

REPORT TITLE: PRIVATE SECTOR HOUSING RENEWAL STRATEGY

21 MARCH 2023

REPORT OF CABINET MEMBER: Cllr Ferguson, Deputy Leader and Cabinet Member for Community and Housing

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WARD(S): ALL

PURPOSE

Proposals in the report directly support the priorities 'Homes for all' and 'Living Well' identified within the Council Plan.

The Private Sector Housing Renewal Strategy supports the council's broader strategic housing aims:

- a) To maximise the supply of high-quality affordable housing in urban and rural areas
- b) To improve the housing circumstances of vulnerable and excluded households

The improvement of poor condition privately owned or rented sector accommodation is a key priority for the council. Properties left in poor condition can have a harmful effect on the health, safety and well-being of their occupants and the local community and environment.

This report introduces a revised Private Sector Housing Renewal Strategy for 2023-2028 which sets out how the council will;

- a) Use its powers to ensure properties are maintained and brought up to the right standard
- b) Use grant funds to allow people to adapt their homes so residents can continue to live independently
- c) To promote carbon reduction measures in the private sector housing stock and improve energy efficiency

- d) To offer advice, assistance, and support to private sector tenants around issues such as damp and mould

The revised strategy has one notable variation from the existing strategy, to charge fees for formal notices served under various legislation

The proposed Disabled Facilities Grant (DFG) policy has various changes from the existing policy which are outlined in paragraph 14 of the report and listed in recommendation 3. The changes to the policy specifically revise the use of the discretionary funding element of the DFG allocation.

RECOMMENDATIONS:

1. That the Private Sector Housing Renewal Strategy for 2023-2028 as set out in Appendix A of the report be approved.
2. Approve the proposed fee structure for Housing Act and Mobile Home Act notices detailed in paragraph 11.13 of this report and
3. That the Disabled Facilities Grant (DFG) policy for 2023-2025 as set out in Appendix B is approved and in particular note the new changes:
 - Introduction of new discretionary grants in the form of Welfare, Heating, Relocation and Top Up grant
 - Approve that the discretionary grant level is capped at a maximum of £100k
 - Approve that any Local Land Charge placed on a property will have no expiry date and the charge will be an interest free loan.
 - To approve the revised formula for the client's contribution towards the DFG above the discretionary and mandatory amounts as outlined in paragraph 12.31 and Appendix C of this report.
 - That the better care fund reserve is utilised to fund an additional Disabled Facilities Case Officer to accelerate the support provided via Disabled Facilities Grants.

IMPLICATIONS:

1 COUNCIL PLAN OUTCOME

1.1 Tackling the Climate Emergency and Creating a Greener District

The strategy details how a combination of enforcement and financial assistance (central Government funded) will be used to improve the energy efficiency of the private sector housing stock in Winchester.

1.2 Homes for all

The strategy aims to maintain a good standard of private rented housing accommodation through the use of support to both landlords and tenants, with enforcement generally used only as a tool of last resort.

The private rented sector in Winchester plays a vital role in ensuring there is sufficient housing within the district and a supportive, rather than aggressive, approach to landlords is adopted in order to encourage landlords to remain in the market.

Providing DFG grant funding towards adaptations for people with disabilities that enables them to remain living independently in their own homes helps to create more diverse, healthy and cohesive communities and allows more people with disabilities and their families to remain living and working in the district.

1.3 Vibrant Local Economy

A fair and reasonable strategy will attract landlords to remain in the Winchester district helping to ensure the continued supply of a range of accommodation options for people to live and work in the district.

1.4 Living Well

We want all residents to live healthy and fulfilled lives in decent and affordable accommodation. The provision of good quality housing is linked to and has a positive impact on wellbeing and health inequalities. This is detailed further in point 2.13 of the report.

1.5 Your Services, Your Voice

To ensure all residents have the opportunity to make their voice heard, there needs to be a focus on accessibility and inclusiveness so that the services outlined in this strategy can be accessed and used by all. Residents are consulted on the design of the adaptation when applying for a disabled facilities grant which enables a successful outcome for residents.

2 FINANCIAL IMPLICATIONS

The proposed fees for service of formal Notices will result in a small income estimated at under £3000 per annum on past history. The object of charging is to encourage landlords to carry out works without the need for formal notice to be served.

For the financial year 2022/23 the council was allocated £1,231,035 in DFG grant allocation, which was the same as the previous financial year. It has been reported that the DFG grant allocation to local authorities will likely not increase and will remain the same up until and including financial year 2024/25.

Despite the restrictions imposed by the pandemic in 2020/21 the DFG service (which sits within the Strategic Housing Service) awarded £938k of its annual allocation. Since January 2022 the DFG Service has been staffed by two full time case officers and a Housing Occupational Therapist (OT). It is anticipated this year that based upon our current and committed spend to date, and a projection of likely referrals and inflationary related cost increases that the DFG award for 2022/23 will be fully allocated. As at 3rd March 2023 £1,031,736 of the DFG award had been spent and a further £644,802 committed.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 Ongoing legal support will be provided, as required, in relation to this strategy.

A procurement process was undertaken last year in conjunction with Hampshire County Council to secure a framework of approved contractors to deliver the installation of wet rooms, the value of which is invariably below £10k. We offer grant applicants the opportunity to use one of the approved contractors on that list, but they are not bound to accept the offer. The terms of the contractors' place on the list also does not guarantee them work. In respect of the new grants we are offering welfare and heating, each individual grant will be under £10k, as the maximum for each is £2k and £4k respectively and £8k in respect of the relocation grant. All of the new grants we are offering will be covered by the council's current procurement framework.

4 WORKFORCE IMPLICATIONS

- 4.1 Currently, there is 1 x grade 5, 1 x grade 4 and 1 Occupational Therapist administering the council's DFG applications. This report proposes recruiting an additional grade 4 post. This post will support the existing officers in administering the Disabled Facilities Grant applications inclusive of the referrals currently waiting to start the application process. There are between 30-40 referrals on the waiting list at any one time. This post will be funded from the accumulated underspend of this grant from previous years. If fees are charged on Disabled Facilities Grants in line with existing practice then the reserve will be replenished.

5 PROPERTY AND ASSET IMPLICATIONS

Recommendations within the report have no impact on council property and assets.

6 CONSULTATION AND COMMUNICATION

- 6.1 The strategy has been presented to Business and Housing Policy Committee (BHP) for review and comment on 6th October 2022. The Strategy and policy was well received and supported by the committee and offered positive feedback. The committee asked the council to consider selective licensing, and this is addressed in point 12.13 of the report. It was also agreed that the second recommendation of the BHP report of officers exploring the possibility of a Grant Assisted Fund for private sector rented and owner occupiers was rejected due to the council ensuring best use of limited resources. The BHP committee were of the view that using limited resources to provide assistance to owner occupiers and property owning landlords was hard to justify with the current resource limitations of the council.

The DFG policy was presented to and discussed with TACT (Tenants and Council Together) group. The report was well received and TACT were appreciative of the presentation as they were unaware of the DFG and a number of their friends and relatives could be eligible. TACT also highlighted the need for better promotion of the DFG and resource limitations the council is having to manage.

All Private Sector Housing (PSH) team members were consulted on the content of the strategy and policy during a team meeting on 7th December 2022.

Foundations, the government appointed advisory organisation for Disabled Facilities Grants, were consulted with regard to the DFG aspect of the strategy. Constructive feedback was provided by Foundations, advising the council to separate the DFG policy and procedures.

The council consulted with the Home Adaptations Policy Team at the Department for Levelling Up, Housing and Communities (DLUHC) to confirm the legality and feasibility of being able to offer discretionary grants / loans in excess of £30k using DFG funding. DLUHC confirmed it is a legitimate use of the DFG funding that is awarded to the council.

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 Providing access to advice and funding initiatives regarding improvement of heating systems and home insulation reduces carbon emissions. Where replacement works are undertaken to upgrade a heating system the applicant/resident will be encouraged to install a heating system and insulation to achieve an EPC rating of at least band C. This is explained in more detail in the Strategy (Appendix A).

Providing advice, assistance and remedies to residents in the private rented sector regarding damp, mould and ventilation management with their homes.

8 PUBLIC SECTOR EQUALITIES DUTY & EQUALITY IMPACT ASSESSMENT

8.1 The Equalities Act 2010 imposes a duty on the council, when exercising its functions, to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

8.2 An Equality Impact Assessment has been completed which has considered those with 'protected equality characteristics' and has identified that the Strategy and/or DFG Policy will not negatively impact on any of those groups. This can be found in appendix D

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 All applicants sign the council's GDPR privacy notice as part of the DFG application. All sensitive client information is stored on the council's record keeping system.

10 RISK MANAGEMENT

Risk	Mitigation	Opportunities
Financial Exposure Risk of not committing allocated grants awarded to the council & funding in line with timeframes (the only one the council receives at the moment in relation to the private sector and administered by the private sector	Detailed financial monitoring and promotion of private sector reports. Quarterly Budget meeting Officers keep demand under review	Publicity of DFG service to attract referrals

<p>housing team is the Better Care Fund)</p> <p>The grants awarded under or overspend on the grant allocation</p> <p>Private sector grants are insufficient to meet the needs of residents.</p> <p>The grants received from Government cease</p>		
<p>Exposure to challenge Risk of government funded grants being reduced.</p>	<p>Currently retain a proportion of the grant surplus in relation to the Better Care Fund</p>	<p>Exploration of alternative funding sources from charities, other Government initiatives.</p>
<p>Innovation Exploring new funding grant opportunities /charities</p>	<p>Will help to achieve the spend of the annual DFG financial allocation and meet the objectives of the Better Care Fund</p>	
<p>Reputation Failing to have and renew a/the Private rented Sector Renewal Statutory would be in breach of statute and would result in the private sector service not being supported by clear guidance, policies and procedures.</p>	<p>Reviewing/adopting the policy means the council are not in breach of legislation.</p> <p>Introducing a new DFG policy will give clarity and guidance to staff and the public as to what the DFG Service can offer residents across the district.</p>	
<p>Achievement of outcome The interventions in the various grants awarded such as DFG are not implemented, and the benefits of the grants are not realised</p>	<p>Existing and additional Staffing levels remain in place to ensure the strategy can be implemented.</p>	<p>Keep staffing levels under review to ensure the council is able to meet demand and administer the grant fully</p>
<p>Property None</p>		
<p>Community Support Stakeholders do not participate in the delivery</p>		

of the strategy. Residents do not engage or take up the support offered by the Private Sector Housing team		
Timescales Grant applications that serve the private rented sector are administered within the timescales outlined in the relevant policy	Grants are available for immediate delivery to ensure those already in need can receive it.	
Project capacity If staff resources were reduced capacity to deliver the full service would reduce	Council Commit to existing staff resources to ensure service delivery	

11 SUPPORTING INFORMATION:

- 11.1 The improvement of poor condition privately owned or rented property is a key priority for the Private Sector Housing Renewal Strategy. Properties left in poor condition can have a harmful effect on the health, safety and well-being of its occupants and the local community and environment.
- 11.2 The council is required to review the condition of its private sector housing stock and establish the most appropriate course of action to bring properties up to a satisfactory standard. The council has a wide range of powers and practical options to assist through support and guidance up to enforcement powers by doing the work and recovering the costs, when owners or landlords fail to carry out their responsibilities. The council's preferred approach has been to encourage and support owners and landlords to undertake the work needed to improve the quality of its private housing stock, however statutory powers are used where necessary.
- 11.3 The Department for Levelling-up Housing and Communities (DLUHC) has recently issued a directive and demand for information regarding the prevalence of damp and mould hazards in the private rented sector (and a similar demand has been made of landlords of social housing, including WCC property services). The data fed back to DLUHC in response to this matter identifies that damp and mould is not a significant matter of concern in the private rented sector in the district given the level of complaints received and investigated in this regard. Detail of this is included in the table at 12.14. The officers will continue to use the appropriate powers as identified in 12.2 to deal with damp and mould hazards and to review local conditions within the scope of the strategy.

Background

- 11.4 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) provided local authorities with the ability to offer grants to improve housing conditions. The only grant the PSH team currently administers is the disabled facilities grant (DFG). The Order repealed all of the previous legislation relating to grants and gave councils wider powers to choose how they provide assistance and for what. To exercise this power, a council must prepare and publish a Private Sector Renewal Strategy.
- 11.5 The Private Sector Housing Renewal Strategy is part of a family of strategies that underpin the council's overarching Housing Strategy. The council approved the last Private Sector Housing Renewal Strategy in 2016.
- 11.6 The council last completed a full private sector stock condition survey in 2015 and updated this using the Building Research Establishment stock modelling service and energy data from Absolar Ltd in 2021. At present there is no clear reason to consider a new full scale stock condition survey. The data from these recent investigations, and the evidence provided by the level of complaints received and data gathered during other work such as the HMO licensing scheme does not suggest that there are significant matters of concern in the district which would be better informed by a detailed survey. However, the council will explore the possibility of conducting such a survey during the lifetime of this strategy, funding permitting, if evidence changes over time. The estimated cost of such a survey is of the order of £75,000.
- 11.7 The Better Care Fund allocation methods changed in 2017 in that a proportion of the funding was diverted from the NHS to local housing authorities with the specific intention for local authorities to use the fund interventions in housing to reduce hospital admissions, enable prompter discharge from hospital, and delay the need for individuals to transfer to a care setting. Receipt of this funding from central government was combined with the existing Disabled Facilities Grant allocation, resulting in a substantial increase of grant funding from approximately £450k in 2016 to the current grant of £1.2m for 2022.
- 11.8 Mandatory HMO Licensing expanded in September 2018 to include all HMOs occupied by 5 or more people in 2 or more households, rather than only those of 3 storeys or more.
- 11.9 The 'City Lets' Private Sector Housing scheme closed to new landlords in 2020, due to financial viability issues caused by large claims made on the council's Security Bond and due to landlords leaving the scheme.
- 11.10 Since 2016 there have been legislative changes that have provided additional enforcement tools within the Housing and Planning Act 2016, the Electrical Safety in the Private Rented Sector (England and Wales) Regulations 2020, changes to the Smoke and Carbon Monoxide Alarm (England) Regulations (which come into force on 1st October 2022), the Mobile Homes (Requirement for the Manager of a Site to be Fit and Proper Person) (England) Regulations 2020.

Priorities of the Private Sector Housing Renewal Strategy

- 11.11 Insecurity in the private rented sector is a growing problem and the cost-of-living crisis is likely to have a further impact with challenging rent increases and the potential of increased evictions. A recent recruitment of a Private Sector Housing Sustainment Officer will provide tenancy support, advice and discretionary financial assistance to help with household costs to prevent the threat of homelessness.
- 11.12 The broader aims of the strategy have not significantly changed, but a strategy revision allows for the inclusion of new revenue streams, and for the provision of further targeted support to the private sector to improve private sector housing conditions generally.
- 11.13 The proposed strategy also suggests creating a Fees Policy to cover all aspects of the service for which fees may be charged in one live document. These are currently detailed in the various separate policies and an overview of each are detailed as below.
- 11.14 Fees for Notices (proposed): The Housing Act 2004 and other legislation under which the Private Sector Housing team may take enforcement action against landlords or HMO or Caravan Site licence holders, allow for the charging of a fee for the service of notices. To date the council has not adopted this practice. The number of formal notices served each year by the council is small (10-15 in a typical year). The purpose of imposing a fee is twofold: first it recovers the council's reasonable costs in serving the notice and thereby reducing the council's expenditure and secondly the imposition of a charge encourages the offender to take the required action before a formal notice is deemed necessary, resulting in prompter resolutions of unhealthy housing conditions.

Benchmarking against other Hampshire local authorities indicates that fees are charged in two formats – either an average fee based on typical time spent inspecting a dwelling, assessing the best course of action, serving notice and subsequent follow up work, or a direct calculation of time on a case by case basis.

The preferred option is the former – an averaged fee – as this principle is also followed in setting HMO Licence fees, Mobile Home Site licence fees and fees for handling DFGs.

The following table provides the fees charged by other Hampshire authorities who responded.

Charges	SCC	Havant	EBC	Test Valley	IOW** (guideline)
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					charges based on hourly rates plus costs)
Improvement Notices	£285-£475	£550.00	£515	£5 ph	£663.18
Prohibition Notices	£333-£467	£550.00	£515	£59ph	£663.18
Emergency Prohibition Notices	£333-£467	£550.00	£515	£59ph	£624.20
Hazard Awareness Notices	£285-£475	£550.00	£0.00	£59ph	£360.82-£555.73
Emergency Remedial Action	£200.00	£550.00	£515	£59ph	
Demolition order	£323.00	hourly costs	£0.00	£59ph	
Review of order/notice	£100.00	hourly costs		£59ph	

The proposed fees for WCC are as follows:

Charges	Fee
Improvement Notices/Mobile Homes Act 2013 Compliance Notices	£550
Prohibition Orders	£550
Emergency Prohibition Orders	£550
Hazard Awareness Notices	£550
Emergency Remedial Action	£550
Demolition Order/Clearance Area	Hourly rates(minimum of 2 hours of £60 per hour)
Review of suspended Order/Notice	£100

Demolition Orders and Clearance Area declarations will be assessed on hourly rates as these are too variable and too uncommon to average. This work could involve 1 dwelling or an entire neighbourhood, a fixed rate would be difficult to set and wouldn't cover the council's costs if more than one dwelling.

It should be noted that costs associated with any non-compliance with Notices or Orders would be recoverable as part of any prosecution or through the use of Financial Penalties where applicable.

12.1 HMO Licensing and accreditation: There are currently 361 licenced HMOs within the district. Renewal fees (at current rates) for these over the 5 years of this Strategy document is $361 \times \text{£}776 = \text{£}280,136$. New licences attract a 5-year fee of £984. There are currently 100 accredited properties for which the 3 yearly renewal fee is £94, producing an income of approximately £15,000 over the period of this Strategy document. A new accreditation is charged at £138 for the 3 years.

12.2 Additional or Selective Licensing

12.3 While it has been proposed that additional or selective licensing for HMOOs could be introduced for both Stanmore and Winnall estates, the strategy indicates that the introduction of either an Additional Licensing Scheme under Part 2 of the Housing Act 2004, to encompass HMOs not requiring mandatory licences, or a Selective Licensing Scheme under Part 3 of the Act, to encompass all private rented dwellings, either district wide or in discreet localities, is not supported given the evidence of current conditions and complaints. The table below shows the number of complaints received in the preceding 3 years and how many of these were in HMOs, in Stanmore and in Winnall, or from Housing Association tenants (which could not be subject to licensing).

Year	Total Number of complaints	From the total - How many were Damp & Mould	From the total - How many were HMO's	From the total - How many were Housing Association	From the total - How many were in Stanmore	From the total - How many were in Winnall
2020/2021	100	20	8	17	7	4
2021/2022	109	21	22	23	11	5
2022/2023	65	19	8	16	6	0

To introduce such a scheme would require evidence of one or more of the following:

- low housing demand (or is likely to become such an area)
- a significant and persistent problem caused by anti-social behaviour
- poor property conditions
- high levels of migration
- high level of deprivation
- high levels of crime

- A high proportion of private rented dwellings (over 20%)
- and that the above factors are largely attributable to the private rented sector.

There is no evidence to suggest that any area within the Winchester District would reasonably meet these criteria.

Additional and Selective licencing schemes must also recycle any licence fees received into enforcement action within the areas covered by the schemes – they cannot be used as a source of general revenue – and there has been a low requirement for formal enforcement action generally across the district.

- 13 The enforcement tools available can deal with the more extreme cases of energy inefficiency through Housing Act 2004 powers and the identification of Excess Cold Hazards through the Housing Health and Safety Rating System (HHSRS), and the Minimum Energy Efficiency Standards Regulations (MEES) which disallow the letting of any dwelling with an EPC rating of F or G (unless exempt). These Regulations will change during the lifetime of this strategy to disallow any new letting of any residential dwelling with an EPC lower than Band C in 2025.

13.1 **LEAP (Local Energy Advice Partnership)**

In autumn 2020 a partnership agreement was signed with Agility ECO to promote the LEAP (Local Energy Advice Partnership) initiative. This is a free of charge energy and money saving support service offered to fuel poor and vulnerable households. It is a nationally run programme with its associated infrastructure and training. The LEAP service is completely funded by energy suppliers under the Warm Home Discount Industry initiatives and is available to owner occupiers / private tenants and social tenants who meet certain eligibility criteria:

Since April 2021 LEAP figures for Winchester up to February 2023 are:

- 27 referrals
- 22 in-depth energy advice calls
- 57 Easy Energy Efficiency Measures Installed
- £10,550.00 savings made

13.2 **LAD (Local Authority Delivery) Scheme (1a and 1b)**

The council, as part of a partnership with Portsmouth City Council and other

Local Authorities entered an agreement to promote the installation of energy efficiency and carbon reduction measures across the district under LAD 1a. This included fully funded Solar Photovoltaic (PV) Panels / solid wall Insulate on to owner occupiers and the installation of park home insulation for both external wall insulation and underfloor insulation. (LAD 1a came to an end on 31st August 2021).

The LAD 1b programme ran until the end of March 2022 and 226 applications were received with 55 installations completed of which 30 were solar PV Panels.

The council has agreed to continue its partnership with Portsmouth City Council and Agility ECO who have been successful in securing £15.7 million of funding under LAD 3 which they anticipate will help improve up to 1,661 on-gas households (these are households with an existing gas connection) across the entire local authority consortium area.

The LAD 3 period of funding commenced in January 2022 and will run until March 2023, and supports on-gas EPC D, E, F & G rated Households with ASHP (air sourced heat pumps), insulation and solar PV with up to £10,000 of funding.

The Private Sector Housing team in liaison with the council's Sustainability Manager and the Climate Emergency Team will actively monitor available funding streams and initiatives through partnership engagement with Portsmouth City Council and Agility ECO and other bodies which present themselves. This is to improve the energy efficiency of the entire private housing stock and to try to reduce carbon emissions from private housing to achieve the ambition of a carbon neutral district by 2030.

13.3 **Winchester Area SuperHomes:**

The council supports this initiative run by Winchester Action on Climate Change in partnership with the National Energy Foundation and Petersfield Climate Action Network, funded by the Energy Redress Scheme. The initiative is to create a new service that supports homeowners across Winchester District to transform the energy performance of their properties by retrofitting to reduce their carbon emissions, as energy in the home is responsible for around 20% of direct carbon emissions. Their target is to turn 25 or more existing homes in the Winchester District into retrofit SuperHomes show homes and support another 125 homes to be assessed and retrofitted. The project will provide help with some costs for homeowners on low and middle incomes. This will include some of the survey and design costs, plus a proportion of the cost of installing solar panels. All homeowners will be helped to apply for any available government grants, such as the Renewable Heat Incentive.

14. Disabled Facilities Grants (DFG):

This is a Government grant allocated to the council by Hampshire County Council (HCC) as the administrating authority that is available to pay for essential housing adaptations to help people, living with disabilities to remain living independently in their own home.

14.1 The DFG team maintain close working links with NHS discharge and re-ablement teams to enable necessary adaptations to ensure the safe return to home, and continued safety, of patients.

14.2 In the year 2021/22 the council approved 97 DFG applications with a total value of approximately £1.1m. Of these:

- 6 grants were approved under the mandatory part of the Disabled Facilities Grant and are means tested which means that some people may have to pay a contribution towards the grant.
- 86 grants were discretionary grants of under £15,000, awarded to applicants that would not have qualified for assistance under the mandatory part of the Disabled Facilities Grant. The discretionary element of the grant funding ensures housing need is met and reduces the need for residential care and hospitalisation.
- 5 grants are discretionary grants specifically targeted to prevent hospital admission or care breakdown.
- Comparable approvals in preceding years:

Financial Year	Case Numbers	Grant Allocated
2017/18	80	£580k
2018/19	73	£785k
2019/20	70	£1.34 m
2020/21	78	£888k

14.3 There is both a mandatory and discretionary element to DFGs. All local authorities must operate the mandatory scheme but Winchester is the only local authority in Hampshire to have such a generous discretionary 'Top Up' scheme above £30k. Under the new proposed policy, the maximum discretionary grant will be capped at £100k inclusive of the £30k mandatory entitlement and all associated fees.

Mandatory – to fund any DFG works judged 'necessary and appropriate' to meet the client's needs and when it is 'reasonable and practicable' to carry them out having regard to the age, condition or internal layout etc. of the dwelling. The majority of mandatory DFG works undertaken are for showers,

wet rooms, ramping and stair lifts. The maximum funding level is up to £30,000 for children's DFGs and those on pass-porting benefits for example Universal Credit / Guaranteed Pension Credit / Housing Benefit.

Discretionary - the council under its current DFG policy is able to offer discretionary grants. These have been provided for funding schemes which exceed the mandatory limit of £30k and for any grant under £15k.

The policy sets out both the mandatory legal framework and the discretionary element proposed by the council for DFGs and how the council will use its powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) to provide discretionary grant assistance in order to promote independent living and well-being for residents in the Winchester district.

In order for the council to use its discretionary powers under the RRO it must have a policy. The new DFG policy sets out the intentions and obligations of the council to deliver DFGs including, but not restricted to, the introduction of a new discretionary DFG Welfare, Heating, Top Up and Relocation grant. It also caps the discretionary grant funding level at a maximum of £100,000.

- 14.4 The rationale for setting a maximum cap on discretionary grants is in order to ensure that the budget can be more evenly spread to meet increasing need, particularly as there is no indication from central Government that the DFG allocation will be uplifted and it is anticipated inflationary cost pressures are likely to remain high in the near future. This will help meet local demand and assist in the council being able to offer the maximum possible number of DFGs, so that more adaptations reach those who need them the most.

Using its powers under the RRO the council will provide the first £15,000 for works under any grant application regardless of the assessed contribution of the applicant. Those applicants assessed as needing to contribute to the cost of works will only be required to contribute when the costs exceed the £15,000 threshold.

Main Changes from Previous Policy

- 14.5 The council wishes to use its full discretion by introducing in the spirit of the Better Care Fund new discretionary DFG grants. These are consistent with the broader aims set down in the DFG Delivery Guidance for Local Authorities in England and will enable people to remain living with greater independence at home in safe, warm and suitable housing, and will enable / help facilitate the discharge of patients in hospital back into their homes to prevent bed blocking.
- 14.6 It is proposed that four new specific discretionary DFG grants are introduced. These have been reviewed by an independent external technical accounting adviser as well as the council's Section 151 officer to ensure that the increased scope and range of grants proposed is acceptable use of the Better Care Fund. The advice received approved the implementation, scope and

range of grants proposed, with some slight revisions. The DFG policy has been amended to reflect the received advice.

The four proposed grants are:

Welfare Grant – to fund small scale works which are critical to a client's welfare which have been identified by a social worker or other professional. Type of works will include deep cleans and declutters and minor essential works which should reasonably reduce or remove the risk or hazard. The maximum grant funding level available will be up to £2,000.

The grant will contribute towards converting a home that cannot currently be inhabited by the person applying for the grant into one which can be. For example by cleaning / decluttering of the kitchen/living room/hallway/bathroom/bedroom (and extra bedrooms if there is a need for carers to stay overnight) in particular in preparation of the installation of equipment.

Heating Grant – Replacement of boilers, radiators and other substantial components of heating systems to bring systems and equipment up to a higher standard of reliability, safety or usability as might be required by an owner occupier with disabilities, or to restore use of heating and hot water for vulnerable owner occupiers. Referrals for this grant need to come directly from specific organisations such as Local Energy Advice Partnership (LEAP), Hampshire County Council's 'Hitting the Cold Spots' or The Environment Centre (TEC) etc. This will ensure that the appropriate screening has been applied to the client's circumstances i.e. they will be on pass-porting benefits and disabled. For clients in the community who are not on any income assessed benefits who come into contact with the council's DFG service and are in need may be assisted if they can prove they do not have savings in excess of £6,000. This is in line with Universal Credit savings limits. The maximum grant funding level available will be up to £4,000

Relocation Grant – to assist disabled persons, who are owner/occupiers to relocate to another property if adaptations to their current home through the DFG are determined not to be reasonable or practicable and they are considering relocation to another more suitable property they intend to purchase as their home. Such assistance supports best value by ensuring DFG grant funding is focused on properties where adaptations can be reasonably delivered and enabling people to move where this is not the case. The maximum grant funding level available will be up to £8,000.

Top Up Grant – to facilitate more complex and expensive adaptations for eligible clients who are owner occupiers or social housing tenants of Registered Social Landlords (RSLs). The maximum grant funding level available will be up to £100,000 inclusive of all work costs and fees associated with the works including but not limited to a contingency allowance; architect, agent and planning fees and the council's DFG service charge etc.

14.7 DFGs are exclusive to home owners and private rented and registered social landlord (RSL) tenants. As the council has a Housing Revenue Account (HRA) it is expected that it should self-fund adaptations to its own housing stock for council tenants through this account. Therefore there is a separate policy for council tenants seeking adaptations.

14.8 An internal audit report undertaken by Southern Internal Audit Partnership in December 2021 made 3 main recommendations to the DFG service:

- To update and review the current DFG policy and procedures
- To update the list of approved contractors
- To increase performance monitoring

14.9 Local Land Charge and Client Contributions

The previous policy had a formula in order to determine a client's contribution towards discretionary works that exceed either £15,000 or £30,000. The new policy recommends the following new formula:

- One or both of the applicants are in receipt of a means tested benefit - they do not make a contribution but the cost of the works that exceeds £30,000 would be placed on the property as a local land charge. An example is illustrated in Appendix C
- Applicants who are not in receipt of a means tested benefit - An assessment is carried out using 'Ferret' (Government's means testing assessment tool) to determine what their contribution should be and this will be paid upon the completion of works. The new policy will require the applicant to contribute 10% of the Ferret means tested contribution above their discretionary or mandatory award and the remainder will be placed on the property as a local land charge. Examples are illustrated in Appendix C.

If the applicant is a RSL tenant the applicant's contribution would remain the same apart for a charge **not** being applied to the property. Please see Appendix C for an illustration.

Before the grant is agreed an assessment tool (a tool to determine the properties qualification for a legal charge) will be completed by the case officer and signed off by a senior officer to ensure the applicant is in a position to have a land charge applied on the property. This assessment tool will be devised in conjunction with the council's Financial and Legal services and signed off by the council's section 151 officer.

The legal charge will no longer be time limited to 10 years. Having a legal charge that doesn't expire means that the council is guaranteed to have the money returned when the property is sold or disposed of. As before this will ensure available funds are recycled to help more households.

The council still has the ability to waver this charge if the client would suffer financial hardship but this would be considered on a case by case basis. Should a client wish to contribute more than 10% to the works to eradicate or reduce the charge on the property this would be acceptable. To date the council hasn't wavered a charge due to financial hardship.

- 14.10 Upper Limit on discretionary grants (Top up Grant) over £30,000
- 14.11 The funding limit for this type of grant will be capped at £100,000 inclusive of all work costs and fees associated with the works. These will include but are not limited to a contingency fee, architect and planning fees and Winchester City Council's service charge etc.
- 14.12 For applicants entitled to up to £30,000 mandatory funding this translates into a £30,000 mandatory grant and discretionary £70,000 Top Up Grant. For applicants not entitled to mandatory funding this translates to a £15,000 discretionary grant and a £85,000 discretionary Top Up Grant
- 14.13 Previously there was no upper limit on top up grants but the cost of living crisis and inflationary cost pressures have caused a significant cost increase in the delivery of projects such as extensions. The DFG budget we are allocated from central government is likely to remain static until 2025 and will not be raised in line with inflation. This essentially means a cut to our budget over the next few years. The budget needs to be available to cover the needs of everyone in the district who is referred into our service. A limit on projects allows an element of control and is a clear benchmark for the client which ensures funding will only address what clients essentially require in their home as determined by an Occupational Therapist.
- 14.14 The Private Sector Housing team in liaison with the council's Sustainability Manager and the Climate Emergency Team will actively monitor available funding streams and initiatives through partnership engagement with Portsmouth City Council and Agility ECO and other bodies which present themselves. This is to improve the energy efficiency of the entire private housing stock and to try to reduce carbon emissions from private housing to achieve the ambition of a carbon neutral district by 2030.
- 14.15 The Private Sector Housing Renewal Strategy is a legal requirement to enable the council to determine how it spends financial assistance in the form of grants to assist people directly living in the private housing sector. The strategy is also about setting priorities to enable that housing renewal services are effective and appropriate. In addition to grants this will involve the council providing assistance via third parties and signposting to ensure it can support the council's ambitions to reduce carbon emissions within the private rented housing stock through joint initiatives as set out below.

15 CONCLUSION

- 15.1 The revised Private Sector Housing Renewal Strategy updates the council's approach to delivering the varied services provided by the Private Sector Housing team to improve the quality of privately owned or rented property across the district. The strategy now incorporates the council's enforcement and Disabled Facilities Grant work and promotion of wider energy efficiency work within the private sector housing stock to reduce carbon emissions and to help reduce fuel poverty.

It is recommended that the council adopts the proposed DFG Policy 2023 – 2025 in full; adopts the four new discretionary grants; agrees to the discretionary grant level cap of £100k; that any Local Land Charge placed on a property will have no expiry date; that the service charge remains the same at 12% and authority is delegated to the Corporate Head of Housing in consultation with the Deputy Leader and Cabinet Member for Community and Housing to enable them to make minor changes when required to the DFG policy.

16 RESOURCE IMPLICATIONS

- 16.1 So as to accelerate the administration of the DFG based on the approach proposed in this report there will be a need to increase officer resource on a temporary basis. This is described above in that the existing grant reserve will be used to fund the additional post and due to the fee charging on approved grants the cost of the post will be reimbursed back into the reserve.

17. OTHER OPTIONS CONSIDERED AND REJECTED

- 17.1 The council could consider not having a Private Sector Renewal Strategy.

This is rejected as the terms of the Regulatory Reform (Housing Assistance) England and Wales) Order 2002 requires a local authority to have such a strategy in place if it wishes to use its discretionary powers to provide funding assistance to private owners and landlords. The council already uses these powers successfully to deliver the discretionary funding element of Disabled Facilities Grants and Better Care Funding

- 17.2 The strategy initially suggested the setting up of a Financial Assistance Fund at providing financial assistance through grants or loans to fund essential repairs for owners or landlords who meet certain criteria, recognising that in the current financial climate there are many households who may struggle to fund such repairs readily. BHP committee on 6th October 2022 recommended that this be removed but that members continue to support an exploration of the possibility of introducing such a scheme.

- 17.3 The strategy does not seek a full financial contribution from DFG applicants due to affordability issues as is illustrated in Appendix C. If the existing policy were to continue for DFG it would not protect against the fixed grant funding being able to cope with increased demand. Therefore, retaining the existing approach is not recommended.

BACKGROUND DOCUMENTS:-

Previous Committee Reports (2016):-

[https://democracy.winchester.gov.uk/Data/Cabinet%20\(Housing\)%20Committee/201603221600/Agenda/CAB2789-HSG-.pdf](https://democracy.winchester.gov.uk/Data/Cabinet%20(Housing)%20Committee/201603221600/Agenda/CAB2789-HSG-.pdf)

BHP36 / Disabled Facilities Grants / 29 November 2022

Other Background Documents:-

Current Private Sector Renewal Strategy - [Private Sector Housing Renewal Strategy 2016 to 2021.pdf \(itss.local\)](#)

Enforcement Policy (currently under revision) –
<https://www.winchester.gov.uk/assets/attach/24727/PSH-Enforcement-Policy-2020.pdf>

Empty Homes Policy (recently approved) -
<https://www.winchester.gov.uk/assets/attach/33276/WCC-Empty-Homes-Strategy-2022-27.pdf>

Caravan Licensing Policy 2021 - [Camping and Mobile Home Sites - Winchester City Council](#)

DFG Policy - <https://www.winchester.gov.uk/assets/attach/19843/DFG-Policy-and-ProcedureV11-August-2019.pdf>

APPENDICES:

Appendix A: Draft Private Sector Renewal Strategy 2023-2028

Appendix B: Draft Disabled Facilities Grant Policy 2023 – 2025

Appendix C: Illustration of the formula for the 10% contribution

Appendix D: Equality Impact Assessment

Appendix A

PRIVATE SECTOR HOUSING RENEWAL STRATEGY (Draft)

2023-2028

1.0 Introduction

1.1 Private Sector Housing sits within Housing Services and has a vital role to play in the Council's wider strategic housing activity. There is a direct relationship between our housing environment and our health. It is a general principle that housing should always provide an environment which is safe and healthy for the occupants.

1.2 This strategy, and the policies supporting it, applies to all privately owned homes, i.e. all dwellings (houses, flats, caravans etc.) that are not owned by the Council, including those owned or run by housing associations and it specifically outlines the Council's strategic approach to:

- Identifying and dealing with unsatisfactory or unsuitable housing conditions
- Providing advice and assistance with regard to unsatisfactory or unsuitable housing conditions
- Taking enforcement action with regard to unsatisfactory or unsuitable housing conditions
- Maintaining standards by operation of licensing schemes for Houses in Multiple Occupation and Caravan Sites
- Improving the energy efficiency of the private sector housing stock
- Providing adaptations to meet the needs of disabled residents in their homes through Disabled Facility Grants, or by
- Providing grants and loans under the Better Care Fund
- Providing financial assistance to achieve other housing policy aims of the Council
- Reducing the level of long term Empty Homes in the district
- Handling comments and complaints in relation to any of the Council's housing renewal functions

1.3 This strategy provides the outline – the framework – to which the Private Sector Housing department operates. The strategy is then supported by several Policy documents, namely:

- Private Sector Housing Enforcement Policy – which details how the various legislative powers relating to housing conditions will be applied.
- Disabled Facility Grant and Better Care Fund Policy – which details how applications for grant or other assistance for people with disabilities will be managed, and the additional financial support

available through the Better Care Fund and the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

- Empty Homes Policy – which details how owners of empty property will be encouraged to return the homes to use.
- Financial Assistance Policy – discretionary assistance for essential repairs, DFGs and provisions under the Better Care Fund.
- Fees Policy – details of fees for licences and services.

2.0 **The Private Rented Sector** – the context for identifying unsatisfactory or unsuitable housing conditions

- 2.1 The private rental sector (PRS) is an important part of the provision of housing in Winchester, as it is across England. It is not only vital in providing a home for the approximately 20,000 people that live in it, and a living for those that are landlords, but also has a wider impact upon the economy and community of the city.
- 2.2 The legislative and policy framework which surrounds the renting of private homes is complex and has developed over a number of years, with a focus on health and safety, home standards and the requirements surrounding tenancies. Government has clearly indicated that more legislation can be expected, particularly with the ending of Section 21 'no fault' evictions.
- 2.3 The licencing of Houses in Multiple Occupation (HMOs) has been a major change in recent years but only covers a part of the HMO sector, and whilst mandatory licencing has enabled the council to focus on the standards within in-scope properties, there are still many HMOs that are not licensable and which may have a detrimental effect on the neighbourhoods in which they are typically located, particularly with regards to waste management and anti-social behavior.
- 2.4 Winchester's private rented sector is still largely a suppliers market with demand continuing to gradually rise, partly as a result of the student population and partly due to increasing numbers not able to own their own home and the slow shrinkage of the social rented sector has this come from the BRE stock report if so good to reference. 2022 has also seen an influx of Ukrainian refugees to the UK with Winchester taking a larger number than many similar authorities. These refugees are likely to need to access the private rented sector when the initial hosting arrangement ends. In many cases market rents are significantly above local housing allowance rates, what those on benefits can reasonably be expected to afford, and access often requires a significant deposit, rent in advance and/or a guarantor.
- 2.5 Maintaining a healthy private rented sector is vital to the broader local housing strategy and in providing safe secure and affordable homes for all, and the Private Sector Housing team has a central role to play in encouraging landlords to provide such housing.

- 2.6 The Private Sector Housing Team also has a role to play in encouraging tenants to play their part by ensuring that they pay their rent on time, take care of their home, act within the terms of their tenancy agreement, be good neighbours, and, most importantly, communicate with their landlord or landlord's agent during the time of their tenancy.
- 2.7 Many of the landlords with properties in the city are individuals with small portfolios or even single properties to let, and are doing so either as an investment or have obtained property unintentionally as a result of family bereavement or work taking them elsewhere. The additional regulations imposed in recent years have been complex and have added overheads to the cost of letting their properties, not all of which may have been passed onto tenants in the rent.
- 2.8 For many small landlords, keeping up with the ever changing regulations has proved difficult and they are consequently the most likely to fall foul of them. It is vital that the Private Sector Housing Team provide guidance and advice to help educate all landlords and drive standards up.
- 2.9 However, regardless of a landlord's portfolio size, the council should be actively making every effort to expose landlords who intentionally or through ignorance put the health safety and welfare of their tenants at risk, and where necessary taking appropriate enforcement action and imposing financial sanctions to deter other landlords from taking a similar approach.
- 2.10 In dealing with landlords the Private Sector Housing Team will encourage landlords to act in a fair and considerate way towards their tenants, offer suitable tenancy arrangements, work with their tenants to resolve problems that arise during the period of the tenancy, and end tenancies in a legal and appropriate way should that be required.
- 2.11 The Private Sector Housing team therefore plays a supporting role in preventing homelessness and in assisting the Housing Options team in maintaining tenancies where possible.

3.0 **Identifying unsatisfactory or unsuitable housing conditions**

- 3.1 There are several statutory provisions relating to housing conditions which provide both the framework for identifying unsatisfactory or unsuitable conditions, and the powers by which to enforce improvement where required. Principal of these is the Housing Act 2004 which deals with general housing conditions, the licensing of Houses in Multiple Occupation, Empty Homes and the supporting regulations that include the method of assessment for conditions, the Housing Health and Safety Rating System (HHSRS). There are additional regulations related to smoke and carbon monoxide alarms and electrical safety, minimum energy efficiency standards, and other primary legislation including the provisions of the Mobile Home Acts, Public Health Acts, Building Acts and Environmental Protection Act that are available to the private sector housing department to use. The detail of how enforcement will be used is detailed in the Private Sector Enforcement Policy.

3.2 The Housing Act 2004 places a duty on the council to keep the housing conditions in their area under review with a view to identifying any action that may be required under the provisions (of the Act).

3.3 The private sector housing department will therefore:

- Respond to complaints received regarding housing defects or poor housing conditions, particularly from tenants in private rented accommodation. Complaints from social landlord tenants will initially be referred to the social landlord, however the Housing Act 2004 and other legislation can be used to enforce on social landlords, and action will be taken when appropriate.
- Respond to requests from landlords and owner-occupiers for assistance in respect of tackling housing defects or poor conditions, or concerns regarding the suitability of their housing for their needs.
- Carry out regular routine inspections of housing subject to licensing schemes.
- Carry out surveys of the housing stock to respond to the general duty under the Act
- Take appropriate enforcement action where unsatisfactory or unsuitable housing conditions are identified.
- The council will impose a charge for enforcement action as detailed in the Fees Policy.

3.4 Housing conditions in the private sector in Winchester are generally better on all measures than the national average (see Executive summary BRE Stock Modelling Report 2021) and there are no wards or other subdivisions of the district which have significant levels of poor housing conditions. Such matters of disrepair as there are exist on an individual property level across the district and as such strategies such as neighbourhood or area renewal programmes are inappropriate.

4.0 Advice in respect of unsatisfactory or unsuitable housing conditions

4.1 In addition to carrying out inspections and, where necessary, using enforcement powers, the private sector housing team will provide advice and assistance to tenants, landlords and owner occupiers.

4.2 The appropriate response to complaints or requests as detailed in 2.3 may be solely to provide advice, particularly when a tenant has not raised the matter of their complaint with their landlord before contacting the council.

4.3 Advice may be provided verbally, by direct communication by letter or email, or by the provision of appropriate information on the council's website.

4.4 The private sector housing department will maintain a library of appropriate advisory documentation and legislation available via the council's website to tenants, landlords and owner-occupiers alike.

4.5 The council's strategy is to provide advice and encouragement, and to engage landlords and tenants in resolving issues of unsatisfactory housing without the need for the use of enforcement tools in the first instance

5.0 Financial assistance

5.1 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) provided local authorities with the ability to offer financial assistance to improve housing conditions. The Order repealed all of the previous legislation relating to grants and gave Councils wider powers to choose how they provide assistance and for what. To exercise this power, a Council must prepare and publish a Private Sector Renewal Strategy.

5.2 The Council recognises that although primary responsibility for maintaining properties lies with the owners, there are occasions when owner occupiers are unable to readily finance necessary repairs to their homes and may need financial assistance not available to them through other sources.

5.3 In certain circumstances financial assistance with unsatisfactory or unsuitable housing conditions may be available where the occupier is disabled or where assistance would meet the aims of the Better Care Fund. This is explained in more detail in the section on Disabled Facilities Grants, and in the DFG Policy, but in broad terms the Better Care Fund may be used to:

- enable vulnerable individuals to stay living independently in their own home.
- reduce the need for admission to a care home.
- reduce the likelihood of hospital admission
- reduce the cost of necessary domiciliary care
- enable prompt discharge from hospital to a safe home

6.0 Houses in Multiple Occupation and licensing

6.1 The Housing Act 2004 covers licensing of certain properties:

- Mandatory licensing – HMOs occupied by 5 or more occupants forming 2 or more households.
- Additional licensing – which can be adopted at the council's discretion to include all HMOs (mandatorily licensable or not) in areas where large numbers of HMOs in a given area are demonstrated to be the source of anti-social behavior or other problems.
- Selective licensing – which can be adopted at the council's discretion to cover all privately rented housing in an area where problems of crime or widespread housing condition problems are recognized. Selective Licensing schemes involving more than 20%

of the geographical area of the district or 20% of the housing stock would require DLUHC approval.

- 6.2 The council currently only imposes Mandatory licensing and does not believe any Additional or Selective licensing scheme is required within the district, although this will be kept under review.
- 6.3 Control on the spread of HMOs within the Stanmore and Winnall estates and Chalk Ridge area of the city has been successfully managed through the implementation of Article 4 directives, a planning tool requiring consent to be sought for any change to HMO use which would otherwise be allowed under permitted development rules.
- 6.4 Non-licensable HMOs are still subject to the Management of Houses in Multiple Occupation (Regulations) England 2006. The council maintains a register of known non-licensable HMOs and will carry out inspections of these on an irregular basis as resources allow, and will update this register as new information is received.
- 6.5 Private Sector Housing continues to operate an Accreditation scheme jointly with Winchester University. The scheme is a gateway for landlords to advertise their properties through the student accommodation service of the University and to be accredited the property must meet an acceptable standard, similar to the licensing standard.
- 6.6 The council applies national statutory licence conditions and room-size standards where applicable and has, with neighbouring authorities, adopted a local Hampshire-wide standard for amenity provision in HMOs.
- 6.7 As with general housing conditions, the council will aim to firstly advise and encourage landlords to maintain standards in HMOs without recourse to enforcement tools.
- 6.8 The council will similarly maintain a library of appropriate advisory documents and legislation on the website available to tenants and landlords alike.
- 6.9 The council will charge fees for HMO Licences and for the Accreditation scheme as detailed in the Fees Policy.
- 6.10 The council will impose a charge for enforcement action as detailed in the Fees Policy

7.0 Caravan and Camping Sites and licensing

- 7.1 The Caravan Sites and Control of Development Act 1960 requires the licensing of certain caravan sites. Such licences will attach suitable conditions which are based on a set of national model standards relating to the standards of facilities that ought to be provided, suitably adapted for the individual site.
- 7.2 Permanent residential mobile home parks (Park Home sites) are also subject to the Mobile Homes Act 2013 and The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020

- 7.3 The council will continue to carry out annual inspections of licensed permanent residential sites.
- 7.4 Site owners will initially be given advice and encouragement to maintain sites to the standards required by the licence conditions prior to recourse to enforcement action.
- 7.5 The council will similarly maintain a library of appropriate advisory documents and legislation on the website available to residents and site owners alike.
- 7.6 The council will regularly review the extent and location of new caravan sites in the district to ensure that all sites are appropriately licensed and, where appropriate, a fit and proper person is managing the site.
- 7.7 Camping sites will require licences issued under the Public Health Act 1936 to ensure that suitable amenities are provided for the size and nature of the site.
- 7.8 The council will impose fees for licencing and fit and proper person applications as detailed in the Fees Policy.

8.0 Energy Efficiency

- 8.1 The recent BRE stock modelling report identifies that the average SAP rating of housing stock in the Winchester district is slightly worse than the national average, and that, as with other housing conditions, the less energy efficient housing is scattered throughout the district on an individual dwelling basis rather than focused in particular areas. Winchester has a relatively large rural area and city and town centers comprising a high number of older, and harder to heat, dwellings.
- 8.2 In addition to the BRE modelling, the council commissioned a dataset of modelled EPC ratings for all housing in the district from Absolar.
- 8.3 The enforcement tools available to the private sector housing department can deal with the more extreme cases of energy inefficiency through Housing Act 2004 powers and the identification of Excess Cold Hazards through the HHSRS, and the Minimum Energy Efficiency Standards Regulations (MEES) which currently disallow the private letting of any dwelling with an EPC rating of F or G (unless exempt).
- 8.4 Government have signaled an intent to change the MEES regulations from 2028 such that new lettings must achieve a Band C or better EPC. This new target will then apply to all lettings from 2030. The updated regulations are also expected to tighten the rules on exemptions.
- 8.5 The Absolar dataset has been used in providing addresses to target the financial assistance provided through the department for Business Energy and Industrial Strategy (BEIS) for providing energy efficiency improvements to dwellings with a current Band D or lower EPC – the Local Authority Delivery (LAD) schemes and Home Upgrade Grant (HUG) schemes.

- 8.6 The council is, and will continue to be, part of the Warmer Homes Consortium of 21 local authorities, led by Portsmouth City Council which bids for this funding stream from BEIS, or of other schemes and bidding processes in the future. The delivery of grants is managed by a third party contractor.
- 8.7 These schemes are targeted at low income households in dwellings with a low EPC rating, including privately rented housing where the household income rather than the landlord's is the determining factor.
- 8.8 For households who do not qualify for these schemes the council will maintain a library of appropriate advisory documents and legislation on the website available to tenants, landlords and owner occupiers alike, with the clear aim of encouraging all households to improve their domestic energy efficiency either by the installation of better insulation and more efficient heating and hot water systems, or through management of energy use generally.
- 8.9 In certain circumstances, as detailed in 5.0, financial assistance to improve energy efficiency may be provided through the Better Care Fund if the provision of such assistance meets the criteria for which the fund is intended.

9.0 Empty Homes

- 9.1 Full details of the council's empty homes strategy is contained in the supporting Empty Homes Strategy document
- 9.2 The prevalence of long term empty homes in Winchester is low compared to the national average, with market demand for housing acting to keep the numbers low. However, there are still a small number of potentially problematic empty homes which may become detrimental to their immediate neighbourhood.
- 9.3 Regulatory tools available to the Private Sector Housing Team are limited and set a high bar regarding the length of time a property is empty, and its condition and effect on neighbours, before action may be considered.
- 9.4 The approach is therefore one of monitoring and provision of advice and guidance and the council will maintain a library of appropriate advisory documents and legislation on the website available to property owners and the public in general.
- 9.5 The adoption of an increased rate of Council Tax has had a positive effect on the number of long term empty properties and will continue to do so while in place.
- 9.6 The Private Sector Housing Team will maintain close links with Revenue Services to receive a regular list of all properties known to have been empty for 6 months or more. This enables close monitoring of the changing list of addresses and direct contact with owners to encourage them to bring homes back into use.

10.0 Providing Adaptations to meet the needs of disabled and vulnerable residents in their homes

- 10.1 The council has a statutory duty to provide Disabled Facilities Grants (DFG) to residents who qualify for such assistance due to disability, subject only to a prescribed means test.
- 10.2 Such grants are available to owner-occupiers and social and private tenants alike and the terms under which mandatory grants are provided are set by Government in the Housing Grants Construction and Renewal Act 1996 (as amended) and supporting Regulations. Adaptations for Winchester City Council tenants are provided by Property Services through the Housing Revenue Account and not through DFG funding.
- 10.3 In addition to mandatory grants, the council can provide discretionary grants and loans, through its powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, provided it has a policy in place for doing so.
- 10.4 Since 2017, the funding the council receives from Government to provide DFGs has been combined with Better Care Fund provision which has enabled the council to provide discretionary grant funding to a much broader range of residents, either through additional discretionary funding for those who qualify for DFGs, or for other vulnerable residents for whom the provision of assistance meets the key aims of the Better Care Fund as detailed above at 5.3.
- 10.5 Full details of how the council will provide both mandatory DFGs and discretionary assistance using the Better Care Fund under the Regulatory Reform Order is in the Disabled Facilities Grant Policy.
- 10.6 The Private Sector Housing Team will maintain a library of appropriate advisory documents and legislation on the website available to all residents in order to raise public awareness of the facility.
- 10.7 The Private Sector Housing Team will develop and maintain contacts with healthcare teams in the NHS and the occupational therapy service at Hampshire County Council to ensure that the availability of assistance is widely promoted to and understood by associate professional services.
- 10.8 The DFG team contacts with NHS discharge and re-ablement teams will enable the prompt provision of adaptations necessary to enable patients to be safely discharged from hospital to their homes and to reduce the need for re-admission.
- 10.9 Financial assistance may also be provided from the Better Care Fund to local projects whose purpose meets one of the key aims of the fund as detailed above at 5.3.

11.0 Working with local partners

- 11.1 The Private Sector Housing Team works in partnership with other agencies in the Hampshire area to achieve both national and regional

strategic aims within the private housing sector. These include Hampshire County Council Social Services, Hampshire and IOW Fire and Rescue Service, Winchester University and the Private Sector Housing functions of other district and unitary authorities through the Hampshire wide Housing Advisory Group of senior officers.

12.0 Strategic Priorities

- 12.1 Improving energy efficiency in the private housing stock
- 12.2 Improving housing conditions in the private rented sector
- 12.3 Improving conditions in both licensable and non-licensable HMOs
- 12.4 Using the Better Care Funding to best effect to reduce the number of hospital admissions and care home admissions, and to enable prompt discharge from hospital to safe accommodation.
- 12.5 Improving conditions on caravan and park homes sites in the district.

Appendix B

Disabled Facilities Grant Policy

2023 -2025

Housing Grants, Construction & Regeneration Act 1996
The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002

Document created:	
Agreed by Committee:	
Author:	
Review Date:	

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1.0 Introduction

- Adaptations are needed by many disabled people so that they can remain safe and independent in their own home. They can be needed by people of all ages, but as our population ages and life expectancy increases, the number of people needing assistance to adapt their homes is expected to grow. Winchester City Council (the council) is committed to helping these residents achieve a home which meets their needs.
- Under the Housing Grants, Construction and Regeneration Act 1996 (the Act), the council, in its capacity as a housing authority, has a statutory duty to provide Disabled Facilities Grants (DFGs) to applicants who qualify. DFGs are mandatory grants available to disabled people when works to adapt their home are judged necessary and appropriate to meet their needs and when it is reasonable and practicable to carry them out having regard to the age and condition of the dwelling or building. DFGs are available to fund adaptations to the homes of elderly, vulnerable or disabled residents to enable them to live independently at home or be cared for at home.
- In order for the council to use its discretionary powers under the Regulatory Reform Order (RRO) it must have a policy. This policy sets out the mandatory legal framework for DFGs, and how the council intends to use its powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) to provide discretionary DFG assistance to promote

independent living and well-being. It sets out the flexible policy the council has adopted in respect of DFGs.

- This policy replaces the former Disabled Facility Grants Policy and Procedure 2018 and supersedes any other council policy relating to Disabled Facilities Grants.
- The policy links with the Council Plan 2020-2025 and contributes towards the Council Plan priority of 'Living Well' as it assists residents with continuing to live well within their homes by supporting independent living for longer.

2.0 Aims of the Policy

- To improve the lives of people with disabilities by enabling access and movement around their own home with the use of adaptations
- To allow more effective use of the Better Care Fund, cutting out bureaucracy and contributing to the aims of the fund, in particular, reducing hospital admissions and allowing early hospital discharges.
- To reduce the need for domiciliary and residential care by allowing people with disabilities to live more independently in their own homes.
- To provide advice, information and support regarding the adaptation of properties to meet accessibility needs, and provide a framework of assistance to vulnerable groups.
- To treat individuals fairly regardless of age, race, religion, sex, gender, disability and sexual orientation and to protect their rights under Data Protection and human rights legislation.

3.0 Regulatory Framework

There are a number of legal provisions governing DFGs and their application. The administration of DFGs primarily comes under the Housing Grants, Construction & Regeneration Act 1996 (the Act) and subsequent associated legislation including:

- Housing Grants, Construction and Regeneration Act 1996 ("The Act") (as amended)
- Housing Renewal Grants (Services and Charges) Order 1996
- The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008
- The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 ("The Order")
- The Housing Renewals Grants (Amendment)(England) Regulations 2008

- The Disabled Facilities Grants (Maximum Amounts and Additional Purposes)(England) Order 2008
- Delivering Housing Adaptations for Disabled People – A good practice guide (June2006)
- The Equalities Act 2010
- Disabled Facilities Grant (DFG) delivery: Guidance for Local Authorities in England 2022

4.0 Definition of a Disabled Person

For the purposes of the legislation relating to DFG's a person is defined as being disabled if:

- Their sight, hearing or speech is substantially impaired;
- They have a mental health disorder is this a statutory term? or impairment of any kind; or
- They are physically disabled by illness or impairment present since birth or otherwise

A person aged 18 or over is considered disabled if:

- They are registered as a result of arrangements made under section 29(1) of the National Assistance Act 1948; or
- They are a person for whom welfare arrangements have been made under that section or might be made under it.

A person aged under 18 is considered disabled if:

- They are registered as a disabled child maintained under the Children Act 1989; or
- In the opinion of Hampshire County Council's Children's Services they are a disabled child as defined for the purposes of Part III of the Children Act 1989.

5.0 Mandatory DFG Eligibility Criteria

5.1 The Works

Eligibility criteria for DFGs are laid out in Section 23 of The Housing Grants, Construction and Regeneration (as amended) Act 1996 and primarily relate to accessing principal rooms within the home and accessing and using essential facilities including access to gardens and outside areas of a property.

Grants are dependent on:

- The works being necessary and appropriate;
- The works being reasonable and practicable; and

- A financial assessment where appropriate, to establish the applicant's eligibility for a grant.

Facilitating Access - For works to remove or help overcome any obstacles that prevent the applicant from moving freely into and around the dwelling. This may include access to the garden or yard (front, side, or rear) which means immediate access from the dwelling. It does not include landscaping.

Making a Dwelling or Building Safe - Adaptations to the dwelling or building to make it safe for the applicant and other persons living with them.

Access to a Family Room – Works to ensure the applicant has access to a room used for or usable as the principal family room.

Access to a Room usable for Sleeping - The provision of a room usable for sleeping where the adaptation of an existing room in the dwelling (upstairs or downstairs) or the access to that room is unsuitable in the particular circumstances.

Access to a Bathroom - The provision of, or access to, a WC, washing, bathing and/or showering facilities.

Facilitating Preparation of and Cooking of Food - The rearrangement or enlargement of a kitchen to improve the access for a wheelchair and to provide specially modified or designed storage units, work top area etc. Where most of the cooking and preparation of meals is done by another household member, it would not normally be appropriate to carry out full adaptations to the kitchen.

Heating, Light and Power - To provide or improve the existing heating system in the dwelling to meet the applicant's needs. A grant will not be given to adapt or install heating in rooms which are not normally used by the applicant.

5.2 The Applicant

DFGs are available to homeowners, owners of qualifying houseboats, owners of qualifying park homes, tenants of private landlords and tenants of Housing Associations. Grants are also available for adaptations to the common parts of buildings containing one or more flats. Winchester City Council tenants can apply for a grant however, it is normal practise for housing authorities with a Housing Revenue Account (HRA) to fund these adaptations. The council's Property Services Team therefore have a separate policy for processing tenant's applications.

The council cannot, by law, refuse to process a properly made DFG application that it receives from an owner-occupier or tenant. If the eligibility criteria and proper process are satisfied, the council must, approve the appropriate grant, providing funds are available.

Application for a Disabled Facilities Grant is dependent firstly on the applicant having been assessed by either a Hampshire County Council Occupational Therapist (OT) or the council's in-house Private Sector Housing OT, or private registered OT.

Assessments undertaken by the HCC OT will be forwarded to Winchester City Council. Alternatively, people can apply on-line via the council's web site after which they will be assessed to determine their eligibility: <https://www.winchester.gov.uk/housing/private-housing-and-empty-properties/disabled-facilities-gran>

Further information and guidance regarding DFGs can be found in the Disabled Facilities Grant (DFG) delivery Guidance for Local Authorities in England published March 2022:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1065574/DFG_Guidance.pdf

The following is a summary of the main legal provisions that apply to mandatory DFGs:

- An applicant, who defined by the Act as a person with a disability, is eligible for assistance.
- DFGs are mandatory grants which are available to people with disabilities for works which are 'necessary and appropriate' to meet their needs, and when it is considered 'reasonable and practicable' to carry out the works when having regard to the age or condition of the dwelling or building. A financial assessment where appropriate may also be required, to establish the applicant's eligibility for a grant.
- The council reserves the right to refuse grant assistance where the works are not necessary, appropriate, reasonable, practicable, are excessively expensive and/or where the property is not suitable for adaptation. If appropriate the council may offer a discretionary DFG, in the form of a relocation grant to help the applicant move to a more suitable dwelling.
- DFGs are means-tested, except where the applicant is in receipt of a means-tested benefit or the adaptation is for a disabled child under 16 years of age or a young person in full-time education under 21 years of age, there will be no test of resources. Applicants who receive certain specified "passport" benefits are exempt from the means-test, however the means-test is set by law and the council does not have any discretion when applying it. See **Appendix 3** for a list of pass-porting benefits.
- If an applicant is eligible then the council has a maximum of six months to 'determine' the application, which means approve or decline the application. However, the determination should be carried out as soon as is reasonably practicable.

- The maximum mandatory DFG in England is currently £30,000, and this amount would be reduced by any contribution determined as payable under the means-test.
- The duty to provide DFGs is 'tenure blind', and therefore applications from home owners or those renting in the private or social sector are treated equally depending on their needs. Applications received from tenants living in private rented housing must be accompanied by a tenant's certificate signed by the landlord to demonstrate that they will remain living in their home for the grant condition period (usually 5 years) or for such a shorter period as their health and other relevant circumstances allow.
- An applicant must be 18 years of age or older.
- Parents or guardians are able to apply on behalf of children.
- Landlords are able to apply on behalf of their tenants;
- The property to be adapted must be a legal residence, and this can include dwellings, houseboats, caravans and mobile homes as well as buildings which contain dwellings.
- Both owner occupiers and tenants must have the intention to live in the adapted property for five years. Landlords and/or the property owners must certify they intend to allow the disabled person to remain in the property for not less than five years.
- There is no restriction on an applicant making multiple grant applications for funding.
- Persons from abroad with no recourse to public funds are not eligible to apply for a DFG.

Appendix 4 is a flow chart of the DFG process.

6.0 Discretionary Grants

Discretionary grants have the same application process as mandatory grants and the same criteria. However, the council's DFG policy allows up to £15,000 total costs to be funded before a means test is required. Below is a summary of each Discretionary Grant eligibility criteria:

6.1 Welfare Grant

Primary Aim: To fund small scale works which are critical to a person's welfare which have been identified by a social worker or other professional. The applicant should have a clear medical need/ be eligible for disability registration. The works should be to improve and enhance the applicant's quality of life at home and support the continuation of them staying in their own home by preventing possible admission to care or hospital or enabling discharge home from hospital or care.

Eligible works:

- **Deep Cleans / Declutters of essential parts of the home up to a maximum of £2000.** The grant will contribute towards converting a home that cannot currently be inhabited by the person applying for the grant into one which can be, (i.e. through cleaning/decluttering of the kitchen/living room/hallway/bathroom/bedroom (and extra bedrooms if carers need to stay overnight) in particular in preparation of the installation of equipment.

Only applicants awaiting a discharge from hospital or care placement are eligible.

- **Minor Essential Repairs and Improvements up to a maximum of £2000.** To address a risk or serious hazard for a person with disabilities that would impact on the extent to which their home can be used. The works must be reasonably material in terms of their nature of the risk or hazard. A broken item must have a substantially deleterious impact on the extent to which a property can be used.

Examples include making good disrepair to flooring to make safe and remove a hazard, or improving the safety and security of a property to a higher standard to enable it to be occupied by a person with a disability.

- **Stair lifts** – Curved and straight stair lifts can be applied for by the referring professional if this would assist discharge / prevents admission to hospital (if not for discharge/admission risk purposes this can be applied for through a standard DFG application). The £2000 cap does not apply to stair lifts.

6.2 Heating Grant

Primary Aim: Replacement of boilers, radiators and other substantial components of heating systems to bring systems and equipment up to a higher standard of reliability, safety or usability as might be required by an owner occupier with disabilities.

The referrals for this grant need to come directly through a professional body such as:

- LEAP (Local Energy Advice Partnership) which can be contacted at <https://applyforleap.org.uk/energy-support/>

- Hitting the Cold Spots, a Hampshire County Council based service which provides advice on heating and energy matters for Hampshire residents and can be contacted at <https://www.hants.gov.uk/socialcareandhealth/adultsocialcare/coldspots>,
- The Environment Centre (tEC), a charity based in Southampton which provides advice on sustainability and other matters including fuel poverty and can be contacted at <https://environmentcentre.com>

Receipt of referrals from the above (or other similar organisations) ensures that appropriate screening has been applied to the applicant's circumstances (applicants must be on pass porting benefits and disabled). Persons in the community who are **not** on any income assessed benefits, who come into contact with our service, and who are in need can be assisted with funding if they can prove they do not have savings in excess of £6,000. In exceptional circumstances a legal land charge will be considered in order to cover the value of the works (if the works exceed £4000).

Eligible Works:

- Replacement of boilers, replacement of faulty radiators or other substantial components of any heating systems to bring systems and equipment up to a higher standard of reliability, safety or usability as might be required by a person with disabilities.

Works can be funded up the value of £4000. If the necessary works exceed this amount the homeowner will be required to contribute the difference. The reasoning for limiting the cost of this grant is to enable the funding to be used as fairly as possible across the whole district and in anticipation of many possible referrals in the winter seasons up to 2024/25.

6.3 Relocation Grant

Primary Aim: To assist disabled persons, who are owner/occupiers to relocate if adaptations to their current home through the DFG are determined not to be reasonable or practicable and they are considering relocation to another property they intend to purchase as their home. Such assistance supports best value by ensuring DFG grant funding is focused on properties where adaptations can be delivered and enabling people to move to suitable property where this is not the case.

Eligibility:

- Applicants must be 18 or over on the date the application is made (in the case of a disabled child, the parent(s) would make the application). Any application must be supported by a recommendation from the Hampshire County Council OT service, WCC in house OT, or a private OT.

- The council and the OT must be satisfied that the proposed property already meets the needs of the disabled person without further adaptation or be satisfied that it can be adapted at a reasonable cost under the mandatory grant limit of £30,000.
- This grant will cover the costs of purchasing a property such as estate agent's fees and conveyancing, but not other relocation costs such as removal expenses.

Relocation costs can be funded up to the value of £8,000.

6.4 Adaptations Costing Under £15,000

Primary Aim: To enable persons with disabilities to remain in their own home for longer and to also enable them to live independently and safely for longer. Disregarding the means test for works under this limit allows more eligible disabled persons across the Winchester District to access adaptations to meet this aim.

Eligible Works:

- Those works identified in The Housing Grants, Construction and Regeneration Act 1996 as recommended by an Occupational Therapist by a formal referral with full recommendations. Typically, this includes level access showers, stair lifts and ramped access.

Policy: Using powers provided by the above mentioned legislation, the council will provide the first £15,000 for works under any Adaptations Grant application regardless of the assessed contribution of the applicant. Any applicant assessed as needing to contribute to the cost of works will only be required to contribute when the cost of works exceeds this £15,000 threshold.

6.5 Top Up Grant - For works that exceed Mandatory Funding Level

Primary Aim: The council recognise that extensive adaptations and rising costs mean works often exceed the current mandatory grant limit of £30,000. This Top Up grant is to fund the cost of adaptations over £30,000 for eligible clients who are Owner Occupiers or Social Housing Tenants (see below) where the works are deemed 'necessary and appropriate' and 'reasonable and practicable'. The applicant is eligible if they are already entitled to a mandatory grant (e.g. children's cases); or if the applicant is not eligible for a mandatory grant (i.e. their assessed contribution outweighs the cost of the works they require) then they must fall into at least one of the following *Better Care Fund Key Criteria*:

1. Where essential adaptations (to enable access to the home and access to key facilities to ensure that living at home is possible), need to be provided "urgently" to facilitate timely discharge from hospital/nursing or residential

care, (avoiding delayed transfer of care and maximising opportunity for reablement at home).

2. Where applicants have a high and complex level of disability and/or life changing diagnosis; and the risk of sudden deterioration in their condition or reduced independence or increased risk of falls could be minimised by urgent provision of essential adaptations to the home, (to reduce risk of premature admission to hospital or residential care, or increase in care package).
3. Where the care situation in the home is at imminent risk of breakdown if essential adaptations are not provided quickly, (to support the carer and maximise the applicant's independence, health and wellbeing).
4. Where applicants have catastrophic and life changing/limiting diagnosis, and urgent essential adaptations could minimise the risk of breakdown of family life and care, and enable supported living at home, delaying the time scale for the start, or increase in external health or social intervention.
5. Where the timely provision of minor adaptations (in line with health and wellbeing targets and better care priorities), would reduce the risk of falls and promote a safer home environment when applicants have no immediate and safe access to alternative service options.

Depending on the works recommended by the OT, it would be advisable that applicants entitled to a mandatory grant also fall into one of the above key criteria. This ensures correct reasoning has been applied to their case to ensure their needs can only be met by topping up the mandatory funding available. Typically, an example of this in action would be where an extension must be constructed to contain a bedroom and washing facility for someone less than 18 year's old.

To ensure that the offer of Discretionary DFGs is equitable to all residents within the Winchester District every applicant will be assessed by council's in-house OT to establish the need for the additional discretionary funding from the council.

Whatever their tenure the council will then require the applicant to consult with an agent from the council's recommended list to complete a plan for the most cost effective way to meet their need. This will be a required step regardless of whether the applicant already has plans of their own drawn up. Wherever possible all works should aim to be completed within the footprint of the property.

Any Top Up Grant funding will be considered having regard to the amount of financial resources the council has available at the time of the application. If it does not have sufficient resources left to fund other referrals passed to the DFG team by the Occupational Therapy Service or the in-house PSH Occupational Therapist, the council reserves the right not to approve any top up funding.

Funding Limit:

The funding limit for the Top Up Grant is **£100,000** inclusive of all work costs and fees associated with the works including but not limited to a contingency fee, architect and planning fees and the council's service charge etc.

For applicants entitled to up to £30,000 mandatory funding this translates into a £30,000 mandatory grant and discretionary £70,000 Top Up Grant. For applicants not entitled to mandatory funding this translates to a £15,000 discretionary grant and a £85,000 discretionary Top Up Grant.

Local Land Charge and Client Contribution

All DFG applicants eligible for a discretionary grant in excess of £15,000 or £30,000 will be subject to a financial means test in accordance with the Housing Renewal Grants Regulations 1996 (as amended) to determine whether they will be required to make a financial contribution. The council has determined that where a contribution is required, applicants will pay 10% of the required contribution as determined by the government mandated means test towards the cost of the works. Should applicants additionally be eligible for a mandatory grant and / or the £15,000 discretionary grant, this along with their 10% contribution will be deducted from the grant costs. If an applicant cannot finance their 10% contribution then this will exclude them from being offered a discretionary grant. Where an applicant can finance a 10% contribution the balance of the grant which exceeds the mandatory level will be secured on the property by a legal charge. **The legal charge will have no expiry date and therefore the charge will be paid back to the council upon sale, assignment, transfer or otherwise of the property.** The RRO enables local authorities to offer this financial assistance in the form of a zero interest loan. This loan is registered as a Local Land Charge against the value of the property, on which no interest is levied. When this circumstance arises the council will only consider waiver of the legal charge if it causes financial hardship. An example of hardship is if the property is being sold to fund care and the legal charge prevents the applicant being able to move to a suitable placement. It is for the applicant or interested parties of the applicant to make their case of hardship to the council with supporting evidence and for the council to use its discretion when making a decision.

Summary Table of Funding Levels	
Funding level	Decision
Up to £20,000	Private Sector Housing Team Leader
Up to £50,0000	Service Lead – Strategic Housing
Up to £100,000	Corporate Head of Housing

For cases exceeding **£15,000** the final decision will be determined by a panel of the above officers depending on the level of funding being applied for.

Should there be exceptional circumstances where due to unforeseen works the value of the grant increases to beyond £100k, approval of the additional costs will require authorisation from the Portfolio Holder for Housing via a Decision Notice.

6.6 Applicant Living In Property Rented From Registered Social Landlord:

The Top Up grant can be applied for if eligible applicants live in a property owned by a Registered Social Landlord. The same funding limit of £100,000 applies, in cases where the grant cannot be secured with a legal charge.

Where a legal charge cannot be applied it must first be determined that the applicant cannot move to another property through Hampshire Home Choice which meets their needs or would meet their needs with less cost than the provision of a Top Up grant. This must be clearly evidenced in their application for funding.

6.7 Applicant Living In Property Rented from a Private Landlord:

Top Up Grants over £30,000 are not available to those privately renting as it would be more beneficial to assist them to move to a tenure with more security through the Hampshire Home Choice (HHC) a sub-regional choice based lettings scheme of which the council is a member.

7.0 Dual residency of a disabled child

In cases where families separate and a court order provides that residency of the subject disabled child is split between the mother and father (or other designated guardian) the council may consider the award of discretionary DFG to one property. The proposed adaptations will only be considered for discretionary assistance if they fall within those headings normally applied to mandatory schemes.

A mandatory DFG can only be provided for the 'sole or main residence' of the disabled applicant and in circumstances covered by this section it would be assumed that one party would apply for mandatory grant on the basis that the child occupies the subject property as their sole or main residence. The main residence will be determined by which party receives child benefit. This property may or may not be within the Winchester District. In exceptional circumstances under the RRO a discretionary grant may be awarded in order to adapt the home of the other parent (or guardian) should there be a legitimate and evidenced need.

The council will consider the details of any court order and specifically the allocation of time spent with each parent in determining eligibility for assistance. No specific percentage split is proposed by this policy as each case will be reviewed on its own merits. Factors to be considered include the specific details of any order, likely time to be spent at each property, whether the child will stay overnight at the subject property and for what period etc.

In determining the works that might be considered as eligible for assistance the council will consider the suitability of the subject property for adaptation, the complexity and scope of the adaptations required and any observations or referral made by the Occupational Therapy service. The scope of any works will not necessarily mirror that to be undertaken at the sole or main residence.

Any assistance provided under this heading will be up to a maximum discretionary award of £15,000 but will not be subject to any form of means testing. Any award will

be repayable to the council if and when the subject property is sold. The award amount will be recorded as a Land Registry charge in the same manner as a Top Up Grant.

8.0 Approval of Grants

Award of mandatory and discretionary DFGs is dependent on the council holding sufficient funds. Although the council is statutorily obliged to approve valid mandatory DFG applications within six months, where possible, the council aims to approve applications within 30 days of them being determined as complete and valid.

In the case of discretionary DFG's, the council aims for the same timeframe as above but mandatory DFG's may take preference if the council needs to consider how to make best use of its available resources.

The council will not approve a Disabled Facilities Grant application where the relevant work has already begun or been completed.

9.0 Fee Generating Service

The council recognises that applicants who do not qualify for mandatory grant assistance or discretionary grant or loan assistance nonetheless still have an identifiable need for adaptations. In some cases, applicants may decide not to proceed with necessary adaptations for lack of confidence or desire to deal with the process of completing specifications, seeking and appointing suitable contractors and then managing the installation, dealing with contractors and payment demands.

The council wishes to encourage individuals to adapt their homes where necessary and appropriate to enable them to stay in their home in accordance with the wider prevention agenda of housing, social care and health authorities.

The council provides an end-to-end service, acting as agent for the applicant and charges a fee of 12% plus VAT of the grant provided towards the cost of works. This fee forms part of the grant funding allocated. The council will offer the same service at the same fee rate to all applicants, apart from when a grant approaches or exceeds £25,000. At this point a service fee of £2,030 plus VAT will be applied. This equates to a total service fee charge of £2,436.

The provision of fee paying support services can be advantageous to certain applicants who may need further works carried out in future years, as the legislation allows for the contribution made towards one scheme of works to be counted towards the applicant's contribution to a further scheme of works if this is carried out within 5 years in the case of rented property, or 10 years in the case of owner occupied property. This is provided that the earlier scheme has been managed through the DFG process.

10.0 Completing the Works

The process of sourcing and appointing contractors to complete the works will depend on the likely nature and value of the works to be carried out, and the applicant's preferred method of engagement.

The council offers an end to end Home Improvement Agency type service for the majority of straightforward grants and where the value of the works is likely not to exceed £15,000. For this approach, the council maintains a Framework of approved contractors whose service will be offered to the applicant if they wish to make use of the service offering.

Furthermore, the council offers a choice of approved agents for higher value schemes that will typically involve a planning application and Building Control application for extensions or other substantial building works.

Where either of the above options is adopted, the procurement of contractors will be carried out according to the council's procurement rules.

The applicant is under no obligation to use either approved list and is entitled to invite and submit quotes from their own choice of agents and contractors. In these circumstances the submitted quotes will be assessed only to confirm that the quotations are for works reasonably required to meet the identified needs of the applicant and for which the grant is being provided. The council may, however, wish to investigate the contractors proposed by the applicant to ensure that they are of sufficient competence and reliability to safeguard that the public purse is not put at unnecessary risk, and may seek assurance as to insurances and references before approving an award.

There may be occasions when a client would prefer a more extensive adaptation over and above what the authority has assessed as being necessary and appropriate. In these cases the council will support the application by making it clear to clients what level of grant funding will be awarded and what level of expense they would be required to finance themselves.

The council will base the award on the lowest quote that meets the applicant's agreed needs, however the applicant may still use a higher priced contractor provided they pay the difference in price. In exceptional cases the council may agree to base the award on a quote higher than the lowest where circumstances, such as time for completion or known specific expertise, would indicate a better value outcome.

Applicants should be aware that the legal and contractual relationship is between the applicant and contractor and NOT with the council. If there is a dispute between the applicant and the contractor, the council will not be able to get involved unless by some act or default the council has caused the issue which has led to the dispute. The council will generally pay contractors on behalf of the applicant, but in the case of an unresolvable dispute the council will pay the grant direct to the applicant. It is then for the two contracted parties, the applicant and their contractor, to take such action as they deem necessary to resolve their dispute.

11.0 Contract Variations

Grant approvals are made by assessing submitted bids for the specification provided. It is the nature of any building work that variations may be required once work commences, either to the specification to provide a more practicable solution, or for additional works due to unforeseeable circumstances.

Applicants who chose to complete their own design must ensure that it satisfies the needs identified by their Occupational Therapist (OT).

If any applicants' design includes other works not provided for by the grant, the grant will be strictly limited to that part of the cost of works needed to satisfy the minimum necessary and appropriate requirements as identified by the OT and approved by the council.

Where variations will materially affect the design or function of the adaptation, agreement that the applicant's necessary and appropriate needs will continue to be met must be obtained from the originating OT before the variation is approved.

All requests for unforeseen works / variations from contractors that will involve additional costs must be agreed by the council in writing before those works proceed.

Where unforeseen works / variations are reasonably expected to reduce costs, the contractor must be required to identify this reduction before works proceed.

In both circumstances the grant approval documentation must be suitably amended.

No additional cost will be agreed for works that an experienced contractor should have reasonably foreseen as necessary for the completion of the specified works.

12.0 Abortive Works

The term abortive works relates to any situation where a DFG application has been aborted before all works have been completed, this is usually applicable where an applicant has died.

The council will consider the works to still be completed and a grant award may be made with consent of the property owner and residents of property.

13.0 Framework of Approved Contractors

The council will maintain a framework of approved contractors it reasonably considers capable of completing the works typically associated with Disabled Facility Grants, including specialists in the installation of wet-rooms and stair-lifts as well as general building contractors.

This framework will be informed by a 2 yearly invitation to contractors to tender against a given schedule of works, and confirmation of suitable insurances and professional accreditation.

It is expected that the framework will include no more than 12 contractors including a minimum of 3 in any specialism.

This framework will be used for any project with a likely value of up to £15,000 in line with the summary above.

14.0 Contractual Relationships and Responsibilities

In all circumstances, the contract for the completion of works will be between the applicant and the contractor appointed to complete the work.

Full details of the contractual relationships and responsibilities will be provided to all contractors invited to bid either by the council or by the applicant in the document Preliminary Information to Contractors which may vary from time to time to reflect changes in legislation and industry standards. This information will also be provided to applicants.

15.0 Warranties and Maintenance

Adaptations including installed equipment belong to the owner of the property in which they are installed. This means property owners are responsible for ongoing maintenance and repairs after any initial warranty period expires. The council will consider funding extended warranties for equipment installed using grant funding. This typically includes five year warranties for stair lifts and through floor lifts. The owner will also remain responsible for removing equipment and adaptations once no longer required.

16.0 Framework of approved agents

The council will maintain a framework of approved agents (architectural practices and project management organisations) capable of managing the process of design, statutory applications, sourcing and assessment of quotations from contractors, and project supervision to completion.

Agents will source and assess contractors' quotations in accordance with the council's Procurement Rules and will charge a fee in addition to the service fee applied by the council.

This list will typically be used for projects over £30,000 and where extensions to or substantial internal conversion of a property are required.

17.0 Contract Procedure Rules Summary

The Council Contract Procedure Rules identify five value of contract ranges for which the method of procurement varies as follows:

Under £10,000 (all contracts) - minimum of one quote sought from any contractor considered competent. **The framework of Approved Contractors identified in 13.0 above would all meet this competence condition.**

£10,000 – £250,000 (Works contracts only) – minimum of three written quotes sought and an evaluation model based on price (awarded to the lowest cost) or most economically advantageous criteria used. The use of the framework identified in 13.00 would meet the requirements for this value. Any contractor on the approved list may be used. If not using the approved list, three quotations must be sought.

Note: if purchasing Goods and Services the limit is £100,000.

Over £250,000 but below UK threshold for Works contracts (currently £5,336,937 inc VAT) – a formal competitive tender process by Public Invitation, Restricted Invitation or by invitation to contractors on the select list.

Above UK threshold (currently £5,336,937 inc VAT) and subject to the Public Contract Regulations 2015

NB: the Contract Procedure Rules do not apply where the applicant is not using the council's management service or approved framework of contractors or agents. In these circumstances the quotes will be assessed only to confirm that they are for works reasonably required to meet the identified needs of the applicant and for which the grant is being provided, and to determine the grant award, generally based on the lowest quote that meets the needs.

18.0 Assessment of bids

Where competitive bids are received for higher value works they will be assessed according to any published evaluation criteria set for the particular procurement.

For lower value projects where more than one quote is sought, the cheapest bid will determine the primary choice of contractor, provided that, in the view of the council's officers, the bid is reflective of the works specified and provides good value for money.

The council is under no obligation to accept either or any bid submitted and a further exercise could be progressed if deemed appropriate.

In view of the contractual relationship, the council will recommend the primary choice of contractor to the applicant and the applicant may accept or decline this recommendation. In the circumstance that they decline the primary choice, the council may require that the applicant makes a contribution equivalent to the difference in price between the primary choice and their choice of contractor.

19.0 Supervision of Works and Payment of Award

In all circumstances the council has a duty to inspect the works as they progress and on completion to ensure that monies from the public purse are being spent in accordance with the purpose for which the award was made.

The council may pay:

- The contractor directly (the council's preferred method)
- The applicant directly
- The contractor by providing the applicant with a suitable instrument of payment

Where works are deemed to meet the council's approval, but the grant applicant is not satisfied, the council will not unreasonably withhold payment to the contractor.

20.0 Disputes

If there is a dispute between the applicant and the contractor, the council will not be able to get involved unless by some act or default the council has caused the issue which has led to the dispute. The council will generally pay contractors on behalf of the applicant, but in the case of an unresolvable dispute the council will pay the grant direct to the applicant. It is then for the two contracted parties, the applicant and their contractor, to take such action as they deem necessary to resolve their dispute.

21.0 Complaints Procedure

Where an applicant is dissatisfied with the service they have received, including where a grant has been refused, they can make a complaint through the council's published complaints procedure which can be found at www.winchester.gov.uk/about/contact-us/complaints

In the first instance any issues should be brought to the attention of the council's authorised officer dealing with the application. If an applicant remains dissatisfied, to escalate any matter of concern, a corporate complaint can be raised as explained above.

22.0 Other Circumstances

In all other circumstances not detailed in this policy document reference should be made to the provisions of The Housing Grants, Construction and Regeneration Act 1996. Also reference Disabled facilities grant (DFG) Delivery: Guidance for Local Authorities in England 2022.

23.0 Amendments to Policy

When required minor amendments to DFG policy may be made by the Corporate Head of Housing in consultation with the Deputy Leader and Cabinet Member for Community and Housing.

Appendix 1

Customer Satisfaction Survey

 Winchester City Council					
Disabled Facilities Grant Customer Satisfaction Survey					
<p>The Private Sector Housing Team at Winchester City Council would like to know your feedback on the Disabled Facilities Grant service we provide. This is to monitor and improve our service for our future clients.</p>					
How satisfied or dissatisfied were you with the following:					
	Very Satisfied	Satisfied	Neither	Dissatisfied	Very Dissatisfied
The time it took for your adaptation (s) to be completed					
The way you were kept informed about Progress?					
The quality of the work completed					
The contractor who carried out the work?					
how easy it was to understand the Information you were given?					

how we dealt with any problems Along the way					
The amount of time staff spent with you?					
how easy it was to access the service					
Overall, how satisfied or dissatisfied were you with the service you received?					
How did you hear about the Disabled Facilities Grant service?					
Do you have any comments or suggestions to help us improve the Disabled Facilities Grant service?					
<i>Thank you for taking the time to answer these questions</i>					
<i>Please return this form in the self-addressed envelope provided</i>					

Appendix 2 – Link to Latest Guidance

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1065574/DFG_Guidance.pdf

Appendix 3 – List Of Current Pass-porting Benefits

- Universal Credit
- Income Support
- Income-based Employment and Support Allowance (not contribution-based ESA)
- Income-based Jobseeker's Allowance (not contribution-based JSA)
- Guarantee Pension Credit (not Savings Pension Credit alone)
- Working Tax Credit and/or Child Tax Credit (where your annual income for the purposes of the tax credits assessment was below £15,050)
- Housing Benefit

Once the scheme has been agreed

If works are under WCC discretionary policy of £15,000 including stair lifts, ramps and LAS no financial checks will be completed.

If over this threshold financial checks will be completed:

- Clients who are in receipt of pass porting benefits and children under 18 are eligible for the

Case will then be added to the DFG waiting list unless the OT has assessed as Urgent.

Urgent cases will be actioned as soon as received by WCC DFG Grant Officer.

Waiting List Cases Client's will be sent a waiting list letter

proceed with grant - If the client does not respond or advises they do not wish to continue case will be closed and no further action.

Client sent DFG application form to sign and return to WCC (paid envelope supplied) NB Case cannot proceed until completed form is received by WCC.

What next

The process will differ slightly depending on the adaptation requested as follows:

- Stair lifts – WCC will have the quote and recommendations. The grant officer will raise the order and the supplier will liaise with the client to arrange install
- Level Access Showers (LAS) & Ramps – The grant officer will visit the client with or without a contractor, in house OT may attend if complex. Agree scheme to meet client's needs.
- Larger more complex adaptations including internal walls being moved and or extensions. In these cases WCC engage an agent to act as project manager. This is to provide technical support and obtain any permissions such as planning and obtain to correct number of tenders in line with WCC DFG policy. A visit with agent, will be arranged with grant officer and in house OT. There will be several visits to agree a scheme. The agent will then project manage and be the client's main contact.

Grant Offer

Once all the financial checks and costings are known by WCC grant officer, will send a grant offer letter. Once this has been signed by the client and returned to WCC, works can start at a mutually convenient date.

Appendix 4 Processing Procedure for Disabled Facilities Grant (DFG) referral.



APPENDIX C Examples of the impact of recommended changes to DFG discretionary policy

Grant of £100,000 (Maximum Grant)	Family Circumstances	Ferret (Government Tool for Means Testing) Means Test Contribution Result:	Grant Entitlement	10% of Means Test Result (Client Contribution)	Legal Charge on Property (no expiry Date) after Client Contribution paid	Previous Policy Contribution Determination (5% of income as loan over 5 year term)	Previous Policy Legal Charge (With 10 Year expiry) Unlikely to be repaid to the council.
Example 1	<ul style="list-style-type: none"> x2 working age adults with a joint income of £60,000 x3 children x1 child with disabilities in receipt of DLA Home Owners £10,000 in savings 	£238,871.00	£30,000 Mandatory Grant (Childs Application)	£23,889.10	£46,112.90	£13,000	£57,000
Example 2	<ul style="list-style-type: none"> x2 Adults both of state pension age One adult in receipt of DLA The other adult is registered as a carer Both in receipt of an average weekly state pension of £185.00 per week and an Occupational pension each of £136.00 per week £30,000 in savings 	£101,093.40	£15,000 (does not qualify for a mandatory grant only the £15,000 discretionary grant)	£10,109.34	£74,890.66	£8600.00	£76,400.00
Example 3	<ul style="list-style-type: none"> x2 Adults 1 or both of whom are on a means tested benefits Owner Occupiers 	N/A as income is means tested benefits	£30,000 mandatory grant (as on means tested benefit)	N/A as income is means tested benefits	£70,000	N/A as income is means tested benefits	£70,000
Example 4	<ul style="list-style-type: none"> X2 Adults of working 	£8688.25	£15,000 (does	£868.82	No legal charge	£3950.00	No legal charge

	<p>age</p> <ul style="list-style-type: none">• 1 adult not working and in receipt of DLA (for whom the grant is for)• 1 Adult working with an earned income of £25,000• 2 Children• Social Housing Tenants (RSL)• £3000.00 in savings		<p>not qualify for a mandatory grant only the £15,000 discretionary grant)</p>		<p>can be secured as property belongs to RSL</p>		<p>can be secured as property belongs to RSL</p>
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Appendix D

Winchester City Council
Equality Impact Assessment
Section 1 - Data Checklist

When undertaking your Equality Impact Assessment for your policy or project, it is important that you take into consideration everything which is associated with the policy or project that is being assessed.

The checklist below is to help you sense check your policy or project before you move to Section 2.

		Yes/No	Please provide details
1	Have there been any complaints data related to the policy or project you are looking to implement?	no	This is a revised an updated private rented sector renewal Strategy and is to replace the former strategy which expired in 2021, inclusive of the revised DFG policy 2023-2025
2	Have all officers who will be responsible for implementing the policy or project been consulted, and given the opportunity to raise concerns about the way the policy or function has or will be implemented?	yes	All of the officers within PSH have inputted into the writing of the strategy and/or policy with the team leader and service lead at team meetings and as part of a working group
3	Have previous consultations highlighted any concerns about the policy or project from an equality impact perspective?	no	No previous consultations have taken place. TACT have been consulted on the DFG policy
4	Do you have any concerns regarding the implementation of this policy or project? <i>(ie. Have you completed a self-assessment and action plan for the implementation of your policy or project?)</i>	no	The policy details the actions the council will take in order to undertake its functions in respect of Private Sector Housing Grants under the The Regulatory Reform (Housing Assistance) (England and Wales) Order , specifically Disabled Facility Grant The Strategy and policy is written and was presented to the BHP committee on 29/11/22
5	Does any accessible data regarding the area which your	no	Nothing identified

	work will address identify any areas of concern or potential problems which may impact on your policy or project?		
6	Do you have any past experience delivering similar policies or projects which may inform the implementation of your scheme from an equality impact point of view?	yes	Delivery of the existing Strategy and DFG policy
7	Are there any other issues that you think will be relevant?	no	No concerns or issues were raised by members of the public following the publication of the previous private sector renewal strategy.

Section 2 - Your Equality Impact Assessment form

Directorate: Operations	Your Service Area: Housing Options	Team: Private Sector Housing	Officer responsible for this assessment: John Easey	Date of assessment: 12.01.2023
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	Question	Please provide details
1	What is the name of the policy or project that is being assessed?	Private Sector Renewal Strategy
2	Is this a new or existing policy?	Existing - updating
3	Briefly describe the aim and purpose of this work.	To set and explain strategic aims of PSH for 5 years inclusive of a revised DFG policy for the period 2023-2025
4	What are the associated objectives of this work?	To inform policy regarding enforcement, grants and licencing functions
5	Who is intended to benefit from this work and in what way?	The general population of WCC in private sector housing
6	What are the outcomes sought from this work?	Clarification of strategic direction of the PSH function
7	What factors/forces could contribute or detract from the outcomes?	Financial resources made available to the PSH function
8	Who are the key individuals and organisations responsible for the implementation of this work?	PSH officers
9	Who implements the policy or project and who or what is responsible for it?	The Senior Private Sector Housing Officer in conjunction with PSH Service colleagues will implement and be responsible for the strategy.

		Please select your answer in bold . Please provide detail here.		
10a	Could the policy or project have the potential to affect individuals or communities on the basis of race differently in a negative way?	Y	N	
10b	What existing evidence (either presumed or otherwise) do you have for this?	The strategy is for the whole district and there have been no indications that the previous incarnation of the strategy resulted in any negative effect on specific or protected groups. The most recent Census data available (2011) identifies that 97.2% of the districts population state 'English' as their main language. The need for translation or interpretation of letters etc. is therefore likely to be low. However, all aspects of communication will comply with the council's Equality Policy and access to translation services can be provided if required.		
11a	Could the policy or project have the potential to affect individuals or communities on the basis of sex differently in a negative way?	Y	N	No specific impacts.
11b	What existing evidence (either presumed or otherwise) do you have for this?	The strategy is for the whole district and there have been no indications that the previous incarnation of the strategy resulted in any negative effect on specific or protected groups.		
12a	<p>Could the policy or project have the potential to affect individuals or communities on the basis of disability differently in a negative way?</p> <p><i>(you may wish to consider:</i></p> <ul style="list-style-type: none"> • <i>Physical access</i> • <i>Format of information</i> • <i>Time of interview or consultation event</i> • <i>Personal assistance</i> • <i>Interpreter</i> • <i>Induction loop system</i> • <i>Independent living equipment</i> • <i>Content of interview)</i> 	Y	N	<p>Suitable assistance will be provided to residents requiring the PSH teams services if needed in line with the council's equality policy.</p> <p>Such assistance can include:</p> <ul style="list-style-type: none"> • Undertaking home visits should homeowners have a physical or mental disability that prevents them from easily attending at the council offices • Accessing telephone translation services should language be a barrier to communication

				<ul style="list-style-type: none"> • Use of a hearing loop in the city office reception for those hard of hearing • Providing letters in large font format
12b	What existing evidence (either presumed or otherwise) do you have for this?	The strategy is for the whole district and there have been no indications that the previous incarnation of the strategy resulted in any negative effect on specific or protected groups. The strategy may in fact be positively discriminatory towards this group as the only proposed discretionary grant assistance is targeted to people with disabilities.		
13a	Could the policy or project have the potential to affect individuals or communities on the basis of sexual orientation differently in a negative way?	Y	N	There is no evidence to suggest that the strategy will have a potential impact on this characteristic
13b	What existing evidence (either presumed or otherwise) do you have for this?	The strategy is for the whole district and there have been no indications that the previous incarnation of the strategy resulted in any negative effect on specific or protected groups.		
14a	Could the policy or project have the potential to affect individuals on the basis of age differently in a negative way?	Y	N	It is recognised that not all residents may have access to computers and are able to communicate electronically. This can be the case across all age groups but there is the potential for a proportion of persons in the older age group to be more greatly affected.
14b	What existing evidence (either presumed or otherwise) do you have for this?	None, however, in line with the council's equality policy the offer of different communication methods will be offered as this helps ensure that the information and dialogue is encouraged with all property owners, regardless of their communication preference		
15a	Could the policy or project have the potential to affect individuals or communities on the basis of religious belief differently in a	Y	N	It is acknowledged that some faiths / religions require worship on particular days and therefore may not be able to

	negative way?			attend appointments / meetings due to this
15b	What existing evidence (either presumed or otherwise) do you have for this?	The strategy is for the whole district and there have been no indications that the previous incarnation of the strategy resulted in any negative effect on specific or protected groups. However due consideration will be given to this and flexibility will be applied, if required, in order to mitigate any adverse impact.		
16a	Could this policy or project have the potential to affect individuals on the basis of gender reassignment differently in a negative way?	Y	N	There is no evidence to suggest that the strategy will have a potential impact on this characteristic but due consideration will be given to this and flexibility will be applied, if required, in order to mitigate any adverse impact.
16b	What existing evidence (either presumed or otherwise) do you have for this?	The strategy is for the whole district and there have been no indications that the previous incarnation of the strategy resulted in any negative effect on specific or protected groups.		
17a	Could this policy or project have the potential to affect individuals on the basis of marriage and civil partnership differently in a negative way?	Y	N	
17b	What existing evidence (either presumed or otherwise) do you have for this?	The strategy is for the whole district and there have been no indications that the previous incarnation of the strategy resulted in any negative effect on specific or protected groups.		
18a	Could this policy or project have the potential to affect individuals on the basis of pregnancy and maternity differently in a negative way?	Y	N	
18b	What existing evidence (either presumed or otherwise) do you have for this?	The strategy is for the whole district and there have been no indications that the previous incarnation of the strategy resulted in any negative effect on specific or protected groups.		
19	Could any negative impacts that you			

	identified in questions 10a to 15b create the potential for the policy to discriminate against certain groups on the basis of protected characteristics?	Y	N	
20	Can this negative impact be justified on the grounds of promoting equality of opportunity for certain groups on the basis of protected characteristics? Please provide your answer opposite against the relevant protected characteristic.	Y	N	Race: Sex: Disability: Sexual orientation: Age: Gender reassignment: Pregnancy and maternity: Marriage and civil partnership: Religious belief:
21	How will you mitigate any potential discrimination that may be brought about by your policy or project that you have identified above?			
22	Do any negative impacts that you have identified above impact on your service plan?	Y	N	