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SEFTON METROPOLITAN BOROUGH COUNCIL

PRIVATE SECTOR HOUSING ASSISTANCE POLICY

(revised February 2020)

PRIVATE SECTOR HOUSING ASSISTANCE POLICY

2020

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1.Aim

The aim of this Housing Assistance Policy is to assist all private home owners, disabled people with the implementation of adaptations to facilitate their movement in and around their home and where possible direct help towards the most economically vulnerable people living in the most deprived housing neighbourhoods where the combination of these conditions exist.

2.Introduction

This Housing Assistance Policy sets out how Sefton Metropolitan Borough Council (SMBC) intends to use its powers under the Regulatory Reform (Housing Assistance England and Wales) Order 2002 to improve the quality of privately owned homes for those in need. The 2002 Regulatory Reform Order gives local authorities the power to adopt a Housing Assistance Policy to provide financial and other assistance within the constraints of their financial resources available. This 2020 Policy update is intended to provide clarity on the Councils current approach and identify forms of financial and other assistance which may be available to assist vulnerable homeowners, owners of private rented properties, disabled people by providing adaptations, the eligibility criteria and terms upon which assistance may be provided.

Sefton MBC will deliver this policy in a fair and inclusive manner and ensure that our performance is continually monitored, reviewed and amended where applicable. The Council will work in partnership with other agencies to deliver improvements.

The Council will look to provide advice to owners who are excluded from receiving financial assistance. Advice such as information on property maintenance, accessing finances and energy efficiency. Information may be given to any person who makes an enquiry regardless of their tenure.

Sefton MBC has an ageing population along with high levels of disability. This increase in the ageing of the local population will likely lead to an increase in the number of older people who will have long term health problems and complex needs. Without successful intervention and adequate preventative steps this is likely to increase demands on Social Care Services and increase the risk that older people will be unable to live independently.

The link between housing and wellbeing is increasingly acknowledged. 'The right home environment is essential to health and wellbeing, throughout life' (Improving Health and Care through the home; A National Memorandum of Understanding, February 2018).

The following summarises and evidences the increasing demand for services offered;

The table below provides baseline population data about older persons and compares this with other areas. The data for this has been taken from the published ONS (Office For National Statistics) mid-year population estimates and is provided for age groups from 65 and upwards; the data is for 2017 to reflect the latest published data for local

authority areas and above. The data shows, when compared with data for other areas, that Sefton MBC has a notably higher proportion of older persons residing. In 2017, it was estimated that 23% of the population of the Borough was aged 65 or over.

Current Population of Older People

Older Person Population (2017)				
	Sefton		North West	England
	Population	% of popn	% of popn	% of popn
Under 65	211,282	76.9%	81.6%	82.0%
65-74	32,506	11.8%	10.2%	9.9%
75-84	21,614	7.9%	5.9%	5.7%
85+	9,187	3.3%	2.3%	2.4%
Total	274,589	100.0%	100.0%	100.0%
Total 65+	63,307	23.1%	18.4%	18.0%

Source: ONS 2017 mid-year population estimates

Future Change in the Population of Older People

Projected Change in Population of Older Persons (2017 to 2036) – 2016-based SNPP			
	Sefton	North West	England
Under 65	-5.8%	-1.9%	2.1%
65-74	20.2%	22.1%	27.9%
75-84	38.1%	43.2%	50.4%
85+	65.1%	82.1%	86.7%
Total	3.0%	5.2%	9.5%
Total 65+	32.8%	36.4%	43.0%

Source: ONS subnational population projections (2016-based)

The above data shows that the Borough is expected to see a notable increase in the older person population with the total number of people aged 65 and over projected to increase by 33% over the 19-years from 2017;

Health & Disability related projections

In addition to providing projections about how the number and proportion of older people is expected to change in the future an analysis, taken from the Projecting Older People Population Information System (POPPI), has looked at the likely impact on the number of people with specific illnesses or disabilities. The figures below relate to the population aged 65 and over.

The table below shows that disabilities are expected to increase significantly in the future, although this would be expected given the increasing ageing population. There is projected to be a large rise in the number of people with mobility problems, with a 40% increase in the number projected. When related back to the total projected change to the population, the increase of 4,800 people with a mobility problem represents 53%-57% of all population growth.

Estimated Population Change for range of disability issues (2017 to 2036) – Sefton					
	Disability	2017	2036	Change	% increase
2016-based SNPP	Mobility problems	11,988	16,795	4,807	40.1%

Source: Data from POPPI and demographic projections

The Communities & Local Government Disability data guide provides data about households with a long-term illness or disability from the English Housing Survey. This is given at a national level, and does not provide more localised data. The data suggests that across the Borough, some 40% of households contain someone with a LTHPD. This figure is notably higher to that seen in other areas; North West 36.6% and England 32.7%.

3. Sefton Council’s Core Purpose

Below is a summary of the Councils Core Purpose. This sets out the Councils approach and we need to ensure this Private Sector Housing Policy supports this.

- Protect the most vulnerable:
- Facilitate confident and resilient communities:
- Commission, broker and provide core services:
- leadership and influencer:
- Drivers of change and reform: positive Impact;
- Facilitate sustainable economic prosperity:
- Greater income for social investment:
- Cleaner and Greener;

4. Landlords and Tenants

Responsibility for property maintenance rests with the property owner. Therefore Sefton MBC will not normally agree to offer assistance to a Tenant as the Council believes that their Landlords are responsible for resourcing the repair and improvement of their properties. Exceptions to this rule will be assistance of Disabled Facilities Grants for the purpose of adaptations.

Failure by any landlord to adequately maintain their property may result in enforcement action. Advice and assistance for tenants who live in poorly maintained properties can be found at;

<https://www.sefton.gov.uk/housing/private-housing/standards-and-conditions.aspx>

(At the foot of this web page is the Council's Housing Enforcement Policy document.)

In an attempt to try to improve living conditions in the private rented sector the Council approved the designation of a Selective Licensing scheme for all privately rented properties within Bootle, and additional HMO Licensing schemes in central Southport and parts of Waterloo & Crosby.

The Council has proved that there is a link between the private rented properties in the designated areas and deprivation, poor property conditions, anti-social behaviour and crime. The designation of the selective licensing and additional (HMO) licensing schemes were subject to developing a robust business case and extensive consultation, which can be viewed at;

<https://www.sefton.gov.uk/housing/private-housing/licensing-background-documents.aspx>

Along with evidence of the poor management of a significant number of privately rented properties that has led to problems for both their tenants, local communities and other members of the public. Sefton has considered whether there are any courses of action, other than Selective Licensing, that might achieve the same objectives in the area, however, has come to the conclusion that designating its Licensing areas is the most appropriate course of action in the circumstances.

The designation came into effect on 1 March 2018 and will last for a period of 5 years up until 28 February 2023. If a property is within the Licensing areas landlords will need to apply for a Housing Licence. Landlords will be required to meet a range of licence conditions, and show that they have appropriate management arrangements in place.

The benefits of the licensing of privately rented homes include:

- Creating a clear set of rules that all landlords must follow
- Ensuring private landlords are managing and maintaining their properties to a reasonable standard
- Encouraging those landlords who are inexperienced or live outside of the area to use reputable managing agents
- Responsible landlords will receive information and support to help tackle antisocial behaviour
- Poor performing landlords will receive support and training to help them improve
- Improving the image of the designated areas with licensing as places where people want to live
- Helping landlords to protect their investment in their property leading to an increase of property value

- Improvement in the reputation of private landlords
- Greater ability for the landlord and authority to deal with rogue tenants
- Reduced crime, ASB and other environmental problems, such as graffiti, litter and fly-tipping
- Shorter void periods
- Reduced number of empty properties
- Reduced risk of homelessness and increased length of stay
- Preventing 'rogue landlords' from letting substandard accommodation at lower rents
- Reassuring tenants that landlords with licensed accommodation are providing housing of a decent quality that is managed to a reasonable standard

The need to continue with licensing schemes will be reviewed toward the end of the current five year licensing period.

5. Forms of Assistance

Disabled Facilities Grants

Due to a relaxation of the ringfence for DFG funding Local Authorities have the discretion to develop a more flexible grant package to assist clients, utilising powers available under the Regulatory Reform Order 2002 (England and Wales).

(See also, Housing Grants, Construction and Regeneration Act 1996 Sections 19-24)

The aim of providing Disabled Facilities Grants is to assist disabled people with adaptations to facilitate their movement in and around their home. The provision of Disabled Facilities Grants (DFG'S) is a mandatory obligation which must be met by all Local Authorities. Sefton MBC delivers this obligation through its capital programme.

There is a clear framework established which determines if an applicant is eligible for a DFG, the applicant must be:

- An owner occupier with an accompanying owners certificate which states that the applicant has or proposes to acquire a qualifying owners interest and intends that the disabled occupant will live in the qualifying property (dwelling, flat, houseboat or park home) as his/her only or main residence throughout the grant condition period of 10 years or for such shorter period as his/her health and other relevant circumstances permit.
- A private tenant with a tenants certificate stating that the applicant intends to live in the property as his/her main residence throughout the grant condition period of 10 years or for such shorter period as his/her health and other relevant circumstances permit.
- A private landlord on behalf of the disabled tenant

The Council must be satisfied that the proposed works are:

- Both necessary and appropriate to meet the needs of the disabled person

- Reasonable and practical taking in account the age, condition and location of the property

DFGs are designed for the following circumstances:

- Facilitating access to and from a dwelling or the building in which the dwelling is situated and making the dwelling safe for the disabled person or any other person residing with them
- Facilitating access to a room used as the principal family room
- Facilitating access to or providing a room used for sleeping
- Facilitating access to or providing a room in which there is a lavatory, bath or shower and hand wash basins or facilitating the use of any of these
- Facilitating the preparation and cooking of food by the disabled person, improving the heating system to meet the disabled persons needs or providing a suitable heating system
- Facilitating the use of a source of power, light or heat
- Facilitating access and movement around the home to enable the disabled person to care for someone dependant on him or her who also lives there

The Council has a duty to carry out a test of the financial resources of the grant applicant to assess how much they may have to contribute towards the cost of the works. This is a prescriptive test carried out using documentary evidence of income, savings and capital. If the means test results in a contribution towards the adaptation being required to be made by the applicant, these monies should be paid prior to works starting on site. Child applicants are not means tested neither are applicants who are in receipt of an income related benefit (evidence of benefit required). The grant covers all reasonable costs in excess of the applicants contribution subject to a mandatory maximum limit of £30,000

The Council has the option to apply discretion to increase the assistance above £30,000, when and where sufficient financial resources are available. In cases where expenditure is in excess of £30,000 (*see other forms of assistance*)

Repayment of Disabled Facilities Grant - Any part of the grant awarded which is above £5,000 is repayable within 10 years of the certified date of completion, up to a maximum repayment of £10,000, upon the sale, disposal or transfer of the property.

In the case of applicants who are tenants there will be no requirement to pay back any of the assistance. This is because they have no financial interest in the property and any such interest rests with the owner.

Where the costs of adapting an existing home is likely to be economically excessive the Council may consider the use of a Disabled Facilities Grant to permit the applicant to move to more suitable accommodation. The Council may also consider providing assistance to a Registered Social Landlord (RSL) to adapt an alternative property to meet the needs of the applicant.

Those applicants who have previously received a DFG to meet their needs may not receive assistance to replace like for like adaptations within the 10 year grant condition period.

Minor Works

Minor adaptations work (works costing less than £1,000) for provision of items of equipment such as grab rails, banister rails, shower seats, changing tables, modular ramps, mobile hoists and sensory equipment will be funded directly from the Health and Social Care budget and will be excluded from the DFG process. Privately rented property requests will require written landlord permission prior to works being carried out. Where there is an assessed need for a minor works provision under £500 then this will be managed by the Council's Minor Works Team. Orders between £500 - £1,000 require an application to Sefton Community Equipment Service, Specials Panel for consideration and if agreed will be actioned by the Minor Works Team.

Minor adaptation work within RSL properties will be referred directly to the RSL for their consideration / provision. The Council would normally expect RSL's to meet these requirements.

6.Resources

The projected further increase in the number of people over 65 years of age will inevitably result in additional demand for DFG funding.

The resources available to the local authority to implement this strategy are reliant on the capital funding allocated from Government. Over the last few years the total spend on financial assistance within Sefton has been around £2.0m per annum.

The Better Care Fund, of which the DFG funding is only a small part, is in effect a budget for health and social care services. Disabled facilities Grants (for works within the £30K threshold) are a mandatory provision, therefore this reduces the availability for other forms of activity and assistance.

As other types of home maintenance and improvement financial assistance are discretionary and subject to availability of funding, currently the Council does not have sufficient funding to provide any forms of discretionary assistance. Should the Council receive additional capital funding in the future to support private home owners and improve housing conditions this policy will be reviewed and other forms of assistance may be considered such as:

Home Repairs Assistance (currently unavailable)

Applications for a Home Repairs Assistance will be considered for works up to £5,000 (excl VAT & fees) maximum. The cost of works being considered for loan assistance must be greater than £300.

To qualify for the loan the applicant must be an owner occupier who:

- Has owned and lived in the property for at least 3 years
- Be aged 18 or over
- Be in receipt of qualifying benefits
- Live in the dwelling as the main residence

- Has an owner's interest
- Has a duty to carry out the works

Applications for Home Repairs Assistance will only be considered via a referral from: The Housing Standards Team for emergency referrals in relation to life threatening or potentially dangerous situations, which would be classified as a Category 1 Hazard.

The availability of loan assistance is subject to the Council having sufficient resources available. On completion of the works, to the satisfaction of the Council the loan will be registered as a Land Charge by the Council's Legal Department. The loan will have to be repaid on disposal or transfer of the property.

A referral in connection with an Excess Cold Category 1 Hazard will be referred to the Energy Efficiency Team in the first instance. Warm Front Resources may be more appropriate in these cases.

Empty Homes Assistance (currently unavailable)

In Sefton our aim is to target action at Long Term vacant premises (empty for 6 months or more). Such properties can blight an area due to a variety of anti-social and environmental problems. The highest concentrations of such properties are in Southport and Bootle.

In general the Council will target its efforts at the empty properties in these areas, although we do offer help to owners of Empty Homes all over the borough. We are currently unable to offer any financial assistance, however we do make contact with empty home owners through letters and newsletters, offering advice about some possible solutions to bringing their property back into use.

Group Repair (currently unavailable)

Group Repair involves major external renovation and improvement to a terrace or street of houses with the aim of ensuring that the external facade of the terrace is improved to a high degree and is aesthetically pleasing. The extent of works is dependent on existing property condition and available resources but would normally include roof replacement/major repairs, new windows/doors, new front garden/rear house walls, new rainwater goods, external painting and re-pointing/rendering. This type of scheme has a dramatic visual impact on the street scene.

Works to the inside of the property will be restricted to making good internal surfaces affected by external works.

Facelift Schemes (currently unavailable)

These schemes usually target the front facade or street of houses and are not as expansive or expensive as the Group Repair Scheme. Nevertheless the improvement to the front of the terrace/street can be very effective. Typically works would include painting windows, rainwater goods, and repairs to rendering, pointing, roofs and boundary walls etc.

Discretionary Assistance Loans

This type of assistance may only be considered in exceptional circumstances where costs of Disabled Facilities Grant adaptation works exceed the £30K grant threshold and where all other funding options have been exhausted. These loans are registered against the property as an additional local charge and are repayable, on sale or transfer of the property (this does not apply to Tenants). This local Land Charge is in addition to the local Land Charge registered against the property for works carried out which fall within the £30K grant threshold.

Each application will be considered by the Home Improvements Service Manager and dealt with on its own merits and all rewards are at the discretion of the Council. There is a clear framework (Policy) established which determines if an applicant is eligible for a Discretionary Assistance Loan. These loans are only available if the below criteria is met and there are sufficient resources available. It is recognised however that it may not always be feasible to consider all of the below criteria due to restrictions or other circumstances;

- Works/Costs must relate solely to requirements identified by the Occupational Therapist as being necessary to meet mandatory needs.
- Consideration of possible changes to the scheme, can the scheme be altered to provide the necessary provision in a more cost effective way.
- Consideration as to whether the applicant can fund the costs themselves, by means of personal savings or bank loan
- Explore whether the Home Improvement Service Team Caseworker can secure charitable funding.

Discretionary Assistance Loans are not available to assist clients in their financing of a means tested contribution, if applicable.

Due to possible future funding limitations whereby the Council is not able to offer any additional forms of discretionary financial assistance for housing improvement, repair or adaptation, the Council will try to exploit any external funding opportunities as may become available.

This repayment agreement is in addition to the DFG repayment agreement. The Discretionary Assistance Loan is outside of the DFG threshold, terms and conditions. Where an applicant does not wish to be bound by the Discretionary Assistance Loan conditions and refuses to sign the repayment agreement, discretionary assistance will not be approved.

This form of funding does not apply to Registered Social Landlord applications, any funding over the £30,000 threshold is the responsibility of the Landlord to fund.

7. Applying for Financial Assistance

If you would like to know more about applying for a Disabled Facilities Grant, please contact our Home Improvement Service Team on 0151 934 4155/4120 or complete the enquiry form available on the Council's web-site, at:

<http://www.sefton.gov.uk/housing/adapting-your-home.aspx>

Before we would consider an application for DFG, a Sefton Council Occupational Therapist (OT) will need to complete an assessment of need. If this identifies that a major adaptation is required then they will make a referral to the Home Improvement Service Team. The Occupational Therapy Team can be contacted on Tel 0151 934 3737 to request an OT assessment or for enquiries regarding the assessment procedure.

For further information regarding Minor Works assistance please contact the Minor Works Team on 0151 934 4450. Or to apply for assistance The Occupational Therapy Team can be contacted on Tel 0151 934 3737 to request an OT assessment.

8.Appeals

The Council welcomes any comments and suggestions about changes or improvements to the policy. Such comments or suggestions will be carefully considered and where appropriate they will be incorporated into any future revisions of the policy.

An appeal against a decision made under this policy in respect of an individual case will be considered by the appropriate Head of Service/Service Director.

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

- The policy has not been applied correctly
- A particular case is exceptional and justifies further consideration for assistance by the local authority

An appeal will not be considered where the applicant disagrees with the policy.

The appropriate Head of Service/Service Director will provide a written response to the applicant within 28 days of receipt of the appeal. If the Head of Service/Service Director finds that neither of the above grounds of the appeal has been satisfied then the appeal will be refused with no further appeal allowed. Where the Head of Service/Service Director finds that one of the grounds of appeal is satisfied then he / she will make the decision, which may authorise a discretionary loan or other assistance as an exception to the policy.

Decisions to authorise assistance on the grounds of 'exceptional circumstance' will be made by the appropriate Head of Service/Service Director only.

All appeals must be in writing and should be addressed to the Head of Corporate Services, 2nd Floor, Magdalen House, Trinity Road, Bootle, L20 3NJ. or emailed to Housing.Improvements@sefton.gov.uk

9.Policy Monitoring and Review

This policy will be reviewed on an annual basis with ongoing monitoring of working procedures and customer service.