations required to the new property and will be placed as a land charge.

7. Advice available under the policy

7.1 Advice on all aspects of our policy and assistance schemes will be available from Officers of the council. Advice will be available verbally, in writing and via home visits, as appropriate.

7.2 In addition, the council works with the Home Improvement Agency service which can provide advice and assistance on improving/adapting homes to people aged over 55 and/or who are disabled. For more information applicants can contact the Home Improvement Agency.

7.3 Officers will signpost to any other appropriate sources of funding available at the time of application.
8 Appeals and Complaints

8.1 Where housing assistance is refused the applicant can appeal against the decision, in writing, to the Housing Operations Manager responsible for private sector housing. Appeals should be received within 28 days of a decision being issued. Appeals will be determined within a further 28 working days.

8.2 Any complaints regarding any aspects of this policy should be directed in the first instance to the Housing Operations Manager responsible for private sector housing within the Housing Service.

8.3 If a satisfactory response is not obtained the complaint should be referred to the Head of Housing.

8.4 In addition, if a satisfactory response is still not obtained following 7.1 to 7.3, a complaint can be made using the council’s formal complaints procedure.

9. Prioritisation for Grant Assistance

9.1 Applicants will be prioritised under the following criteria:

Each application will be assessed taking into account the:

- Level of vulnerability of the applicant;
- Ability of the applicant to seek alternative assistance;
- Level of disrepair and consequent risks to occupiers’ health and safety;
- Cost of work, which must be in line with the limits set out under this Policy;
- Long-term sustainability of the property and its occupation.

9.2 Where there are more applications than funding available, applications will be prioritised by:

- Most vulnerable applicants;
- Those likely to benefit most from assistance under this Policy;
- Date order of application received.

9.3 Where the applicant is a landlord, applications will be prioritised in the following way:

- Bringing long-term empty properties back into use;
• Where the repayable grant will result in 3-year nomination rights for Ashford Borough Council;

• Where works done under this Policy will address the terms of an Improvement Notice;

• In date order

10  **Key Service Standards Related to the Policy**

10.1 The following table outlines the key service standards that relate to this policy

<table>
<thead>
<tr>
<th>Service Area</th>
<th>Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial enquiry regarding housing assistance</td>
<td>To respond to applicants within 10 working days.</td>
</tr>
<tr>
<td>Calculation of initial Test of Resources</td>
<td>To advise applicants of any contribution they may have to make towards the cost of work (where appropriate) within 15 working days of receiving a completed enquiry form.</td>
</tr>
<tr>
<td>Provision of specifications with details of eligible works</td>
<td>To advise applicants of any eligible works with specifications within 10 working days of the first visit. Where plans are required the response will be within 20 working days.</td>
</tr>
<tr>
<td>Comments on proposals for work provided by agents</td>
<td>When an agent sends plans and specifications for comment a response will be provided within 10 working days either supporting the scheme or giving reasons for refusing it.</td>
</tr>
<tr>
<td>Approvals of housing assistance</td>
<td>When all the necessary information has been provided, to approve the application within 28 working days of receipt.</td>
</tr>
<tr>
<td>Payments</td>
<td>When the work has been satisfactorily completed and an appropriate invoice received payments will be processed within 28 working days.</td>
</tr>
</tbody>
</table>

10.2  **Performance Indicators related to this Policy**

Local Performance indicators for the targets mentioned above are monitored on a quarterly basis.

10.3  **Policy and Implementation Plan**
This policy will commence on 2017 and the policy will be reviewed on an annual three yearly basis.

Appendix 3

**Equality Impact Assessment**

<table>
<thead>
<tr>
<th><strong>Lead officer:</strong></th>
<th>Julian Watts Senior EHO</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Decision maker:</strong></td>
<td>Cabinet</td>
</tr>
<tr>
<td><strong>Decision:</strong></td>
<td>To update existing Housing Assistance Policy to reflect current objectives and policies.</td>
</tr>
<tr>
<td>To adopt – Delivering Affordable Warmth, A Fuel Poverty Strategy for Kent</td>
<td></td>
</tr>
<tr>
<td><strong>Date of decision:</strong></td>
<td>9th March 2017</td>
</tr>
<tr>
<td>The date when the final decision is made. The EIA must be complete before this point and inform the final decision.</td>
<td></td>
</tr>
<tr>
<td><strong>Summary of the proposed decision:</strong></td>
<td>The council sets out its policy on grant assistance for home owners and tenants in the “Housing Renewal Policy” in 2006. This policy contains details of the mandatory disabled facilities grant process, but also contains reference to many obsolete grant streams and therefore requires updating.</td>
</tr>
<tr>
<td>ABC currently does not have a Fuel Poverty Strategy, but is required to have one. The Kent Energy Efficiency Partnership (KEEP) has worked with the members of Kent Housing Group to develop a Kent wide Fuel Poverty Strategy called “Delivering Affordable Warmth” and are inviting all local authorities in Kent to adopt it if they do not yet have their own.</td>
<td></td>
</tr>
<tr>
<td>It is recommended that Cabinet approve the updated “Housing Renewal Policy” and adopt Kent wide Fuel Poverty Strategy.</td>
<td></td>
</tr>
<tr>
<td>The decision to approve the Policy will detail how</td>
<td></td>
</tr>
</tbody>
</table>
ABC intends to use its powers to improve the quality of homes including disabled facilities grant assistance.

Adopting the Strategy will aim to help people out of fuel poverty and into affordable warmth with input from a wide range of organisations committed to work in partnership to alleviate fuel poverty across Kent.

**Information and research:**
- Outline the information and research that has informed the decision.
- Include sources and key findings.

Back ground research included the following legislation:
- The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
- Working in partnership with KEEP to draft a fuel poverty strategy, which included consultation with various organisations.

**Consultation:**
- What specific consultation has occurred on this decision?
- What were the results of the consultation?
- Did the consultation analysis reveal any difference in views across the protected characteristics?
- What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics?

Consultation process included relevant Managers within Housing, including the Portfolio Holder (Cllr. Clokie) and Legal Services (Samantha Clarke)

A public consultation on the fuel poverty was undertaken which included Registered Housing Providers, Citizen Advice, Public Health, NHS England and district councils.
Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

<table>
<thead>
<tr>
<th>Protected characteristic</th>
<th>Relevance to Decision</th>
<th>Impact of Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>High/Medium/Low/None</td>
<td>Positive (Major/Minor)</td>
</tr>
<tr>
<td>AGE</td>
<td>Medium</td>
<td>Positive (Minor)</td>
</tr>
<tr>
<td>Elderly</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Middle age</td>
<td>Medium</td>
<td>Positive (Minor)</td>
</tr>
<tr>
<td>Young adult</td>
<td>Low</td>
<td>Positive (Minor)</td>
</tr>
<tr>
<td>Children</td>
<td>Medium</td>
<td>Positive (Minor)</td>
</tr>
<tr>
<td>Disability</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Physical</td>
<td>Medium</td>
<td>Positive (Minor)</td>
</tr>
<tr>
<td>Mental</td>
<td>Low</td>
<td>Neutral</td>
</tr>
<tr>
<td>Sensory</td>
<td>Low</td>
<td>Neutral</td>
</tr>
<tr>
<td>Gender re-assignment</td>
<td>None</td>
<td>Neutral</td>
</tr>
<tr>
<td>Marriage/civil partnership</td>
<td>None</td>
<td>Neutral</td>
</tr>
<tr>
<td>Pregnancy/maternity</td>
<td>None</td>
<td>Neutral</td>
</tr>
<tr>
<td>Race</td>
<td>None</td>
<td>Neutral</td>
</tr>
<tr>
<td>Religion or belief</td>
<td>None</td>
<td>Neutral</td>
</tr>
<tr>
<td>Sex</td>
<td>None</td>
<td>Neutral</td>
</tr>
<tr>
<td>Men</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Women</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sexual orientation</td>
<td>None</td>
<td>Neutral</td>
</tr>
</tbody>
</table>

Mitigating negative impact:
Where any negative impact has been identified, outline the measures taken to mitigate against it.

### Is the decision relevant to the aims of the equality duty?

Guidance on the aims can be found in the EHRC’s *Essential Guide*, alongside fuller *PSED Technical Guidance*.

<table>
<thead>
<tr>
<th>Aim</th>
<th>Yes / No / N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Eliminate discrimination, harassment and victimisation</td>
<td>N/A</td>
</tr>
<tr>
<td>2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it</td>
<td>N/A</td>
</tr>
<tr>
<td>3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### Conclusion:

- Consider how due regard has been had to the equality duty, from start to finish.
- There should be no unlawful discrimination arising from the decision (see guidance above).
- Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified.
- How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported?

Approving the policy and adopting the fuel poverty strategy will not have any potential for discrimination or adverse impact for people living within the borough.

No unlawful discrimination will result from implementing both the policy and the strategy.

Both proposals meet the aims of the equality duty and no adjustments were required.

Monitoring of the policy will be undertaken every three years to ensure it meets current objectives. A review may be required in light of any new legislation or any changes in the council’s policy.

The Strategy will be reviewed every three years in conjunction with KEEP to continue to provide effective policy to reduce fuel poverty.

| EIA completion date: | 6/2/2017 |