

# Thanet District Council

DRAFT FOR CONSULTATION

## Housing Assistance and Disabled Adaptations Policy 2014 -2016

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## 1.0 Introduction

- 1.1 This policy is required under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 and provides the council with the discretion to develop new schemes for providing financial assistance to deal with issues in privately owned housing. This policy sets out the areas which Thanet District Council will focus any available resources on in order to improve housing conditions across the district. With limited resources available the council is keen to target funding to those areas that contribute to the delivery of the councils priorities.
- 1.2 This policy provides Thanet District Council with the flexibility and discretion to provide appropriate assistance to meet the aims and priorities set out in section 2 below.

## 2.0 Aims and Priorities

- 2.1 The Housing Assistance Policy directly links to the council's Housing Strategy which identifies 5 key priorities for housing. Of particular relevance to this policy is key priority 2 'Make better use of the existing housing stock across all tenures and improve housing conditions' and key priority 3 'Enable vulnerable people access to good quality housing and to live independently'.
- 2.2 In order to meet these priorities this policy aims to focus on the following areas:
  - Aim 1 - Assist disabled residents to remain in their own homes through supporting the provision of adaptations
  - Aim 2 – Safeguard the health and well-being of vulnerable residents by removing unnecessary hazards to health in the home
  - Aim 3 - Maximise housing through supporting repairs and improvements to return empty homes back into use
  - Aim 4 - Promote affordable warmth through improving private sector home energy efficiency
- 2.3 Housing is a key determinant of health, and by promoting good quality housing this policy will contribute to reducing health inequalities for Thanet's residents.
- 2.4 The policy also details how the council will meet its statutory obligations in respect of funding adaptations to disabled residents.  
**Aim 1 – Assist disabled residents to remain in their homes through supporting the provision of adaptations**
- 2.5 The council has a statutory obligation to administer mandatory Disabled Facilities Grants (DFGs) to provide adaptations to enable disabled residents to live independently within their own homes.
- 2.6 The eligibility requirements, scope of works, and the general requirements governing mandatory DFGs are prescribed and the council is unable to deviate from these requirements.

- 2.7 The council is required to administer Disabled Facilities Grants to all eligible applicants irrespective of their tenure, and the council aims to work collaboratively with housing associations to fund adaptations in accordance with the pan-Kent protocol<sup>1</sup> for delivering DFGs. This aims to share the cost between the council and the housing association that owns the property being adapted.
- 2.8 In relation to Council owned property current policy means that it is not necessary to apply for a grant to assist with adaptations.
- 2.9 Section 3 discusses disabled facilities grants in more detail.

## **Aim 2 – Safeguard the health and well-being of vulnerable residents by removing unnecessary hazards to health in the home**

- 2.10 Research has shown that there is a direct impact on the health and well-being of residents resulting from the homes in which they live; therefore, poor housing can contribute to poor health.
- 2.11 Each year hazards in the home result in unnecessary injuries, episodes of ill-health, and harm to mental health and in many cases the occupiers do not link the poor condition of their homes with a potential negative impact on their health.
- 2.12 The poorest housing stock can be found in the private sector<sup>2</sup>, and in some cases residents who own their own home are not able to maintain them and as a result hazards can develop.
- 2.13 Some home owners find themselves to be ‘equity-rich’ but ‘cash-poor’, this means that their homes represent a significant capital resource, but they are on a low income, and as a result they lack the funds to carry out repairs and maintenance on their homes. For these home owners, equity release products may provide the ability to finance repairs without impacting on income streams.
- 2.14 There are a number of reasons why home owners do not maintain their homes, for example:
- lack of trust in builders;
  - inadequate funds to pay for repairs;
  - lack of awareness of need to take action;
  - belief that repairs will be too expensive to afford, and;
  - lack of experience in property maintenance.
- 2.15 Very often vulnerable and elderly home owners are those most affected by their inability to maintain their homes. The council aims to target assistance at these homeowners.
- 2.16 The council aims to provide emergency assistance to vulnerable home owners where there is a risk to the occupiers’ health and safety. Where more significant work is required or work that is not essential for health and safety, the council will work with the nominated home improvement agency who can help the resident find a suitable equity release product.
- 2.17 Section 4 describes the type of assistance that may be available from Thanet District Council to meet this aim.

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<sup>1</sup> Kent Housing Group

<sup>2</sup> English Housing Survey 2010/11, Department of Communities and Local Government, February 2012

### **Aim 3 - Maximise housing through supporting repairs and improvements to return empty homes back into use**

- 2.18 Thanet has a large number of empty homes and the council is committed to bringing these back into use as housing of different tenure types to meet housing need in the area.
- 2.19 The council has been an active partner in the No Use Empty programme which was introduced by Kent County Council in 2005. This programme offers loans to owners of empty properties to bring them back into use either for sale or for private renting.
- 2.20 The council has also developed a new scheme to run along side the existing No Use Empty programme by providing £1 million towards loans for owner occupiers buying an empty property to live in themselves. Currently this loan is only available in the Margate Central and Cliftonville West wards. However, if funding permits this scheme may be extended to other areas.
- 2.21 Section 5 describes these schemes in more detail.

### **Aim 4 - Promote affordable warmth through improving private sector home energy efficiency**

- 2.22 Each year in excess of 20,000 people die unnecessarily as a result of living in cold homes. Over the last 5 years there has been an average of 96 excess winter deaths per year in Thanet. This peaked in the winter of 2012/13 at 122 excess winter deaths<sup>3</sup>. Although these figures are a reflection of the severity of the winter they also represent deaths that may have been preventable if the home had been properly heated. In extreme cases the inability to afford to heat the home results in cold temperatures that create hypothermic conditions; however, for many individuals (particularly older persons) cold homes may result in trips, slips and falls, or injuries/health impacts resulting from cardiovascular, circulatory diseases and respiratory disease.
- 2.23 The energy efficiency of private sector homes is a key determinant of health inequalities within Thanet, and this policy promotes the improvement of home energy efficiency for those on low incomes. Other schemes are in place through Kent County Council's public health section to help with education and health awareness during cold periods, but in terms of the improvement of the home environment the local authority is best placed to help.
- 2.24 The council is a member of the Kent and Medway Sustainable Energy Partnership and is keen to utilise the partnership to provide solutions for vulnerable householders and those on low incomes. This has proved successful so far in accessing funding from the energy companies for grants as part of the Energy Company Obligation (ECO).
- 2.25 Currently the schemes under ECO are on hold waiting for the results of a consultation exercise undertaken by Government during spring 2014. It is anticipated that there will continue to be commitment from Government for energy companies to assist with the improvement of private homes; however, the detail of any programme will not be available until autumn 2014. Regardless, it is expected that any scheme may not cover the cost of improvement in all cases and therefore this policy provides for a 'top up' fund to ensure energy efficiency measures can be installed for households meeting specific criteria.
- 2.26 The detail of any such scheme will need to be developed once the ECO programme has been finalised; but section 5 provides an outline of what the council may be able to provide.

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<sup>3</sup> Kent and Medway Public Health Observatory, Annual Health Profile

## 3.0 Mandatory Disabled Facilities Grants

### 3.1 Introduction

- 3.1.1 The delivery of the disabled facilities grant programme is mandatory and a statutory function of the local housing authority. The delivery of this function currently sits within the Housing Service. It is governed by the Housing Grants, Construction and Regeneration Act 1996.

**This grant meets Aim 1 - Assist disabled residents to remain in their homes through supporting the provision of adaptations**

### 3.2 DFG process

#### Referral

- 3.2.1 A disabled person may make a direct referral to the Housing Regeneration Team or be referred to the council via social services.
- 3.2.2 If a self referral is made the disabled person will be asked to contact social services for an assessment. This is to enable social services the opportunity to assess the persons needs and identify any equipment that might be suitable. It is not always necessary for a disabled person to have a full adaptation to meet their needs. The referral from the occupational therapist will state what adaptations are required and why the adaptation is necessary. An occupational therapist (OT) completes this assessment as this is their area of expertise. At the same time as completing the referral the OT completes a questionnaire with the client. This questionnaire is used by the Housing Regeneration Team to determine the priority status of the referral.

#### Preliminary visit and eligibility

- 3.2.3 The Grant Officer from the Housing Regeneration Team will visit the client on receipt of the referral from the OT. The council's role in the DFG programme is to ensure that the works are necessary and appropriate by checking that the property is suitable for adaptation. The Grant Officer will also check that the works being asked for are the most cost effective method of achieving an appropriate adaptation. Whilst visiting the client the Grant Officer will complete a preliminary means test by looking at the client's financial information. This enables the council to determine if they are eligible for a grant or if they have a financial contribution towards the cost of the works. They are also advised of their options to use an agency to assist them in making the application. A consent form is signed by the client to allow the council to pass their details on to an agency of their choice to help them with the application process and any other services they may need.

#### Waiting list

- 3.2.4 Following the visit by the Grant Officer the financial information is added into the computer system that carries out the means test. This is a standard approach issued by government and is the same in every local authority. This generates the contribution of the client. A letter is then sent to the client advising of their notional contribution but detailing that this

may change if their circumstances change when the full application is made. The letter also provides information on their position on the waiting list for a grant and confirms if they have opted for an agency to help them.

- 3.2.5 The client's details are then kept on a waiting list in priority order. Each client has points awarded to their case which then bands them as priority case (P), high (H) or medium (M). Points are added to each case on a monthly basis allowing them to reach the top of the list over a period of time.
- 3.2.6 The council will endeavour to keep the waiting time to a minimum and less than 12 months where possible.

### **Application for a grant**

3.2.7 When the client reaches the top of the list all necessary paperwork is sent to the client's agent for them to help the client complete the application process. The OT is also notified so that they can review the client's needs. The application process is complicated and many clients struggle to provide the necessary paperwork. This makes the application process time consuming and is the reason it is recommended that clients use an agent to help them.

- 3.2.8 In order to make an application the client must supply the following:
- A completed application form
  - Evidence of financial situation
  - Evidence of ownership of the property or the right to reside at the property
  - Permission for the works to be carried out
  - A detailed schedule of works and plans that must be agreed by the council and the OT
  - Any planning or building regulation approvals
  - 3 tenders for the works

### **Approval or Refusal**

- 3.2.9 Once a valid application has been received the council has 6 months to approve or refuse the application, however, we have set a local target for approval within 21 days. An application is only considered valid if all the relevant paper work and evidence has been submitted and checked by the grant officer to be correct.
- 3.2.10 The grant is either approved or refused by an authorised manager. If the grant is refused a formal refusal letter is issued stating the reasons why the grant has been refused. If the grant is approved a formal approval letter will be sent out detailing the terms of the grant and the conditions that need to be met.
- 3.2.11 Once approved, the applicant has 12 months to complete the works.

### **Work on Site**

- 3.2.12 The contract for the works is the responsibility of the applicant and their nominated agent. The Grant Officer will monitor progress and carry out quality checks to ensure that only

those works agreed by the grant approval are carried out and that the works are value for money. Once the work is complete the Grant Officer will get permission from the client to pay over the grant money. This is either paid direct to the contractor or to the client for them to pay the contractor themselves.

### 3.3 Eligible works

- 3.3.1 The council will only offer grant for those works that are considered mandatory to meet the needs of the disabled person. Appendix 3 provides details of the agreed eligible works.
- 3.3.2 There is currently no scope for providing discretionary funding towards discretionary works.

### 3.4 Using an Agency

- 3.4.1 The council currently works closely with Family Mosaic home improvement agency; however a client is able to employ any agent to assist them. The grant will only pay the fees for an agent if they meet the criteria set out in appendix 2. The applicant must sign a form in front of the grant officer giving permission for the agent of their choice to be included in any correspondence.

### 3.5 Fees and Grant Level

- 3.5.1 The grant can cover the cost of planning and building control fees, surveyor and architect fees, agency fees, and any other ancillary costs necessary for making the application.
- 3.5.2 The fees will be included as part of the grant approval and will not be paid until the grant has been approved. The grant limit is £30,000 and the ancillary costs are added to the cost of the works. Under no circumstances will any payment be made over the £30,000.
- 3.5.3 In those more complicated cases where the costs of the works and the ancillary costs are over £30,000 the client will be expected to fund the additional money required themselves.
- 3.5.4 All fees will be assessed for reasonableness and the full cost may not be met by the grant.
- 3.5.5 Agency fees may be paid where the agency meets the agreed criteria (3.4.1 above) and where the fee is up to 10% of the cost of the works to a maximum of £2,500 whichever is the lesser amount.

### 3.6 Grant Conditions

- 3.6.1 General conditions can be found in section 7.0. The conditions set out below are specific to the Disabled Facilities Grant.
- Only the works agreed by the council will be covered by the grant
  - If the grant is approved there are 12 months to complete the works
  - The works must be completed by the contractor stated on the approval document
  - If you are an owner occupier then a local land charge may be placed on your property on completion of the grant. If the property is sold, assigned or transferred within 10 years of the grant being completed then the grant must be repaid. The charge only applies where the grant is more than £5,000. Where the grant is more than £5000 only the amount over the first £5,000 is added as a charge. There is a charge limit of £10,000.



- If you have a contribution to pay you must ensure you have the money to cover your share of the costs before the work begins on site.
- Unforeseen and additional costs will only be paid for where they are necessary to complete the adaptation and must be agreed by the council before they are undertaken.
- Any increase in the grant may have an impact on the charge placed against the property and under no circumstances can a grant of more than £30,000 be authorised.

### 3.7 Use of other schemes

3.7.1 An applicant for a disabled facilities grant will be expected to apply for other schemes as available that meet the requirements of the disabled person. For example, if there is a suitable stair lift scheme available at the time of the enquiry, the applicant will be expected to apply to that scheme if a stair lift is necessary rather than the disabled facilities grant. It is expected that this will provide a more suitable outcome for the applicant in terms of waiting times and cost effectiveness. The Grant officer will discuss any alternative schemes with the applicant at the time of the initial visit.

### 3.8 Housing Associations

- 3.8.1 All disabled people are entitled to make an application for a disabled facilities grant regardless of tenure type. However, housing association tenants are expected to approach their housing association in the first instance. Housing Associations are expected to maintain their own housing stock and provide funding towards the cost of adaptations where possible.
- 3.8.2 For those housing associations that have signed up to the Kent protocol they are expected to fully fund adaptations up to £1000 and fund 40% of the adaptation costs between £1000 and £10,000.
- 3.8.3 For those housing associations that have a separate agreement with the council this will be followed.
- 3.8.4 For all other housing associations the council will contact them directly to find out their intentions with regards to carrying out the adaptation works themselves before a grant is offered.

### 3.9 Council Tenants DFG process

3.9.1 The council has a separate process for council tenants as adaptations are funded differently. East Kent Housing is currently drafting a policy to cover the adaptation of council homes.

## 4.0 Emergency Assistance Repayable Grant

### 4.1 Introduction

- 4.1.1 Occasionally the council is made aware of vulnerable persons living in potentially dangerous housing conditions that could have a significant impact on their health and safety or the condition of their home may be preventing them from returning home following admission to hospital. A repayable grant may be available to help carry out works to make the home safe for that vulnerable person to return or remain at home. This grant is only available for owner occupiers.

**This grant meets Aim 2 – Safeguard the health and well-being of vulnerable residents by removing unnecessary hazards to health in the home**

### 4.2 Repayable Grant process

#### Referral

- 4.2.1 Referral for this assistance is through a housing, health or social care professional or through any other home visiting organisation such as Age UK or the home improvement agency. It would not be expected that a self referral is made as this assistance is for the vulnerable and elderly who require urgent works to make their home safe.
- 4.2.2 Any self-referral will be passed to the home improvement agency for them to visit and then make a referral if necessary.

#### Preliminary visit and eligibility

- 4.2.3 The Grant Officer from the Housing Regeneration Team will visit the client on receipt of the referral. The council's role is to ensure that only those works that are necessary and appropriate to make the home safe are considered. The Grant Officer will also check that the works are the most cost effective method of achieving the safety of the home. The Grant Officer will make some general enquiries relating to benefits and income but the home improvement agency will be asked to check finances during the application process.
- 4.2.4 An applicant will be eligible for the grant if they meet any of the criteria listed below:
- Aged over 65 years with significant health or disability issues as defined under section 2 of the Chronically Sick and Disabled Persons Act 1970; OR
  - Where a disabled or elderly adult (over 65 years) is unable to return home from hospital due to the safety of their home; AND
  - Where the household has an income of less than £15,050 or is in receipt of a qualifying benefit and the household has less than £5000 savings AND
  - Owner occupiers of the property needing the work
- 4.2.5 The property must be considered unsafe for the occupier. An assessment of the property is necessary to determine the scope of the work but a property could be considered unsafe on any of the following grounds:

- Electrical safety- where the condition of the electrical wiring could lead to imminent risk of electrocution or fire or accidents as a result of inadequate lighting.
- Falls – where the condition of the stairs or floors are in such a state as to provide an imminent risk of a fall in the home.
- Cold – where the heating is inadequate or lacking, and the condition of the doors and windows are contributing to the home being cold in the winter and there is a risk of falls or other ill effect from cold temperatures.
- Dampness – damp conditions so significant that a roof is failing and water is visibly entering the property. Rising damp, condensation or minor leaks will not be covered by this grant.
- Structural collapse- where a structural part of the building is in such a state as to constitute an imminent risk.
- Amenities – the lack of a functioning basic amenity such as a toilet, bath, wash hand basin or kitchen sink.

4.2.6 This list is not exhaustive and each case will be assessed based on its individual circumstances.

### **Approval or Refusal**

4.2.7 Once a valid application has been received then the council will endeavour to approve or refuse the application within 6 weeks. An application is only considered valid if all the relevant paper work and evidence has been submitted and checked by the grant officer to be correct.

4.2.8 The grant is either approved or refused by an authorised manager. If the grant is refused a formal refusal letter is issued stating the reasons the grant has been refused. If the grant is approved a formal approval letter will be sent out detailing the terms of the grant and the conditions that need to be met.

4.2.9 Once the grant has been approved the applicant will have a maximum of 6 months to complete the works.

### **Work on Site**

4.2.10 The contract for the work is the responsibility of the applicant and the agent. The Grant Officer will monitor progress and carry out quality checks to ensure that only those works agreed by the grant approval are carried out and that the works are value for money. Once the work is complete the Grant Officer will get permission from the client to pay over the grant money. This is paid direct to the contractor.

## **4.3 Using an Agency**

4.3.1 Under this grant the applicant is required to use the councils nominated home improvement agency to assist them in making the application.

## 4.4 Fees and Grant Level

- 4.4.1 There is a grant limit of £5000 to cover the cost of essential works. The Head of Housing services may use their discretion to approve grants over £5000 in exceptional circumstances.
- 4.4.2 The fees for the home improvement agency will not come out of the grant allocation and will be paid separately by the council. The level of fee will be determined as a fixed fee in negotiation with the nominated home improvement agency.

## 4.5 Use of other schemes

- 4.5.1 An applicant will be expected to apply for other schemes, where available, that meet the essential works. For example, if heating is required and there is a suitable alternative grant scheme to cover this work available at the time of the enquiry, the applicant will be expected to apply to that scheme. It is expected that this will provide a more suitable outcome for the applicant in terms of waiting times and cost effectiveness. The Grant Officer and/or the home improvement agency will discuss any alternative schemes with the applicant before the application is made.

## 4.6 Grant Conditions

- 4.6.1 General conditions can be found in section 7.0. The conditions set out below are specific to this grant.
- Only the works agreed by the council will be covered by the grant
  - If the grant is approved there are 6 months to complete the works
  - The works must be completed by the contractor stated on the approval document
  - The grant is only available to owner occupiers and the value of the grant will be added as a local land charge against the property on completion of the grant. If the property is sold, assigned or transferred at any time then the grant must be repaid.
  - Unforeseen and additional costs will only be paid for where they are necessary to complete the adaptation and must be agreed by the council before they are undertaken.

## 5.0 Empty property loans

### 5.1 Introduction

- 5.1.1 There are a number of options available to owners of empty homes to access funding to assist them in bringing an empty property back into use. Thanet District Council is a partner in the successful No Use Empty campaign that was set up by Kent County Council in 2005. This scheme provides loans to owners of empty properties for renovation and/or conversion works. The owner is then required to rent the property either privately or through a partner housing association, or sell the property on the open market. For more information on this scheme please visit [www.no-use-empty.org](http://www.no-use-empty.org)
- 5.1.2 Based on this existing scheme Thanet District Council has implemented an loan specifically for those people who have purchased an empty property and intend to live in it themselves. This loan is being funded by Thanet District Council but administered by Kent County Council through the No Use Empty process. This section of the policy covers the loan funded by Thanet District Council.

## **This loan meets Aim 3 - Maximise housing through supporting repairs and improvements to return empty homes back into use**

### 5.2 Loan process and conditions

- 5.2.1 In 2012 the council successfully bid for funding under the Clusters of Empty Homes Programme administered by the Department for Communities and Local Government (DCLG). Initially a 2 year programme, the funding was to bring empty homes back into use through a number of methods within Cliftonville West and Margate Central wards. As part of the Margate Housing Intervention programme it was deemed appropriate to provide incentives and financial assistance to owner occupiers looking to purchase one of the many empty properties in the area to live in themselves. Not only does this help with the regeneration of the property itself but also encourages owner occupation to the area, encouraging a more stable tenure mix and the overall regeneration of the area.
- 5.2.2 The assistance is being offered in the form of an interest free loan, up to a maximum value of £20k, which is to be repaid over a term of between 5 to 10 years. The loan conditions stipulate that the applicant must reside in the property for the duration of the loan repayment period.
- 5.2.3 Anyone interested in applying for a loan may contact the council or KCC directly. An application pack will then be sent out and visits arranged to view the property and determine a scheme of works.
- 5.2.4 The property must be renovated to the Decent Homes Standard, and applicants must also be able to substantiate that the loan amount will be adequate to bring the property back into use to this standard. If the cost of the work is likely to exceed the maximum loan then the applicant must be able to prove that sufficient personal funds are available to use in conjunction with the loan to complete the project.
- 5.2.5 Each loan must be secured by way of a legal charge on the property for which the loan has been applied for. Loan repayments commence 30 days after the loan monies are paid to the applicant and will be interest free, providing there is no default over the approved repayment period. The loan repayment period will be variable, between 5 and 10 years, and this is dependent on the amount borrowed. The applicant will also be required to live in the property for the duration of the loan payback period.
- 5.2.6 The loan is offered in such a way as to provide the applicant with full control of the expenditure of the loan. This is achieved by either granting a 100% of the loan as an upfront payment or 50% upfront payment and then two 25% tranches once the applicant can prove expenditure of the monies is compliant with the loan terms and conditions. Each of these options will depend on individual circumstances and the amount borrowed.
- 5.2.7 Should the applicant default on a payment, then interest at the Bank of England base rate +4% will accrue from the date of the default. Should the owner vacate the property or sublet, the owner will be in breach of the loan terms and therefore be in default, interest will then be charged from the date of the default and the full outstanding loan amount will be repayable. This is enforced through the property charge.
- 5.2.8 In order to apply for a loan the following criteria must be met:
- The property must have been empty for more than 6 months
  - Property must be in the intervention area of the wards of Cliftonville West or Margate Central.
  - The property must be bought back into use as a residential dwelling.

- The applicant will be required to live in the property for the duration of the loan repayment period.
- Loans are secured by way of a charge on the property, either as a 1<sup>st</sup> charge or as a 2<sup>nd</sup> charge with the consent of the holder of the 1<sup>st</sup> charge.
- Loan applications must be accompanied by a quotation for the works which is to show the work is achievable for the sum borrowed.
- If the work value is greater than the loan amount then the applicant must evidence they have the personal funds to make up the deficit.
- The loan can either be made available as a 100% upfront payment, a 50% upfront payment and 2 tranches of 25% following evidence of successful expenditure. (Dependant on individual circumstances and amount borrowed).

## 5.3 Fees and Loan level

- 5.3.1 A maximum loan of £20,000 is available per property. There are no fees for the applicant in applying for the loan, although if significant alterations are required to the property then planning and building control fees may apply.
- 5.3.2 All fees associated with the organising of the loan agreement will be covered by the council. This includes the fees for registering the charge against the property with the land registry and KCC legal fees for administering the loan.

## 6.0 Energy Efficiency ‘Top Up’ grants and loans

### 6.1 Introduction

- 6.1.1 An announcement is due in the autumn of 2014 on the future of available funding to deliver energy efficient measure to homes. The measures are required to reduce carbon emissions, help to make homes more efficient and therefore more affordable and to prevent unnecessary episodes of ill-health and/or deaths as a result of living in a cold home.
- 6.1.2 It is expected that ECO will continue to feature as a funding mechanism and as such this policy aims to support any schemes that result from the announcement.
- 6.1.3 Through past experience it is expected that no scheme will fully fund all measures needed in the homes and therefore this grant is intended to ‘Top Up’ any funding required to ensure that the measures can go ahead.
- 6.1.4 The council will continue to work closely with Kent and Medway Sustainable Energy Partnership on Kent wide projects and schemes to ensure that residents have access to as much available funding as possible to support the improvement of their homes.

**This grant meets Aim 4 - Promote affordable warmth through improving private sector home energy efficiency**

### 6.2 Proposed Grant/Loan

- 6.2.1 Although the detail surrounding this scheme has not yet been established some key principles will apply. Whether the assistance takes the form of a grant or a loan will be dependant on the type of ECO scheme it is supporting. There have been specific schemes

for vulnerable people on low incomes and the top up in these cases would be a grant. For those with the capacity to payback a loan this may be more appropriate.

- 6.2.2. In all cases the likely grant/loan limit will be up to £5000 and will be available for owner occupiers. The value of the grant/loan will be placed as a charge against the property.
- 6.2.3 Where assistance is a grant the charge will be a local charge repayable on the sale, transfer or assigning of the property.
- 6.2.4 This policy allows for these schemes to be developed during the life of the policy within the scope of the general provisions detailed in chapter 7.0.

## 7.0 General Provisions for Providing Assistance

### 7.1 Introduction

- 7.1.1 These general provisions allow the council to design future schemes where necessary to provide assistance to meet the aims stated in section 2, subject to available funding. This means that from time to time grants and loans may become available in addition to those schemes already stated in this policy.

### 7.2 Eligibility

- 7.2.1 Each scheme has some specific eligibility criteria and full details will be available when an application is made; however the following provide a general overview. Any person or persons who make an application for assistance under the Housing Assistance Policy must:

- Live in the dwelling as their sole place of residence except for a landlord who intends to make the dwelling available for letting at a “fair”<sup>4</sup> rent.
- Have an owner’s interest in the dwelling<sup>5</sup>, or be a tenant or licensee<sup>6</sup> of the dwelling, alone or jointly with others.
- Have a duty or right to undertake the works in question or have the explicit permission in writing from the owner to do so.
- Satisfy such financial tests<sup>7</sup> as are approved by the Council from time to time as part of this Housing Assistance Policy
- Landlords and tenants of properties owned by registered social landlords are not eligible for housing assistance under the Housing Assistance Policy but may be under the disabled adaptations section of this policy
- Have not applied for assistance for the same works in the preceding 5 years
- The Council may specify a period of time during which the applicant must have lived in the dwelling as their only or main residence prior to the date of application.

<sup>4</sup> A rent that the Council considers reflects the “market” rent for such accommodation in Thanet

<sup>5</sup> Be able to provide documented evidence of ownership in the dwelling or building in the case of long leaseholders they must have at least 10years interest left in the property

<sup>6</sup> Be able to provide documented evidence of tenancy or licence and the authority and permission to undertake the works in question

<sup>7</sup> The Council will, from time to time, use financial tests of resources to ensure that monies made available under this any scheme go to those in the greatest financial need



## 7.3 Application

7.3.1 Any application for assistance under this Policy must be on the forms prescribed and approved by the Council. These forms may be varied by the Council as it considers appropriate. The applicant will be required to provide all or some of the following information:

- Full details, including approved plans<sup>8</sup> of the works upon which assistance is requested;
- Detailed estimates from at least two builders of similar standing and VAT status for the works in question (the contractors concerned must not be members of the applicants immediate family);
- Details and receipts for the cost of any professional fees<sup>9</sup> incurred or to be incurred in relation to the application for assistance, however the full cost of these may not be met details of fees payable can be found for each type of assistance discussed in this policy;
- Documented proof that the applicant is the owner, tenant or licensee of the dwelling in question;
- Where the applicant is not the owner, written consent from all owners that the applicant may undertake the works in question;
- The applicant or owner must sign an undertaking to repay any financial assistance where there has been a breach of the conditions.
- If the applicant is a landlord a written undertaking that the dwelling(s) subject to the application will be made available for letting at a “fair” rent for a minimum period of five years. Alternatively that the dwelling will be made available to the Council or an approved registered social landlord for letting purposes (this is subject to the type of scheme being offered at the time);
- If a complete and valid application is not submitted to the Council within 6 months of any formal offer of assistance, then the offer will expire and will normally be cancelled. If it is evident that progress is not being made earlier than 6 months then the Council will use it’s discretion to cancel the offer earlier.
- A formal offer does not constitute an approval. Funding will not be allocated until a complete and valid application has been submitted and approved. Should funding no longer be available the applicant will be notified in writing.

## 7.4 Notification of decision

7.4.1 The Council will notify an applicant in writing whether the application for assistance is approved or refused. The notification will be provided as soon as reasonably practicable, and normally no later than eight weeks after the date the application is received.

7.4.2 When an application is approved the notification will specify the works which are eligible for assistance, the value of the assistance and the form that the assistance will take.

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<sup>8</sup> Where plans are required the applicant will be required to provide confirmation of Building Regulation approval for the works shown and planning permission as required

<sup>9</sup> Architectural, legal, agency fees



- 7.4.3 It will also state the amount the applicant must contribute towards the cost of the works, the expiry date of the assistance and the contractors that the costs have been based on.
- 7.4.4 In the case of a refusal, the Council will explain in writing the reasons for the refusal and the procedure for appealing against the decision.
- 7.4.5 Assistance is not transferrable between properties and applicants.
- 7.4.6 A loan approval may be subject to the loan being registered as a legal charge. There is a charge for this which will be added to the loan. It may not be possible to approve the loan until it has been registered. All grants and loans will be recorded as a local land charge.

## 7.5 Supervision of works

- 7.5.1 The contract of employment will be between the applicant and the chosen contractor and will not include the Council.
- 7.5.2 The responsibility for supervision of work rests with the applicant unless the applicant appoints a professional advisor or agent for that purpose.
- 7.5.3 The Council does not accept any responsibility for supervision of works and the applicant will be responsible to the Council for ensuring that the works completed are to an acceptable standard<sup>10</sup>.
- 7.5.4 An officer from the Council or our approved home improvement agency will check the works on completion and ensure that the works have been carried out in accordance with the agreed specification of work and in accordance with good building practice.
- 7.5.5 However, the council are not liable for any poor workmanship nor do they provide a guarantee. Where eligible works have not been completed to an acceptable standard the Council may withhold any money that is outstanding.

## 7.6 Conditions of Payment

- 7.6.1 The assistance will only be paid if:
- The assisted works are completed within the specified time period from the date of approval or such further period as the Council may subsequently allow.
  - The assisted works are carried out in accordance with the conditions of approval<sup>11</sup>.
  - The assisted works are carried out by one of the contractors whose estimates accompanied the application.
  - The applicant confirms in writing (usually on a prescribed form) that they accept and are satisfied with the completed works.
  - The works have been completed to the satisfaction of the Council including Building control and Planning.
  - The Council is provided with an acceptable invoice, demand or receipt for payment for the works and any professional fees and other charges. For this purpose an invoice, demand or receipt is acceptable if it satisfies the Council's audit standards

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<sup>10</sup> A standard that would be acceptable to any "reasonable" person

<sup>11</sup> The grant approval will specify the works upon which grant is paid

and is *not* submitted by the applicant or a member of his family. The invoice must include full details of the builder /surveyor employed including VAT registration details.

- The council has been notified in advance that the work has begun.
- The works have been completed in accordance with the approval and estimates and to a satisfactory standard.
- Any copies of specified guarantees and test certificates are submitted. All electrical work must be carried out by a competent contractor or one approved under current Building Regulations. All gas safety work must be carried out by a contractor approved by the Gas safe register.
- Interim payments will only be paid at the discretion of the Council. If the applicant has a contribution they will normally be expected to pay this part before any assistance is paid.
- All payments are paid direct to the builder. Only in certain circumstances where it might be appropriate to pay the applicant will this be considered at the discretion of the Council. This may be where the applicant or a third party has already paid such costs. Payment will only be made where receipts are provided.
- Payments can only be made for work that has been carried out under the terms of the assistance; it cannot be paid for materials not yet used. Eligible works must be carried out to the satisfaction of the Council and an acceptable invoice supplied.

## 7.7 Repayment of assistance

### 7.7.1 Repayment of assistance may be required in the following circumstances:

- If an application for assistance is approved but it subsequently appears to the Council that the applicant (or, in the case of a joint application, any of the applicants) was not, at the time the application was approved, entitled to assistance, no payment shall be made. In the case where payment has been made by instalment, no further instalment shall be paid, and the Council may demand repayment of any assistance already provided. The Council may also specify that interest is due on the monies paid from the date on which they were paid until repayment, at such reasonable rate as the Council may determine.
- If an owner of the dwelling to which the application relates ceases to be the owner<sup>12</sup> before the works are completed, Council may demand repayment of any assistance that has been paid.
- If an owner of the dwelling(s) to which the application relates ceases to be the owner within the specified time frame for the scheme approved then the Council may demand repayment of the monies.<sup>13</sup>
- If an owner of the dwelling(s) to which the application relates, having undertaken to let the dwelling(s) ceases to let the dwelling(s) in accordance with his undertaking then the Council may demand repayment of the monies.

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<sup>12</sup> Except where the disposal is to provide an annuity income and the person concerned is entitled to continue to occupy the premises as his only or main residence

<sup>13</sup> See appendix 1 which details all the current schemes

- Where the Council have the right to demand repayment but there are extenuating circumstances they may determine not to demand repayment or to demand a lesser amount as appropriate.

<b>Version</b>	<b>Date</b>	<b>Agreed by</b>	<b>Minute ref</b>
V1 Draft	31 <sup>st</sup> July 2014		

## Appendix 1: Summary of Initiatives for 2014/2016

The Council reserves the right to move funds between schemes depending on the success of the scheme or to cancel a scheme at any time.

Project	Rational	Additional Conditions	Additional information
<b>Mandatory Disabled Facilities Grant</b>	The Council has a statutory obligation to provide mandatory disabled facilities grants to assist disabled residents to live independently in their own home	A local land charge will be placed against the property where the grant exceeds £5,000. This only applies to grants for owner occupiers. If the property is sold, assigned or transferred within 10 years of the grant being completed then the Council may demand repayment of the grant up to a maximum of £10,000.	For details on the works that are eligible for a disabled facilities grant please refer to the Mandatory works guidance at appendix 3.
<b>Emergency assistance</b>	Occasionally the council is made aware of vulnerable persons living in potentially dangerous housing conditions that could have a significant impact on their health and safety or may be preventing them from returning home following admission to hospital as a result of an accident in the home. This repayable grant is required to carry out works to make the home safe so that a vulnerable person can remain at home.	<p>Must be in receipt of a qualifying benefit or on low income.</p> <p>Must own home to be eligible for this.</p> <p>On completion of the work a local land charge will be placed against the property. If the property is sold the grant must be paid back.</p>	<p>Up to £5000 available per property more may be available at the discretion of the manager in exceptional circumstances.</p> <p>Works must be specified by a council officer</p> <p>Applicant must use the home improvement agency to assist in making the application.</p> <p>Fees for the use of the agency are not added as a charge.</p>

Project	Rational	Additional Conditions	Additional information
		Loans are interest free.	
<p><b>Empty property owner occupier loan ( No use empty)</b></p> <p><b>£1 million</b></p>	<p>This loan is to assist owner occupiers who purchase an empty property in Cliftonville West or Margate central. The loan can be used to undertake renovation works to allow them to move into the property as their main residence. The aim is to encourage: bringing empty homes back into use; owner occupation in these wards and the regeneration of the area.</p>	<p>Interest free loan</p> <p>Administered by KCC No Use Empty</p>	<p>Up to £20,000 is available per property</p>
<p><b>Energy efficiency ‘Top Up’ grants and loans</b></p>	<p>Carbon reduction and energy efficiency is high on the national agenda because of the no. of deaths associated with cold weather and inefficient homes.</p> <p>58% of homes that fail the Decent Homes standard in Thanet do so because of “poor thermal comfort”</p> <p>Government schemes such as Green Deal and ECO do not always cover the full cost of the works and if the applicant is unable to pay the contribution the works often don’t go ahead.</p>	<p>The terms of this grant or loan will need to be determined once the ECO announcement have been made in the autumn</p> <p>Any assistance will be based on ‘topping up’ an offer under ECO</p>	<p>A grant limit is yet to be set but this is likely to be in the region of £5,000</p>

## Appendix 2: Guidance and code of Practice for Agents/Advisors acting on behalf of clients wishing to access grants and loans

It is the advisors/agents role to act on behalf of the client in designing adaptations or scheme of work, obtaining consents and securing services of suitable builders, leading eventually to the satisfactory completion of works. Works are to satisfy the grant conditions or adaptation objective of both the clients and the Occupational therapist and meet the quality standards of an ordinary reasonable person.

It is expected that the advisor/agent would have a collaborative approach with the Local Authority over the delivery of grants. They should acknowledge an understanding of the rationale and practicalities of managing expenditure and the need to demonstrate “fairness” to all applicants.

The Local authority will only pay fees to advisors/agents that satisfy the criteria below. Inappropriate advisors/agents often necessitate considerable extra input from the Local Authority, which is of little benefit either to the client or to the Local Authority. The Local Authority determines to whom fees will be paid and this decision will be final.

In order for an organisation/person to be considered as an appropriate advisor/agent for grant purposes, they should satisfy the following criteria:

- Experience of designing for the disabled
- Provide evidence of experience of working with a Local Authority or similar
- Provide evidence of CRB checks or a suitable reference from another Local Authority or similar organisation
- Provide evidence of appropriate insurances
- Provide evidence of an appropriate customer care charter
- Provide evidence of an equal opportunities policy
- Provide evidence of the vetting procedures for contractors
- Have evidence of professional registration and compliance with appropriate codes of conduct
- Provide details of complaints procedure and dispute resolution processes
- Meet financial viability criteria

Advisors/agents must always treat clients with respect and dignity, acknowledging the specific needs of the client group.

Contractors should be vetted by the advisor/agent to ensure they have adequate public liability and employee liability insurance and have a health & safety policy and any other legislative policies. Details should be vetted of sub-contractors tax certificate or certificate CIS, and any details on NICEIC, CORGI, FENSA etc and VAT registration number if applicable.

The vetting and checking of all such certificates and policies should be carried out periodically, not exceeding annually.

Appropriate documentation of the vetting process should be provided to the Local Authority.

## Appendix 3: General guidance of works considered mandatory for Disabled Facilities Grant

Adopted in 2008

### Housing Grants Construction & Regeneration Act 1996

Following consultation between Kent Local Authorities who administer Disabled Facility Grants, it has been agreed that the following works can attract **Mandatory** DFG funding.

The following categories of adaptation are detailed in the Housing Grants, Construction and Regeneration Act 1996 as being works which must be considered for grant assistance.

Where costs are likely to exceed £30,000 Local Authorities will need to take extra care to establish if the proposals are “reasonable and practicable.”

The grant limit is £30,000 - there is currently no discretion within Thanet District Council to go above this level and therefore when making recommendations regard must be had as to how the applicant will be able to finance the additional costs.

#### Facilitating access

##### 1. Facilitating access by the disabled occupant

to and from the dwelling

to a room used or usable as the principle family room

to a room used for or usable for sleeping

to a room in which there is a lavatory

to a room in which there is a bath or shower

to a room with a wash hand basin

Such works may include:

- Ramping and/or handrails to the main external door. This could instead be a rear door in the case of a rear access. Only one access point will be allowed for each dwelling. External stairlifts will be considered if reasonably practicable and they are not prone to vandalism. Handrails under £1000 are to be the responsibility of Social Services unless they are in conjunction with a ramp.
- Widening the main entrance door and the doorways to the bedroom, bathroom and living room. Automatic door opening to main entrance doors will only be allowed for persons who are otherwise unable to open the door. Door entry systems will be considered where the person has severe mobility problems.
- Alterations to facilitate wheelchair access to the bedroom, bathroom and living room. Access to other rooms may be considered where the disabled person is a carer.
- Other adaptations that are necessary to facilitate access to any of the relevant rooms by the disabled person, for example, stairlifts or vertical lifts in some cases. Where a stairlift breaks down and it is 5-10 years old, a manufactures report is needed before it can be



replaced. If it is over 10 years, a report may not be required. It is considered good practice to include a 5-year extended warranty/service contract with all new lifts.

- Provision of hard standings (3.6 x 4.8 max) and associated crossover for vehicle access where the disabled person is in a wheelchair or has difficulty walking to the house. This will only be given where existing on-street parking is considered unsatisfactory and a marked disabled parking bay is not possible or where it affords a more economic solution than providing additional paths/ramping from the roadside. It is cheaper to put a marked disabled parking bay outside the house compared to providing a hard standing.
- Please note: Being a holder of a blue badge is not the eligibility criteria for this item.

## Washing facilities

### 2. Facilitating the use of washing facilities by the disabled occupant

- Adaptation of the facilities in the bathroom and toilet, including the provision of flush floor showers, lever taps, specialist WCs, Closo-mat or Gerbit etc. The adaptation or provision of more than one bathroom to a house e.g. additional ground floor wc, will only be considered if evidenced by functional need.
- An electric fan heater should be provided to the bathroom/shower room in addition to a radiator as long as it does not contravene IEE regulations for wet areas.

## Kitchen Facilities

### 3. Facilitating the preparation and cooking of food

- Where someone other than the disabled person does and will continue to do the cooking and preparation of meals, normally it will not be necessary to carry out full adaptations. However, it may be possible to carry out minor adaptations to allow the disabled person to prepare light meals or hot drinks, typically this may include a low-level worktop with power points for a kettle/microwave.
- Full adaptations can be considered where the disabled person is the only or main user of the kitchen. The following adaptations can be considered:
  - a. Kitchen sink, including alteration to its height or position or the type of taps fitted to it. Powered, adjustable-height sinks will not generally be allowed, as the provision of a second sink is a more economic solution.
  - b. Cooker point and oven-housing unit ensuring its height and position is in a safe location and the provision of worktops on either side.
  - c. Work surfaces located beside the sink and on each side of the cooker having a total length of approximately 1.5m, all at a suitable height for the disabled person.
  - d. Food storage in an accessible position, usually space for a refrigerator with power supply.
  - e. Wheelchair access, if necessary, including wider doors, rearrangement of facilities etc.
  - f. Alterations to the kitchen door, light switches and power points, but only if it is necessary.

- g. Extensions or enlargement to kitchens can only be agreed where they are absolutely necessary in order to provide turning space for a wheelchair and if suitable space cannot be achieved by rearrangement of the existing facilities.
- h. The provision of cupboard and storage units on an "essential" basis. (2x1m base units and baskets or equivalent).
- i. Mechanical ventilation where kitchen schemes require Building Regulation approval.

## Other works that will be considered

- Alterations to the height and/or position of light switches and power points to make them accessible to the disabled person.
- Heating the rooms that are in everyday use by the disabled person where a medical need can be demonstrated. This does not include repair to existing systems. Changes to the type of heating system will only be allowed if evidenced by medical need.
- Possible upgrading/replacing of boilers where the property has been extended as part of the adaptation.
- Provision of laminate glass or specialist lighting or guards to fires and around radiators where disabled children with violent behavioural problems may harm themselves.
- Provision of enhanced fire alarm systems for those with hearing difficulties.
- Carrying out structural alterations where necessary to provide fixings for disabled equipment provided by Social Services e.g. fixing for tracking /overhead hoists.
- Where an adaptation is required to a listed building and additional works are required to comply with requirements.
- Where an adaptation cannot be carried out due to disrepair issues those repairs, within reason, may be carried out. Such works as replacement of rotted flooring or strengthening of the floor as part of a flush floor shower installation, electrical repairs to enable works to be carried out safely, and dealing with low water pressure. Replacing defective drainage and a full rewire would not normally be eligible.
- Additional bathrooms or bedrooms may be allowed where they are specifically for the disabled person and it can be demonstrated that adaptation of other rooms or space or access to those rooms in the property is unsuitable. **Extensions will only be allowed following a detailed cost/benefit analysis of alternative options.**
- In cases of small terraced properties with narrow passageways or very difficult access, effective adaptation can only proceed where it can be reasonably and practicably carried out without having a detrimental impact on neighbouring properties.
- Requests are sometimes received to provide separate bedrooms where disabled children with behavioural difficulties share a room with other siblings and disturb their sleep. This will only be considered under mandatory grant where it can be demonstrated the child is prone to violent outbursts and there is risk of physical harm to the child or to the other siblings.

## Access to the Garden

- This has only recently been introduced and will only be considered if recommended by an Occupational Therapist.

- In deciding the extent of providing access to the rear garden, the following will be taken into account.
- Grant assistance will not be given where there is already access to the garden but grant may be given to improve an existing access to make it safe for the disabled occupant to use. It does not include extending an existing access e.g. creating a side access so a person can also go around the side of a house. Generally, the most modest solution for providing access to both the house and the garden will be considered and this can mean that one access may be sufficient to access both the house and the garden. Where homes have communal gardens, e.g., blocks of flats served by a single access, grants will not normally be provided for an individual access to the garden unless it can be demonstrated that because of the disabled persons condition the travel distance to the garden would be excessive and unreasonable.
- The grant will simply be for providing immediate access to the garden and does not include landscaping gardens to make them more suitable for the disabled person to access. However, to assist a disabled person to live independently, an allowance of 4 m<sup>2</sup> of pathway, (which may include a turning circle for a wheelchair user), will be considered to assist access to any specific areas enjoyed by the disabled person.
- See also the list of non-mandatory items in the next section relating to gardens etc.

## General guidance of works considered non-mandatory

**These works may only be available if discretionary funding is available. There is no discretionary funding at Thanet District Council and therefore only mandatory items will be funded.**

- Generally, more extensive adaptations to the kitchen than those described previously.
- The provision of cupboards, storage units, breakfast bars, generally above and beyond the standard that applies for mandatory grants.
- Cookers and hobs, refrigerators, dishwashers, washing machines and waste disposal units.
- Replacement of rooms or parts of rooms which have been "lost" by carrying out adaptations (by way of explanation, where a ground floor living room or dining room is converted into a bedroom with en suite shower room for a disabled person, the construction of a "replacement" living room or dining room for use by the rest of the family could not be grant aided on a mandatory basis.)
- Fitments in rooms, for example built-in cupboards, wardrobes, storage units etc.
- Extensions to living rooms.
- Provision of secondary access from dwelling house, formation of patios, garden paths etc. walkways from garages and sheds. 2<sup>nd</sup> access – would need very exceptional circumstances to allow this.
- Storage areas and charging points for wheelchair/ scooters.
- Service contracts for lifts and other equipment.
- Provision of treatment rooms
- Provision of pager systems linked to doorbells or telephones for the profoundly deaf.

- Floor coverings (except thermo-plastic tiles or similar permanent floor finish to bathroom area).
- Wall tiling (except splash backs and immediate shower areas).
- Provision of disabled aids and equipment that can be fitted with no or little structural alterations. These are likely to be able to be removed fairly easily and re-used if the disabled person should decide to move in the future.
- Non-fixed aids, e.g. bath hoists can be funded by KCC as equipment but some authorities allow it as discretionary.
- Sliding doors/two way doors – not needed – can turn door round or flexicare 2 way hinges in special cases if likely to fall.
- Hard standings (as a Planning Condition) (4<sup>th</sup> bedroom).
- Air conditioning.
- CCTV
- Creating a safe play area and/or fences.
- Storage areas for example scooters, wheelchairs, children's equipment.
- Portable/non-fixed items.
- Drop kerbs, hard standings and ramps for non- wheelchair users/non-drivers.
- Minor adaptations up to the value of £1,000 which are obtainable from Social Services, Occupational Therapy Bureau
- Formation of Patios
- Creating a safe play area on/or secure boundary fencing (this is already in the list)
- Walkways to and from garages or scooter storage areas
- Formation of bin store areas
- Provision of clothes drying facilities
- General provision of external lighting

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