



# Uttlesford District Council

Chief Executive: Dawn French

## Housing Board

**Date:** Thursday, 06 October 2016  
**Time:** 10:00  
**Venue:** Committee Room

**Members:** Councillors H Asker, A Dean, T Farthing, M Felton (Chairman), J Loughlin, A Mills, S Morris, V Ranger, J Redfern, H Ryles.

**Other attendees:-** A Hutton (Tenants' Forum representative)

## AGENDA

- 1 Apologies for absence and declarations of interest
- 2 Minutes of the meeting held on 7 June 2016 5 - 12
- 3 Affordable housing update - to follow
- 4.1 Development update verbal report - Mead Court, Catons Lane, Reynolds Court, Hatherly, Sheds Lane, Newton Grove
- 4.2 Development update - Frambury Lane 13 - 20
- 5 Draft Private Sector Housing Strategy 21 - 40
- 6 Housing Renewal Assistance Policy - review 41 - 46

7	Empty homes - cpo update	47 - 50
8	Draft Tenancy Sustainment strategy	51 - 62
9	Decant and Downsizing Policy Review	63 - 78
10	Welfare Garden and Redecoration Scheme Review	79 - 84
11	Date of next meeting - 8 December 2016	

**For information about this meeting please contact Democratic Services**

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**HOUSING BOARD held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 10am on 7 JUNE 2016**

Present: Councillor M Felton (Chairman)  
Councillors H Asker, A Dean, T Farthing, J Loughlin, A Mills, S Morris, V Ranger and J Redfern

Also present: Mrs Angela Hutton and Mr David Parish (Tenant Forums Representatives)

Officers in attendance: D Malins (Housing Development Manager), R Millership (Assistant Director Housing and Environmental Services), A Rees (Democratic and Electoral Services Officer), J Snares (Housing and Health Manager), M Watts (Principal Environmental Health Officer) and S Wood (Housing and Planning Policy Manager).

**HB1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Ryles.

**HB2 MINUTES OF THE MEETING HELD ON 8 MARCH 2016**

The minutes were received and signed by the Chairman as a correct record.

**HB3 MATTERS ARISING**

**(i) HB35 – Affordable Housing Update**

Councillor Dean asked for an update on the scheme at Everett Road. In response, the Housing and Planning Policy Manager said that the Council had met with the County Council and a business case for the development would be put forward by September.

In reply to further questions by Councillor Dean, the Assistant Director Housing and Environmental Services said that she had written to the director of Hastoe Housing Association to ask for a meeting and this was still to be arranged. Less funding was now required for the Chrishall development due to an additional grant.

Finally Councillor Dean asked whether a list of actions points could be included at the foot of the minutes. Members agreed with this idea.

**HB4 HOMELESSNESS UPDATE**

The Housing Needs and Landlord Services presented her report which was taken as read. In response to questions by Councillor Dean, she said that the number of people receiving in-depth housing advice related to the number

coming into reception who asked for help. Although the total number of people had fallen, the cases had proven more challenging.

Finding private landlords who were willing to let properties to people on benefits was challenging as the level of rent in the area was normally greater than the level of Local Housing allowance. A number of London boroughs offered financial incentives to landlords to encourage letting out properties to people on LHA but it did not seem as though this approach would work within Uttlesford.

Discussions moved on to the Council's Rent Deposit Scheme. The Housing Needs and Landlord Services Manager said the Scheme was a three way legal agreement between the tenant, landlord and the Council.

Councillor Farthing said that demand for rented properties meant that it was difficult to see why a landlord would take a risk renting out a property to a tenant on LHA. LHA was paid to landlords one month in arrears which made renting out to council tenants unattractive. The main issue was that private sector rent prices in Uttlesford were unaffordable for people on LHA. The Housing Needs and Landlord Services Manager said that the Council was unable to change the way LHA was administered.

In response to a question by Councillor Farthing, the Housing Needs and Landlord Services Manager explained that the Council always attempted to use its own stock before using B&Bs which normally cost around £40 per night. The Council did not rent out private accommodation on a permanent basis as this was not cost effective.

Councillor Dean suggested that three Members should form a group to discuss what could be done. Councillor Redfern said that discussions could take place without a group being formed.

The report was noted.

HB5

## **AFFORDABLE HOUSING UPDATE**

The Housing and Planning Policy Manager presented her report. She explained that 115 affordable homes had been delivered in 2015/16. The Radwinter Road Independent living scheme was now being developed and the scheme at Smiths Farm, Great Dunmow was due to start in January 2017. The Home Farm Trust Autism scheme was being progressed with the aim of a planning application being made in September 2016.

Following a Court of Appeal decision, authorities could no longer seek affordable housing contributions for schemes with 10 dwellings or fewer. She explained that if a developer made a number of applications under that threshold at the same site then a contribution could be sought.

Councillor Redfern said that she was concerned by the decision. Councillor Dean echoed the comments made by Councillor Redfern and added that if

fewer affordable houses were built the district risked becoming an area exclusively for the middle class.

In response to questions by Members, the Housing and Planning Policy Manager said that she would contact West Berkshire District Council and Reading Borough District as they may decide to appeal the decision.

Councillor Mills noted that there were a lot of developments for which planning permission had been granted but work had not yet started. It was important to consider the balance between providing affordable housing and ensuring that a development was viable.

In response to Councillor Mills, Councillor Redfern said that if a developer conducted a viability assessment which showed that the development was not viable with the normal level of housing contribution it could ask to provide a smaller amount.

The report was noted.

#### **HB6 DEVELOPMENT PROGRAMME UPDATE 2015-16**

The Housing and Planning Policy Manager presented her report which showed the number of affordable homes delivered in the previous financial year. Members noted that for the majority of developments where affordable units were sought, the affordable units comprised at least 40% of the whole scheme.

In response to a question by Councillor Dean about starter homes, the Housing and Planning Policy Manager that the guidance on starter homes was being changed and the Council's policy could not be altered until the new guidance had been published. She would bring a report on the starter homes allocation policy to the next meeting.

The report was noted.

#### **HB7 DEVELOPMENT PROGRAMME UPDATES (COUNCIL SITES)**

##### **(i) Mead Court – verbal update**

The Housing Development Manager provided an update on the Mead Court development. He explained that the development had been delayed again as more asbestos had been found. The developer had to cover any costs associated with its removal. Due to the delay the final stage of the handover was now due to be on 15 August. The scheme was £2,500 over its budget of £4.25million. There had been some issues with drainage on the completed elements of the scheme and as a result he was pushing for the installation of a text based alarm system which would mean that any problems could be rectified more effectively.

The report was noted.

**(ii) Catons Lane – verbal update**

The Housing Development Manager said that handover of the scheme was due to take place on 16/17 June. The developer would repair any damage they had caused to the verges on the approach to the site.

The Assistant Director Housing and Environmental Services said that there would be opening ceremonies for the sites.

The report was noted.

**(iii) Reynolds Court – verbal update**

The Housing Development Manager explained that the initial estimate for the scheme was £7.14million and the final cost was £7.18million. However, the Council had managed to acquire a £912,000 grant instead of the £800,000 it had applied for which meant the cost of the scheme to the Council was lower. The final contract was due to be signed by the end of the week and would be a fixed price contract.

Members congratulated and thanked the Housing Development Manager for his work on this scheme.

The report was noted.

**(iv) Sheds Lane**

The Housing Development Manager presented his report. He explained that the sites currently comprised of 50 garages which were mainly in a poor condition and were too small for most modern cars.

The proposed housing included a three bedroom wheelchair compliant bungalow which would meet the needs of a specific family. Their current Council home could not be adapted to meet their needs. The cost of the development was £173,000 per dwelling which was higher than that of a standard development. This was because of the abnormal costs associated with the scheme. If the abnormal costs were removed the cost was £155,000 per dwelling, which was seen as reasonable.

In response to questions by Members, the Housing Development Manager explained garage stock was currently an impairment to the Council's accounts. The Council faced a number of restrictions on where it could build affordable housing and this meant that garage sites were often the only viable sites for the Council's housing developments.

Members discussed the impact of removing garage sites on on-street parking. It was noted that the majority of garage sites were used for storage and not for vehicles. Councillor Asker added that she had not noticed a large increase in vehicles parking on the street near Catons Lane following the development.

In response to Councillor Dean, the Assistant Director Housing and Environmental Services said that if parking was identified a possible issue, the Council looked to provide additional parking spaces on a development.

Mr Parish said that too many of the garages were used for storage instead of parking. The Tenant Forum supported both sites A and B.

AGREED to recommend to Cabinet that the site is progressed through the planning application stage, having regard to the estimated costs associated with this work, as detailed in the report.

**(v) Newton Grove**

The Housing Development Manager said that there was a need for two bedroom housing in the district. The site had become available because the County Council no longer needed it to construct a Domestic Violence Refuge, so it was agreed that it would be developed for General Needs Council Housing.

In response to a question by Councillor Loughlin, the Housing Needs and Landlord Services Manager said that the County Council had changed its policy on how it approached domestic violence refugees

It was recommended that option 1 was pursued as it provided two bedroom housing and was more user friendly than option 2.

AGREED to recommend to Cabinet that the site is progressed to the planning application stage.

**(vi) Station Road**

The Housing Development Manager presented his report. He informed Members that planning permission had been granted in February 2016 to construct a two bedroom bungalow on the site. Development of the site was not seen as financially viable but the site was close to Audley End Station so it was expected that it would generate a lot of interest as a development site for a private dwelling.

Any proceeds from the sale of the site would be ring-fenced within the Housing Revenue Account for the development of other financially viable council house schemes. If the site was sold it would have no impact on the garage site.

Councillor Dean asked that the recommendation was clarified so that it made it clearer that the site which would be sold was the area surrounded by red on the appendix to the report.

AGREED to recommend to Cabinet that the site (marked in red on the application drawings at the rear of no. 2 and 4) is sold on the open market by way of tender and/or sealed bids, with a guide price for offers as advised by the selling agent. The guide price will be set to maximise competitiveness and interest in the plot.

HB8

## **PRIVATE SECTOR HOUSING – PROGRESS REPORT**

The Principal Environmental Health Officer explained that report aimed to provide an overview of the work carried out by the Environmental Health department over the last year. The report was taken as read.

He gave a presentation which highlighted the complaints which were dealt with, which included damp, trip hazards and hoarding. If one issue was drawn to the Council's attention it would inspect the entire property as it was almost always the case that there would be other issues with the property.

Environmental Health also administered use of the Disabled Facilities Grant (DFG) which was used to provide additional facilities for disabled people and the Home Repairs Assistance Grant (UHRA) which was used to prevent homes from falling into disrepair.

The department was looking to offer a broader range of services than it currently provided. There were a number of changes to the policies surrounding UHRAs and the Council was working with the Citizens Advice Bureau to provide advice on these changes.

Councillor Dean suggested that Environmental Health continued to engage with Members as they could provide the department with information about empty homes. There was a property on High Lane, Stansted which had been empty for over a decade and there had been some complaints from residents of vermin coming from the property.

In response to Councillor Dean, the Principal Environmental Health Officer said that information was collated from the GTS which highlighted the areas most at risk. Members would be able to see the highlighted areas and feed into the process.

The Principal Environmental Health Officer, in response to questions by Councillor Asker, explained that if a property was not occupied the Council would take action. The council are currently pursuing Compulsory Purchase Orders (CPOs) for two properties.

HB9

## **ANY OTHER BUSINESS**

The Assistant Director Housing and Environmental Services gave an update on the Syrian Resettlement Programme. Authorities in the region have been asked to confirm how many properties they can offer over the next 3 to 6 months. The

council is working with Essex CC to identify suitably located accommodation to house up to 2 refugee families.

The meeting ended at 12.20pm.

### **ACTION POINTS**

Minute HB3 Matters Arising	Include a list of action points at the end of the minutes for all future meetings.
Minute HB5 Affordable Housing Update	The Housing and Planning Policy Manager would contact West Berkshire District Council and Reading Borough District about the Court of Appeal case.
Minute HB6 Development Programme Update 2015-16	The Housing and Planning Policy Manager would bring a report on the starter homes allocation policy to the next meeting.



**Committee:** Housing Board

**Agenda Item**

**Date:** 6 October 2016

**4**

**Title:** Development Site – Frambury Lane,  
Newport

**Author:** Doug Malins, Housing Development  
Manager

Key decision: **Yes**

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## **Summary**

1. This report provides the Housing Board with detail relating to the proposed development of a site at Frambury Lane, Newport.
2. This site has been identified as having potential for the development of new homes, on land owned by the HRA.

## **Recommendations**

3. That the Housing Board:
  - a. Recommends to Cabinet that the site is progressed through the planning application stage, having regard to the estimated costs associated with this work, as detailed in this report.

## **Financial Implications**

4. Financial provision for the development of new Council owned homes is included within the Housing Revenue Account. The development of this site will also enable the use of Right to Buy capital receipts.
5. The Indicative cost for the scheme has been calculated by the council's consultant Quantity Surveyor having regard to site constraints and the prevailing market conditions. These indicative costs should be regarded as an estimate at this stage, and could be subject to change as further survey work is carried out, and the detailed designs are finalised. The final cost will only be known following the tender process for the selection of a building contractor.

## **Background Papers**

6. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report - None

## 7. Impact

Communication/Consultation	Existing tenants, local residents, Parish Council and external agencies
Community Safety	Appropriate precautions would be taken during works
Equalities	Equality and diversity is a key issue for the Council with regards to housing provision
Health and Safety	During the management of the project all risks will be constantly reviewed, revised and managed
Human Rights/Legal Implications	Legal team have been consulted
Sustainability	An opportunity to construct new thermally efficient homes for people in housing need.
Ward-specific impacts	Newport
Workforce/Workplace	There are sufficient resources in the housing team to manage the project

## Situation

8. The site consists of a large former garage site located to the North of existing Council owned bungalows on Frambury Lane and to the South of privately owned dwellings off Cherry Garden Lane. The land is predominantly an area of scrub, with the garages being demolished some years ago. Part of site is used as adhoc car parking, although the site is not specifically designated for this purpose.
9. The site has excellent access directly onto Frambury Lane.
10. Our appointed architects, The Design Partnership, have designed a scheme consisting of 5 No. two bed 4 person houses. The layout of the scheme is attached to this report, and takes into account parking and garden size requirements, as well as dealing with issues relating to overlooking. Access to the existing electricity sub-station also needs to be maintained as part of the site layout. Indicative house type layouts are also attached to this report.
11. A Planning Pre-Application has been made and a favourable response received. The key issues that need to be considered are access, overlooking of adjacent dwellings and the loss of car parking. This will all be dealt with as part of the Design and Access Statement.

12. Topographical, Soil Investigation, drainage and Ecology surveys have already been undertaken. Other services enquiries have also been made. The results of these surveys are all positive in terms of these proposals.
13. The construction costs for this development have been estimated at **£860,000 (£172,000 per dwelling)**. Whilst this sum does appear higher than expected, given the 'Abnormal Costs' attributed to this scheme, it is not perceived to be unreasonable.
14. The abnormal costs include the extended length of the estate roadway, site clearance and breaking out of the remaining concrete slabs. A 10% contingency has also been included because of the early stage of this scheme. The estimate will therefore be updated as more detailed information is available, and the designs developed in more detail.

## Risk Analysis

15.

Risk	Likelihood	Impact	Mitigating actions
Not achieving planning permission	1 Planners supportive	4 Development not possible	Pre-planning discussions with planners
Underground services identified	2 Further investigations to be carried out	3 Diversions possible but cost implications	Further investigations to be undertaken at the earliest stage
Further "abnormal costs" identified.	2. Surveys being undertaken	3 Potential cost implications	Contingency already included with cost estimate

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.





LOCATION PLAN  
© Crown copyright. All rights reserved. Licence no. 100041040  
0 5 10 20 30 40 50 60m  
scale 1:1250

DO NOT SCALE FROM THIS DRAWING  
THE GENERAL CONTRACTOR IS TO CHECK ALL DIMENSIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE SUPERVISING OFFICER.  
ALL DIMENSIONS ARE SHOWN IN 'mm' UNLESS OTHERWISE STATED.

- NOTES:
- SURFACING:**
- Adoptable Access**  
5m wide new tarmac access to be designed and constructed to approval of Highway Authority.
  - Private Drive**  
4.2m wide block paved private drive to approval of Local Authority.
  - Footpaths**  
New footpaths to be formed with 450 x 450mm slabs to approval of Local Authority.
  - Private Parking**  
Where indicated drives and parking spaces to be block paved to approval of Local Authority.
  - Visibility Splay**  
2.4 x 20m visibility splay. Any planting that falls within the splay to be low rise (max. 600mm).

- SOFT LANDSCAPING:**
- Rear Gardens**
  - Front Gardens**  
Front gardens to be turfed where shrub planting not shown.
  - New Trees**  
Indicative locations of new trees to be agreed with Local Authority.
  - Existing Trees**  
Indicative locations of existing trees.
  - Soft Landscaping / Planting**  
Location of proposed planting. Planting scheme to be agreed with Local Authority.
  - Existing Hedge**  
Location of existing hedges to be trimmed and maintained.

- BOUNDARY TREATMENTS:**
- 1m Hooped Metal Railings**  
Black painted hooped metal railings to approval of Local Authority.
  - 1.8m Close Boarded Fence**  
1.8m high close boarded timber fence.

**Development Summary:**

House	2 bedroom	4 person	79m <sup>2</sup>	5	Plots 1-5	
					<b>TOTAL</b>	<b>5 Dwellings</b>

Site Area approx. 0.17Ha  
Development density = 29 dwellings per hectare  
10 parking spaces

The Design Partnership (Ely) Ltd  
Clarendon House,  
10 Station Road,  
Chatteris  
Cambridgeshire PE16 6AG  
Tel: 01354 693111

Job Title  
Proposed New Residential Development at Frambury lane, Newport for Uttlesborough Council

DRAFT FOR COMMENT

Drawing Title  
PLANNING SUBMISSION  
Site Plan and Location Plan

SITE PLAN - Proposed  
0 2 4 6 8 10m  
scale 1:200

Date	Scale	Drawn	Dwg. No.	Rev.
Aug 16	Var @ A1	RW	UDC-703-P01	







**Committee:** Housing Board

**Agenda Item**

**Date:** 6<sup>th</sup> October 2016

**5**

**Title:** Draft Private Sector Housing Strategy

**Author:** Marcus Watts, Principal Environmental Health Officer, Ext 595

Item for information only

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## Summary

1. This report describes the Draft Private Sector Housing (PSH) Strategy. It details the key issues affecting the private sector stock and identifies key priorities for the work of the Council to improve housing conditions.

## Recommendations

2. That the Housing Board considers the draft PSH Strategy and feedbacks any comments to the author by the end of November 2016

## Financial Implications

3. None currently, however the needs and objectives identified in the PSH Strategy and Action Plan will need to take account of the resources allocated by the government for these purposes together with other funding opportunities from private and Council sources.

## Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report:
  - UDC's Housing Strategy 2016
  - Uttlesford District Council Housing Assistance Repairs Policy
  - BRE Dwelling Level Housing Stock Modelling and Database for Uttlesford District Council – 2015
  - BRE A Quantitative Health Impact Assessment: The cost of private sector housing and prospective housing interventions in Uttlesford District Council -2015

## Impact

5.

Communication/Consultation	The Strategy is now open for a period of consultation with members of the Housing Board and partners
Community Safety	No impact on Community Safety
Equalities	No impact on equalities

Health and Safety	No impact on employee health and safety
Human Rights/Legal Implications	None
Sustainability	The proposal will aim to target those in greatest need and maintain the private sector housing stock & improve energy efficiency.
Ward-specific impacts	No specific impact
Workforce/Workplace	In house officer resource identified

## Situation

6. In 2015 the Council commissioned the British Research Establishment (BRE) to provide two reports that provide an evidence base on the condition of the housing stock within Uttlesford. Information on the findings of these reports was presented to the Housing Board in June 2015. As part of this report, one of the recommendations was to deliver a private sector housing strategy to complement the wider strategic housing functions of the Council.
7. Uttlesford District Council's Housing Strategy, adopted in 2016, focused on 4 key objectives, namely;
  - Increasing Housing Supply across all tenures
  - Helping People to live independently
  - Ensuring decent, safe and healthy homes
  - Creating sustainable communities
8. The proposed PSH Strategy has been designed to meet these key objectives focusing on the largest housing sector of the district, forming 86% of the total housing stock.
9. In line with these key objectives a number of key priorities and outcomes have been identified which seek to maintain and improve the condition of private homes (across the owner - occupier and the private rented sector). The key priorities are listed under the following headings:
  - 1. Raise standards in the private sector by encouragement and support to owner occupiers to maintain safe homes, free from category 1 hazards**
  - 2. Encourage, support and regulate private landlords and agents to provide safe and well managed properties, free from category 1 hazards**
  - 3. Helping older and vulnerable people remain in their own homes**
  - 4. Maximise use of the existing private sector housing stock**
  - 5. Enable more sustainable homes by increasing energy efficiency and reducing fuel poverty**
10. The first key priority looks at ways to encourage those owner occupiers who may be on low income or limited means to invest in their homes, and

remove category 1 hazards. Prioritising the most vulnerable people in society, we will engage with these members of our community and support them through a range of grants offers and loans to improve their living conditions.

11. Key priority two looks at strengthening our relationships with private sector landlords, to encourage high standards of management and to deal with the small minority of poor landlords within the district.
12. With more people living longer and linked to the first key priority, the third priority is designed to improve housing conditions to support independence. We will update the current model to deliver DFGs, reduce timescales and look to increase the scope of the service with approval from Essex County Council.
13. Key priority four relates to the action of the Council to take action wherever possible to bring back into use empty dwellings in order to make best use of the existing private sector stock.
14. Finally, key priority five aims to work with our partners and UDCs Climate Change Officer to tackle cold homes and fuel poverty, a significant housing problem within the District.
15. Evidence supporting the priority aims of the strategy are based on UDCs Building Research Establishment (BRE) stock modelling report and Health Impact Assessment undertaken in 2015.
16. Accompanying the draft private sector housing strategy are a number of outcomes that we would like to achieve. These outcomes will be set against a timeframe and a number of actions (to be drafted). A key component for delivery will be our engagement with partner agencies on initiatives that will help deliver on the Council's health and wellbeing agenda.
17. Commentary on progress with the action plan will be presented to the Housing Board on an annual basis.
18. The draft PSH Strategy is now open for a period of consultation with members of the Housing Board and partners. The final document will be brought back to the Housing Board in December.

## Risk Analysis

19.

Risk	Likelihood	Impact	Mitigating actions

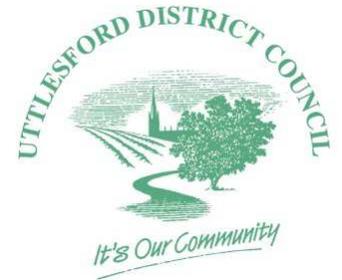
1 = Little or no risk or impact

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# **UTTLESFORD DISTRICT COUNCIL**

## **Draft Private Sector Housing Strategy 2016 – 2021**

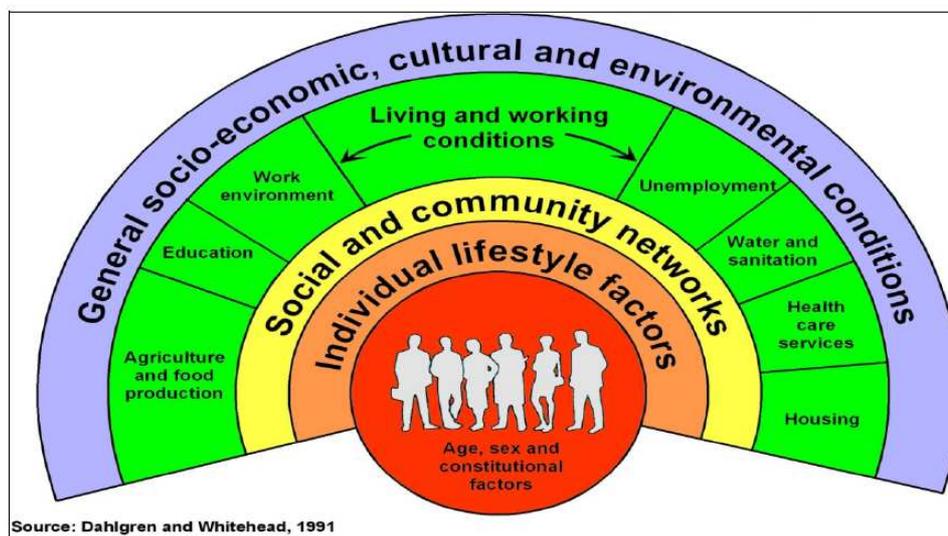
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<b>Key priority 2. Encourage, support and regulate private landlords</b>	
<b>Key priority 3. Supporting people at home</b>	
<b>Key priority 4. Maximise existing private sector housing stock</b>	
<b>Key priority 5. Encourage sustainability</b>	
<b>How will we deliver – outcomes &amp; objectives</b>	
<b>Appendix A – Action Plan</b>	

## Foreword by lead portfolio holder

(To be completed)

### 1. Introduction

- 1.1 This is a strategy to deal with housing issues in the private sector, both for homeowners and the private rented sector. Its primary focus is to ensure that UDC homes are healthy and supports Uttlesford District Council's health and wellbeing agenda. It has been developed by the Council in order to set service priorities for the next five years.
- 1.2 The strategy builds on the stock modelling data delivered in 2015 by the Building Research Establishment (BRE). This data identified and highlighted the extent of the poor housing, in particular, category 1 hazards found in homes in UDC. It also highlighted the health impacts of poor housing and the likely costs they present to the NHS and to society.
- 1.3 A category 1 hazard is one that presents a serious and immediate risk to a person's health and safety. The most numerous category one hazards in UDC are falls and excess cold.
- 1.4 The link between housing and health is well defined. The quality of a home can have a significant impact on our lives impacting on both physical and mental health. Poor housing conditions have an adverse effect on public health & wellbeing and contribute to health inequalities. Making modifications to improve a home can lead to enhanced health & wellbeing that can bring benefits not only to individuals but also wider social economic benefits.



- 1.5 Investment in our homes and ensuring standards are maintained delivers a wide range of positive outcomes
  - Fewer homes that pose a risk to health and well being
  - Improved outcomes for families and young people

- More independence for older or vulnerable households
- Lower carbon emissions improved energy efficiency and reduced fuel poverty
- Less anti-social behaviour relating to derelict or nuisance properties
- Communities that are more attractive and economically vibrant

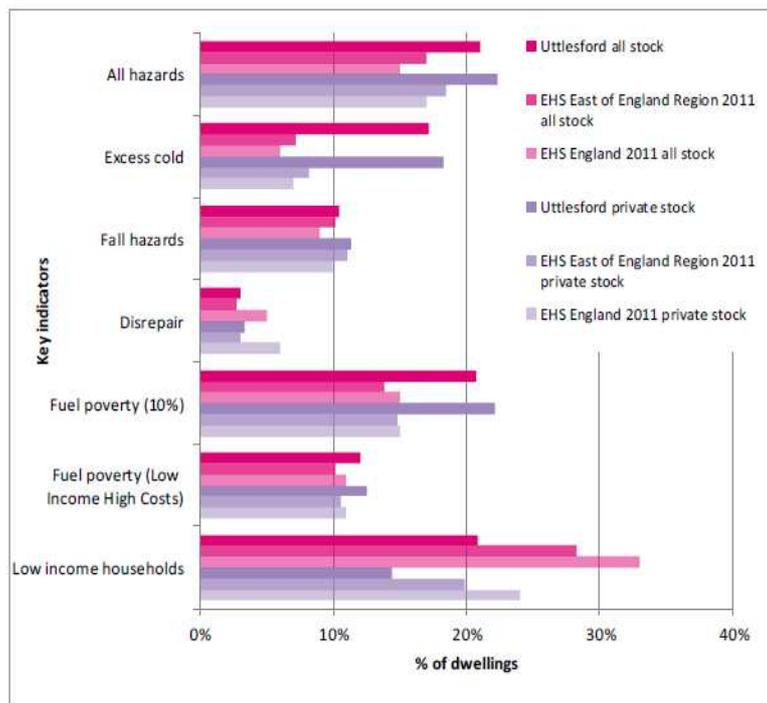
1.6 This strategy does not stand alone. It has been developed in line with the key objectives listed within UDCs Housing Strategy published in 2016. It sets out what the Environmental Health Service and other service areas will do to support good standards within the private sector. It sets out the challenges we know exist and our proposed actions to deal with them.

1.7 UDCs housing market made up of a private, private rented and a social sector. There are around 31,316 (2011 census data) dwellings in UDC. Of these 74% of homes are owner occupiers, which equates to 22,746 dwellings, 12% or 3961 dwellings are listed as social housing and 14%, namely 4609 dwellings are rented from a private landlord. For all stock Uttlesford performs better than the English Housing Survey (EHS 2011) average for various indicators such as disrepair, low income households, however performs slightly worse for falls and fuel poverty. Levels of excess cold are considerably higher in Uttlesford compared to EHS average.

1.8 The table to the right provides estimates of the percentage of dwellings meeting the key indicator criteria assessed by the housing stock models for all stock and private sector stock.

It compared Uttlesford property stock with the East of England and England (EHS 2011).

It is clear that there are some significant challenges with some homes clearly below standard.



1.9 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 provides local housing authorities with a general permissive power to provide assistance to occupiers for the purpose of improving living conditions. It is government's view that the responsibility to maintain privately owned homes rest first and foremost with their owners, however the legislation is intended to enable the Council to provide assistance and resources for the most vulnerable should it wish to do so.

1.10 In order to exercise this power a local authority must first adopt a policy for the provision of assistance. The current policy on homes repairs assistance was agreed

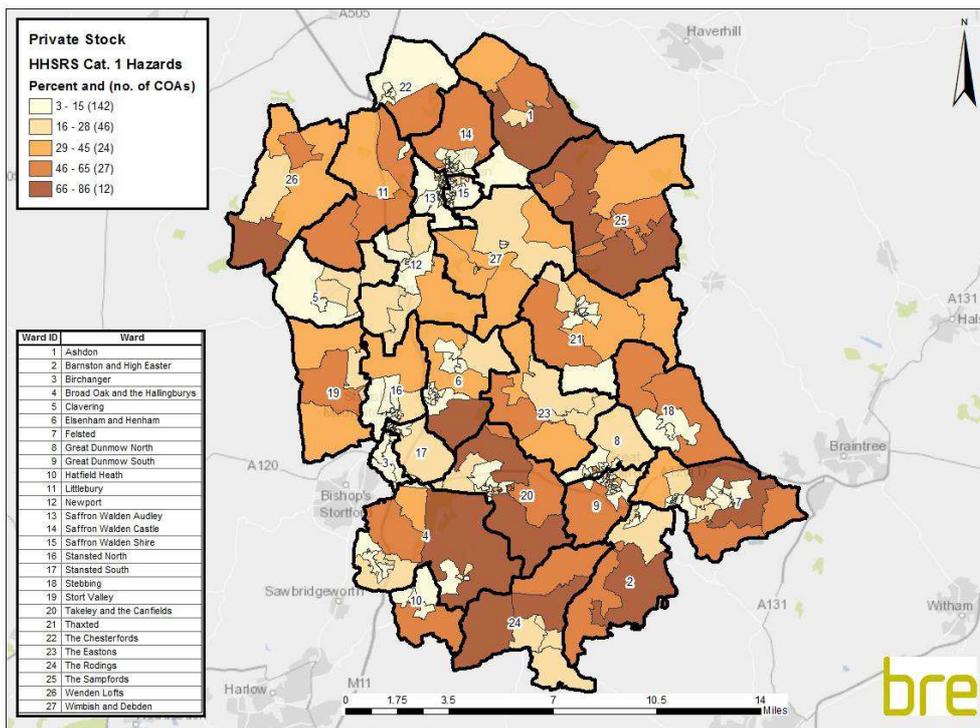
by the Council in 2003 and does not reflect current knowledge. We will look to amend this policy alongside the strategy to target known problems and link works to improvements in health outcomes.

- 1.11 It is estimated that there are 6,314 dwellings in the private sector with a category 1 hazard, which equates to 22% of all private properties, compared with 19% regionally and 17% nationally. 1,186 dwellings in the private rented sector have category 1 hazards. This equates to 27% of properties in the private rented sector.
- 1.12 Collectively, it is estimated that poor housing conditions within the private sector are responsible for over 286 harmful events requiring medical intervention each year. These range from respiratory diseases like COPD associated with cold homes, to fractures and injuries associated with homes containing fall hazards. It would cost £27.7million to mitigate all of these serious housing hazards, but would return savings to the NHS of £1.6 million per year, with further savings to wider society of £3.8 million per year.
- 1.13 The Climate Change Act 2008 legislated for a reduction in our carbon emissions, compared to 1990, of 34% by 2020 and on our way to 80% by 2050. It set legally-binding carbon budgets for our country for the next 12 years across all sectors of the UK economy - including our homes and communities, and our workplaces. Reducing demand for energy through eliminating waste cost effectively is one of the best ways to reduce emissions. Three quarters of the energy we use in our homes is for heating our rooms and water, most of which comes from gas-fired boilers. Together this accounts for 13% of the UK's CO2 emissions
- 1.4 To do this we need to make our homes, more energy efficient, and heat and power them from low carbon sources. The Council and its partners are well placed to provide advice and energy company funded grants to improve the energy efficiency of the owner occupier and private rented sector
- 1.15 Clearly, it is not the Council's position nor does it have the resources to introduce an intervention programme to resolve these problems. However, there are areas where targeted intervention would help those most in need and where the costs associated with the intervention would demonstrate positive outcomes with relatively low payback periods.
- 1.16 With the introduction of the Care Act, there is now a legislative obligation as well as a moral argument to improve the health and wellbeing of those most vulnerable in society. It is recognised that improvements to living conditions will fulfil some of these responsibilities. We will therefore look at innovative cost effective solutions to meet the needs of the most vulnerable in society. Alongside this work we will work proactively with our landlords, promoting better standards and raise awareness. We shall also take decisive enforcement action against landlords who capitalise on the vulnerable
- 1.17 The purpose of this document is to provide a clear direction for the Council and its private sector housing service to address the following five key priorities:
- 1. Raise standards in the private sector by encouragement and support to owner occupiers to maintain safe homes, free from category 1 hazards.**

2. Encourage, support and regulate private landlords and agents to provide safe and well managed properties, free from category 1 hazards.
3. Helping older and vulnerable people remain in their own homes.
4. Maximise use of the existing private sector housing stock.
5. Enable more sustainable homes by increasing energy efficiency and reducing fuel poverty.

1.18 The accompanying action plan provided within Appendix A addresses how we will deliver these priorities and the timeframe for progressing this work. However, we recognise that new issues will arise and national policies may change during the lifetime of the strategy and there may be a need to renew the action plan as and when deemed necessary to ensure it remains relevant.

**2. Key priority 1 - Raise standards in the private sector by encouragement and support to owner occupiers to maintain safe homes, free from category 1 hazards**



*Percentage of private sector dwellings in Uttlesford with the presence of a HHSRS category 1 hazard*

2.1 There are estimated 22,746 owner occupied homes in UDC. Approximately 5128 dwellings have category 1 hazards. The main hazards are excess cold (4190) and falls (2581). The estimated costs of mitigating these hazards are £23m for excess cold and £3m for falls.

- 2.2 The highest concentrations of fuel poverty in the private sector are found in the wards of The Sampfords, Littlebury and Wendens Lofts. For excess cold, the highest concentrations are in the wards of The Sampfords, Wendens Lofts and The Rodings. The highest concentrations of all HHSRS hazards in the private sector are found in the wards of The Sampfords, Wendens Lofts and The Rodings.
- 2.3 The key challenge is to encourage those owner occupiers who may be on low income or limited means to invest in their homes, and remove category 1 hazards. Some of the main obstacles are likely to be the costs involved in carrying out the works, confidence and trust in the services and builders they use and willingness to engage.
- 2.4 In UDC 21% of all households are considered to be on low incomes. With limited grant funding available to support the vulnerable, the Council will prioritise vulnerable households for assistance and will change the current policy to include a range of grants, offers and loans to encourage uptake and assist those in greatest need.

### Proposed Actions

- Develop a comprehensive range of offers and grants with the limited resources available that that will reduce hazards in the home.
- Devise and implement a campaign to target promotional measures to those in greatest need.
- Increased public awareness of the range of services available to encourage and support owner occupiers
- Encourage and support greater access to home appreciation loans and equity release products to fund repairs and maintenance
- Report on the improvements made using the BRE Health Cost Calculator to demonstrate the savings to the NHS and wider society

### 3.0 Key priority 2 - Encourage, support and regulate private landlords and agents to provide safe and well managed properties, free from category 1 hazards.

- 3.1 In UDC, the private rented sector accounts for 14% of all households (4609 dwellings). There has been significant growth in the private rented sector in recent years and new measures are being developed to deal with poor landlords. Such measures encourage local authorities to make full use of enforcement powers to tackle dangerous and poorly maintained dwellings. With fewer houses being built, high property values and limited social rented homes, the sector looks set to grow and will continue to remain an important source of housing.
- 3.3 In the majority of cases the rented sector provides high quality housing opportunities, but there are some challenges. The private rented stock is generally worse than the owner occupied stock for indicators relating to hazards; disrepair, fuel poverty and energy efficiency. It is also worse than the owner occupier stock for low income households and for the low income high cost definition of fuel poverty. 27% of the private rented stock is thought to have one or more category 1 hazards.

- 3.4 The council has a statutory duty and a range of powers to address sub-standard conditions such as category 1 hazards. It can also intervene in cases of illegal eviction and harassment. Last year we received 47 reports from tenants regarding poor conditions. Demand for action is largely initiated by the tenant and is therefore reliant on high levels of public awareness. Over the course of the strategy we will aim improve public awareness tenants' rights and responsibilities and the services we provide. We will also update our enforcement policy to ensure that it reflects current legislative and government thinking.
- 3.5 We also acknowledge that the majority of landlords are not career landlords and own one or two properties. We proposed to engage with our landlords further and keep them updated on legislative changes and good practice. The landlord forum in one attempt to do this, however, we will look to do more to whilst still operating a robust enforcement regime.
- 3.6 The Council does not have many mandatory licensed Houses in Multiple Occupation (HMO) within the District. However, during the lifetime of the strategy we anticipate that the government will change the current definition of mandatory HMOs. If this occurs we will look at ways of identifying HMOs and engage with landlords to improve conditions and reduce the health and safety risks to tenants.
- 3.7 In recent years the Government also announced a range of measures aimed at improving standards in the sector including the requirement to install Smoke and Carbon Monoxide Alarms, the requirement for letting agents to publicise their fees, the redress scheme and measures to prevent retaliatory eviction. The service will look at adopting good practice methods to implement and enforce these changes.

### Proposed Actions

- Encourage and support landlords and agents to reduce number of category 1 hazards in private rented homes with a particular focus on HMOs and poorest performing areas
- Respond to changes to government policy on HMOs
- Improve the sector by ensuring that all landlords and agents have access to up to date information
- Regulate robustly and take action against the worst landlords and agents
- Increased awareness of tenants' rights, responsibilities and support available.

### 4. Key priority 3 – Helping older and vulnerable people remain in their own homes

- 4.1 UDC has a growing number of older households, people with disabilities and complex needs. Much of the existing housing stock is not designed with the needs of these groups in mind.
- 4.2 With people expected to live longer, the need for home adaptations to support independence is set to increase. The main types of adaptations needed include adapted

bathrooms and toilets, lifts and level or ramped access. The Council has a statutory duty under the Housing Grants, Construction and Regeneration Act 1996 to provide Disabled Facilities Grants. The grants are available up to a maximum of £30,000 and are means tested. Grant funding is sourced from the Better Care Fund managed by Essex CC. However, often this is not enough and each year the Council supports the service by meeting the shortfall in expenditure. In 2015/16 £227,500 was spent on DFGs. UDCs contribution was £124,500 to this service.

- 4.3 It is becoming increasingly clear that the benefits of DFG adaptations are far wider than the provision of assistance to disabled people at home. They allow the individual to maintain a level of dignity, prevent falls and other complications. Without these measures an individual would be put at greater risk of accident or illness. Recent research (Foundations - Local Government Ombudsman Report) indicates that the cost of residential care is around £29,000 per year, whereas the average cost of providing adaptations is less than £7,000. Therefore effective adaptations can result in clear savings to local government.
- 4.4 There is increasing recognition that the current delivery model is outdated and needs to be streamlined to reduce delays that can place additional health related complications onto the customer.
- 4.5 We will explore new innovative ways to deliver DFGs with the main aim to increase delivery times and provide a comprehensive service for all. We will also investigate whether it's possible to increase the scope of the service to assist with earlier hospital discharge and /or to move people out of residential care and back into their homes.
- 4.6 We will also take a wider look at the homes of disabled persons to see if there is a need for low level intervention and practical help to remove hazards and improve health and safety. We will work with partner agencies with existing support schemes on the best ways to deliver this service across UDC.

## Proposed Actions

- Improve the DFG service delivery to reduce complications, increase the speed of adaptations and reduce costs
- Ensure that those who need adaptations get help to remain in or return to their accommodation receive the appropriate level of advice, support and assistance
- Improve customer relations throughout the DFG process
- Reduce number of category 1 hazards relating to falls in households with older people/children to prevent early and/or unnecessary admissions of residents to hospital, nursing care and or residential care
- Work with partners and support agencies to increase awareness of support services to improve and retain independence.

## 5. Key priority 4. Maximise use of the existing private sector housing stock

- 5.1 Homes which are left empty for prolonged periods can have an impact on the appearance and the vibrancy of the area, as well as taking housing out of use when there are more and more people in need of accommodation. Dwellings suffering long-

term neglect can blight a neighbourhood, increase prevalence of nuisance, pests and ASB. They can even present a danger to the public.

- 5.2 In recent years the council has stepped up pressure on owners who keep their properties empty for long periods. Much of this has involved effective dialogue and persuasion with owners. However the threat of enforcement such as compulsory purchase continues to be a useful tool in the armoury against empty homes. The Council has been rewarded for this work through the New Homes Bonus Scheme and additional Council Tax receipts. Although the government has announced changes to the NHB scheme, the work of Council in bringing empty homes continues to be a key outcome in delivering the Councils Housing Strategy.
- 5.3 In recent years the numbers of empty dwellings within UDC as a direct result of officer intervention has reduced significantly. UDC has some of the lowest levels of Empty Dwellings in Essex with 168 empty dwellings recorded in 2015 compared with an Essex average of 305.
- 5.4 UDC is part of the PLACE scheme (Private Lease Agreements Converting Empties). The scheme allows UDC to provide grants of up to £50,000 to carry out repairs in exchange for a lease agreement. Under the scheme the property would be leased and managed as an affordable home for a period of three years before being returned to the owner in sound condition. Other grants and loans are also available.
- 5.5 Throughout the lifetime of this strategy we will raise awareness of the PLACE scheme and where appropriate take enforcement action.

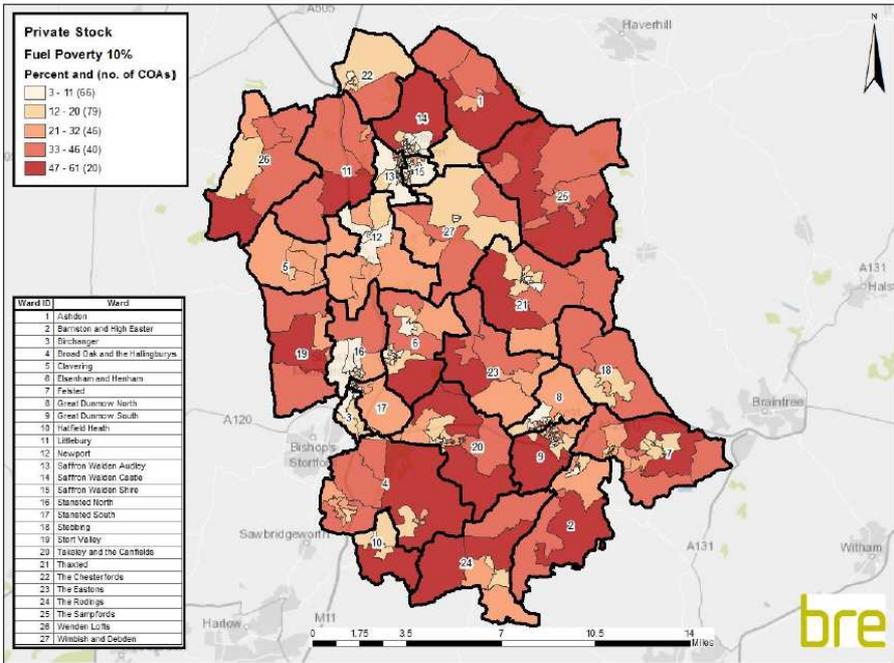
## Proposed Actions

- Maintain accurate information about the numbers of long-term empty properties.
- Encourage owners of privately owned empty homes to bring them back into use using the PLACE scheme.
- Target owners whose empty homes cause a significant detrimental impact to the neighbourhood.

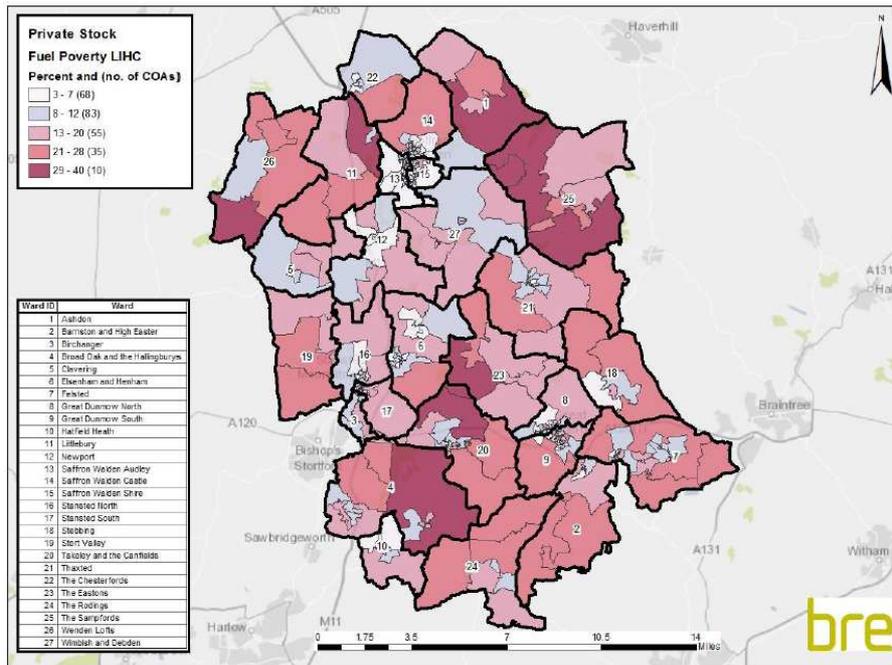
## 6. Key priority 5. Enable more sustainable homes by increasing energy efficiency and reducing fuel poverty.

- 6.1 Fuel poverty and excess winter death are issues in Uttlesford. Being able to afford heating bills and ensuring homes are warm and not damp or draughty reduces ill health and demands put on health services.
- 6.2 UDC's private sector housing stock shows lower than average overall levels of energy efficiency when compared to other areas. The estimated average Simple SAP for the private sector stock in Uttlesford is 50 which correspond to an EPC rating of E. The number of private sector dwellings with an EPC rating below band E is estimated to be 6,882 (24.3%). The number of private rented dwellings in Uttlesford with a rating below band E (i.e. bands F and G), is estimated to be 1,273 (28.8%). By comparison, in 2014, the national average was 61 points (ref English Homes Survey).

- 6.3 A significant amount of work has been done in recent years to improve the energy efficiency of private sector homes in UDC. A number of initiatives have been running that vary according to governmental grants made available. In addition we are actively promoting oil clubs and working with the CAB on the winter warmth campaign. The Council is rolling out the Government's energy efficiency ECO programme to target energy inefficient properties to reduce carbon emissions, reduce fuel poverty and deliver better health outcomes essential to reduce cold weather related illness and winter mortality
- 6.5 UDC wide excess cold is the most common category 1 hazard, found in 18% of owner occupied stock and 22% of private rented dwellings. 21% of all housing stock is estimated to be fuel poor, compared to 14% regionally and 15% nationally. 28 % of households living in the private rented sector are thought to be living in fuel poverty.
- 6.6 The highest concentrations of fuel poverty in the private sector are found in the wards of The Sampfords, Littlebury and Wendens Lofts. For excess cold, the highest concentrations are in the wards of The Sampfords, Wendens Lofts and The Rodings. We have mapped fuel poverty 'hot spots' around the Uttlesford and will use this to target future interventions.



Percentage of private sector dwellings in Uttlesford occupied by households in fuel poverty - 10% definition



Percentage of private sector dwellings in Uttlesford occupied by households in fuel poverty – Low Income High Costs definition

- 6.7 Tackling fuel poverty has a direct impact on residents, enabling them to heat their homes to a standard that maintains their health.
- 6.8 We have already mentioned that we will be reviewing our grants policy to provide a more comprehensive range of grants, loans and offers to create and live in warmer, healthier homes, reduce CO2 emissions and cost of fuel bills.
- 6.9 Throughout the lifetime of the strategy we will continue to work with our partners to reduce incidents of excess winter deaths and fuel poverty. This work will be rolled out in parallel with our approach to tackle the poorest housing within the district, providing an integrated holistic approach to improving the health and wellbeing of vulnerable UDC residents.

### Proposed Actions

- Improve energy efficiency and reduce carbon emissions by targeted work and maximise funding opportunities in the worst performing areas and property types
- Reduced incidence of fuel poverty through targeted work in the poorest performing areas and property types

## 7. How will we deliver – objectives & outcomes

- 7.1 The action plan contained within Appendix A provides information on the work and targets required to meet the outcomes of the strategy. These will be monitored on an annual basis to ensure delivery.

- 7.2 In addition the strategy will be reviewed in accordance with legislative and central government guidance to ensure that the strategy remains relevant and responsive to emerging needs.
- 7.3 Each year we will present a report to the Housing Board on the work of the service area to ensure a level of scrutiny
- 7.4 Effective delivery requires the right level of resource and commitment. Partnerships will be key to securing many of the outcomes and we will work to improve and expand our relations with these groups

#### **Further information**

Should you wish to discuss the contents of this strategy, provide comments or ask any questions, please contact the Environmental Health Service at [Environmentalhealth@uttlesford.gov.uk](mailto:Environmentalhealth@uttlesford.gov.uk) Tel 01799 510482.

# **APPENDICES**

## APPENDIX A - Action Plan

Key Priority	Action	Timescale for delivery	Outcome/measure
<b>Raise standards in the private sector by encouragement and support to owner occupiers to maintain safe homes, free from category 1 hazards</b>		To be completed	To be completed
	Develop a comprehensive range of offers and grants with the limited resources available that that will reduce hazards in the home.		
	Devise and implement a campaign to target promotional measures to those in greatest need.		
	Increased public awareness of the range of services available to encourage and support owner occupiers		
	Encourage and support greater access to home appreciation loans and equity release products to fund repairs and maintenance		
	Report on the improvements made using the BRE Health Cost Calculator to demonstrate the savings to the NHS and wider society		
<b>Encourage, support and regulate private landlords and agents to provide safe</b>			

<b>and well managed properties, free from category 1 hazards</b>			
	Encourage and support landlords and agents to reduce number of category 1 hazards in private rented homes with a particular focus on HMOs and poorest performing areas		
	Respond to changes to government policy on HMOs		
	Improve the sector by ensuring that all landlords and agents have access to up to date information		
	Regulate robustly and take action against the worst landlords and agents		
	Increased awareness of tenants' rights, responsibilities and support available		
<b>To enable people whose independence may be at risk safely remain in or return to their home longer</b>			
	Improve the DFG service delivery to reduce complications, increase the speed of adaptations and reduce costs		
	Ensure that those who need adaptations get help to remain in or return to their accommodation receive the appropriate level of advice, support and assistance		
	Improve customer relations throughout the DFG process		
	Reduce number of category 1 hazards relating to falls in households with older people/children to prevent early and/or		

	unnecessary admissions of residents to hospital, nursing care and or residential care		
	Work with partners and support agencies to increase awareness of support services to improve and retain independence		
<b>Maximise use of the existing private sector housing stock</b>			
	Maintain accurate information about the numbers of long-term empty properties		
	Encourage owners of privately owned empty homes to bring them back into use using the PLACE scheme		
	Target owners whose empty homes cause a significant detrimental impact to the neighbourhood		
<b>Enable more sustainable homes by increasing energy efficiency and reducing fuel poverty.</b>			
	Improve energy efficiency by targeting work and maximise funding opportunities in the worst performing areas and property types		
	Reduced incidence of fuel poverty through targeted work in the poorest performing areas and property types		

**Committee: Housing Board**

**Agenda Item**

**Date: 6<sup>th</sup> October 2016**

**6**

**Title: Housing Renewal Assistance Policy**

**Author: Marcus Watts, Principal Environmental Health Officer, ext 595**

Item for information only

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### **Summary**

1. This report outlines the need for changes to the existing Housing Renewal Assistance Policy.

### **Recommendations**

2. That the Housing Board supports a review of the existing Housing Renewal Assistance Policy.

### **Financial Implications**

3. None – from existing resources.
4. There may be an increase in demand for the service following the review.
5. The service area will look to measure outcomes of its intervention and apply for additional funding streams to support this work.

### **Background Papers**

6. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report:
  - Uttlesford District Council Housing Renewal Assistance Policy – 2008
  - BRE Dwelling Level Housing Stock Modelling and Database for Uttlesford District Council – 2015
  - BRE A Quantitative Health Impact Assessment: The cost of private sector housing and prospective housing interventions in Uttlesford District Council -2015

### **Published Papers**

7. The District Council Contribution To Public Health: A Time Of Challenge And Opportunity – The Kings Fund – 2015.

## Impact

8.

Communication/Consultation	Partner organisations
Community Safety	No direct impact on community safety from decision to review.
Equalities	Policy has had EqIA
Health and Safety	No impact on employee health and safety
Human Rights/Legal Implications	All intervention work will be carried out in accordance with existing legislative framework
Sustainability	The proposal will aim to target those in greatest need to maintain UDCs private sector housing stock
Ward-specific impacts	No specific impact - information is available for all wards.
Workforce/Workplace	From existing resources

## Situation

9. There is a growing body of evidence detailing the many ways that inadequate housing adversely affects health. The condition of a property has the potential to have both direct and indirect impacts on physical, social and mental health. From indoor dampness and mould, physical injuries from falls, cold homes, overcrowding to household carbon monoxide poisoning, the links between poor housing and health are many and complex.
10. According to the British Research Establishment (BRE), it is now widely accepted that the calculated cost of poor housing to the NHS is approx. 1.4bn. This represents first year treatment costs of those living in the poorest 15% of the housing stock. If expanded to include all homes the figure rises to approx. 2bn.
11. When compared with other health cost to the NHS, such as smoking related illnesses, (2.3 - 3.3 bn) housing gets very little attention. It is the view of the Environmental Health service that the burden on the NHS and wider society from poor housing is greatly overlooked.

12. In May 2015 the Council commissioned the BRE to model the housing stock within the district combining information on property type, age, construction, insulation and heating method to give an overall assessment of the condition of the property. The model also provides the Council with information on the economic status of the residents.
13. The headline results were presented to the Housing Board in June 2015.
14. An indication of the condition of the housing stock can be gained by the number of category 1 hazards estimated to be in the district. Based on 2015 modelled data 22% (6314) of private sector dwellings in the district have category 1 hazards present, this compares with 19% regionally and 17% nationally. 27% of properties in the private rented sector are thought to have category 1 hazards.
15. Excess cold is the most common category 1 hazard found in 18% of owner occupied stock and 22% of private rented dwellings.
16. In recognition of the range of housing problems within the private sector there is a need to take a long term strategic view to help to improve the health, safety, and wellbeing of residents. A separate report has been prepared for the Housing Board presenting the draft private sector housing strategy for comment.
17. To deliver some of the outcomes given in the proposed draft private sector housing strategy it is recognised that the Council's existing Housing Renewal Assistance Policy will need to change.
18. The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 provides local housing authorities with a general permissive power for the provision of assistance for improving living conditions. The 2002 Order allows Councils to provide assistance in the form of grants, loans, materials or to carry out work directly for the repairing and improving of housing accommodation. There is no statutory requirement for the Council to provide assistance. However, depending on the priorities of the Council, the legislation enables assistance and resources to be targeted at those most disadvantaged in society through social deprivation, disability, age, vulnerability or infirmity.
19. In order to exercise this power a local authority must first adopt a policy for the provision of assistance. The existing policy on assistance grant was first published in 2003 and offers discretionary grant assistance to owner occupiers of dwellings to carry out essential repairs. All applicants need to be on a means tested benefit to receive the grant, which is up to £3000. The policy was amended in 2008 to include thermal insulation and energy efficiency measures in mobile homes, and that the maximum grant in circumstances where repair works are also undertaken be raised from £3000 to £5000. A summary of the current Uttlesford Housing Renewal Assistance Policy is attached to this report.

20. With the changes brought about by the Care Act 2014 the existing policy does not reflect current thinking. A change in policy will broaden the Council's ability to work with partners and deliver on a variety of schemes and initiatives to improve poor housing that can ultimately improve the health and wellbeing of residents.

## Risk Analysis

21.

Risk	Likelihood	Impact	Mitigating actions
Current policy does not reflect changes brought about by the Care Act 2014	3 Policy has not been reviewed since 2008	3 Vulnerable people continue to live in poor housing	Review policy – introduce new deliverable initiatives to improve poor housing

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.



**UTTLESFORD DC**  
**ENVIRONMENTAL**  
**HEALTH**

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 Environmentalhealth  
 @uttlesford.gov.uk

**Summary of Uttlesford Housing Renewal Assistance Policy**

**ELIGIBLE PROPERTIES**

Assistance is available to owner occupiers of houses, flats, mobile homes, and in exceptional circumstances the owners of long term empty houses (but subject to additional conditions).

**ELIGIBLE APPLICANTS**

All applicants must be over the age of 18 and have an owner's interest in the property, they must be in receipt of a means tested benefit; currently these are Income Support, LCTS, Income Related Job Seeker's Allowance, Income Based Employment Support Allowance, Guaranteed Pension Credit or Universal Credit

**ELIGIBLE WORK**

There are three categories of work eligible for assistance; Repairs, Adaptations or Improvements

Repairs	Assistance is <u>not</u> available for routine maintenance. It is for the repair of dilapidated parts of the building structure such as rotten windows, defective roofs, rusty and leaking rainwater gutters and pipes, and other similar major defects.
Adaptations	A separate grant is available for Registered Disabled Persons to adapt their homes. However assistance will be given to adapt the home of an elderly and frail owner if it is supported by their Doctor and will enable them to remain living independently in their own home.
Improvements	Assistance will be given to provide for the first time an inside WC or bathroom with hot and cold water, or energy efficiency works in a mobile home.

**TYPE of ASSISTANCE**

Work costing up to £3000 or in the case of a mobile home having both energy efficiency work and repairs carried out £5000	Once the work has been agreed as eligible and the applicant is also eligible, a grant will be given based on the lower of two estimates for the cost of the work plus any agreed agents fees. The work must be carried out by the contractor who submitted the lower estimate, and completed within six months from the approval date. The work must be carried out to the Council's satisfaction before payment will be made
Work costing between £3000 and £10000	The first £3000's worth of work will be a grant as described above but for the additional work over £3000 an interest free loan will be given which will have to be repaid when the property is sold or the applicant no longer lives in the property. This loan will be a Land Charge on the property which in simple terms means the Council will be legally able to recover the cost of the loan from who ever owns the property. The Council will require proof that the applicant owns the property before approval of the assistance and this will mean that the owners of mobile homes who do not own the ground on which their home stands will be unable to apply.
Work costing more than £10000	The first £10000's worth of work will be a combination of a grant and an interest free loan as described above, but for any work costing more than £10000 the Council will refer the applicant to a list of Independent Financial Advisors registered with the Financial Services Authority. The purpose of the referral will be to explore the possibility of releasing equity from the property to fund the cost of the works over the £10000 limit of Council assistance.
Additional Applications	Additional applications will be considered, but if they are made within 5 years of each other the previous assistance will be taken in to account in calculating the cost of the works and grant or loan (if any) available.
Unforeseen Works	If after the approval of an application for assistance additional unforeseen works are required then the Council must agree the extent of the works and their cost before they are carried out.
Appeals	The Council recognises that there may be exceptional cases which fall outside the agreed policy and will give due consideration to any properly made application. Appeals against a refusal will be considered by the Council's Community Committee.



**Committee:** Housing Board  
**Date:** 6<sup>th</sup> October 2016  
**Title:** Empty Homes – CPO Update  
**Author:** Marcus Watts

**Agenda Item**

**7**

**For information**

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### **Summary**

1. The report updates the Housing Board on the Compulsory Purchase of 1 Holly Cottages, Widdington

### **Recommendations**

2. None - For information only.

### **Financial Implications**

3. None as all costs are sourced through the Private Lease Agreement Converting Empties Scheme (PLACE)

### **Background Papers**

4. None

### **Published Papers**

5. UDC's Housing Strategy 2016
6. Report to Cabinet dated June 2014

### **Impact**

7.

Communication/Consultation	N/a
Community Safety	Property is secured against unlawful entry
Equalities	N/a
Health and Safety	Property is secured against unlawful entry
Human Rights/Legal Implications	The powers for the Council to acquire land, including empty properties, are contained in section 17 of the Housing Act 1985. The powers for the Council to dispose of lands, including properties, are contained in

	sections 123 and 127 of the Local Government Act 1972.
Sustainability	Empty homes are a wasted resource and have the potential to adversely affect local housing markets. The action taken will bring on to the market a property that has been empty for many years (10+) and will create a housing opportunity that has been denied to households seeking housing
Ward-specific impacts	Newport
Workforce/Workplace	Within existing resources

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## Summary

8. 1 Holly Cottages in Widdington has been long term empty since 1st April 1993 according to Council Tax records. The property is in poor structural condition. Windows are very rotten, the brick work of adjoining rear shed is moving apart from the main house, there is significant internal structural movement in two areas. Impact assessment of the empty property realised a high score. The garden is overgrown and long term untended.
9. Council Officers exhausted all their persuasive powers to bring property voluntarily back into use. The owner did not accept the PLACE financial scheme (grants or loans) despite being informed of their existence and being offered them on a number of occasions.
10. The owner clearly indicated that the property was a “second home or holiday home” i.e. it was not their sole or main residence.
11. The decision to proceed with the CPO of the property was granted by UDC Cabinet in June 2014.
12. The CPO process has proven to be long and technically challenging, involving the use of three statues, four sets of regulations and two sets of official guidance.
13. The CPO was approved by The Secretary of State (CLG) in November 2015.
14. The property vested with UDC on the 6th September 2016. UDC’s Legal Service are beginning negotiations to pay the owner due compensation.
15. The financial implications for UDC of the CPO are limited. The costs associated with this action, other than officer(s) time, are all met through the PLACE Scheme:

- Cost of newspaper notices and reports
- Compensation to owner (currently a matter of negotiation):

16. The land and property (freehold) is to be disposed of on the open market by a mechanism yet to be decided for e.g. sealed bids, auction or sale using an estate agent. A legal requirement will accompany the sale, ensuring the property is returned to residential occupation within a specified period.

17. It should be noted that the CPO process is protracted and technically difficult to achieve. For this reason it is reserved for the most challenging of empty home cases; where all voluntary negotiations with the owner(s) have failed, the property is long term empty and in significantly poor condition.

### Risk Analysis

18.

Risk	Likelihood	Impact	Mitigating actions
Report is for information only			

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.



**Committee:** Housing Board

**Agenda Item**

**Date:** 6 October 2016

**8**

**Title:** Draft Tenancy Sustainment Strategy

**Author:** Judith Snares – Housing and Communities Manager Ext 671

Item for information

## Summary

1. This report brings to the attention of the Housing Board the draft version of the council's first Tenancy Sustainment Strategy. This gives members of the board and the Tenants Forum the opportunity to comment on the draft strategy with a view to the final version being brought before the Board in December with a recommendation for its adoption.

## Recommendations

2. That the Housing Board considers the draft Tenancy Sustainment Strategy and feedbacks any comments to the author by the end of November 2016

## Financial Implications

3. It is envisaged that the strategy's action plan will be delivered from within existing resources.

## Impact

- 4.

Communication/Consultation	Members, tenants, all partner agencies and public consultation via the website
Community Safety	N/A
Equalities	Equality impact assessment will be completed before document is finalised
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	N/A

Ward-specific impacts	All wards
Workforce/Workplace	Housing, Benefits and Council Tax department

## Situation

5. The housing department have become increasingly aware of the importance of providing early interventions to vulnerable tenants in order to help them maintain their tenancies and therefore keep a roof over their and their families heads
6. This document details the council's reasons for and vision of a tenancy sustainment service.
7. This service will be delivered by the new post of tenancy sustainment officer (already in place) and existing housing department staff
8. The Strategy contains an Action Plan that outlines how the council will meet the three key objectives over the lifetime of this new document. The key objectives being :-
  - To improve the Council's understanding of tenancy failure and its causes
  - Be proactive in identifying vulnerability in tenants and prospective tenants
  - To provide a holistic tenancy sustainment service to prevent vulnerable tenants from losing their tenancies
9. The draft Tenancy Sustainment Strategy is now open for a period of consultation with members of the Housing Board, Tenants Forum and partners. The final document will be brought back to the Housing Board in December.

## Risk Analysis

17.

Risk	Likelihood	Impact	Mitigating actions
The council fails to prevent the loss of council tenancies by vulnerable	2 - Changes to the welfare system and the increasingly	2 – Social impact. Increased legal and void costs to the	The document details how the housing team will identify and intervene early with those tenants most

tenants	complex needs of tenants and prospective tenants increases the likelihood of tenants getting into difficulties with their tenancies	housing department. Increased workload for the housing options and homelessness team	likely to be at risk of losing their tenancies
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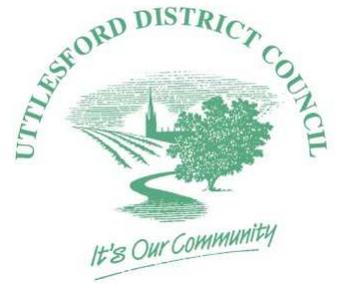
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# **UTTLESFORD DISTRICT COUNCIL**

**DRAFT**

## **Tenancy Sustainment Strategy**

**2016 - 2020**

**Sept 2016**

## Introduction

Uttlesford Council believes that its role as a landlord to nearly 2900 tenants is one of its most important. There is nothing more fundamental to a person's health and wellbeing than to have a safe and secure home, this is why working with tenants and their families to help them sustain their tenancies is so important to us and is set to become one of our core housing management functions.

The Council also recognises the important business case for sustaining tenancies and addressing the needs of vulnerable people. Many of the risks faced by those who are vulnerable get passed on to the council through increases in serious housing need and homelessness, rent arrears, poorer maintenance of properties, and increased tenancy turnover. It is therefore in the council's interest to help its tenants and prospective tenants meet their housing needs, sustain their tenancies, and maintain their homes.

The purpose of this strategy is to ensure that the council has the right tools in place and has the right approach to tenancy sustainment. By getting it right we can reduce tenancy failures, improve tenant satisfaction and ultimately maximize rental income, more importantly we can help tenants maintain a home for them and their family so they can enjoy a better quality of life and live in stable and strong communities.

## Strategy Key Objectives

The Health and Wellbeing of residents is at the heart of Uttlesford Council's Corporate Plan. This tenancy sustainment strategy supports that plan and has three objectives to be delivered over the next four years, these are:

- To improve the Council's understanding of tenancy failure and its causes
- Be proactive in identifying vulnerability in tenants and prospective tenants
- To provide a holistic tenancy sustainment service to prevent vulnerable tenants from losing their tenancies

The council's Housing Options Team works with many people who are in need of housing for a variety of reasons and who may themselves have a variety of different personal issues that they are dealing with. Some of these people will be facing homelessness which in itself can make them vulnerable. Although homelessness can happen to anyone at any time, those who approach the council are often those least able to financially and emotionally cope with their situation, meaning that they are more likely to find sustaining settled housing in the future more difficult. This is

why it is important that prospective new council tenants who may be vulnerable and find it difficult to sustain their new tenancy are identified at the earliest opportunity.

It is not uncommon for new tenants to struggle to maintain their tenancies within the first year. This can be for many reasons. For some this will be their first independent home and they lack the experience or knowledge of how to run a home and be responsible for paying the bills. Others may simply lack the confidence or ability to regulate the behavior of other household members or visitors which may lead to complaints of anti-social behavior. For some this may be because they are vulnerable through physical or mental disability and are therefore more easily taken advantage of by others.

The council's Housing Management Team works with existing council tenants and are therefore in a position to identify at an early stage where a tenant may be having difficulties that might eventually result in the loss of their tenancy. It may be that the tenant's circumstances have changed because of a loss of income from a period of unemployment or reduction in benefits and rent arrears are accruing, or there have been complaints of anti-social behavior emanating from within their household.

Frontline officers come in to contact with tenants and potential tenants on a day to day basis, so the council needs to ensure that its officers are confident in identifying and reporting tenants who they may feel are vulnerable and not coping.

The council also has a number of housing operatives and contractors who regularly go into tenant's homes and it is important that these staff are equally confident in identifying and reporting vulnerability and know how to highlight issues that may require urgent action.

### **Key Objective 1 - To improve the Council's understanding of tenancy failure and its causes**

By looking at the reasons for abandonment, termination and eviction we can better understand why tenancies fail and can then develop meaningful interventions to help our tenants create sustainable tenancies.

Risk factors associated with tenancy failure include:

- Young first time tenants
- Elderly tenants with support needs
- Living somewhere the tenant didn't really want to be
- Antisocial behavior and harassment
- Property in poor condition
- Poverty, low income, debt problems
- Mental Health problems
- Ill health and disability

- Offending behavior background
- Relationship breakdowns
- Lack of appropriate support when it is needed

**To meet this objective the council will:**

- Carry out analysis of the reasons for eviction and other tenancy terminations to use this information to shape our future tenancy sustainment services
- Consider the need to develop a pre-tenancy 'training programme' for all prospective new council tenants prior to the point of tenancy sign up

## **Key Objective 2 – Be proactive in identifying vulnerability in tenants and prospective tenants**

**To meet this objective the council will:**

- Ensure all key staff are trained to identify vulnerable tenants or prospective tenants and know how to refer to them to the appropriate officers
- Ensure there are joined up procedures between the council's housing options and housing management teams for the seamless handover of vulnerable new tenants
- Develop a tenant profile database to help identify those with complex problems, how well they are coping with their tenancy and that they are receiving the appropriate level of support to sustain their tenancy
- Ensure that the appropriate staff within housing engage with housing benefits staff and the Benefits Agency particularly in relation to the role out of Universal Credit
- Use the existing 4 week new tenancy visit to identify tenants who may require further assistance in managing a successful tenancy
- Use the annual new tenancy inspection process to identify at an early stage tenants who may have had a change in circumstances that could put their tenancy at risk

## Key Objective 3 – To provide a holistic tenancy sustainment service to prevent vulnerable tenants from losing their tenancies

### To meet this objective the council will:

- Provide a dedicated tenancy sustainment officer to work across the council and with other agencies
- Provide a tenancy sustainment service that will:-
  - Assess the needs of tenants and prospective tenants and advise them on the support offered by organisations both statutory and voluntary
  - Help vulnerable tenants settle into their new homes.
  - Ensure that young people and new households who have little or no experience of living independently and who may struggle at first to manage their tenancy and money or utility services are supported until they are confident on how to sustain their tenancy
  - Refer vulnerable tenants to appropriate agencies so they can be given the support they require to help them sustain their tenancies successfully
  - Encourage tenants who are receiving support to continue their engagement with any agencies offering them assistance
  - Help tenants to maximize their income, and ensure they are in receipt of all benefits they are entitled to.
  - Help tenants to identify where they have problems with debt and make referrals to specialist debt advice services
  - Advise tenants and prospective tenants on how to look after their property and be good neighbours
  - Refer vulnerable tenants to other teams or services that can improve their independence, quality of life, health and well-being.
  - Ensure new tenants who have been homeless have the right support to adjust to living independently and managing their homes and money in place at the start of their tenancy.
  - Help tenants who have lost their job or who have had some other change in their financial circumstances to make sustainable arrangements to continue to pay their rent

## Consultation and Engagement

We will consult with the Tenants Forum, the Housing Board and other interested parties on the general approach of this strategy and provide updates on the strategy action plan once implemented. We will carry out customer consultation via survey's and face to face interviews to ensure that the tenancy sustainment service develops to meet the needs vulnerable clients

## Conclusion

This strategy has been written in times of continuing economic difficulty for many of the clients seen within the housing department and wider community, however, with the further changes to the benefit system and roll out of Universal Credit, we are hopeful that the actions contained in this strategy will have the positive effect of improving the wellbeing of vulnerable council's tenants and of sustaining tenancies.

## Action Plan

Key Objective	Action	Outcome	Responsible Officer	Timescale
KO 1	Carry out analysis of the key reasons for tenancy loss			
	Investigate and consult on the benefits of having pre-tenancy training			
KO 2	Train key front line staff to enable them to identify vulnerable tenants			
	Ensure frontline staff know who to report concerns over vulnerable tenants to			
	Review procedures on how vulnerable clients are handed over from one team to another within the department			

	Develop a tenant profile data base			
	Ensure that channels of communication are open and working between housing and benefits staff			
	Ensure procedures for 4 week new tenancy visits are reviewed and revised where necessary			
	Ensure procedures for annual tenancy inspections are reviewed and revised where necessary			
<b>KO 3</b>	Have a dedicated tenancy sustainment officer within the housing department			
	Write procedures for a tenancy sustainment service – including appropriate referral forms and arrangements			



**Committee: Housing Board**

**Agenda Item**

**Date: 6 October 2016**

**9**

**Title: Decant and Downsizing Policy**

**Author: Judith Snares – Housing and Communities Manager Ext 671**    Item for information

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### **Summary**

1. This report updates members on how the Decant and Downsizing Policy has been working since it was implemented in 2013.
2. The Decant and Downsizing Policy explains the process that Uttlesford District Council will undertake and the level of compensation that will be given, when it becomes necessary to re-house a tenant to allow major repairs to be undertaken or where a property is to be demolished or disposed of.
3. The policy also details the payments that will be made to tenants who decide to downsize from a property that is larger than their needs

### **Recommendations**

4. That the Housing Board notes this report and agrees amended wording for clarification at points 18.1 and 18.3.

### **Financial Implications**

5. There is an annual budget within the Housing Revenue Account that has been identified to pay any compensation and downsizing payments.

### **Background Papers**

6. None

### **Impact**

- 7.

Communication/Consultation	Partner agencies and Tenant Forum
Community Safety	N/A
Equalities	EIA was completed prior to implementation
Health and Safety	N/A

Human Rights/Legal Implications	Home loss payments are covered by Acts of parliament
Sustainability	N/A
Ward-specific impacts	All wards
Workforce/Workplace	N/A

## Situation

8. The council introduced a formal decant and downsizing policy for the first time in 2013, this report informs members on how this policy has been working since it was adopted.
9. Prior to this policy being adopted there was a basic scheme for giving grants to tenants who downsized to smaller accommodation but this had very limited take up.
10. The introduction of the spare room subsidy 'bedroom tax' made it particularly important that the council makes best use of its stock and encourages tenants to occupy homes that are of a size suitable for their needs and at a rent that they can afford.
11. In the first full year after the policy was introduced 20 tenants were awarded downsizing grants, in 2014/15 this dropped to 10 which was to be expected after the initial high take up. This year, to date, 10 grants have been given.
12. The policy has also been successfully used to compensate tenants who have been affected by our sheltered housing scheme redevelopments.
13. The feedback that has been received from tenants who have had a downsizing grant is that it is seen as fair and has helped them with the expenses of moving. Tenants who have not taken up the opportunity of downsizing have indicated that it is not the level of the grant that has stopped them but the thought of moving, preferring to stay in what they see as the family home or liking the area they currently live in.
14. Whilst it would seem that the latter two reasons for tenants not downsizing are harder to argue with, there may be work we can do around supporting older tenants to downsize with officer 'hand holding', as we have done with our sheltered tenants. Therefore this is something as a department we are going to consider and look to see who has the capacity to take on such a role.
15. There have been two minor changes to wording within the policy purely for clarification purposes. At paragraph 5 to clarify that disturbance allowance and home loss payment can be made in some circumstances to the same tenant.

The wording at paragraph 18 makes it clearer that it is the giving up of bedrooms that makes tenants eligible for a grant, not just that they are moving into designated elderly person's accommodation from general needs housing.

## Risk Analysis

13.

Risk	Likelihood	Impact	Mitigating actions
Misinterpretation of policy	1 Current wording could be misinterpreted by tenants	1 May lead to complaints if tenants felt misled	Clarification in wording makes policy clear and unambiguous

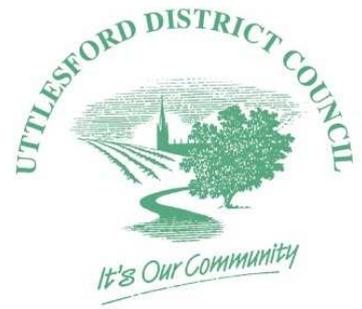
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# **Uttlesford District Council**

## **Housing Services**

### **Decant and Downsizing Policy**

**Revised Sept 2016**

## **1. INTRODUCTION**

- 1.1 The purpose of this policy is to explain what Uttlesford District Council (UDC) will do when it becomes necessary to re-house a tenant to allow major repairs to be undertaken when these cannot reasonably be done with the tenant in residence. This policy will also be followed in cases where a property is to be demolished or disposed of. We refer to this process as a 'decant'. The policy explains the level of compensation that will be paid to tenants when they are decanted.
- 1.2 The policy also details the payments that will be made to tenants who decide to downsize from a property that is larger than their needs to one of a more suitable size as defined in the Council's Allocation Policy.

## **2. POLICY STATEMENT**

- 2.1 UDC is obliged under the terms of the tenancy agreement to keep in good repair the structure and outside of tenanted properties including communal areas.
- 2.2 Where possible, UDC will carry out improvement works and major repairs whilst the tenant remains in their home. However, there will be certain situations (such as when the health and safety of the tenant would be at risk or there are extensive works) when works cannot be carried out with the tenant in the property. Where this is the situation UDC will arrange to move the resident. This will either be on a temporary or permanent basis and the tenant will be given this option.
- 2.3 The policy is also flexible enough to allow discretion to be used in the best interest of the tenant in all situations.

## **3. ESTABLISHING THAT A DECANT IS NECESSARY**

- 3.1 UDC's surveyor or other appropriate technical officer will make a full report on the defects in the property and advise the Landlord Services Department if it is recommended that the tenant should be temporarily or permanently re-housed. The report will include the expected timescale for completion of the works.
- 3.2 When considering a decant the following needs to have occurred:
  - Loss of primary amenity – electricity, gas, water, WC where no 24 hours alternative can be utilised (neighbour, family) etc.
  - Works involve use of hazardous substances or controlled by Control of Substances Hazardous to Health regulations (COSHH) (e.g. two or more rooms are affected)
  - Loss of significant proportion of habitable space for more than one week and works cannot be sequenced to prevent this.

- 3.3 In the event of a tenant being vulnerable or where UDC is provided with medical advice which suggests works could have a detrimental effect on the well-being of a tenant, the surveyor should take this into account when making the recommendations.

#### **4. STARTING THE DECANT PROCEDURE**

- 4.1 As soon as a decision is taken to decant a tenant, the housing officer will visit the tenant as soon as reasonably practical to explain the nature of the remedial works.
- 4.2 The officer will go through the Decant Policy with the tenant to ensure they are aware of what to expect in terms of accommodation and assistance.
- 4.3 The officer will allow plenty of time for this discussion as we realise that it is a stressful time when a tenant is required to move out of their home.
- 4.4 The tenant will be given a copy of the technical officer's report and it will be agreed how often the Housing Officer will be in contact with the tenant or their representative, (this is expected to be on a weekly basis). At this time, the tenant will be asked if they feel their re-housing should be on a permanent or temporary basis.
- 4.5 If a home loss payment is to be made, any rent arrears or other Council debts will be deducted from the payment.
- 4.6 In some circumstances it may not be possible to agree to permanent re-housing if it is likely to take a considerable length of time to find a like for like property. If this contributes to the deterioration of the property or there is a health and safety risk, UDC would have to pursue temporary re-housing with the tenant to ensure the move takes place more quickly.

#### **5. COMPENSATION PAYMENTS**

##### **5.1 Home Loss Payments**

5.1.1 These will be paid in line with the Planning & Compensation Act, the Land Compensation Act 1973 and Home Loss Payments (Prescribed Amounts) (England) Regulations 2008. In accordance with the Planning and Compensation Act 1991, home loss payments will only be made when:

- The tenant has been living in the property for one year before they have to be decanted.
- The tenant has been living in the property as their main or only residence.

- The tenant is being required to move as a consequence of **improvement** or **redevelopment** (repairs, even if major, **do not** justify payment)
- The tenant may also be entitled to a disturbance allowance (see paragraph 5.2)

5.1.2 Any outstanding rent arrears will be deducted from the Home Loss Payment and credited to the tenant's rent account or other debts owed to the Council.

## **5.2 Disturbance Allowance**

5.2.1 A disturbance allowance, of a lump sum payment of £1500, will be paid to cover expenses that occur as a direct consequence of a tenant being decanted on a temporary basis. The type of expenses that will be covered by this payment are:

- Removal expenses
- Disconnection and re-connection of gas or electric cooker
- Disconnection and re-connection of washing machine/dish washer
- Disconnection and re-connection of satellite dish and/or TV aerial
- Re-direction of mail. In the case of a permanent decant re-direction of mail will be paid for the first three months
- Disconnection and re-connection of telephone lines
- Disconnection and re-connection of light fittings

5.2.2 This payment will be in advance to the tenant.

## **5.3 Vulnerable tenants**

5.3.1 We will make all re-housing arrangements for vulnerable tenants (with their agreement). The lump sum payment will not apply.

5.4 Any outstanding rent arrears will be deducted from the disturbance allowance up to a maximum of £500

## **6. CARPETS AND CURTAINS**

- 6.1 If it is reasonable to assume that the carpets in the existing property will be damaged during the works in any room, they will be lifted and stored by a nominated contractor. Following completion of the works a contractor nominated by UDC will arrange to re-lay them. *Liability for damage to the carpets will remain with the contractor.*
- 6.2 UDC will nominate a contractor to remove all curtains that it is reasonable to expect will be affected by the works and make arrangements for storage.
- 6.3 The liability for damage during storage in respect of the curtains and carpets will rest with the nominated contractor's insurers.

## **7. GARDENS**

- 7.1 UDC will cultivate the garden of the decanted property to a reasonable standard if it becomes overgrown during the period it is empty. This will be done before the tenant moves back in.

## **8. RENT ARREARS**

- 8.1 Unless the decant is needed for health and safety reasons or a prolonged delay might result in a deterioration to the condition of the property, the tenant will be expected to clear any rent arrears on their rent account prior to being decanted.
- 8.2 In the case of decanting tenants If there are rent arrears and the decant cannot be delayed for health and safety reasons, an arrangement will be made for the tenant to repay the arrears as part of the temporary accommodation rent. If there is already a repayment arrangement in place, this will continue at the temporary accommodation.

## **9. MAKING THE PAYMENTS**

- 9.1 Home Loss and disturbance payments will usually be made by cheque.
- 9.2 There will only be one payment (Home Loss and disturbance) per household, including split households.
- 9.3 Payments will only be paid to the tenant/s who have signed the tenancy agreement.

## **10. SERVICE ADJUSTMENTS**

- 10.1 We will check the information we have on tenants at the outset of the decant process to ensure that the appropriate level of communication is followed. For example, older tenants may want us to deal directly with a

family member on this matter. UDC staff will communicate with a tenant in the way the tenant has asked us to do so.

10.2 We recognise that certain groups of tenants are likely to need extra support and reassurance. This includes:

- The elderly
- Lone parents
- Non-English speaking households
- Tenants with mental health problems
- Tenants with a physical disability
- Tenants with a learning disability

10.3 We will also take into account the extent of the tenant's vulnerability or other exceptional circumstances when we plan the decant process with the tenant. Our aim is to be entirely flexible in managing this process and ensuring all of the tenant's needs are met.

## **11. OFFER OF ACCOMMODATION**

11.1 The offer of temporary accommodation will be on the basis of the housing need of the tenant and his/her family. For example, if a tenant is currently living in a three bedroom property but only needs two bedrooms then a two bedroom property will be offered.

11.2 One direct offer of accommodation will usually be made by the Council in consultation with the tenant. Specific consideration will be given to:

11.3 The accommodation must be available as a separate dwelling under a secure tenancy. Alternatively, the security of tenure will remain at the existing property for short-term works (up to 28 days) and a Temporary Re-housing Agreement will be signed. We will also take into account:

- The size of the accommodation and the means of the family
- The distance of the accommodation from the place of work or education
- The distance from the home of any member of the tenant's family if proximity is a consideration to the wellbeing of the tenant or their family.

11.4 Where a tenant is to be permanently decanted they will be able to 'bid' for properties on a like for like basis through the Choice Based Lettings Scheme.

## **12. EXISTING CHOICE BASED LETTINGS APPLICATION**

12.1 If the tenant is registered on the Choice Based Lettings (CBL) list their application will not be affected by the need to be temporarily re-housed.

## **13. REFUSAL OF OFFER OF ACCOMMODATION**

13.1 Where a resident refuses to move or has refused the offer of other suitable alternative accommodation, UDC has the legal right to gain possession of the property for decanting purposes. The Assistant Director of Housing and Environmental Services will decide whether or not the offer of alternative accommodation was reasonable and everything will be done to try and re-house the tenant without the need for legal action.

13.2 For Secure and Introductory Tenancies, the two grounds for possession relevant to major works are Grounds 10 and 10A of Schedule 2 of the Housing Act 1985.

### *13.3 Ground 10:*

*13.3.1 "The Landlord intends, within a reasonable time of obtaining possession of the dwelling house:*

- a) to demolish or reconstruct the building or part of the building comprising the dwelling-house, or*
- b) to carry out work on that building or on land let together with, and thus treated as part of, the dwelling-house, and cannot reasonably do so without obtaining possession of the dwelling-house."*

### *13.4 Ground 10A*

*13.4.1 "The dwelling-house is in an area which is the subject of a redevelopment scheme approved by the Secretary of State or the Housing Corporation in accordance with Part V of this schedule and the landlord intends within a reasonable time of obtaining possession to dispose of the dwelling-house in accordance with the scheme" or "Part of the dwelling-house is in such an area and the landlord intends within a reasonable time of obtaining possession to dispose of that part in accordance with the scheme and for that purpose reasonably requires possession of that dwelling-house."*

13.4.2 It should be noted that when these grounds are used to obtain possession of the dwelling for decanting purposes, the court will

not make an order unless it is satisfied that **suitable alternative accommodation** has been offered or is available.

- 13.4.3 Secure tenants that are decanted into other accommodation on a temporary basis will assume and sign a secure tenancy for their temporary home. A secure tenancy will be used because the decanting resident's principal home will be the temporary home occupied while the works are carried out. The tenant will also sign a separate undertaking stating that they will return to their original home once works are completed and they understand if they do not do so that UDC will take legal action to repossess the temporary accommodation.
- 13.4.4 When UDC make the original home available on completion of the work, if the resident at that time wish to remain in the alternative accommodation and this of a suitable size this may be agreed. If, however, the tenant refuses to return to the original property and refuses to stay permanently in the temporary home, UDC will take legal action to address this.
- 13.4.5 In this regard, Ground 8 of Schedule 2 of the 1985 Housing Act will be used:

### 13.5 Ground 8

- 13.5.1 *“The Dwelling-house was made available for occupation by the tenant (or a predecessor in title of his) while works were carried out on the dwelling-house which he occupied as his only or principle home and –*
- a) *The tenant (or predecessor) was a secure tenant of the other dwelling-house at the time when he ceased to occupy it as his home,*
  - b) *The tenant (or predecessor) accepted the tenancy of the dwelling-house of which possession is sought on the understanding that he would give up occupation when, on completion of the work, the other dwelling-house was again available for occupation by him under a secure tenancy and*
  - c) *The works have been completed and the other dwelling-house is so available.*

## **14. RENT PAYMENTS FOR THE TEMPORARY ACCOMMODATION**

14.1 The tenant will need to pay the rent for the temporary accommodation. The rent on their main home will be suspended. If the tenant receives Housing Benefit, this will be paid at the temporary address.

14.2 If the alternative accommodation is of a higher rent UDC will credit the difference to the temporary accommodation's rent account once the main home is ready for occupation.

## **15. SECURITY OF TENURE**

15.1 If the tenant is a secure tenant or a fixed term tenant, whilst they are in occupation of temporary accommodation he/she will continue to be a secure tenant or a fixed term tenant of their original home.

## **16. RIGHT TO BUY**

16.1 The decanted tenant will continue to be the secure tenant of the property and will be able to exercise their right to buy.

## **17. COUNCIL TAX**

17.1 If the Council Tax is of a higher banding at the temporary accommodation and the tenant is not in receipt of housing benefit, UDC will pay the difference at the end of the decant period.

## **18. DOWNSIZING INCENTIVES FOR UNDER-OCCUPYING UDC TENANTS**

18.1 Where a UDC tenant is occupying a property that is larger than their needs and they agree to transfer to a smaller more suitably sized property, they will receive support to assist them with finding an alternative property and will be eligible for a downsizing grant.

18.2 UDC Tenants wishing to downsize (move to accommodation with fewer bedrooms than their current property) will be placed on the housing register and will normally be assessed as Band A. They will be able to 'bid' on all suitable properties advertised through the HomeOption Choice Based Lettings Scheme.

18.3 **UDC Tenants in general needs housing downsizing to UDC or RSL elderly person's accommodation with fewer bedrooms (Bungalows, flats designated for the elderly, sheltered housing) in Uttlesford.**

- £2500 cash payment, paid once move is complete

or

- Goods and services plus cash payment up to a maximum total value of £2500. Goods and services provided are:-

- Removals
- Disconnection and reconnection of cooker and washing machine
- Carpets

**18.4 UDC Tenants in general needs housing downsizing (moving to a property with fewer bedrooms than their current property) to a UDC or RSL general needs property within Uttlesford.**

- £2000 cash payment, paid once move is complete

or

- Goods and services plus cash payment up to a maximum total value of £2000. Goods and services provided are:-
  - Removals
  - Disconnection and reconnection of cooker and washing machine
  - Carpets

**18.5 Rent arrears or the cost of repairing tenant's damage to UDC property will be deducted from downsizing payments.**

18.6 Tenants will be eligible to be paid only **one** downsizing grant from Uttlesford District Council. In very exceptional circumstances a second payment may be made, this will be at the discretion of the Asst Director of Housing and Environmental Health.

18.7 Downsizing grants are not payable where a tenant does a mutual exchange.

**19. REVIEW OF THIS POLICY**

19.1 This policy will be reviewed every within 12 months of implementation and consulted on with tenants.

**20. PUBLICITY**

20.1 A copy of this policy will be available on request, placed on our website and issued to all tenants who need to be decanted.

**21. STAFF TRAINING**

21.1 All relevant technical officers and housing officers will be trained on this policy and the need to be supportive, reassuring and flexible towards the tenant will be emphasised.

## **22. CUSTOMER SATISFACTION**

- 22.1 We will measure the satisfaction of tenants that have been decanted or who have chosen to downsize to ensure that improvements can be made to the way we manage the processes.
- 22.2 For tenants' who have been decanted satisfaction will be measured at the start of the decant process (after the housing officer's visit) and once the works have been completed.
- 22.3 For tenants who have downsized satisfaction will be measured at the time of the new tenancy visit or via a satisfaction form if they have not moved to another UDC property.
- 22.4 Satisfaction levels will be reported to members and the Tenants Forum.
- 22.5 If a tenant disputes any decision or feels they have not received a good standard of service, they should make a formal complaint and this will be investigated.

## **23. EQUAL OPPORTUNITIES**

- 23.1 The Decant and Downsizing Policy will be operated strictly in accordance with Council policy irrespective of an applicant's ethnic origin, race, nationality, colour, religion, gender, sexual orientation, marital status, age or disability.



**Committee: Housing Board**

**Agenda Item**

**Date: 6 October 2016**

**10**

**Title: Welfare Garden and Redecoration Policy Update**

**Author: Judith Snares – Housing and Communities Manager Ext 671** Item for information

### **Summary**

1. This report updates members on how the revised Welfare Garden and Redecoration policy has been working since it was implemented in 2014.

### **Recommendations**

2. That the Housing Board:
  - a. notes the report
  - b. considers whether the charges for gardening and one off clearances should be raised in line with inflation annually from next year

### **Financial Implications**

3. The new policy has raised some income for the Housing Revenue Account but the current charges do not cover the full cost of the service. Recovering the full costs of providing a welfare garden and redecoration service was not the aim of the revising this policy.

### **Impact**

- 4.

Communication/Consultation	Tenants newsletter and council website
Community Safety	N/A
Equalities	The proposed changes take into account the needs of vulnerable tenants  It is considered that the proposed policy would assist disabled households who have no alternative means of cutting their grass or internally decorating their homes and therefore has a positive impact for equality and diversity  EIA was carried out prior to implementation
Health and Safety	N/A
Human Rights/Legal Implications	None
Sustainability	N/A

Ward-specific impacts	All wards
Workforce/Workplace	Housing staff

## Situation

5. The revised Welfare Garden and Redecoration policy was introduced to ensure that these services were going to those most in need of such a service, rather than have ever increasing numbers using the service, many of whom did have alternative options for both looking after their gardens and decorating their homes.
6. The new amended policy was also designed to encourage tenants who are not suitably housed to consider moving to more appropriate accommodation whilst still helping vulnerable tenants who are not in a position to move and who still required some assistance to maintain their properties.
7. Prior to the revised scheme being introduced the Welfare Garden Service was cutting 154 tenants hedges and 161 lawns were being mowed. By August 2016 the numbers had fallen to 57 hedges and 53 lawns, equating to a reduction of just over two thirds. The charge for this service has remained at the original cost when it was first implemented of £3.60 per week.
8. The number of households having a room redecorated has also dropped since we stopped offering the service to those who are under occupying properties. This has allowed for those that are being completed to be carried out in a timelier manner.
9. It is felt that the balance within the service is correct and that it is now being provided to those most in need. There has also been no increase in complaints to housing officers of overgrown hedges or gardens. It is therefore felt at this time that the scheme does not require any further revision. There does however need to be the consideration as to whether the charges for gardening and one off clearances should be raised in line with inflation annually from next year.

## Risk Analysis

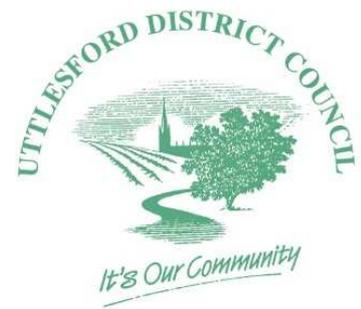
Risk	Likelihood	Impact	Mitigating actions
Scheme becomes unviable due to ever increasing costs of delivering this service	2 – charges are currently not increased annually with inflation so gap between costs and income will increase further	2 – Added costs for the Housing Revenue Account	The charges are increased by at least inflation annually

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.



# **Uttlesford District Council**

## **Housing Services**

### **Welfare Garden and Redecoration Policy**

**April 2014**

## Welfare Garden Scheme

The aim of the gardening scheme is for Uttlesford District Council to offer assistance to tenants who are unable to maintain their gardens because they have a physical or mental health disability or a long term illness.

For some tenants this may be a one-off clearance that then enables them to keep their garden tidy in the future, whilst others may need regular maintenance visits as well.

**To qualify for the Welfare Garden Scheme you must meet all of the following criteria:-**

- Be an Uttlesford District Council tenant
- Not have any relatives or friends living nearby or household members, who are capable of maintaining the garden
- Be in receipt of a health or disability related benefit (if you do not receive this type of benefit but have health problems or a disability that makes it difficult for you to maintain your garden, you may still be considered for this scheme.)

### **How much does the service cost?**

One-off clearance - **£20**

One-off large clearance - **£45** (Substantial clearance where the majority of the garden is higher than 1 meter, this includes bramble, grass and weeds)

Grass cutting throughout the growing season and up to two hedge cuts a year – **£3 per week** (This charge will not be covered by housing benefit and is payable throughout the year)

### **How do I sign up for the scheme?**

Contact your housing officer on 01799 510510. They will visit your property and carry out an eligibility assessment.

Please be aware: tenants who are in rent arrears are not automatically eligible for the maintenance visits. Each case will be reviewed individually.

You will be notified in writing if you are eligible for the scheme and how you can pay for it.

### **What is not included in the scheme?**

- Tree work will be dealt with on an individual basis.
- Rotavating or garden levelling
- Paving or fences
- Removal of hazardous materials, including glass, toxic liquids/chemicals
- Removal of trees, bushes and hedges

***Tenants who currently receive the welfare garden service will continue to receive the service under the current eligibility criteria until April 2015. Tenants will then be assessed under the new eligibility criteria and will be informed in writing if they still qualify to receive this service and will be charged accordingly.***

## Welfare Redecoration Scheme

The aim of the scheme is to offer assistance with internal redecoration for tenants who are housed in designated elderly person's accommodation who have a physical or mental health disability or a long term illness.

**To qualify for the Welfare Redecoration Scheme you must meet all of the following criteria:-**

- Be an Uttlesford District Council tenant in designated elderly persons accommodation
- Be in receipt of a health or disability related benefit (if you do not receive this type of benefit but have health problems or a disability that makes decorating your property difficult, you may still be considered for this scheme.)
- Not have any relatives or friends living nearby or household members who are capable of decorating your home
- Have a room that is need of redecoration

### **How many rooms will be decorated?**

The Council will decorate **one** room every **two years**. Rooms will be decorated using standard paints - If you would like specific paint to be used or wish to have a room wall-papered then you must provide the paint and paper.

### **What is the cost of the scheme?**

The scheme will be free providing you meet the eligibility criteria.

### **How do I sign up for the scheme?**

Contact your housing officer on 01799 510510. They will visit your property and carry out an eligibility assessment.

Please be aware: tenants who are in rent arrears are not automatically eligible for the redecoration scheme. Each case will be reviewed individually.

