



HOUSING RENEWAL POLICY

(2006 – 2009)



November 2006

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INTRODUCTION

The purpose of this Policy is to set out the principles by which Derbyshire Dales District Council will assist owner-occupiers, tenants and landlords in the private sector with housing renewals in light of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 made by Government on 18 July 2002 and the changes introduced by the Housing Act 2004 in April 2006.

The Regulatory Reform Order repealed much of the previous prescriptive range of home improvement grants, together with the associated detailed rules, procedures and conditions. The exception to this statement is the system of Mandatory Disabled Facilities Grants, which remains largely unaltered. To replace the previous prescriptive grant system the Council now has a general power to provide grants, loans, advice, materials, or to directly carry out works, for the purpose of repairing, improving, extending, converting or adapting housing accommodation. The Council also has discretion to decide on rates of grant, grant conditions and all other such issues

The Housing Act 2004 introduced new methods of enforcing housing standards, including the Housing Health and Safety Rating System (HHSRS) and the mandatory licensing of certain types of houses in multiple occupation.

LINKS TO CORPORATE OBJECTIVES AND STRATEGIES

This Housing Renewal Policy forms an integral part of the Council's wider Housing Strategy and through it links with corporate objectives. In particular private sector housing renewal contributes to:

Providing more affordable, decent homes for local people **(Community Strategy 2006-09)**

Ensure the provision of good quality, energy efficient accommodation, across all tenures **(Housing Strategy 2005 – 2009)**

Improving the supply of decent, affordable homes for local people **(Corporate Plan)**

Protecting and improving the safety and health of residents **(Corporate Plan)**

Bringing empty properties back into use **(Corporate Plan)**

Bringing private sector homes occupied by vulnerable households up to the Decent Homes Standard **(Corporate Plan)**

Raising energy efficiency standards and provision of energy advice **(Affordable Warmth Strategy 2006-2009)**

PRINCIPLES OF THE POLICY

Government has made it clear with previous renewal policies that the responsibility to maintain private property rests firmly with the owner. Therefore it is not desirable for the Council to seek to offer assistance for all private sector housing problems. In addition financial constraints are such that this would not be possible even if it were desirable. Nevertheless it is recognised that the private sector housing stock is a major public asset. For this reason the Council will seek to offer assistance as a form of investment for long-term public benefit as well as to directly assist vulnerable groups to remain in their own homes and to address certain high priority themes.

The total amount of assistance that can be offered is directly related to the levels of funding that are available. Derbyshire Dales District Council will work to ensure that it levers in the maximum amount of finance from all sectors to make the best improvement in private sector housing conditions that it can. To this end the Housing Renewal Policy will be updated at least annually to report on and reflect the amount of funding that is available.

Derbyshire Dales District Council does not suffer from well-defined, large-scale areas of housing disrepair. Properties in poor repair tend to be scattered around the district, either individually or in small pockets. For this reason it is difficult to adopt a Policy that is based on a large-scale area renewal approach (which is not to say that small 'group repair' schemes would not be appropriate in certain circumstances). The Council is committed to the collection of housing data through the commissioning of local house condition surveys from time-to-time. The last such survey was undertaken in January 2003 and another survey will be due in January 2008. This Policy will be reviewed in light of the findings of all such surveys, particularly in relation to the absence of an area-based approach.

The priorities for assistance set out in this Policy have been informed by the principles set out in the Council's Housing Strategy, by Central Government priorities and by previous renewal approaches. They may be summarised as follows:

- The provision of affordable housing;
- Providing decent homes for vulnerable households;
- Addressing category 1 hazards under the HHSRS;
- Bringing empty properties and under-used properties back into use;
- Dealing with local housing problems, such as radon;
- Adapting homes for disabled residents.

The Policy sets out the mechanisms by which the Council will achieve these priorities and outlines the general procedures to be followed. The detailed procedures and conditions are contained in a series of appendices to this Policy. In this way it will be easier to add, amend and remove mechanisms as they are developed or taken out of use.

REVIEWING THE POLICY

The Policy will be reviewed formally at annual intervals to ensure that it remains responsive to local needs and makes best use of the funding available. However, the Policy is a 'live' document and it is intended that the mechanisms by which the Council offers assistance will be kept under development throughout the life of the Policy. The modular nature of the appendices will enable the removal and addition of ways of offering assistance as new mechanisms become available and are tested. As such, revisions may be made at any time.

MAIN PRIORITIES FOR ASSISTANCE

As stated above the Council has identified 6 priorities for assistance and intends to address them as follows:

1. The Provision of Affordable Housing

Wherever possible the Council will use its housing renewal powers to support its main aim of providing affordable housing. The main tools available through this Policy include the use of grant conditions that support the provision of affordable units and targeting grants to enable householders to remain in their existing homes.

2. Providing Decent Homes for Vulnerable Households

The Decent Homes Standard was originally introduced to assist local authorities and registered social landlords in targeting resources in respect of their own stocks. A target was set to ensure that all social housing met the Standard by 2010. This target was extended in 2002 to include the aim of increasing the proportion of private housing in decent condition occupied by vulnerable groups. In this case a vulnerable household is defined as one that is in receipt of one or more of the principal means-tested or disability related benefits.

According to the 2003 stock condition survey 72% of vulnerable private sector households in Derbyshire Dales occupy decent homes. This already compares favourably with the Government's target that 70% of vulnerable households should live in decent housing by 2010, but also means that 28% of vulnerable households still live in non-decent housing.

In order to meet the Decent Homes Standard a property must:

- Meet the current statutory minimum standard for housing – the HHSRS;
- Be in a reasonable state of repair;
- Have reasonably modern facilities and services;
- Provide a reasonable degree of thermal comfort.

A mixture of tools will be used to meet this priority. Enforcement action will be used in accordance with the Council's Enforcement Policy to remedy any category 1 hazards found under the HHSRS. Enforcement action will also be considered where category 2 hazards are found, depending on the individual circumstances of the case.

The Council will also use its grants budgets to remedy the private sector homes of vulnerable households that do not meet the Decent Homes Standard. In the main it is expected that this will be by remedying items of disrepair, although financial assistance will also be made available to help householders whose homes contain category 1 hazards under the HHSRS and, in certain circumstances, category 2 hazards.

In order to assist in making sure properties provide a reasonable degree of thermal comfort Derbyshire Dales District Council operates a local energy advice service. The key aims of this service are:

- To tackle fuel poverty which results in householders being unable to keep themselves warm in their homes;
- To reduce CO₂ emissions.

The Council employs an Energy Advisor to lead on energy efficiency and affordable warmth issues, to provide advice and information about home energy efficiency and to act as a referral route for qualifying householders to access grant aid through the Government's Warm Front scheme. This grant system is available for insulation and heating improvements to energy inefficient homes. To guide its actions the Council has adopted an Affordable Warmth Strategy and this assists it in working with partners such as the local PCTs to produce schemes such as the Southern Derbyshire Healthy and Warm Project.

The Council also works with the Nottinghamshire and Derbyshire Local Authorities' Energy Partnership and with the fuel utilities to enable householders to access a range of discount schemes for energy efficiency measures.

Although the schemes listed above provide the mainstream resources for improving energy efficiency the Council will also ensure that energy efficiency works are incorporated into its own grant schemes wherever possible.

3. Addressing Category 1 Hazards

The Housing Act 2004 has changed the way in which local authorities enforce housing standards. The long-established fitness standard has been replaced by a system called the Housing Health and Safety Rating System (HHSRS). Under this system any housing defects have to be considered in relation to 29 separate hazards and a process undertaken to determine how likely the hazards are to result in harm. A score is allocated and action may be taken depending upon which category the hazard falls into. Some form of enforcement action must be taken for category 1 hazards, whereas enforcement action is discretionary for category 2 hazards.

Derbyshire Dales District Council will use the full range of enforcement tools to ensure that hazards are remedied in the most appropriate manner, in line with its Enforcement Policy.

In addition any property containing one or more category 1 hazards will automatically fail the Decent Homes Standard. Any such property occupied by a vulnerable household will be eligible for grant (subject to finance) to bring the property up to the Standard. Category 2 hazards may also attract grant where they are considered to be so severe as to warrant the service of an enforcement notice.

4. Empty Properties

Empty properties often attract vandalism, crime, and rubbish dumping and can easily become detrimental to the amenity of an area. They are also a waste of valuable housing accommodation. Within the Derbyshire Dales there are approximately 470 long-term empty properties going to waste (April 2005 figures). Their re-use can reduce pressure for development on Greenfield sites and contribute towards sustainable development. In order to deal with these issues as effectively as possible Derbyshire Dales District Council has adopted an Empty Property Strategy.

This Strategy indicates the ways in which the Council will bring these properties back into use, including the provision of grant in appropriate circumstances, such as when the property is to be brought back into use as affordable accommodation, or when the Council will be provided with nominated letting rights. Grants will also be considered where existing non-housing buildings are being converted to provide dwellings, where this conversion provides affordable accommodation.

In addition the Council will use the full range of enforcement tools to secure the re-use of empty property, including the provision of advice, the use of Empty Dwelling Management Orders and, where appropriate, the use of compulsory purchase powers.

5. Dealing with Local Housing Problems Such as Radon

Radon in housing is a particular problem in the Derbyshire Dales with much of the District being declared a radon affected area, meaning that more than 1% of properties have radon levels above the action level of 200Bq/m³. In some areas more than 30% of properties are affected in this way.

Whilst a large number of properties have been tested for radon it has proved difficult to persuade householders to carry out remedial works to proof their properties against the gas. The Council will use a combination of grants and enforcement powers in order to encourage householders to undertake these works.

In addition the Council will respond to other local housing problems as appropriate and amend this Policy to ensure that its actions are effective in tackling them as they emerge.

6. Adapting Homes for Disabled Residents

Mandatory Disabled Facilities Grants will continue to be provided to adapt the homes of disabled people so that their needs are met. Typical works include the installation of stairlifts and bathroom adaptations. The Council works closely with Derbyshire County Council Social Services and Architects in order to ensure that the best possible service is offered.

Discretionary grants will continue to be offered as finances permit. In recent times the level of funding has only allowed the Council to offer mandatory DFG and consequently all applications for discretionary grant will require additional scrutiny.

GRANTS AND OTHER FORMS OF ASSISTANCE

In order to assist the market in ensuring that properties within the Derbyshire Dales provide suitable accommodation that meets the needs of the District and conforms with the District Council's housing priorities a system of housing grants, loans, signposting and advice is provided through the Environmental Health and Housing Section.

The arrangements for the different categories of grant available from the Council are summarised below with more detail on the grants procedures given in the appendices.

1. Decent Homes Grant

These grants are intended to assist vulnerable householders in the private sector to maintain their homes in line with the Decent Homes Standard. They will be used to ensure that homes do not contain category 1 hazards, are in a reasonable state of repair and contain reasonably modern facilities and services. Grant may also be given to remedy category 2 hazards where these hazards are considered to be so severe as to warrant the service of an enforcement notice.

Generally these grants will not be used to provide a reasonable degree of thermal comfort as all qualifying householders will be referred to Warm Front, thus making best use of the available budgets.

Decent Homes Grants may be provided in partnership with Walbrook Housing Association's Care and Repair Agency where required. Care and Repair is a leading home improvement agency specialising in assisting elderly homeowners and has provided this service in Derbyshire Dales for a number of years. Applications will also be accepted from owners and tenants who do not wish to make use of the Agency services.

In order to be eligible an applicant must:

- Be 18 years of age or older;
- Receive an income or disability related benefit;
- Live in the house.

These grants are intended to cover 100% of eligible costs up to a maximum of £15,000.

All grants will be subject to a condition that the grant must be repaid in full plus interest if the property is sold or otherwise disposed of within 5 years from the date the works were certified as complete by the Council. The Council will retain the discretion to waive this repayment if:

- The property has been left to someone in a will (although the sale of the property by that person will trigger repayment);
- The property is subject to a compulsory purchase order;
- In any other appropriate circumstances at the discretion of the Review Panel (see Appeals below). Examples might include the applicant moving into care, the applicant selling the property to a housing association, a breach where the applicant is a victim of domestic violence or where the applicant moves for the purpose of employment.

Grants given to owner-occupiers and private sector tenants will be subject to a condition that the property is occupied by the applicant or a member of their family (spouse, former-spouse, parent, sibling or child) as their only (or main) home throughout the 5 year period following the date the works were certified as complete by the Council. If this condition is breached the whole of the grant must be repaid plus interest.

Before obtaining any grant funding applicants will be reminded that they must obtain all statutory consents such as planning permission, building regulations approval.

2. Empty Property Grant

These grants are intended to encourage the owners of private sector empty homes to bring them back into use, wherever possible as affordable accommodation. Works that will qualify for grant will be those that are required in order to make the property suitable for use and are likely to be similar to those that will qualify for Decent Homes Grants.

These grants will be available to potential owner-occupiers and landlords. Owner-occupiers will be subject to a test of financial resources and to a maximum of £10,000. Landlords' grants will generally be available at a rate of 50% of eligible costs up to a maximum grant of £10,000, except where it is agreed that the rent level will equate to that charged in the social rented sector where a grant of 100% up to a maximum grant of £20,000 will be available.

These grants will be subject to a condition that the grant must be repaid in full plus interest if the property is sold or otherwise disposed of within 5 years from the date the works were certified as complete by the Council. The Council will retain the discretion to waive this repayment if:

- The property has been left to someone in a will (although the sale of the property by that person will trigger repayment);
- The property is subject to a compulsory purchase order;
- In any other appropriate circumstances at the discretion of the Review Panel (see Appeals below). An example might be the applicant selling the property to a housing association.

In addition the property must be available for occupation or letting throughout the 5-year period following the date the works were certified as complete by the Council. Where the higher rate of grant is paid the property must also be available for letting throughout this 5-year period at a rent level that does not exceed that charged in the social rented sector. If either of these conditions are breached the whole of the grant must be repaid plus interest.

3. Radon Grant

This grant is intended to remedy private sector properties suffering from elevated radon above the Government Action Level and will be prioritised to deal with those properties affected by the highest levels and occupied by families with children first.

In order to be eligible an applicant must:

- Be 18 years of age or older;
- Have had their home tested by an approved contractor/laboratory;
- Have a radon level in excess of 200Bq/m³;
- Fall into the priority band set by the District Council for that period.

Grants are intended to cover 100% of the cost of the works up to a maximum of £1,000.

Radon Grants will be available to owner-occupiers only. High radon levels in private rented properties will be dealt with using the Council's enforcement powers under the HHSRS.

All grants will be subject to a condition that the grant must be repaid in full plus interest if the property is sold or otherwise disposed of within 5 years from the date the works were certified as complete by the Council. The Council will retain the discretion to waive this repayment if:

- The property has been left to someone in a will (although the sale of the property by that person will trigger repayment);
- The property is subject to a compulsory purchase order;
- In any other appropriate circumstances at the discretion of the Review Panel (see Appeals below). Examples might include the applicant moving into care, the applicant selling the property to a housing association, a breach where the applicant is a victim of domestic violence or where the applicant moves for the purpose of employment.

Grants will be subject to a condition that the property is occupied by the applicant or a member of his family (spouse, former-spouse, parent, sibling or child) as his only (or main) home throughout the 5 year period following the date the works were certified as complete by the Council. If this condition is breached the whole of the grant must be repaid plus interest.

4. Disabled Facilities Grants (DFG)

These are the only grants remaining that are mandatory and the rules for their provision are given in the Housing Grants, Construction and Regeneration Act 1996 and further explained in the publication 'Delivering Housing Adaptations for Disabled People: A Good Practice Guide' issued by the Office of the Deputy Prime Minister. Provision is made to undertake works over and beyond those required by the mandatory system. Both mandatory and discretionary assistance are explained in detail in Appendix A.

DFGs are provided to adapt the homes of disabled people to meet their needs. The need for the adaptation is determined by an occupational therapist (OT) from Derbyshire County Council Social Services Department. Applications for grant will only be considered following a recommendation from an OT. All such applications will be assessed by the Council's Public Health and Housing Team to ensure that the work is necessary and appropriate.

DFGs may also be provided to assist disabled people to move to a more suitable property where this is more cost effective than adapting their current properties.

All DFG applications are subject to a test of the financial resources of the grant applicant. The form of this test is prescribed in legislation and is not under the control of the Council. Applicants will be screened using a 'cut-down' preliminary test of financial resources where appropriate, before progressing to a full test at the time of formal application, in order to simplify the process for applicants.

The grants cover any reasonable costs in excess of the applicant's assessed contribution, subject to a mandatory grant limit of £25,000.

To be referred for a DFG assessment applicants should contact their local Social Services office at one of points listed below:

The Leys
Old Derby Road
Ashbourne DE6 1BT
Tel: 01335 238001

Underhall
Chesterfield Road
Two Dales
Matlock DE4 2SD
Tel: 01629 778500

Gernon Manor
Dagnall Gardens
Bakewell DE45 1EN
Tel: 01629 778400

5. Houseproud

The use of affordable loans is a new and highly complex area that has been opened for housing renewal action. The Council has been working with potential partner organisations to investigate the market for suitable loan products. Work has progressed with Walbrook Housing Association's Care and Repair Agency, the Housing Investment Trust and other local authority members of the Care and Repair Operational Review Group, and the Council is now able to offer the Houseproud product, an approved scheme incorporating a number of affordable loan options.

These loans are available to assist homeowners aged 60 or older, or homeowners of any age who are disabled or have a disabled person living with them. They may be used as 'stand-alone' assistance or to top-up another form of assistance such as a Decent Homes or Disabled Facilities Grant.

6. Handyperson Services

The Council does not currently fund a full handyperson service. However, discussions are ongoing with Care and Repair, Derbyshire County Council Social Services and the other District/Borough Councils throughout Derbyshire to consider the introduction of a countywide service. When details of the scheme have been devised it will be published in a review of this Policy. In the meantime a HandyVan service is available through Help the Aged that will provide security-based products for older people

7. Budgets

In order to finance these priorities Derbyshire Dales District Council makes finance available from its capital programme each year. For the year 2006/07 the budgets are as follows:

Grant	Amount
Decent Homes Grant	£200,000
Empty Property Grant	£60,000
Radon Grant	£66,000
Disabled Facilities Grant	£215,000

All grants apart from DFGs are discretionary and are offered subject to funding being available. Where funding has been exhausted Derbyshire Dales District Council reserves the right to delay approving an application, to refuse an application or to withdraw a grant type from its Renewal Policy altogether.

ADVICE

Derbyshire Dales District Council offers a comprehensive range of advice through its Environmental Health and Housing Section.

The Community Housing Team offers advice on various housing options and is able to provide support for those seeking accommodation within the District. The Public Health and Housing Team offers advice on private sector renewal (that is: grants and enforcement in the private sector, including advice on illegal eviction and harassment) and through its Energy Advisor, on matters relating to energy efficiency and fuel poverty.

The District Council is committed to working with landlords and tenants to maintain and improve housing standards in the private rented sector, including houses in multiple occupation.

LICENSING OF HOUSES IN MULTIPLE OCCUPATION

Through its Public Health and Housing Team Derbyshire Dales District Council operates a licensing scheme for houses in multiple occupation (HMOs), in accordance with Part 2 of the Housing Act 2004. At present only those HMOs that require mandatory licensing are covered by the scheme, but it is intended to consider extending the scheme to cover other categories of HMO.

The categories of HMO covered by mandatory licensing are those:

- With 3 or more storeys;
- Occupied by 5 or more persons forming more than one household;
- With shared facilities such as bathrooms, WCs or kitchens; or comprising flats provided by conversion before 1 June 1992.

This system of licensing is supported by a full inspection and enforcement service as detailed below.

ENFORCEMENT

The Housing Act 2004 introduced the new statutory minimum standard for housing called the Housing Health and Safety Rating System. This system works by assigning housing defects to one or more of 29 separate hazards and by then assigning scores to the hazards based on the risks they present to the potential occupants of the house. These scores are then divided them into categories 1 and 2.

Where a hazard falls into category 1 the Council has a duty to take some form of enforcement action and where it falls into category 2 the Council may take enforcement action at its discretion. In these circumstances emergency measures cannot be used and authorities cannot make demolition orders or declare clearance areas.

The actions available to the Council are:

- Improvement Notice;
- Prohibition Order;
- Hazard Awareness Notice;
- Emergency Remedial Action*;
- Emergency Prohibition Order*;
- Demolition Order*;
- Clearance Area*.

(* not available where a property contains category 2 hazards only).

Derbyshire Dales District Council is committed to dealing with housing hazards within its area and intends to use the whole range of enforcement options where appropriate. In the main it is expected that enforcement action will be centred on the private rented sector. All decisions on enforcement action will be taken in accordance with the Council's Enforcement Policy.

The issue of radon in private rented sector homes is one that is likely to affect Derbyshire Dales District Council more than the vast majority of other local authorities. The District Council is committed to ensuring its residents are protected from radon and it intends to use these enforcement powers to require landlords to assess their properties for the presence of radon and to take remedial action where levels are found to exceed the action level of 200Bq/m³.

COMMENTS AND COMPLAINTS ABOUT THE POLICY

The Council welcomes any comments, complaints, queries or suggestions about this Policy. You should set out any such matters in writing to the following address:

Principal Environmental Health Officer (Public Health and Housing)
Derbyshire Dales District Council
Town Hall
Matlock
Derbyshire
DE4 3NN

All comments will be carefully considered and you will receive a written reply. Where appropriate the Council may contact you to discuss the views you have put forward.

APPEALS

Appeals about how the Policy is operated in individual cases will be considered initially by a Review Panel consisting of the Environmental Health and Housing Manager and the Principal Environmental Health Officer (Public Health and Housing). The purpose of the panel is to ensure consistency of decisions and to provide a forum for the consideration of the merits of each individual appeal.

Appeals must be set out in writing and must include the specific grounds on which the appeal is based. Appeals will only be considered on the following grounds:

- That the Policy has been incorrectly applied in the case in question; or
- That the case in question is exceptional in some way that justifies an exception to the general policy.

Appeals will not be considered on the grounds that the appellant disagrees with the Policy. Any such comments should be dealt with under the mechanism for comments and complaints.

A written response will be given in all cases where an appeal is heard. The reasons for the decision reached by the Review panel will be fully explained in the written response.

All appeals will be carefully reviewed to ensure that any lessons that are learned are incorporated into this Policy.

APPENDIX A: DECENT HOMES GRANT

Purpose of Decent Homes Grant

The main purpose of Decent Homes Grant is to ensure that the dwellings of vulnerable households are brought up to the Decent Homes Standard. In order to be considered a Decent Home a dwelling must:

- **Meet the Current Statutory Minimum Standard for Housing** - on 6 April 2006 the fitness standard contained in the Housing Act 1985 (as amended) was replaced by the Housing Health and Safety Rating System (HHSRS) contained in the Housing Act 2004. The HHSRS is now the statutory minimum standard for housing and decisions on whether enforcement action should be taken are based on whether or not a property contains category 1 or category 2 hazards. The home of a qualifying person which contains category 1 hazards will automatically be eligible for grant, but category 2 hazards will only qualify where an officer considers that it is severe enough to warrant the service of an enforcement notice.
- **Be in a Reasonable State of Repair** - a property will fail this requirement if:
 - One or more of the key building components are old, and because of their condition, need replacing or major repair; or
 - Two or more of the other building components are old, and because of their condition, need replacing or major repair.

Key components are defined as including external walls, roof structure and covering, windows and doors, chimneys, central heating boilers, gas fires, storage heaters, and electrics.

Other building components are those that have a less immediate impact on the integrity of the dwelling.

- **Have Reasonably Modern Facilities and Services** – a property will fail this requirement if it lacks 3 or more of the following:
 - A reasonably modern kitchen (20 years old or less);
 - A kitchen with adequate space and layout;
 - A reasonably modern bathroom (30 years old or less);
 - An appropriately located bathroom and WC;
 - Adequate insulation against external noise (where external noise is a problem);
 - Adequate size and layout of common areas for blocks of flats.
- **Provide a Reasonable Degree of Thermal Comfort** – in order to meet this criterion a property must have both efficient heating and effective insulation.

Efficient heating is defined as any gas or oil programmable central heating or electric storage heaters or programmable LPG/solid fuel central heating or similarly efficient heating systems that are developed in the future.

The level of insulation specified in the Decent Homes Standard varies depending on the type of heating installed. For gas or oil programmable central heating it is considered that 50mm will meet the Standard. For other types of heating it is considered that 200mm is necessary.

Grant Eligibility

In order to be eligible for a Decent Homes Grant an applicant must either own and occupy, or rent his or her property, must be over 18 years old and must be in receipt of one or more of the principal income related benefits listed in the current Government guidance of 'A Decent Home'. At present these benefits are:

- Income Support;
- Guaranteed Pension Credit;
- Housing Benefit;
- Council Tax Benefit;
- Income Based Job Seekers Allowance.

Applicants in receipt of one of these benefits will generally qualify for a 100% grant, subject to a maximum of £15,000.

Grants may also be available for applicants in receipt of Working Families Tax Credit, Attendance Allowance, Disability Living Allowance, Industrial Injuries Disablement Benefit, War Disablement Pension, Child Tax Credit, Working Tax Credit or Pension Credit, subject to a test of financial resources. In these circumstances the amount of grant will generally be the cost of the works, subject to a maximum of £15,000, minus the test of resources result.

These grants are not available for properties owned by registered social landlords.

Amount of Grant

The maximum grant that can be offered is £15,000 subject to the rules explained above. It is expected that the majority of grants will cost much less than this, with most totaling less than £5,000.

Grant Conditions and Repayment

Decent Homes Grants are given subject to the following conditions:

- Where an applicant provides an owner-occupier's certificate the property must be occupied by the applicant or a member of his/her family throughout the 5-year period following the date that the Council certifies that the grant works have been completed;
- Where the applicant is a tenant the application should normally be accompanied by a Certificate of Intended Letting. In these circumstances the property must be available for letting to the applicant or a member of the applicant's family throughout the 5-year period following the date that the Council certifies that the grant works have been completed. The minimum acceptable form of letting is an assured shorthold tenancy – holiday lets are not acceptable.
- The property must not be sold or otherwise disposed of within the 5-year period following the date that the Council certifies that the grant works have been completed. This condition will not be breached if the disposal is of any one of the following types:
 - The property has been left to someone in a will (although the sale of the property by that person will trigger repayment);
 - The property is subject to a compulsory purchase order;
 - In any other appropriate circumstances at the discretion of the Review Panel (see Appeals).

Failure to comply with any of these conditions will render the grant repayable in full plus compound interest to the date that the breach of conditions occurred.

These conditions are local land charges and are binding on any person who is for the time being an owner of the dwelling.

APPENDIX B: EMPTY PROPERTY GRANT

Purpose of Empty Property Grant

The purpose of Empty Property Grants is to bring long-term empty properties back into use as rented accommodation, wherever possible as affordable lets. For the purpose of this Appendix a long-term empty property is one that has remained empty for at least 6 months and is listed as such on the District Council's council tax records.

The works that will qualify for Empty Property Grant will be those needed to bring the property back into use and will generally be those needed to bring it up to the Decent Homes Standard.

Grant Eligibility

In order to be eligible for Empty Property Grant an applicant must be 18 years of age or older, must own a property that has been empty for at least 6 months and must intend to occupy it himself or be prepared to rent the property out to someone other than a member of his or her family once the works have been completed.

These grants are not available for properties owned by registered social landlords.

Amount of Grant

Grants for owner-occupiers will be subject to a test of financial resources and a maximum of £10,000.

Landlords' Grant is offered at 2 rates:

- 50% of the eligible costs, subject to a maximum of £10,000 where the property will be let on the open market;
- 100% of the eligible costs, subject to a maximum of £20,000 where the owner agrees to let the property at an affordable rent level (ie at the same level as the rents set in the social rented sector).

Grant Conditions and Repayment

Empty Property Grants will be subject to a condition that the grant must be repaid in full plus interest if the property is sold or otherwise disposed of within 5 years from the date the works were certified as complete by the Council. The Council will retain the discretion to waive this repayment if:

- The property has been left to someone in a will (although the sale of the property by that person will trigger repayment);
- The property is subject to a compulsory purchase order;
- In any other appropriate circumstances at the discretion of the Review Panel (see Appeals below). An example might be the applicant selling the property to a housing association.

In addition the property must be occupied or available for letting throughout the 5-year period following the date the works were certified as complete by the Council. Where the higher rate of grant is paid the property must also be available for letting throughout this 5-year period at a rent level that does not exceed that charged in the social rented sector. If either of these conditions are breached the whole of the grant must be repaid plus interest.

These conditions are local land charges and are binding on any person who is for the time being an owner of the dwelling.

APPENDIX C: RADON GRANT

Purpose of Radon Grant

The purpose of Radon Grants is to protect the health of households living in properties with elevated radon levels. Radon is known to cause lung cancer and the Government has set an action level of 200Bq/m³ for housing. Most of the Derbyshire Dales have been declared a radon affected area, meaning that there is a greater than 1% chance that any property will be affected by radon above the action level. In some parts of the District more than 30% of properties are likely to be affected.

The works that will qualify for Radon Grant are those necessary to reduce radon to a level below 200Bq/m³. These may range from fitting additional airbricks under a suspended timber floor to the installation of a sub-floor sump system.

Grant Eligibility

In order to be eligible for a Radon Grant an applicant must:

- Be 18 years of age or older;
- Own and occupy a property with a radon level above 200Bq/m³ (as certified by an approved contractor/laboratory);
- Fall into the prioritised category set by the Council for the period within which he or she is applying.

It is currently planned to prioritise Radon Grants as follows, although this programme of work is dependant on recurrent funding that had not been confirmed at April 2006:

Year	2006/07	2007/08	2008/09	2009/10	2010/11
Radon Band	1000Bq/m ³ +	1000Bq/m ³	1000Bq/m ³	500Bq/m ³ +	500Bq/m ³
No of Properties	66	50	50	50	50

Grant applicants will be further prioritised by virtue of the risk groups that occupy the affected properties. Where the number of applications from householders in the relevant radon band exceeds the budget available the enquiries will be further prioritised so that families with children are treated first.

In order to supplement the capital programme it is intended to bid for supplementary allocation from the Regional Housing Board in 2007 in order to increase the budget for this area of work. The level of commitment to this area of work will be reviewed once the outcome of this bid is known.

Amount of Grant

Radon Grants will be offered at a rate of 100% of relevant costs, subject to a maximum of £1,000.

Grant Conditions and Repayment

Radon Grants are given subject to the following conditions:

- Where an applicant provides an owner-occupier's certificate the property must be occupied by the applicant or a member of his/her family throughout the 5-year period following the date that the Council certifies that the grant works have been completed;
- The property must not be sold or otherwise disposed of within the 5-year period following the date that the Council certifies that the grant works have been completed. This condition will not be breached if the disposal is of any one of the following types:
 - The property has been left to someone in a will (although the sale of the property by that person will trigger repayment);
 - The property is subject to a compulsory purchase order;
 - In any other appropriate circumstances at the discretion of the Review Panel (see Appeals).

Failure to comply with any of these conditions will render the grant repayable in full plus compound interest to the date that the breach of conditions occurred.

These conditions are local land charges and are binding on any person who is for the time being an owner of the dwelling.

APPENDIX D: DISABLED FACILITIES GRANTS

Purpose of Disabled Facilities Grants

The main purpose of disabled facilities grants is to improve the dwellings of disabled people so that it is easier for them to use their properties. This may mean enabling disabled people to be more able to care for themselves or making it easier for carers to look after a disabled person.

The Good Practice Guide specifies the types of works that fall into the scheme as follows:

- **Facilitating access and provision** – these include works to remove or overcome any obstacles that prevent a disabled person moving freely into and around the dwelling and enjoying its use. The presumption is that a disabled person should have reasonable access into his home, to its main habitable rooms and to the bathroom or shower room. Grants for stairlifts are given under this section;
- **Making a dwelling or building safe** – It is considered inappropriate to be prescriptive on the particular works that might be carried out under this section as the specification will depend on circumstances. However, they may include improving a lighting system, providing an enhanced alarm system or adapting the dwelling to minimise the risk of danger where a disabled person has behavioural problems which occasionally cause him to act in a boisterous or violent manner damaging the dwelling, himself or other people;
- **Room usable for sleeping** – the provision of a room usable for sleeping may be considered if the adaptation of an existing room or the access to that room is unsuitable;
- **Bathroom** – a disabled person should have access to a wash-hand basin, a WC and a shower or a bath (or if appropriate, a shower and a bath). This section may be used to provide these facilities and/or to facilitate their use;
- **Facilitating preparation and cooking of food** – this section allows the Council to offer disabled facilities grant to adapt kitchens to enable a disabled person to cater independently. It should be noted that where most of the cooking and preparation is done by another family member it will not normally be appropriate to carry out full adaptation of the kitchen;
- **Heating, lighting and power** – this section provides for the provision or improvement of a heating system to meet a disabled person's needs. Heating will not normally be provided in rooms that the disabled person does not use and the installation of a full central heating system should only be considered where the well-being and mobility of the disabled person would otherwise be affected. In addition this section allows for the adaptation of heating, lighting and power controls to make them suitable for use by a disabled person;
- **Dependent residents** – disabled facilities grant may be given for works to enable a disabled occupant better access and movement around the dwelling in order to care for another person who normally resides there;
- **Common parts** – disabled facilities grant may be given for works to facilitate access to a dwelling through the common parts of a building.

DISCRETIONARY ASSISTANCE FOR DISABLED FACILITIES AND ADAPTATIONS

Article 3 of the Regulatory Reform Order enables local authorities to give discretionary assistance in any form for adaptations or to help the occupant to move to alternative living accommodation.

Derbyshire Dales District Council will give such assistance in the form of grants according to the financial resources available at the time of the application and at the discretion of the Principal Environmental Health Officer (Public Health and Housing). Works that may qualify for discretionary disabled facilities grants include:

- Particularly expensive works costing above the normal maximum of £25,000, where the applicant cannot fund the additional costs by any other reasonable means (including Houseproud);
- Providing a safe play area for a disabled child;
- Providing adaptations to allow disabled occupants to receive specialised care or medical treatment in their own homes;
- Providing access to a garden adjacent to a property where the disabled person is unable to gain such access from the dwelling through existing doors or pathways;
- Adapting or providing a room to be used by a disabled person who is housebound but is able to work from home;
- Providing more satisfactory internal living arrangements for a disabled occupant where the works are of direct benefit to the disabled occupant rather than other members of the household. Such works might include extending or enlarging a dwelling that is already suitable for the disabled person in all other respects;
- Assisting a disabled person to move to a more suitable property where it is more cost effective than adapting the current home to make it suitable for the occupant's present and future needs, even though the new property may require some adaptation.

Eligibility

In all cases it is necessary that the works specified in a disabled facilities grant scheme will meet the needs of the disabled person. For this reason it is essential that close liaison is maintained with the social services authority. The Good Practice Guide sets out the exact roles that both Social Services and Environmental Health should take, but in general terms Social Services will determine the needs of a disabled person and Environmental Health will determine whether it is reasonable and practicable to carry out the proposed works.

In practice this means that grant applications will normally be accompanied by a certificate from Derbyshire County Council's Social Services Department. Occasionally a certificate may be provided by another agency, such as the Disability Resource Team and in these cases it is expected that the grants officer will also liase with Social Services.

Disabled facilities grants are available for owner-occupiers and tenants. The circumstances in which each of these groups of people may be eligible for grant are set out in the 1996 Act and the Good Practice Guide. This section summarises these rules but in any situation where there is doubt as to eligibility reference must be made to the two main documents.

- **Owner-occupiers** – may apply for disabled facilities grants subject to a test of financial resources. There is no prior qualification period and the property does not have to have been a dwelling for 10 years, as is the case with some discretionary renovation grants. Whilst there is no grant condition requiring repayment of the grant an ‘owner’s certificate’ must be provided;
- **Tenants** – may also apply for disabled facilities grants subject to the conditions above and the provision of a ‘tenant’s certificate’. In addition the landlord of the dwelling should provide an ‘owner’s certificate’ unless it is considered to be unreasonable to require him to do so.

Amount of Grant

The amount of grant offered to applicants will depend on the result of their test of financial resources calculation but is subject to a maximum of £25,000.

Occasionally applications are received from disabled people whose conditions are degenerative and in these cases it may be anticipated that further adaptations may be required in the future. The 1996 Act provides for this situation by allowing Councils to reduce the amount of an applicant’s contributions by the amount that was contributed to a previous adaptation. This means that if the second application is made during the period of the notional loan assumed for the first application (10 years for owners and 5 years for tenants), then the amount of the second contribution should be reduced by the amount that the applicant contributed to the first adaptation. Thus if an applicant contributed £8,000 towards an adaptation and then made an application for further works towards which his contribution was £10,000 the second contribution would be reduced by the amount of the first leaving a contribution of £2,000.

Test of Resources

Applicants for disabled facilities grants are tested in a different manner to applicants for renovation grants. The full details are given in the Circular but can be summarised as follows:

The relevant person for the purposes of a disabled facilities grant is:

- the disabled occupant for whom the works are to be undertaken; and
- his/her spouse or partner; or
- the parent(s) of the disabled occupant who is less than 18 years of age.

This definition of a relevant person recognises that other members of the household do not benefit from the provision of adaptations for a disabled occupant.

Grant Conditions and Repayment

DFG will be provided for the only or main residence of an applicant. There are no other conditions that will trigger repayment of the grant.

APPENDIX E: HOUSEPROUD SCHEME

Purpose of HouseProud

Houseproud is a loan product offered through the Home Investment Trust (HIT). It is intended to enable householders who are either 60 years of age and over, or under 60 with disabilities, to live safely and independently in their homes, by providing access to affordable loan finance for repairs, maintenance and adaptations.

A variety of loans are available through Houseproud and the three main options are:

- Capital release loan;
- Interest-only loan;
- Capital and interest repayment loan.

Loan Eligibility

Applications for HouseProud will only be accepted from householders (freeholders or leaseholders) who are:

- 60 years of age or older;
- Under 60 years of age with a disability.

HouseProud loans will normally be offered through Walbrook Housing Association's Care and Repair agency and will be available to fund repairs, improvements and adaptations where other grant finance is not appropriate. People who may be eligible include:

- Applicants not in receipt of benefit, but who cannot otherwise afford the works;
- Applicants for grant where the cost of the works exceeds the maximum grant available (top-up);
- Applicants for Decent Homes Grant where the extent of the works exceed those for which grant is available (eg applicants wishing to replace windows that do not cause the dwelling to fail the Decent Homes Standard);
- Applicants for Decent Homes Grant where the works are not eligible.

Amount of Loan

The type and amount of loan will be a matter to be considered in each individual case, subject to independent financial advice. Loans typically vary from £3,000 to 30% of the value of the property.

The Council will pay up to £500 as a contribution towards the cost incurred by the applicant in circumstances where HouseProud is being used to top-up a grant available from the Council. In all other cases this cost will be borne by the applicant.

Repayment of Loan

HouseProud loans will be secured as a first charge on the properties of applicants. In all cases applicants must be advised of the circumstances and nature of repayment by the independent financial adviser appointed to them.