

## Decision by Portfolio Holder



**Report reference: HSG-002-2018/19**

**Date of report: 05-June-2018**

**Epping Forest  
District Council**

**Portfolio: Housing**

**Author: Paul Duguid (Ext 4287)**

**Democratic Services: J Leither**

**Subject: Housing Assistance Policy**

**Decision:**

**(1) That the amendments to the attached Housing Assistance Policy be approved.**

<b>ADVISORY NOTICE:</b> <i>A Portfolio Holder may not take a decision on a matter on which he/she has declared a Pecuniary interest. A Portfolio Holder with a non-pecuniary interest must declare that interest when exercising delegated powers.</i>	
I have read and approve/ <del>do not approve</del> (delete as appropriate) the above decision:	
Comments/further action required:	
Signed: Cllr S-A Stavrou	Date: 6 <sup>th</sup> June 2018
<i>Non-pecuniary interest declared by Portfolio Holder/ conflict of non-pecuniary interest declared by any other consulted Cabinet Member:</i>  None	<i>Dispensation granted by Standards Committee:</i> Yes/No or n/a  N/A
<b>Office use only:</b> Call-in period begins: 7 <sup>th</sup> June 2018	Expiry of Call-in period: 13 <sup>th</sup> June 2018

*After completion, one copy of this pro forma should be returned to  
Democratic Services **IMMEDIATELY***

### Reason for decision:

The Council is required under the terms of the Housing Act 2004 to keep housing conditions in the private sector under review and to develop strategies to outline how it will use the powers available to deal with adverse housing conditions. The existing Housing Assistance policy has reached the end of term but with minor amendments the policy remains fit for purpose.

### Options considered and rejected:

None.

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Portfolio Holder:**

## **Background Report:**

1. The Council is responsible under the Housing Act 2004 for keeping the housing conditions in the District under review and taking any action that is necessary to remedy poor conditions. Such action might include taking enforcement action against landlords to remedy disrepair in privately-rented properties or offering financial assistance, or grants, to owner occupiers to maintain their homes. In relation to financial assistance on offer Councils must produce a Policy to define how they intend to use their powers and the conditions which will apply.

2. The current Housing Assistance policy was revised and extended in February 2016 by agreement with the Council's Housing Portfolio Holder and formed part of the Private Sector Business Plan 2015-2017 (ref: HSG-026-2015/16)

3. The offering of grants on privately-owned properties was made possible by large government subsidies that were provided to the Council from 2006-2007 onwards to help local authorities bring the privately-owned properties in their jurisdiction up to the Decent Homes Standard. However, the government reduced this funding each year and by 2010 the Council had stopped receiving it. This meant that, if the Council was to continue to offer housing assistance, this would have to be funded year on year from the Council's Capital Programme.

4. To prevent the Council having to continually commit these large capital sums every year for the majority of assistance available a condition was included that the assistance must all be repaid to the Council when the subject property is transferred or sold. This money is then recycled to provide housing assistance to new applicants in the future.

5. The draft Housing Assistance Policy forms Appendix A to this report, it is intended to run concurrent with the existing Housing Strategy (2017-2022). It sets out the basis on which Epping Forest District Council will offer financial assistance for works of repair, renewal or adaptation in the private housing sector. It is a detailed statement of what financial assistance will be available, subject to the Council having sufficient resources, and the conditions that will apply.

6. Repayable Housing Assistance can be offered in accordance with the Policy towards the cost of:

- (i) The improvement, repair or adaptation of existing living accommodation including mobile homes and houseboats;
- (ii) The refurbishment of empty properties back into habitable use;
- (ii) Any other initiatives that are consistent with the aims and objectives of the Council's Housing Strategy 2017 - 2022.

7. The Policy specifies the conditions for eligibility and the amounts for the following types of Repayable Assistance:

- Small Works Repayable Assistance;
- Decent Homes Repayable Assistance;
- Empty Homes Repayable Assistance;

8. It also contains information on mandatory Disabled Facilities Grants but does not specify the rules for processing them or the conditions attached as these are laid down in the Housing Grants Construction and Regeneration Act 1996 (as amended).

9. The Policy sets out but is not limited to:

- How an application should be made;
- The restrictions on Assistance;
- The responsibilities with regard to the supervision of and payment for works and;
- How payments will be made and caveats attached with regard to the repayment of any assistance.

10. For Repayable Assistance it is proposed that eligibility for assistance be extended to properties within any Council Tax banding; currently only properties in bands A – E are eligible. This is proposed because many older residents remain in the family home as owner occupiers with limited income and low financial reserves and unable secure funding to pay for much needed house repairs. This will enable older residents in larger high value properties who find themselves caught in the predicament of being ‘asset rich - cash poor’ to be eligible for assistance.

11. Empty Homes Repayable Assistance is part of the overall Empty Property Strategy and available to encourage owners of empty properties to return them to habitable use. It is proposed that, under the new policy, priority should be given to applications from persons intending to let the property to a tenant nominated by the Council or to a key worker employed within the District.

12. The Private Housing Care Manager (Grants and C.A.R.E.) will monitor the demand, uptake and success of the Financial Assistance provided. If it becomes apparent that either the criteria and/or other conditions need to be revised further in order to ensure that there is sufficient uptake of the different forms of Assistance to meet the objectives of the Housing Strategy 2017-2022, then a report will be presented to the Communities Select Committee (or its successor body) to consider revising the policy.

13. In any event, the Policy will be subject to review to take into account changing policies at national and regional level and all available information on the condition of private sector housing in the District.

**Resource Implications:**

Potentially, opening up the eligibility to all Council Tax Bands could increase take up and expenditure. However, this will only be met from the budget allocation which will not be exceeded. The proposals relating to bringing empty homes back into use could also increase the New Homes Bonus the Council receives. There are no implications in terms of staffing resources.

**Legal and Governance Implications:**

Housing Grants, Construction and Regeneration Act 1996 (as amended)  
 Regulatory Reform (Housing Assistance) Order 2002  
 Housing Act 2004  
 Disabled Facilities Grant General Consent 2008  
 Disabled Facilities Grant Order 2008

**Safer, Cleaner and Greener Implications:**

The Housing Strategy 2017-2022 include measures to improve the energy efficiency of homes in the private sector in order to reduce fuel poverty and cut carbon emissions. Much of the work of the private sector housing teams is aimed at ensuring that people in the private sector have homes that are reasonably adapted for their needs and are safe and warm to live in. The Policy allows to make the best use of the resources available to meet these aims.

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**Consultation Undertaken:**

Consultation to date has included meetings with all members of the Private Sector Housing Team.

**Background Papers:**

None.

**Impact Assessments:**

Many of the measures included in the Private Sector Renewal Strategy target groups that are considered vulnerable, such as older people and families on low incomes, and disabled people, therefore, it has a positive impact on the Council's statutory duty to promote equality.

There is a financial risk to the Council if it does not have a Strategy in place that makes maximum use of the funding available from other sources such as EERA and home-owners themselves.

**Risk Management:**

Local Authorities are required under the Housing Act 2004 to keep housing conditions in the private sector under review and develop strategies to outline how they will use the powers available to deal with adverse housing conditions. If the Council did not have a current Strategy in place it would fail to meet its statutory duty in this respect.

**Equality Analysis:**

The Equality Act 2010 requires that the Public Sector Equality Duty is actively applied in decision-making. This means that the equality information provided to accompany this report is essential reading for all members involved in the consideration of this report. The equality analysis is provided as part of the The Housing Strategy 2017-22.

**Key Decision Reference (Y/N): N**