

Private Sector Housing Renewal Policy

Report of the Housing & Environmental Health Portfolio Holder

Recommended:

- 1. That the Private Sector Housing Renewal Policy attached as Annex 1 to the report be adopted.**
- 2. That the Head of Housing & Environmental Health be given delegated authority, in consultation with the Portfolio Holder for Housing & Environmental Health and Head of Finance & Revenues, to utilise funds from the Better Care Fund where there are exceptional circumstances which sit outside of the policy, but where key objectives would be met (as set out in paragraph 2.9 of the report).**
- 3. That the Head of Housing & Environmental Health be given delegated authority, in consultation with the Portfolio Holder for Housing & Environmental Health and Head of Finance & Revenues, to make changes of a minor nature in response to updates in legislation, including delegated authority to calculate and charge fees associated with the policy.**
- 4. That income received from civil penalties and rent repayment orders is used to support further enforcement activity involving sub-standard private rented sector properties.**
- 5. That repayments received from grants and loans are used to support further grants and loans from within the Private Sector Housing Renewal policy.**
- 6. That the Park Homes Grant be added to the Grants paid from the existing allocated budget in the Capital Programme.**

SUMMARY:

- The purpose of this report is to consider the attached draft Private Sector Housing Renewal Policy with a view to its adoption.
- Members are asked to consider the revisions made to the maximum level of grant funding to be made available in certain circumstances, and to the details of how the Better Care Fund can be utilised.
- Members are asked to note the introduction of the Fit and Proper Person Test for owners/managers of mobile home sites, together with the need to introduce fees for the service by 1 July 2021, as set out in Section 9 of the attached report.

1 Introduction

- 1.1 The Council's adopted Housing Strategy 2020-25 includes a priority to improve access to, and the quality of existing housing. To deliver on that priority the Council has identified a specific objective in supporting the Housing Strategy to promote, deliver and review the Council's Private Sector Housing Renewal Policy to ensure it is making a positive difference to people's lives and meeting locally identified need.
- 1.2 This report is seeking approval from Members to adopt the revised Private Sector Housing Renewal Policy which will give advice on how the Council will use its resources to improve private housing stock in the borough, including details on the availability of financial assistance to those who meet the relevant criteria.
- 1.3 Members are also asked to note and approve the proposed increases in maximum grant funding to be made available in certain circumstances, in order to reflect increases in costs of work. Para 2.5 below sets out the proposed changes.

2 Background

- 2.1 The Council's adopted Housing Strategy 2020-25 sets out the Council's priority to improve access to, and the quality of existing housing. The Private Sector Housing Renewal Policy sits underneath that Housing Strategy and sets out the Council's approach to maintaining and improving the standard of private housing stock in the borough, including advice and assistance available to landlords and occupiers, and its approach to enforcement.
- 2.2 The policy details the types of grants and loans available to certain customer groups, such as Disabled Facilities Grants, and seeks to ensure that available funds are used effectively, including effective use of the Better Care Fund.
- 2.3 The Disabled Facilities Grant is the only mandatory grant. All other grants and loans are discretionary and can be set to suit local need. All discretionary grants and loans are subject to funding available. Three of the current discretionary grants and loans are funded by the Council's capital programme. It is proposed that an additional grant, i.e. Park Homes Grant also be made available through the Council's capital programme (included in the existing budget), as shown in Table 1 below.
- 2.4 The Disabled Facilities Grants and Loans are funded from the Better Care Fund Allocation. The proposals set out in this report recommend that we expand the use of the Better Care Fund funding, including proposals to fund some new grants to maximise use of the fund, and maximise the potential to assist those who are vulnerable. The proposed new grants are detailed in Table 1 below.

- 2.5 The maximum financial limits for grants and loans have not been revised since 2017, and it is considered that a number of these should now be increased to reflect increases in the cost of works. A summary of all existing and proposed new grants and loans with the proposed new maximum funding limits is shown in Table 1 below. Appendix 1 of the policy provides further details on these different grants and loans available, together with the criteria and conditions for each type. It is proposed that the new funding limits will take effect from 1 July 2021.

Table 1

Type of Grant or Loan	Previous maximum funding limit	Proposed maximum funding limit (as per Appendix 1 of the policy)	Funding Source
Home Improvement Grant	£5,000	£10,000	TVBC Capital Programme
Home Improvement Loan	£10,000	£10,000	TVBC Capital Programme
Empty Property Loan	£15,000	£20,000	TVBC Capital Programme
Disabled Facilities Loan	£15,000	£20,000	Better Care Fund
DFG Top up Grant	New proposal	£15,000	Better Care Fund
Urgent Care Grant	New proposal	£5,000	Better Care Fund
Adaptation Grant	New proposal	£7,500	Better Care Fund
Dementia Friendly Grant	New proposal	£2,000	Better Care Fund
DFG Fees Grant	New proposal	£2,000	Better Care Fund
Park Home Grant	New proposal	£10,000	TVBC Capital Programme

- 2.6 The Better Care Fund allocation is provided for disabled adaptations but is not solely ring fenced to Disabled Facilities Grants and can be used for social care capital projects where the aim is to allow vulnerable individuals to live independently within their own home, preventing them from becoming homeless or having to be accommodated within a costly residential placement where their independence is lost. Additional projects have to be agreed with Hampshire County Council who disseminate the Better Care Fund Allocation throughout Hampshire.
- 2.7 The Council has not fully spent its Better Care Fund allocation in recent years, and is likely to continue underspending unless there can be additional flexibility applied towards the use of the funds. The table below shows the Better Care Fund allocations and spend since 2016/17. Unspent funds are carried over at year end. As at 1 April 2020 the balance of the Better Care Fund was £2,281,400.

Year	Better Care Fund Allocation	DFG spend
2016/17	£937,669	£634,146
2017/18	£1,030,556	£682,200
2018/19	£1,123,443	£546,600
2019/20	£1,212,262	£674,186
2020/21	£1,212,262	£728,237

- 2.8 The Better Care Fund provisions allow for the top tier authority and the Health and Wellbeing Board to redistribute funds. If Test Valley do not utilise all funding, there is the possibility that part of our allocation in future could be reallocated amongst other Hampshire districts. The Government review of spending and allocation formula that took place in 2018 as part of the Social Care review may also alter the allocation amount.
- 2.9 The revised Private Sector Housing Renewal Policy sets out a range of possible uses for the Better Care Fund with a view to maximising use of the Fund, and meeting at least one of the following objectives:-
- Enabling vulnerable individuals to stay living independently within their own home;
 - Reducing admissions to residential care homes;
 - Reducing the cost of providing domiciliary care;
 - Contributing to the wider prevention agenda of housing, social care, and health authorities by facilitating improvements in individuals' wellbeing and reducing hospital admissions.

- 2.10 The policy also sets out the Council's approach to enforcing housing standards in rented accommodation including issuing Civil Penalties for offences under Housing Legislation and the method of calculating these. The majority of rented accommodation is in good order and operated by compliant and diligent landlords. The enforcement policy allows action to be taken against those who are not compliant and put the health, safety and wellbeing of their tenants at risk.
- 2.11 The Council must use income received through civil penalties to fund further action on enforcement and maintenance of private sector housing.
- 2.12 The production of this document has been in consultation with the Council's Legal Team, and has been consulted upon through the Landlord Forum as part of the Housing Strategy consultations.

3 Corporate Objectives and Priorities

- 3.1 The Council's Corporate Plan 2019-2023 Growing Our Potential, includes four strategic aims for the Council over the next four years and beyond. One of the four strategic priorities is "Growing the Potential of People". Within that theme the Council sets out its priorities in addressing housing needs.
- 3.2 The Council's Climate Emergency Action Plan approved at Cabinet in June 2020 includes a number of actions to improve housing conditions in the private sector, including actions to improve energy efficiency.
- 3.3 With the adopted Housing Strategy setting out the key objectives in respect of housing in the borough the Private Sector Housing Renewal Policy will expand upon those objectives and provide detailed guidance to landlords, tenants and owner occupiers to ensure that they can access advice and assistance to improve housing conditions.

4 Options

- 4.1 The attached document reflects the up to date position with advice and assistance on improving housing conditions in the private sector and includes updated information on the grants and loans that can be made available, including detailed terms and conditions.
- 4.2 Members need to consider whether or not to adopt the revised document.

5 Option Appraisal

- 5.1 **Option A – Agree to adoption of the attached document, together with approval to apply greater flexibility to the use of the Better Care Fund, and to add the Park Homes Grant to the Capital Programme.**

Advantages: Adoption of the document will assist the Private Sector Housing Team in taking enforcement action where appropriate, and will be publicly available on the Council's website to inform landlords, tenants and owner occupiers of advice and assistance available to them. Approval to apply greater flexibility to the use of the Better Care Fund will ensure that the Council is able to assist more customers to remain living independently and meet their needs in their own home, and will ensure that grant funding is not lost to other Hampshire local authorities.

Disadvantages: None

5.2 Option B – Not to agree adoption of the document

Advantages: None

Disadvantages: If a decision is made not to adopt the document the Council will be in a weaker position when taking enforcement action for unsuitable housing conditions as there will be no policy basis upon which to take action. The lack of further clarity around the Better Care Fund could result in the Council continuing to underspend the funds which will potentially result in a reduction in future funding, and would represent a missed opportunity to assist more customers to live independently in their own home rather than having to move into residential placements.

5.3 Option A is the recommended option.

6 Risk Management

6.1 A risk assessment has been completed in accordance with the Council's Risk Management Methodology and the existing risk controls in place mean that no significant risks (Red or Amber) have been identified.

7 Resource Implications

7.1 The operation of the policy will be resourced from existing staffing. Grants and loans are subject to available funding which is awarded annually.

8 Legal Implications

8.1 Once adopted the policy document will form part of the Council's suite of housing policy documents. In order to achieve the status the necessary regulations have been complied with.

8.2 The adoption of the Private Sector Housing Policy will facilitate the Council in meeting its statutory obligations with regard to the standard of accommodation in the district. The enforcement policy will guide officers and ensure that the Council's regulatory enforcement activity follows the requirements of the Regulators' Code and legislation as necessary.

8.3 The adoption of the policy will support the Council in meeting its legal obligations to provide mandatory grants set in legislation, such as Disabled Facilities Grants.

9 Equality Issues

- 9.1 An EQIA screening has been completed and no potential for unlawful discrimination and/or low level of minor negative impact identified. A full EQIA has not been carried out.

10 Other Issues

11 Community Safety

- 11.1 The Private Sector Renewal Policy seeks to ensure that housing in the community is safe, well maintained, used for lawful purposes, suitable for a range of customer needs, and helps to create places where people wish to live and work.

12 Environmental Health Issues

- 12.1 Well maintained properties that are suitably adapted for use by the occupant improves the health, safety and wellbeing of residents.

13 Sustainability and Addressing a Changing Climate

- 13.1 The Private Sector Renewal Policy sets out the Council's objective to improve the efficiency rating of the least energy efficient homes and thereby help tackle fuel poverty and climate change.

14 Property Issues

- 14.1 None

15 Wards/Communities Affected

- 15.1 All wards are potentially affected as the guidance contained in the Private Sector Housing Renewal Policy is applicable to all private sector housing in the borough.

16 Conclusion and reasons for recommendation

- 16.1 The attached Private Sector Housing Renewal Policy provides detailed guidance to all parties who own, manage, or live in private sector housing within Test Valley. This new policy provides updated guidance to meet all statutory requirements, and enables the Council to introduce new fees and charges associated with regulatory changes, as well as maximising the use of grants to assist vulnerable residents to live independently in their own home.

Background Papers (Local Government Act 1972 Section 100D)

None

Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes:	1	File Ref:	N/A
(Portfolio: Housing & Environmental Health) Councillor P Bundy			
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Report to:	Cabinet	Date:	26 May 2021