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9 March 2010

S U M M O N S

MEETING: Policy and Organisation Board
DATE: 17 March 2010
TIME: 6.00 p.m.
PLACE: Committee Room 1, Town Hall, Gosport
Democratic Services contact: Chris Wrein

LINDA EDWARDS
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

The Mayor (Councillor Mrs Searle)(ex-officio)
Councillor Hook (Chairman)
Councillor Burgess (Vice-Chairman)

Councillor Ms Ballard	Councillor Hicks
Councillor Carter	Councillor Langdon
Councillor Cully	Councillor Philpott
Councillor Gill	Councillor Wright

FIRE PRECAUTIONS

(To be read from the Chair if members of the public are present)

In the event of the fire alarm (single continuous sound) being activated, please leave the room immediately.

Proceed downstairs by way of the main stairs or as directed by GBC staff, follow any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

IMPORTANT NOTICE:

- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

NOTE:

- i. Members are requested to note that if any Member wishes to speak at the Board meeting then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off for the duration of the meeting.

AGENDA

PART A ITEMS

RECOMMENDED
MINUTE FORMAT

1. APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter, any personal or personal and prejudicial interest in any item(s) being considered at this meeting.

3. MINUTES OF THE MEETINGS OF THE BOARD HELD ON 25 JANUARY AND 3 FEBRUARY 2010

To approve as a correct record the Minutes of the meetings of the Policy and Organisation Board held on 25 January and 3 February 2010 (copies herewith).

4. DEPUTATIONS – STANDING ORDER 3.5

(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Monday, 15 March 2010. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

(NOTE: The Board is required to allow a total of 15 minutes for questions from members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Monday, 15 March 2010).

6. NEIGHBOURHOOD PARTNERSHIPS – TAKING ACTION TOGETHER

PART II

To advise Members of the progress being made in Gosport with regard to the neighbourhood / locality agenda.

Contact Officer:
Ian Lycett
Ext 5201

7. CROSS REFERENCE FROM THE MEETING OF THE HOUSING COMMITTEE HELD ON 3 MARCH 2010

PART II

HOUSING RENEWAL POLICY 2010/11

Contact Officers:
David Palmer
Ext 5509
Trevor
Charlesworth
Ext 5510

Policy and Organisation Board
17 March 2010

8. ANY OTHER ITEMS
which the Chairman determines should be considered, by reason of special circumstances, as a matter of urgency.

9. EXCLUSION OF PUBLIC
To consider the following motion:

That in relation to the following items the public be excluded from the meeting, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during these items there would be disclosure to them of exempt information within Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all circumstances of the cases, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons set out in the reports.

PART B ITEMS
FOLLOWING THE EXCLUSION OF THE PRESS AND PUBLIC

Item No.	Item	Paragraph no. of Part I of Schedule 12A of the Act	
10.	LEASE ARRANGEMENTS FOR THE REPLACEMENT LANDING STAGE	Paragraph 3 Reason: The report contains details of the financial affairs of the Council and a third party at a time when negotiations are not finally concluded. These negotiations could be prejudiced if this information was made public which may have an adverse impact on the arrangement to the detriment of the Council tax payers. Therefore the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	PART II Contact Officer: David Martin Ext 5512
11.	ACCESS TO BAY HOUSE SCHOOL SPORTS FACILITY	Paragraph 3 Reason: The report contains financial information relating to Council and a third party, disclosure of which could affect the details set out in the report and therefore the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	PART II Contact Officer: Mark Pam Ext 5563

AGENDA ITEM NO. 6

Board:	POLICY AND ORGANISATION BOARD
Date of Meeting:	17 MARCH 2010
Title:	NEIGHBOURHOOD PARTNERSHIPS – TAKING ACTION TOGETHER
Author:	CHIEF EXECUTIVE
Status:	FOR INFORMATION

Purpose

To advise Members of the progress being made in Gosport with regard to the neighbourhood / locality agenda.

Recommendation

That Members note the report.

1 BACKGROUND

- 1.1 The “Stronger Prosperous Communities” White Paper released in 2006 re-asserted the Government’s agenda for neighbourhood governance and as a consequence many areas have begun to deliver neighbourhood and locality governance arrangements.
- 1.2 Neighbourhoods and locality remain strong policy themes for all three of the main national political parties and, whatever the result of the forthcoming election, further legislation and guidance can be expected which requires Local Strategic Partnerships to move towards some sort of neighbourhood and locality arrangements.
- 1.3 Neighbourhood and locality groups with strong community involvement can revitalise civic engagement and improve both the perception of, and actual service delivery for, not only Councils but all service providers, ie health authorities and the Police.
- 1.4 In addition the Government is strongly pushing “The Place Agenda” which also looks to bring together service providers in an area to work closer together and to focus their resources.
- 1.5 The County Council is leading on these areas across the County via the Local Area Agreement and have indicated to Local Strategic

Partnerships that they may look to implement neighbourhood/locality arrangements into areas if they are not already in place.

2 PROGRESS IN GOSPORT

- 2.1 The Council is a leading member of The Gosport Partnership. This is Gosport's statutory Local Strategic Partnership.
- 2.2 Gosport has made significant steps forward in community engagement at a local level in the past few years.
- 2.3 Within the Council, Housing Services have, through our resident involvement strategy, developed strong tenant liaison mechanisms.
- 2.4 Gosport was identified as a Home Office engagement pilot project in 2009. The Community Safety Partnership have been progressing the project with our Community Safety Team taking the lead.
- 2.5 The project has seen the very successful "Have your Say" events take place and is moving towards the establishment of six Neighbourhood Forums based on the Police beats. The pilot has progressed community coaching which has been successful and recognised by the Home Office and is now working on participatory budgeting in two areas of the Borough.
- 2.6 In the "Place Survey" Gosport was identified as an area where community cohesion was in need of attention. Through the Gosport Partnership, the Council's Policy Team has developed a Community Cohesion Strategy and a total of £60,000 of funding from the area-based grant for cohesion is in place for local projects and initiatives to help strengthen cohesion in Gosport.
- 2.7 The two year Neighbourhood Management pilot in Rowner commenced in October 2008 and has made significant progress. This is a local strategic partnership initiative and has been funded, in the majority, by the County Council. The pilot concentrates on the Borough's areas of deprivation, commencing in Rowner and now moving to Town Ward.
- 2.8 The pilot has established effective resident-responsive engagement mechanisms, with over 350 residents directly benefiting from the services of a neighbourhood co-ordinator.
- 2.9 Stakeholder meetings have been established and business support meetings put in place to support the work of the directors of the residential management companies situated in Rowner. Significant improvements have also been achieved in the general environment of the area and in building capacity with the residents.
- 2.10 The Neighbourhood Management pilot is now being extended into

Town Ward and work has already commenced with various discussions underway with resident groups. Town Ward is also an area where a Neighbourhood Forum is being created by the Community Safety Partnership and there is considerable housing property belonging to this Council.

3 THE WAY FORWARD

- 3.1 There is now a need for these various initiatives to be brought together to ensure we avoid duplication and to help all partners effectively co-ordinate their resources.
- 3.2 It is proposed that the Rowner Neighbourhood Board will be re-titled "The Community Board" and will be a sub-board to the Gosport Partnership.
- 3.3 The various initiatives will be brought together under the banner of "Neighbourhood Partnerships – Taking Action Together".
- 3.4 A proposal will be placed before the Gosport Partnership in March to increase the current one neighbourhood co-ordinator to three. It is anticipated that funding will be available for this proposal via the Gosport Partnership and the funding for the initiatives that are already in place. The co-ordinators would be employed on a two year basis.
- 3.5 It is envisaged that one co-ordinator would continue the work already achieved in Rowner and expand this North into Bridgemary where a Neighbourhood Forum already exists. The second co-ordinator will work in Town using the best practice achieved in Rowner. The final co-ordinator will work across the Borough beginning to co-ordinate the various initiatives.
- 3.6 This proposed structure will enable the Partnership to further progress the neighbourhood / locality agenda without the implementation of a permanent fixed staffing structure and to learn, at each stage, what works and what does not. It will provide a mechanism for all partners to engage with the Neighbourhood Forums and provide a focus on which all parties can co-ordinate their services and resources in each area.
- 3.7 A further report will be made to this Board on progress and to update Members on the work of the neighbourhood partnership initiative.

Financial Services comments:	None
Legal Services comments:	None
Service Improvement Plan implications:	Not applicable
Corporate Plan:	Not applicable
Risk Assessment:	Not applicable
Background papers:	Nil
Appendices/Enclosures:	Nil
Report author/ Lead Officer:	Ian Lycett, Chief Executive

GOSPORT BOROUGH COUNCIL

REFERENCE

**TO: POLICY AND ORGANISATION BOARD –
17 MARCH 2010**

FROM: HOUSING BOARD – 3 MARCH 2010

TITLE: HOUSING RENEWAL POLICY 2010-2011

AUTHOR: HOUSING SERVICES MANAGER

Attached is a copy of the report that was considered by the Housing Board on the 3 March 2010 (Appendix 'B'), together with the Minute extract and Board Resolution (Appendix 'A').

RECOMMENDATION:

RESOLVED:

- a) the new draft Housing Renewal Policy for 2010-2011 be approved;
- b) authority be delegated to the Environmental Services Manager, subject to the Council's financial regulations, in consultation with the Chairman and group housing spokespersons, to approve variations between capital programme budget headings in order to deal with demand, and
- c) the Board recommend to the Policy and Organisation Board Meeting on 17 March 2010 that the Housing Renewal Policy be formally adopted.

EXTRACT FROM THE MINUTES OF THE
HOUSING BOARD MEETING
3 MARCH 2010

49 HOUSING RENEWAL POLICY 2010-2011

Consideration was given to a report of the Environmental Services Manager which advised Members that a formally adopted Housing Renewal Policy was required in order to deliver home repairs and adaptations in the Borough.

RESOLVED: That:

- a) the new draft Housing Renewal Policy for 2010-2011 be approved;
- b) authority be delegated to the Environmental Services Manager, subject to the Council's financial regulations, in consultation with the Chairman and group housing spokespersons, to approve variations between capital programme budget headings in order to deal with demand, and
- c) the Board recommend to the Policy and Organisation Board Meeting on 17 March 2010 that the Housing Renewal Policy be formally adopted.

APPENDIX B

Board/Committee:	Housing Board
Date of Meeting:	3 rd March 2010
Title:	Housing Renewal Policy 2010-2011
Author:	Environmental Services Manager
Status:	For Recommendation to Policy & Organisation Board

Purpose

A formally adopted Housing Renewal Policy is required in order to deliver home repairs and adaptations in the Borough.

Recommendation

- That the Board approves the new draft Housing Renewal Policy for 2010-2011,
- That authority be delegated to the Environmental Services Manager, subject to the Council's financial regulations, in consultation with the Chairman and Group housing spokespersons, to approve virements between capital programme budget headings in order to deal with demand, and
- That the Board recommends to the Policy and Organisation Board Meeting on 17 March 2010 that the Housing Renewal Policy be formally adopted.

1 Background

- 1.1 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 requires that all Local Housing Authorities must provide Mandatory Disabled Facilities and have arrangements in place, including a formal Housing Renewal Policy, for all other forms of housing assistance for the improvement of housing conditions in their area.
- 1.2 The Order also requires that the Authority keep under review their Housing Renewal Policy and amend it if necessary. The Housing Renewal Policy was last approved by Members at the Housing Board Meeting on 4 March 2009, and subsequently endorsed by the Policy and Organisation Board Meeting on 11 March 2009.
- 1.3 The Government has made it clear that it acknowledges the importance of private sector housing and its effect on the health of the nation, and who should bear responsibility for repairs in that sector :

“Poor quality housing can have an impact on the health of the occupants and on the quality of life in an area. The Government's view is that it is primarily the responsibility of homeowners to maintain their own property.”
[Introduction, paragraph 2; Housing Renewal Guidance (Consultative Document), June 2002]

- 1.4 The Government has also stressed that local authorities have a key role in steering homeowners on the road to self-reliance and away from a grant dependency culture. However, the Government has also stressed that it would consider that an authority was failing in its duty as a housing enabler, and in its responsibility to consider the condition of the local private sector stock, if it did not make some provision for assistance :

“A blanket ‘no assistance policy’, whether for grants, loans or both, would therefore be unacceptable.” [paragraph 4.3, *Housing Renewal Guidance (Consultative Document)*, June 2002]

- 1.5 The draft Housing Renewal Policy 2010-11, upon approval of this Board, will be referred to the Policy and Organisation Board Meeting on 17 March 2010. A copy of the draft Policy is available in the Members Room and further copies are available on request.
- 1.6 The draft Policy proposes a broad package of grant-based assistance in the forthcoming financial year assistance. Also that affordable loans may be obtained (for specific low income groups) through the independent, not-for-profit South Coast Money Line. The Policy will target residents who are older and/or disabled and specified low income groups. Discretionary assistance in a variety of different forms will be provided towards vital, small scale repairs, energy efficiency improvements and assisting in the conversion of empty shops, offices and commercial properties and/or under-occupied properties into units for rent in the private sector. This will be backed up by appropriate advice and, where necessary, enforcement action.
- 1.7 With effect from 16 November 2009 the private sector housing responsibilities, with the exception of energy efficiency (which has remained within Housing Services), were transferred to the Environmental Health Section. This report and relevant parts of the draft Policy have therefore been prepared jointly between the two Units.

2 Key Themes and Considerations within the Housing Renewal Policy 2010 -11

- 2.1 **The Range and Type of Assistance to be Made Available** – the Housing Capital Programme, approved on 3 February 2010, will fully fund the grant proposals set out in the draft Policy. Regional Housing Board (RHB) funding in 2010/11 for affordable loans (see Section 4 below) and Homecheck materials is already agreed. Funding for other assistance packages cannot be confirmed until approved by the PUSH – Southern Home Loans Partnership (SHLP) Core Group and must therefore be considered provisional. No commitments will be incurred until RHB funding is secured, and will be limited to the sum allocated to Gosport for those purposes.
- 2.2 **Applicant Eligibility** – the proposal will limit eligibility to owner-occupiers, landlords and tenants.
- 2.3 **Grant limits** – proposed limits are set out in Section 6 of the draft Policy.

2.4 **Time limits** – grant approvals generally remain valid for a period of not more than twelve months and may be significantly shorter for small items of work.

2.5 **Repayment conditions** – the draft Policy sets out a number of conditions that would require repayment of any grant, summarised below.

Issue	Proposal	Reference in Draft Policy
Disposal of owner-occupied property benefiting from Mandatory Disabled Facilities within 10 years of grant payment	Full repayment, up to a maximum of £10,000, any part of the grant that exceeds £5,000.	6.5, Appendix A2.51
Disposal of property benefiting from discretionary Home Repairs Assistance or Conversion Grants within 5 years of grant payment	Full repayment plus compound interest	6.11, 6.15, Appendix A2.47 & A2.48
Breach of Nominations Agreement and/or Letting conditions in rented property benefiting from a discretionary Conversion Grant	Full repayment plus compound interest	6.15
Failure to provide information on grant condition compliance within 21 days	Full repayment plus compound interest	Appendix A2.53
Successful insurance claim	Full repayment in respect of such works, or the value of the insurance payment if lower; no interest	Appendix A2.55

2.6 **Non-Repayment Conditions** – the draft Policy also sets out a number of conditions in which repayment is not required, namely :

- all Handyperson Scheme works, due to low cost,
- mandatory Disabled Facilities Grants below £5,000,
- mandatory Disabled Facilities Grants above £5,000 to a tenant, and
- any other case subject to the discretion of the Head of Environmental Health.

2.7 **Dealing With Disputes** – The law does not make any provision for appeals against individual decisions on the level of assistance offered. However, under Section 14 of the draft Policy, any customer who is dissatisfied with the service provided will initially be asked to contact the officer who has been dealing with their case to give them the opportunity to alter the service or to explain the decision/outcome. If, after contact with the officer dealing with the

case, a customer is still dissatisfied and wishes to explore the matter further they are invited to contact the Head of Environmental Health who will provide a full written response within ten working days of becoming aware of the matter. If the customer is still dissatisfied, the Borough Council has a three-stage complaints procedure.

- 2.8 **Key service standards** – The service standards approved for the home improvement grant service are set out in Appendix 3 of the draft Policy.
- 2.9 **Enforcement policy** – When enforcement is required it will be undertaken in accordance with Gosport Borough Council’s Generic Enforcement Policy.

3 Crime and Disorder Act 1998

- 3.1 Under the provisions of the Crime and Disorder Act 1998, Section 17, it is the duty of all local authorities to consider the crime and disorder implications of their actions in the exercise of their various functions. With regards to this Report, there are two items that could reasonably be deemed as aiding in the prevention of crime and disorder in the Borough, namely :

- *Discretionary Conversion Grants* : These small grants often provide the impetus to private landlords to convert empty commercial properties (shops, offices, etc.) into self-contained units of accommodation for renting in the private sector. Frequently an empty shop or public house can attract unwarranted damage by vandals. The conversion of these properties into self-contained units removes this criminal temptation, as well as providing much needed accommodation (see paragraph 6.12 in the draft Policy).
- *Handyperson Scheme* : This provides registered disabled and people aged 60 and over who are not in employment the opportunity of using a reliable workman employed by a non-profit making charity to undertake minor works of repair or maintenance at a reduced cost to themselves. This service is subsidised by the local authority. The Handyperson may carry out works such as providing improved security locks, door chains, etc. These works should lessen the risk of that home being targeted by intruders as well as reducing this fear for the occupant (see Section 7 of the draft Policy).

4 Progress Update on the Southern Home Loans Partnership Scheme

- 4.1 In March 2004 the Housing Board approved the Council’s participation in a Consortium of local authorities to set up a pilot regional resource to provide low cost home repair/maintenance loans to applicants seeking to repair or improve their homes up to the Decent Homes Standard. These loans are made to homeowners whose financial circumstances would not allow them access to affordable finance from the mainstream ‘High Street’ financial institutions. The Scheme, named ‘Southern Home Loans Partnership’ made its first loans in 2006.

4.2 In 2007-08 Gosport Borough Council, together with other members of the Southern Home Loans Partnership Scheme Consortium (Portsmouth CC, Eastleigh BC and Chichester DC) made a bid for funding from the Regional Housing Board for from the period 2008 to 2011. The bid was based on the further operation and promotion of the good work already undertaken by all the Consortium Members on the Southern Home Loans Partnership Scheme project together with the promotion of the Homecheck Scheme and the Decent Homes Standard. The bid was successful and resulted in funds being made available to Gosport Borough Council (hence resulting in real savings to the Borough Council) to assist in the promotion and running costs of the Southern Home Loans Partnership Scheme and the promotion of the Decent Homes Standard/energy efficiency in the private sector. There will be no impact on the 2010-2011 Grant Budget from loans made under these arrangements. It is hoped that the Regional Housing Board will permit further bids to be made for funding beyond March 2011.

5 Spending Proposals 2010-11

5.1 The elements of this Policy are as follows :

<u>Capital Expenditure</u>	<u>2010/11</u>
Mandatory Disabled Facilities Grants	£340,000
<i>Less Government contribution</i>	<i>-£240,000</i>
Home Repair Assistance Grants (emergency priority disabled aids/adaptations)	£15,000
Conversion Grants (conversion of empty or under-occupied property into self-contained units)	£45,000
Private Sector House Condition Survey (originally approved in 2009/10 but deferred)	£40,000
Net Total Capital Expenditure	£200,000
 <u>Revenue Expenditure</u>	
Handyperson Service	£10,000
Homecheck Scheme (via C&E Board)	£18,000
Total Revenue Expenditure	£28,000
 <u>Funded by Regional Housing Board (provisional)</u>	
Conversion Grants (additional funding)	£60,000
Warm Front top-up grants	£7,000
Total RHB Funded Expenditure	£67,000

5.2 Where demand in one area exceeds that in another and funding is under the Council's direct control it is prudent to redirect funds providing that total expenditure remains unchanged. It is therefore proposed that in such circumstances, the Environmental Services Manager in consultation with the Chairman and Group housing spokespersons, is able to decide how to redirect funds as appropriate, in accordance with the Council's financial regulations.

5.3 Disabled Facilities Grants (DFGs) are mandatory and all local housing

authorities must provide this type of grant aid upon receipt of a full and proper application from a person who is registered (or registerable) disabled. The Government provides all local authorities with a Specified Capital Grant towards DFG expenditure. In the current financial year this amount is £240,000 and it is assumed that this will be repeated in 2010/11 although the Council has yet to receive formal confirmation from Government Office of the South East (GOSE). The Borough Council is expected to meet all commitments on Disabled Facilities Grants above that figure and will therefore supplement the amount by £100,000 taking the total proposed spend to £340,000.

- 5.4 The approval of a Mandatory DFG is time consuming and cannot accommodate emergency situations. Therefore it is proposed to allocate a small sum of £15,000 for “fast track” Discretionary Home Repair Assistance Grants (HRAs) for use in priority situations for emergency disabled aids and adaptations, e.g. to quickly provide a stair lift so that a patient may leave hospital and so prevent bed-blocking.
- 5.5 The cost of materials used in conjunction with the Homecheck service is funded via the Regional Housing Board until March 2011. Other Homecheck costs and the full cost of the Handyperson service are funded from the Environmental Health revenue budget; revenue funding for Homecheck is approved by the Community and Environment Board as part of its overarching interest in home safety.
- 5.6 Private Sector House Condition Survey : Government advice recommends that surveys be repeated at intervals of not more than five years and GOSE has indicated that failure to obtain reliable data will adversely affect the assessment of the Council’s overall housing performance. Independent surveyors last undertook this work on behalf of the Borough Council in 2004-2005 and the results have assisted in formulating the 2010/11 draft Housing Renewal Policy. Gosport joined a consortium of nine Hampshire local authorities to commission the next Private Sector House Condition Survey in 2010. This was originally scheduled for early 2010 and was approved by the Housing Board meeting on 4th March 2009. Unfortunately it had to be deferred and the budget has therefore been carried forward. A consortium approach that was later adopted to gain better value for money meant that the consultants that were employed by the consortium would survey each local authority area. Gosport’s planned survey was moved to a later stage in that process and this has led to slippage in the planned delivery time. The survey fieldwork will commence in early April.

6 Conclusions

- 6.1 The 2010-11 Housing Renewal Policy will enable the Council to undertake its key functions and roles. Approving the discretionary elements of the Policy will also help the Council to meet Government and Regional objectives.

Financial Services comments:	As contained in Section 5.
Legal Services comments:	None.
Service Improvement Plan implications:	The implementation and monitoring of the Housing Renewal Policy will be part of the Environmental Services Service Improvement Plan for 2010-11
Corporate Plan:	The proposals set out in the draft Policy have positive impacts in terms of : <ul style="list-style-type: none"> • promoting health and well-being, and • reducing crime
Risk Assessment:	Southern Home Loans Partnership – Medium likelihood/Medium Severity. Risk Status: Medium
Background papers:	The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 1860). Housing Renewal Guidance (Consultative Document) June 2002 (ODPM) Gosport Private Sector House Condition Survey 2004/05 Housing Renewal Policy 2009-10
Appendices/Enclosures:	
Appendix 'A'	Comparison of Key Differences Between 2010/11 Private Sector Housing Renewal Policy and the 2009/10 Version
Report author/ Lead Officer:	Trevor Charlesworth, Principal EHO, and David Palmer, Head of Environmental Health

APPENDIX A

Comparison of Key Differences Between 2010/11 Private Sector Housing Renewal Policy and the 2009/10 Version

2010/11 Version	2009/10 Version
1. 43 pages long.	1. 70 pages long.
2. Conditions and eligibility information distributed through the Policy.	2. Layout rearranged and more 'logical'. Conditions brought together in an appendix.
3. Detailed background information, e.g. on national policy, etc.	3. Reduced background information.
4. Full details included.	4. Omits background information on climate change and sustainability.
5. Main grant aid elements are Mandatory Disabled Facilities Grants, vital, small-scale Home Repair Assistance (also for adaptations) and Conversion grants.	5. Grant aid extended to cover Warm Front top-up. Also, grants for conversion of empty/under-occupied properties into self-contained units now comes with a nomination rights condition.
6. Prioritisation section deleted – since budgets are essentially self-contained and self-limiting, prioritisation less important.	6. Prioritisation set out in Section 9 of the Policy.
7. Enforcement now clearly linked to GBC generic policy.	7. Enforcement policy very detailed and isolated.
8. No details of the Housing Health and Safety Rating System (national methodology for assessing housing conditions).	8. Full explanation of HHSRS in Appendix 3.
9. Limited information on the Decent Homes Standard.	9. Full explanation in Appendix 4.

D. J. Palmer
 Head of Environmental Health
 15/2/10



Private Sector Housing Renewal Policy 2010/11

Draft for Housing Board 3 March 2010

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1.0 **INTRODUCTION**

- 1.1 In order to provide assistance, authorities must adopt and publish a Policy stating what assistance is to be given and how it is to be provided.
- 1.2 This Gosport Borough Council Private Sector Housing Renewal Policy is effective from 1 April 2010. It is being adopted for the purposes of Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.
- 1.3 This Policy will be posted on the Gosport Borough Council website and customers will be able to make comments on the Policy on line. A printed summary will be available free of charge.
- 1.4 The Policy is subject to regular review, usually at annual intervals but also when significant changes occur, such as to the type of assistance available, and will be revised accordingly as necessary.
- 1.5 This Policy takes into account all relevant national legislation and guidance currently in place or introduced during the life of this document. The guidance issued for Housing Renewal will be of particular relevance especially where it deals with Enforcement, the Decent Home Standard, Neighbourhood Renewal Assessment and, in relation to Mandatory Disabled Facilities Grants, matters for which grant aid must be given. An outline of the relevant national, regional and local considerations that went into the formulation of this Policy is in Appendix 1.
- 1.6 This Policy document limits itself to consideration of works of repair, improvement or adaptation, etc.

2.0 POLICY IMPLEMENTATION PLAN

- 2.1 Performance within this Policy will be reported in line with corporate reporting of national and local Performance Indicators to Council Management Team and the Housing Board. The local indicators which will be used are set out in Appendix 3.
- 2.2 This Policy should remain in force for a minimum of one year. Intermediate amendment should only be necessary in case of significant change to policy items. Minor changes will be made by the Head of Environmental Health in consultation with the Housing Board Chairman where such changes make no significant difference to service provision, for example when there is no change to grant assistance offered but there is a benefit name change, etc. Where amendments produce significant changes to service provision those amendments will require the approval of the Housing Board and Policy and Organisation Board before the revised policy can take effect.
- 2.3 The Private Sector Housing Renewal Policy will be amended as necessary to reflect the changing needs of the local community and/or homes. Such information will be conveyed to the Council by various means including stock condition and housing needs surveys.
- 2.4 There may be other 'external' factors which prompt major review earlier than anticipated, such as :
- Changes to capital spending plans,
 - Acute changes to local circumstances,
 - National policy/legislative changes, or
 - Local strategic partnership influences.

3.0 MEETING KEY AIMS AND OBJECTIVES

- 3.1 The Council has a strategic role and responsibility to promote the economic, social and environmental well-being of the borough.

3.2 Through this Policy, it is the intention of Gosport Borough Council to achieve the following objectives :

- Meet the Government's target of increasing the number of vulnerable people living in Decent Homes (vulnerable households are defined in Appendix 4);
- Deal with unsatisfactory housing by the application of Housing and Public Health legislation;
- Help adults and children with disabilities (and their families) to live in homes that are adapted to meet their needs;
- Help people move out of fuel poverty and improve energy efficiency in private sector homes;
- Help provide a healthy home environment;
- Reduce the risks and effects of accidents, fire and other hazards in the home;
- Make homes more secure and safe from the risk of burglary and other crimes;
- Bring empty properties back into use as homes which meet the Decent Homes standard;
- Help people to carry out essential repairs to their homes;
- Work with partners to support the aims of relevant local strategies and to help deliver the key corporate objectives;
- Help older residents stay in their homes, improve their quality of life and reduce periods in hospital.

3.3 This Private Sector Housing Renewal Policy will be jointly delivered by the Environmental Services and Housing Services Units.

4.0 **TYPES OF ASSISTANCE AVAILABLE**

4.1 Under Article 3 of The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 the Borough Council has the power to render assistance, directly or indirectly, to any resident in a number of ways :

- “(a) to acquire living accommodation (whether within or outside their area);
- (b) to adapt or improve living accommodation (whether by alteration, conversion or enlargement, by the installation of any thing or injection of any substance, or otherwise);
- (c) to repair living accommodation;
- (d) to demolish buildings comprising or including living accommodation;
- (e) where buildings comprising or including living accommodation have been demolished, to construct buildings that comprise or include replacement living accommodation.”

It is the intention of this Policy to discharge these powers by providing assistance through a combination of education and encouragement, direct and indirect financial assistance and enforcement.

Promotion, Education and Encouragement

4.2 The Council’s officers will, except where statute requires otherwise or there is an imminent risk to health or safety, attempt to resolve all problems through education, mediation, negotiation and awareness raising. The objective will be to enable property owners to fulfil their responsibilities in an environment of understanding that meets their needs and promotes the benefits of such action. For example :

- Preventative measures via the Council’s Handyperson(see Section 8) and Homecheck (see Section 9) Services;
- Education of owner occupiers into the benefits of home repair and maintenance and self-reliance;

- Encouragement of vulnerable residents to use the local Home Improvement Agency (currently 'In Touch') for works of repair or improvement. This is an external non-profit making charity supported financially by the Borough Council and the Supporting People arm of Hampshire County Council. Case workers from In Touch can advise residents to use reliable, trusted contractors and can sometimes raise charitable funding to assist their clients;
- Encouragement of eligible residents to take up Warmfront Grants and the available CERT (Carbon Emissions Reduction Commitment, a scheme which obliges domestic energy suppliers to help customers reduce CO₂ emissions) for cavity wall insulation, loft insulation, etc.
- Private Rented Property Accreditation Schemes such as RAPS (Residential Accommodation in the Private Sector) run by the borough Council's Housing Services Unit;
- Encouragement of good landlord practice, such as the deposit scheme which forms part of the RAPS scheme;
- Assistance of landlords by the provision of Anti-Social Behaviour services through the Community Safety Section;
- Private rented tenancy support and advice through the Council's Housing Options Section, including the provision of key deposits, subject to certain criteria;
- Supports for third party organisations approved by the Council, such as an energy management company, to promote and co-ordinate home insulation in the Borough for the benefit of local residents.

Enforcement

4.3 Enforcement action will not normally be the first response to minor contraventions of legislation. Enforcement action usually only follows when the "softer skills" of mediation, negotiation and even listening have failed to achieve the desired result. This follows Central Government's determination

to attack the housing shortage in the private rented sector by persuading landlords of the benefits of entering this business. When enforcement proves necessary it will be undertaken in accordance with Gosport Borough Council's Generic Enforcement Policy¹. The need for immediate formal enforcement may be brought about by various factors such as the severity of a problem, imminent risk, previous history, confidence in a landlord, public interest, etc.

Direct Financial Assistance

- 4.4 The Regulatory Reform Order enables local authorities to provide financial assistance in the form of a grant, or a loan, either directly or through a third party.

5.0 GRANTS – GENERAL MATTERS

- 5.1 The Council's Private Sector Housing Renewal Policy takes into account the responsibilities of owners to maintain their own properties but also considers their ability so to do and the vulnerability of different groups as well as other criteria in determining eligibility, terms and conditions. It also takes into account the local need for private rented accommodation. Those people who are able to qualify for assistance will be given every opportunity to access the process through the full dissemination of information at Council points of contact, and those of partner organisations.
- 5.2 A printed summary of the Council's Policy will be made available on request, free of charge, from the Town Hall. A full copy of this Policy, and the summary, will also be posted on the Council's website. Customers will be able to make comments on the Policy on line. A soft copy of this Policy will be offered to any potentially interested organisations, e.g. In Touch, Citizens Advice Bureau, etc.

¹ See GBC web site: <http://www.gosport.gov.uk/sections/your-council/council-services/legal--democratic-support/generic-enforcement-policy/>.

- 5.3 Potential applicants make initial contact with the Council to discuss possible assistance for repair, improvement, adaptation, conversion or insulation. In order to retain the independence and integrity of Council employees in these instances, no assistance may be given with form filling or in finding suitable contractors. Potential clients are informed of the advantages of using the local Home Improvement Agency, In Touch, who can assist with administration, selection of contractors, supervision of works, etc. In the event of a person not wishing to use the services of In Touch, verbal assistance and all relevant forms can be provided by the Private Sector Housing Team. Where no financial assistance can be provided, the enquirer may be advised to obtain independent financial assistance for loans, equity release or other funding that may be available from commercial lenders.
- 5.4 If the officer believes grant funding may be available, the next stage will be the completion of the application formalities including appropriate certificates and agreement with terms and conditions, etc., as well as the required number of estimates/quotes.
- 5.5 No financial assistance will be paid towards the cost of repairing tenanted dwellings, nor for works to provide means of escape in case of fire or basic amenities or in HMOs (houses in multiple occupation); these needs will be remedied by recourse to enforcement action if appropriate.
- 5.6 The amount of information required of applicants will be commensurate with the Council being satisfied that all necessary audit checks have been complied with. Some applicants may be required to provide more information than others for the same type and level of grant.
- 5.7 **Level of Assistance** : Some applicants for Disabled Facilities Grants will, following a test of financial resources, be expected to make appropriate contributions towards the costs of the work. These applicants may have to arrange loans, etc., to cover their share of the cost. Other applicants, such as landlords applying for Conversion Grants, will be offered an incentive.

- 5.8 Where direct grant funding is not available or is insufficient to cover project costs, or where the applicant intends to carry out further works which are not the subject of a qualifying application, applicants will be directed to seek assistance from an Independent Financial Advisor or South Coast Money Line.
- 5.9 The Council will monitor the availability of appropriate private sector funding products and will actively seek to ensure that such products are made available locally. However, the Council will not offer financial advice to individual applicants.
- 5.10 The Council operates to a fixed budget. When this budget runs out no further grants will be paid in the financial year.
- 5.11 **Change of Name of a Welfare Benefit** : Certain benefits which have a direct bearing on grant eligibility, such as Income Support, may change or be amended by statute. The Head of Environmental Health has the discretion to continue to award grant aid in cases where the nature of the recipient's benefit remains substantially unchanged.

6.0 **DETAILS OF ASSISTANCE**

- 6.1 **Mandatory Disabled Facilities Grants** : The Council must provide Mandatory Disabled Facilities Grants (DFGs), under the provisions of Section 23 of the Housing Grants, Construction and Regeneration Act 1996, when it has been assessed (usually by an Occupational Therapist) that the works entailed will meet the needs of a registered, or registerable, disabled person towards :

- Facilitating access by the disabled occupant to, from and within the property;
- Making the property safe for the disabled occupant;

- Providing suitable and accessible living, sleeping, bathing and cooking facilities;
 - Providing suitable heating;
 - Altering as required the heating, lighting and electrical systems/fittings.
- 6.2 The Council will award Mandatory Disabled Facilities Grants according to the prevailing legislation and Government guidance that determines, amongst other things, the type of work that can be funded, the maximum contribution that may be made (currently £30,000), and the test of financial resources that must be applied.
- 6.3 Applicants usually make their initial approach to Hampshire County Council Occupational Therapy Unit. The Occupational Therapist will make an assessment of the relevant person's needs, not wants, and advise the person that they may apply for a DFG to assist them with the cost of the works.
- 6.4 Applicants will be actively encouraged to use the services of the local Home Improvement Agency which in Gosport is supplied by the registered charity and non-profit making organisation, In Touch.
- 6.5 *Conditions* : If the grant received was to an owner-occupier and was greater than £5,000 then, under the terms of The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008, it shall be a condition that if a person disposes of the property benefiting from the DFG before a period of 10 years from the 'certified date' (or 'completion date') they must repay to the Council on demand, up to a maximum of £10,000, any part of the grant that exceeds £5,000. This condition does not apply to applicants who are tenants.
- 6.6 **Discretionary Disabled Facilities Grants** : The Council will not normally consider applications for Discretionary Disabled Facilities Grants. Where

applicants have a contribution to make according to the outcome of the test of financial resources they may provide written evidence to the Council from an independent third party financial advisor of their inability to raise sufficient funds to cover their own contribution. In such circumstances the applicant will be recommended to approach South Coast Money Line (SCML²) to raise funds. If the applicant refuses to do this and so requests, a confidential report on the application will be presented to the Housing Board and Members will decide what level, if any, of additional funding will be awarded.

6.7 *Conditions* : It shall be a condition of this grant that if the relevant property is disposed of within 5 years of the certified date the grant plus interest at compound rate must be repaid to the Borough Council.

6.8 **Discretionary Home Repair Assistance Grants** : Discretionary Home Repair Assistance Grants (HRAs) up to a maximum of £5,000 will be considered for vital emergency minor aids or adaptations. Applicants must be owner-occupiers or private sector tenants, be registered or registerable disabled and in receipt of –

- 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),
- Housing Benefit,
- Council Tax Benefit, or
- Working Tax Credit and/or Child Tax Credit provided that the annual income for the purposes of assessing entitlement to the tax credit is less than £15,050.

² <http://www.part.org.uk/>

- 6.9 These grants are appropriate in priority situations for urgently needed disabled aids and adaptations (for instance, a straight stair lift or level access shower) that, if not carried out, could directly affect the occupant's health, safety and welfare, or the health, safety and welfare of the disabled person's carer or to prevent "bed-blocking".
- 6.10 The method of means testing for this type of assistance shall be a simple transference method whereby applicants will qualify if they already receive a means tested benefit listed above.
- 6.11 *Conditions* : It shall be a condition of this grant that if the relevant property is disposed of within 5 years of the certified date the grant plus interest at compound rate must be repaid to the Borough Council.
- 6.12 **Discretionary Conversion Grants** : The Council will consider applications for Discretionary Conversion Grants from private sector landlords/owners for the conversion of suitable empty shops, offices or commercial buildings, or under-occupied properties, into smaller self-contained units for subsequent renting, subject to specified terms and conditions. Under-occupied properties in this instance refers to large domestic properties, occupied by no one or a single household, which readily lend themselves to be converted into two or more self-contained units.
- 6.13 To qualify, the resultant units must be rented, or available to rent, for a period of not less than five years from the certified date. During this period the owner must let the properties to the Council's nominee either direct (himself or via his agent) or through a registered social landlord approved by the Council for this purpose. Throughout the letting period the landlord must manage and maintain the dwelling in accordance with relevant legislation and such reasonable policies and practices as may be notified by the Council. These and further requirements are set out in a Nominations Agreement which must be signed prior to approval of the Conversion Grant.

6.14 The level of assistance will not be greater than 50% of the total cost of the works per unit created up to a maximum of £5,000 per unit created. The Head of Environmental Health will have the discretion to increase this amount should the cost of the proposed conversion be unduly large. Any assistance over the normal maximum of £5,000 will be matched by a requirement to increase the minimum length of time that the units are rented in the private sector. The Council will consider the cost of all proposed work in the light of the eligibility of work and reasonableness of costed items on estimates/quotations.

6.15 *Conditions* : It shall be a condition of this grant that if the relevant property is disposed of within 5 years (or such longer period as may be agreed following approval of a grant greater than the normal maximum) of the certified date the grant plus interest at compound rate must be repaid to the Borough Council. Repayment will also be demanded, with compound interest, for a breach of the Nominations Agreement.

7.0 **ENERGY EFFICIENCY**

7.1 **Warm Front Grant Top-Up** : The national Warm Front scheme provides a package of insulation and heating improvements up to the value of £3,500 (or £6,000 where oil, low carbon or renewable technologies are recommended). It is a Government-funded initiative and the scheme is managed by eaga. People who own their own home or rent it from a private landlord may be eligible for a grant.

7.2 Applicants must be –

(a) Householders aged 60 or over in receipt of one or more of the following benefits :

- Income Support
- Council Tax Benefit
- Housing Benefit
- Job Seekers Allowance (income-based)

- Pension Credit
- Income-related Employment and Support Allowance

(b) Householders with a child under 16, or pregnant women with maternity certificate MAT-B1, in receipt of one or more of the following benefits :

- Income Support
- Council Tax Benefit
- Housing Benefit
- Job Seekers Allowance (income-based)
- Pension Credit
- Income-related Employment and Support Allowance

(c) Householders in receipt of one or more of the following benefits :

- Working Tax Credit (with an income of less than £16,040, which must include a disability element)
- Disability Living Allowance
- Child Tax Credit (with an income of less than £16,040)
- Housing Benefit (which must include a disability premium)
- Income Support (which must include a disability premium)
- Council Tax Benefit (which must include a disability premium)
- War Disablement Pension (which must include a mobility supplement or Constant Attendance Allowance)
- Industrial Injuries Disablement Benefit (which must include Constant Attendance Allowance)
- Attendance Allowance

7.3 The scheme covers loft insulation, draught-proofing, cavity wall insulation, hot water tank insulation, gas, electric or oil central heating or a glass-fronted solid fuel fire.

7.4 The top-up from Gosport Borough Council will be up to a maximum of £2,000 for householders who have their Warm Front Grant approved but are unable to meet their contribution where the cost of the works exceeds the

prevailing Warm Front limits. Funding is subject to an allocation of funds from the Regional Housing Board.

8.0 **HANDYPERSON SCHEME**

8.1 This Scheme promotes the concept of personal responsibility for the maintenance of one's own property, for older people, the registered disabled and the less well off. It is provided via the local Home Improvement Agency, In Touch. The Handyperson Scheme provides elderly and disabled residents with a reliable workman to undertake minor works of repair or maintenance at a reduced cost which is subsidised by the Council and the Supporting People arm of Hampshire County Council. It covers work such as replacing a tap washer, installing security measures, clearing eaves gutters, etc., that would be difficult for older people to undertake themselves and that, if not attended, to can quickly lead to larger problems and the gradual deterioration of the property.

8.2 The last Gosport Private Sector House Condition Survey revealed that 51% of local households contain retired people, one of the highest concentrations in the United Kingdom. Surveys have also shown that older homeowners have a real fear of employing 'unknown' workmen, and have difficulty in finding trustworthy contractors to undertake small-scale works in the first place.

8.3 The Scheme is available to all residents who are over the age of 60 (not in employment) or who are registered disabled. The maximum value of support per request is £250.

8.4 *Conditions* : None.

9.0 **HOME CHECK SCHEME**

9.1 The Scheme provides a free home health and safety check for vulnerable households in the Borough who are aged over 60, the registered disabled

and those with a child under 5 years of age. The valuable work the Homecheck Scheme undertakes, such as removing trip hazards, providing free smoke detectors and improved door and window security, helps to reduce the number of home accidents and help people feel safer in their own homes. The Regional Housing Board currently provides partial support of the Homecheck Scheme. The maximum value of support per request is £250.

9.2 *Conditions* : None.

10.0 **LOANS, EQUITY RELEASE ETC.**

10.1 The Council will not directly provide any loan or arrange any equity release or other funding. A range of potential secured and unsecured loans may be available through South Coast Money Line (SCML). These loans will be made available to owner-occupiers, who own the freehold of their property, to bring their homes up to the Decent Homes Standard.

10.2 Loans will not be offered to leaseholders of properties whose freeholder is a Registered Social Landlord (RSL) since RSLs provide many ways in which payments can be made for key repairs. Neither will loans be offered to home owners who would qualify for a loan from a main High Street lender.

11.0 **GENERAL TERMS AND CONDITIONS**

11.1 These are detailed in Appendix 2.

12.0 **TRANSITIONAL PROVISIONS**

12.1 The following transitional provisions apply when this policy first has effect :

- Any application for assistance made and formally approved before the date from which this policy has effect under any previous policy will continue to be administered under that previous policy and will be subject to any conditions imposed thereby.

- Any application for assistance fully made but not formally approved before the date from which this policy has effect will be considered under and subject to any conditions imposed by this policy. If, however, any application would be liable to refusal solely because of changes to eligibility criteria, then the eligibility criteria of the previous policy will apply to the application to permit it to proceed subject to any other conditions imposed by this policy.

13.0 **APPLICATIONS OUTSIDE POLICY**

13.1 Article 4 of the 2002 Order makes it plain that the Borough Council cannot provide assistance unless the power is exercised in accordance with the Policy.

14.0 **COMPLAINTS POLICY**

14.1 Any customer who is dissatisfied with the service provided will initially be asked to contact the officer dealing with their case and give them the opportunity to alter the services or to explain the decision/outcome.

14.2 If after contact with the officer dealing with the case a customer is still dissatisfied and wishes to explore the matter further they must contact the Head of Environmental Health who will provide a full written response within ten working days. In the event of all enquiries not being complete to enable a full response within ten working days, an interim response will be made indicating when a full response may be expected.

14.3 In the event that a customer is still dissatisfied, the matter will be dealt with in accordance with the Council's formal complaints procedure and a leaflet is available upon request or can be viewed on line³. This is a three-stage process as follows :

³ <http://www.gosport.gov.uk/sections/your-council/customer-comments/complaints/>

- *Stage 1:* If the customer is still unhappy they should contact the Council's Complaints Manager who will refer the matter to the relevant Manager for investigation within ten working days.
- *Stage 2:* If the customer still feels that their complaint has not been dealt with satisfactorily, or they would like to discuss it further, they can contact the Council's Complaints Manager who will arrange an independent review by an impartial Manager within 20 working days.
- *Stage 3:* If the customer still remains dissatisfied, their complaint can go before a panel of elected Councillors which will meet within thirty days and which the customer may attend.

15.0 **DEFINITION OF TERMS USED IN THIS POLICY AND APPENDICES**

Agreed Works	Those works appearing on a schedule produced or authorised by the Council.
Common Parts	In relation to a building, includes the structure and exterior of the building and common facilities provided, whether in the building or elsewhere, for persons who include the occupiers of one or more flats in the building.
Consent of Mortgagee	This is given by the building society, bank, etc., with whom the applicant has their mortgage in the case of freeholders and leaseholders.
Conversion Application	An application in respect of works to provide one or more dwellings by the conversion of a house or other building.
Date of final payment of grant	The date of the final cheque from the Council that completes payment of the grant assistance.

Decent Home Standard	<p>A Decent Home is defined as :</p> <ul style="list-style-type: none"> • meeting the current statutory minimum standard for housing, • is in a reasonable state of repair, • has reasonably modern facilities and services and • provides a reasonable degree of thermal comfort.
Equity Release	<p>A means by which elderly persons can raise money against the value of their home where the difference between any outstanding mortgage/loan and the current market value is significant, also applicable where there is no outstanding mortgage/loan. The method of repayment can vary but generally the value of the loan, with or without interest, is repaid upon sale of the property.</p>
House in Multiple Occupation	<p>Defined in Parts 2 and 7 of the Housing Act 2004 or any successor statutory definition. References to the owner of or person managing such a house shall have the same meaning.</p>
Mandatory Disabled Facilities Grant	<p>Defined in the Housing Grants, Construction and Regeneration Act 1996, as amended, or in any successor statutory definition.</p>
Means Tested Benefits	<p>Any income-based benefit received by an applicant.</p>
Member of the Family	<p>Includes spouses, persons who live together as husband and wife, parents, grandparents, children, grandchildren, brothers, sisters, uncles, aunts, nephews and nieces. It also includes same sex couples.</p>
Person with a disability or	<p>She/he is registered as a person with a disability or, in</p>

people with disabilities the opinion of the Social Services Authority, is registerable as a person with a disability. This definition recognises the fact that the majority of people will not be on a register.

Persons not related or connected with the owner of a dwelling Means not being a member of the owner's family in accordance with the definition of 'Member of the Family' described above.

Preliminary or Ancillary Services, Fees and Charges which may be included in a grant application

- Technical and structural surveys;
- Designing and preparing plans and drawings and preparing schedules of works;
- Obtaining estimates and valuations;
- Applications for building regulations approval and planning permission;
- Supervision of works;
- Disconnection and reconnection of electricity, gas, water and drainage utilities made necessary by the works (but no charges arising out of non-payment of bills);
- Advice on contracts and on financing the cost of works;

including such services given by or through home improvement agencies.

Proof of Title Completed by a Solicitor or Building Society on an applicant's behalf in the case of freeholders or leaseholders to confirm property ownership.

Reasonable Repair Means the Council shall have due regard to the age and character of a dwelling and the locality in which it is situated, but not its state of internal decoration, when

considering its condition.

Statutory Notice

A legal notice requiring owners/responsible persons to carry out work or some other action with regard to their property. The notice is served using the power of a national law and failure to comply may result in prosecution through the courts or works being carried out at the responsible person's expense.

Substantial Disrepair

Repairs to a single property required to put it in reasonable repair and that will cost over £1,000. This figure is not legally defined but is accepted when undertaking house condition surveys.

Tenant

A person occupying property on an assured, or assured short term letting basis.

Vulnerable Household

A household where at least one member is in receipt of at least one of the principal means tested or disability related benefits. See Appendix 4 for a more detailed definition.

Works in Default

Works that the Council organise and possibly carry out as a result of the recipient of a statutory notice failing to comply with its requirements within a reasonable period of time.

Working Days

Days excluding Saturday and Sundays and Bank Holidays.

APPENDIX 1

NATIONAL, REGIONAL AND LOCAL CONSIDERATIONS RELEVANT TO THE FORMULATION OF THIS POLICY

- A1.1 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 came into force on 18 July 2002. This repealed most of the prescriptive legislation governing the previous housing assistance regime and replaced it with new wide-ranging powers whereby local housing authorities could provide assistance for housing renewal significantly based on local needs and achievement of local and regional strategic objectives.
- A1.2 The increased flexibility permits the possibility of new and innovative approaches to housing renewal based upon locally perceived needs, though this also means it will require regular review together with the overall Housing Strategy.
- A1.3 The first Private Sector Housing Renewal Policy was approved by Members and became effective from 1 April 2003. The latest Private Sector Housing Renewal Policy is effective from 1 April and replaces its predecessor. It is adopted for the purposes of Article 3 of the 2002 Order. The Policy is posted on the Council website and customers will be invited to make comments. A printed summary is available free of charge upon request. The Policy is subject to regular review and when significant changes occur, such as to the type of assistance available.
- A1.4 **THE LOCAL CONTEXT**
- The Borough of Gosport is part of the internationally famous maritime recreational area of the Solent with its prime location on the South Coast of England.
- A1.5 The population of the Borough is projected to increase from 76,400 in 2001 to 77,050 in 2026 (0.9% or a total of 650 people). Set on a peninsula of only

2,750 hectares (27.5 square kilometres), it is one of the most densely populated urban areas in the South of England.

- A1.6 Despite its crowded nature, the Borough boasts over 27 kilometres of beaches, inlets and marinas around Portsmouth Harbour and the Solent. The Alver Valley, which extends to 243 hectares, provides a green gap between Gosport town and Lee-on-the-Solent, providing the community with an invaluable rural recreational resource. The inlets and coastal waters are of national and international nature conservation significance and reach far into the urban fabric, whilst the Alver Valley has elements of ancient woodlands and rare reed beds along the River Alver.
- A1.7 The built heritage of the Borough is both rich and unique, primarily a product of the Borough's long association with the Royal Navy and the defence of Portsmouth Harbour. Many of the waterfront naval and military establishments are of national historic importance.
- A1.8 The Borough is proud of its recent achievements including the construction of the 5 kilometres long Millennium Promenade which opened up coastal areas closed to public access for hundreds of years. Along with this have come spectacular waterfront housing developments, the restoration of prominent historic buildings and the opportunity to create further improvements and to provide community facilities.
- A1.9 Land use and employment have been dominated by the MOD (Ministry of Defence), but as its influence declines, it brings both concerns and new opportunities. The review of the MOD in Gosport is continuing to release new land for regeneration and development, but the legacy of the defence industry leaves problems in its wake.
- A1.10 It has been estimated that at one stage over two thirds of the local economy was dependent on the MOD, but as demands have declined, many local

people have been forced to seek work outside the Borough. With only one single carriageway access road (A32), no train line, and only a pedestrian ferry access to Portsmouth, daily commuting from Gosport brings major congestion problems though plans for a Bus Rapid Transport System are currently being implemented.

- A1.11 There are isolated pockets of social deprivation and low educational achievement, as there are with any local authority. One of the most significant statistics relating to the Borough is the number of 'retired' households. Research by the Government Office of the South East (GOSE), estimates that Gosport will witness the second greatest growth in the number of 'retired' households in the South-East England/Thames Valley area. It is estimated that the number of retired people will increase by 49.3% by 2026. In some areas of the Borough there are a significant number of single parent families, and state benefits support many people, 22% of households are classed as 'vulnerable'; that is, in receipt of at least one of the principal means tested or disability related benefits. There is an inextricable link between ageing and disability and 38.7% of those with a disability are over the age of 60.
- A1.12 A survey of the condition of private sector housing using a sample of randomly selected stratified properties was last undertaken in 2004 and the Report produced in early 2005. Some of the key findings, extended for the total private sector stock are summarised below. A new Private Sector House Condition Survey will be undertaken in Spring/Summer 2010 in conjunction with eight other Hampshire local authorities. The results will help to focus and prioritise private sector housing activity.
- A1.13 More recent regional research has been undertaken by CURS (Centre for Urban and Regional Studies) based at the University of Birmingham. CURS was commissioned by the Regional Housing Board of the South-East Region in December 2005 to undertake a study into the location, nature and extent of poor housing conditions in the private sector in order to inform decisions

on resource allocations in the future. The report was published in May 2006. One of the key elements of the Report revealed that in the south east region as a whole, 75% of properties that failed the Decent Homes Standard were on thermal comfort considerations. 89% of dwellings failing on the grounds of thermal comfort did so for reasons of poor insulation. 61% of dwellings failed the Decent Homes Standard on thermal comfort alone.

Table: Key facts from Private Sector Stock Condition Survey 2004-05

Population of the Borough/District (2001 Census)	76,415
Total number of houses private sector dwellings, including registered social landlord stock but excluding Ministry of Defence	30,828
Total number of owner occupied dwellings (2004 Housing Improvement Programme return)	28,489
Rate of unfitness	1.5% (473 dwellings)
Total Cost of repairing unfit houses	£1.75 m
Number of homes not achieving the Decent Homes Standard	2,838 (9%)
Number of vulnerable households	6,936 (22%)
Number of vulnerable households in Decent Homes	2,299 (67%)
Percentage of households occupied by :	
50 – 65 yr olds	28%
Retired persons	51%
Percentage of unfitness in the private rented sector (includes Registered Social Landlord dwellings but not GBC or MOD)	2.55%
Average SAP (Standard Assessment Procedure) rating	56%
Percentage of dwellings with inadequate loft insulation	50%
Percentage of private sector vacant dwellings	1%

A1.14 Meeting Key Strategic And Service-Related Aims And Objectives :

Gosport Borough Council's Mission Statement is :

To work with our community to improve everyone's quality of life and deliver a sustainable future for the Borough.

- A1.15 The Council has identified a number of challenges that face the Borough in the next few years. The Council's Corporate Plan and latest position statement are available on our web site⁴.
- A1.16 In addition, the South East Regional Housing Strategy 2008 – 2011 includes a number of key priorities of relevance to the Council's Private Sector Housing Renewal Policy :
- increasing the proportion of private sector Decent Homes,
 - energy efficiency improvement, provision of adequate heating systems and reduction of fuel poverty,
 - bringing empty homes back into use.
- A1.17 The Regional Housing Board have adopted a competitive approach to funding through local authority partnerships that will improve non-decent housing in urban and rural locations and will include developing equity release and loan products, tackling thermal comfort and fuel poverty issues and bringing empty homes back into use. Their approach is designed to encourage innovation and ensure that good practice is promulgated across the region. The Board were encouraged by the enthusiastic response of local authorities to this approach and approved bids taking up the full allocation of £20m for 2008-09 and £30m for each of the following two years.
- A1.18 The provision of an adequate supply of Decent Homes is a key element of the Government's Sustainable Communities Plan, "Sustainable Communities: Building for the Future" published in 2003.
- A1.19 The Council must contribute to a key national priority of increasing the proportion of vulnerable households in the private sector living in decent homes. Compliance requires the proportion of 'vulnerable' households, defined as those in receipt of at least one of the principal means tested or

⁴ <http://www.gosport.gov.uk/sections/your-council/corporate-plan/>

disability related benefits living in Decent Homes (from a National 2001 baseline of 57%) to reach the following levels :

63% by 2005

70% by 2010

75% by 2020

The proportion of private sector vulnerable households in Gosport living in decent housing in 2001 was 59.4%. The most recent local private sector house condition survey in 2004-05 indicated that the proportion of non-decent homes in the Borough stood at 9%, and the proportion of vulnerable households who occupied a decent home was 67%. It should be noted that The Department for Communities and Local Government have stated that when local authorities are assessing levels of non-Decency, as a rule of thumb, properties constructed after 1980 should be adjudged to be decent.

- A1.20 **Resourcing The Private Sector Housing Renewal Policy** : The capital funding of assistance for approved works or other measures comes largely from the Council's own resources although the Government does provide a substantial contribution towards Mandatory Disabled Facilities Grants depending on local need. The local authority is expected to meet all the Disabled Facilities Grants needs of its residents up to and above this figure. The allocation of capital funds for private sector housing renewal depends on the prevailing priorities within the wider capital programme. Further funding for specific schemes is also available from the Regional Housing Board.
- A1.21 Support is provided by the Borough Council, together with a substantial contribution from Hampshire County Council's Supporting People, to the local Home Improvement Agency provided through In Touch, part of the Hyde Housing Group. The Council recognises the needs and benefits of supporting the private housing sector in a targeted and effective manner and will continue to do so.

A1.22 **Loans, Equity Release etc.** The Council will not directly provide any loan or arrange any equity release or other funding. Due to a dire shortage of suitable products from mainstream High Street lenders the Borough Council, in conjunction with a consortium of other neighbouring local authorities (five in all, including Brighton, Chichester, Eastleigh and Portsmouth) commissioned a feasibility study on a range of potential secured and unsecured loans through South Coast Money Line (SCML, formerly Portsmouth Area Regeneration Trust (PART)⁵). The Report recommended that a pilot scheme be introduced and to that end Members agreed in the Housing Renewal Policy 2004/5 to fund initial set-up costs and loan funding each year. The Scheme, named 'Southern Home Loans Partnership' made its first loans in 2006. The Scheme follows Government Guidance that the primary responsibility to repair one's home rests with the owner but, unlike the Handyperson Scheme, this loan scheme will be for larger scale repair works by owner-occupiers who find it very difficult to access funding from mainstream financial institutions. A key task for the SCML will be to identify sources of loan funds, other than direct from the commissioning local authorities. In time, with the repayment of loans, and hence re-cycling of the original funds provided, it is hoped that the Scheme will become more and more self-financing.

⁵ <http://www.part.org.uk/>

APPENDIX 2

GENERAL GRANT CONDITIONS

- A2.1 These terms and conditions form part of the Council's Private Sector Housing Renewal Policy and will be applicable to all elements of it, except where otherwise stated. In so much as the terms and conditions applicable to Mandatory DFG are set by statute determined by the Government, these terms and conditions are not applicable to these grants although some may be the same as those which are applicable to such grants, details of which are separately available.
- A2.2 The terms and conditions criteria for discretionary grants detailed within this policy will be listed on the relevant approval document. In making an application for assistance, applicants are agreeing to all the terms and conditions as detailed by the Council.
- A2.3 The **discretionary grants** the Council awards are all subject to levels of available funding in each financial year and as such the Council reserves the right to defer consideration or approval of applications for periods of time of its own choosing in order to properly manage its finances.
- A2.4 No application will be accepted for works required to **reinstate any dwelling** designated by the Secretary of State as defective under Part XVI of the Housing Act 1985, although applications for other types of work to defective dwellings will be considered, such as a DFG. These 'designated dwelling types' were typically properties constructed using pre-cast reinforced concrete components in the years following the end of the Second World War. A full list of these property types may be obtained by contacting the Private Sector Housing Team.
- A2.5 The Council **may refer enquiries** for assistance to the externally managed Warm Front Scheme or to the Home Improvement Agency if appropriate.

- A2.6 In considering applications for the benefit of people with disabilities, the Council may choose not to grant aid adaptations for which Hampshire County Council are responsible under the **Chronically Sick and Disabled Persons Act 1970**. This would include simple items such as grab rails fixed either side of entrance doors and near slipper baths.
- A2.7 The Council may from time to time utilise **special funding** from Central Government or other sources aimed at specific works to target issues of local and national concern in accordance with any special conditions, such as the conversion of under-occupied homes into several flats for renting in the private sector. Any special terms and conditions applicable to such initiatives will be appended to the Private Sector Housing Renewal Policy, as they will not significantly alter the Council's primary approach.
- A2.8 The Council does not require applicants who are able to raise their own funding through equity release or similar schemes to raise **funds in excess of the cost of agreed works** where they do not wish to do so, as a result of any minimum funding values imposed by potential lenders.
- A2.9 The Council may determine not to consider applications from persons, organisations, etc., where there is a possible **alternative source of funding** for maintaining properties, such as the NHS.
- A2.10 Applicants must be **18 years of age or older** at the date of application and in the case of joint applications, one must be over 18 at the date of application.
- A2.11 Grant assistance will only be approved for the benefit of applicants who are able to provide evidence of a **valid National Insurance Number**. Foreign nationals who have not worked in the UK must supply some other form of evidence that is to the satisfaction of the Head of Audit.
- A2.12 Applications will only be accepted on the **prescribed forms** of the Council. Applicants for assistance will be **required to sign a declaration** as to the

accuracy of information provided and that of supporting paperwork, such as wage slips and accounts, etc.

- A2.13 **Information provided to the Council by applicants** as part of the application process will be checked thoroughly and may be shared with other departments of the Council and other organisations involved in any aspect of handling public funds, upon the discretion of the Head of Audit, to prevent and detect fraud or in investigation of other possible criminal activities.
- A2.14 In certain circumstances where the Council believe that applicants may have attempted to **deliberately defraud** the Council, details will be passed to the Head of Audit who may recommend that the file be passed to the Police for investigation.
- A2.15 **The Council will determine the level of assistance**, if any, of Mandatory DFG as set out in the prevailing Housing Renewal Grants Regulations. The Council will routinely carry out cross-checks on information provided.
- A2.16 All applications for assistance must be accompanied by an **Owner Occupation Certificate or a Tenant's Certificate or a Certificate Of Intended Letting**, which states that the applicant has, or proposes to acquire, a qualifying interest in the property which is the subject to the application; or, that he will rent out the property for a minimum of five years. In addition :
- *Owner Occupation Certificate* : in the case of an application for a DFG, the applicant must confirm that he/she intends that the property will be the only or main residence of the disabled occupant throughout the condition period or such shorter period as his/her health and other relevant circumstances may permit.
 - *Intended Letting Certificate* : that throughout a period of five years, or longer if applicable, from the completion date the property will be let or available for letting as a residence, not a holiday home, to a

person(s) not related or connected with the owner of the dwelling for which assistance is being received.

- *Tenant's Certificate* : in the case of a tenant's application for a DFG, the applicant must confirm that he/she occupies (alone or jointly with others) the property as a tenant or, in the case of a common part, is a tenant of a flat in the building; and in either case does not have or propose to acquire an owner's interest.

A2.17 In addition, the Borough Council will require any information that it believes to be necessary to process the application form.

A2.18 **Proof of title** shall be required to enable property ownership to be confirmed, and **consent of any mortgagee** will be needed.

A2.19 Grant applications from **private sector tenants, Council tenants and housing association tenants** will only be accepted for a Mandatory Disabled Facilities Grant.

A2.20 A **Gosport Borough Council tenant** proposing to apply for a Mandatory Disabled Facilities Grant will be directed to the Housing Services Unit which will consider the scheme and fund any approved adaptations.

A2.21 Assistance for private sector, Council and housing association tenants will be accepted for the **Handyperson Scheme and Homecheck Scheme**.

A2.22 A tenant's Disabled Facilities Grant application must also be supported by **written permission from the landlord** agreeing to the proposed adaptation.

A2.23 In the case of assistance for **works to common parts** (as some part or the whole works of a Disabled Facilities Grant) an individual applicant must obtain permission from the Freeholder for the works to be undertaken unless there is evidence to the contrary, such as deeds or tenancy agreements, which prove otherwise.

- A2.24 In all circumstances, other than the Handyperson Scheme, work to a property will require the **owner's written authority** and the knowledge of any mortgagee.
- A2.25 The responsibility to gain all **necessary approvals for works** to be undertaken with assistance rests with the applicant or their agent; such approvals may be Planning Permission or Building Regulation Approval or any of the matters raised within the terms and conditions of grant assistance.
- A2.26 An application for a Disabled Facilities Grant will only be considered complete and then duly processed when it is accompanied by an **Occupational Therapist's Report** recommending the necessary works. It is expected that such a report will normally be provided at the commencement of the enquiry/application process.
- A2.27 Applications for assistance towards **works that have already been completed** will not be accepted.
- A2.28 The Head of Environmental Health has the discretion to permit grant aided works to **commence prior to approval**. However, the applicant must first obtain this permission in writing and is subject to the proviso that such consent is not tantamount to grant approval. In the case of Disabled Facilities Grants, where it is adjudged that the needs of the applicant are critical but for some reason (such as lack of funds) a Grant cannot be approved immediately, applicants will normally be permitted to commence the relevant works following the issue of written authorisation from the Council.
- A2.29 The details of **means testing** referred to in individual grant descriptions shall apply to all applications made for Disabled Facilities Grant except in cases where the grant is for a child.

- A2.30 In any case where **financial circumstances** at the time of application are later confirmed differently to those submitted by the applicant(s) such as would lead to reduced assistance or denial of assistance, the original approval will be amended/cancelled and the Council is entitled to demand repayment together with compound interest from the date on which any payment was made until the date of full repayment, at such reasonable rate as the Council may determine to recover any over payment. In such circumstances, the local authority may choose to cancel the whole approval or demand repayment of all monies paid, plus compound interest, despite the fact that a reduced level of assistance would have been approved, where it is felt the degree of error in the applicant completing the original means test forms is such to suggest a deliberate attempt to deceive. In cases where **financial circumstances** at the time of application are later confirmed differently to those submitted by the applicant(s) such as would lead to an increased assistance, the original approval will be amended/cancelled.
- A2.31 The Council or their agents will hold final authority to determine what works are included on **grant schedules** although it may be acceptable for owners, tenants or their agents, etc, to draw up initial schedules of work which may be reduced or added to by the Council in terms of work qualifying for possible assistance.
- A2.32 The Council will include the cost of **Preliminary or Ancillary Services Fees and Charges** within the calculation of assistance and each submission of fees will be individually considered for reasonableness. Payment towards any such fees is conditional on a grant being approved and the specified works being completed in full.
- A2.33 **The number of estimates/quotes** accompanying an application for assistance for a DFG/Conversion Grant shall be at least two. The exception shall be in cases where the adaptation or aid required is so specialised that only one manufacturer can supply it. In the case of a Home Repair Assistance Grant the minimum requirement will be one estimate/quote. No

separate estimate/quote will be required in the case of Handyperson Scheme; costs shall be determined according to a standard schedule of rates agreed with the contractor, In Touch. The Council reserves the right to ask for more estimates/quotes if it is not satisfied with that/those already submitted.

- A2.34 If an applicant submits an **estimate/quote from a member of their family** who then carries out the agreed works the grant will be paid on the basis of the cost of materials only and no allowance will be paid towards labour.
- A2.35 The grant **works must be carried out** by one of the contractors whose estimates/quotes were submitted as part of the application process, the grant having normally been calculated using the lowest priced estimate/quote. Exceptions to this rule will only be made in special circumstances, such as the original contractor being unavailable to carry out the work.
- A2.36 Upon the conclusion of a Discretionary Conversion Grant, it will be expected that the property will meet the **Decent Homes Standard**. Any exception to this will require the authority of the Head of Environmental Health.
- A2.37 The amount of **grant payable**, for each application, shall be the actual cost of undertaking the eligible works (including any associated fees) less any contribution required from the applicant, up to the prevailing limits as listed below. For Mandatory Disabled Facilities Grant the limit is absolute, based on Government legislation; for other grants the limit is determined locally.

Mandatory Disabled Facilities Grant	£30,000
Home Repairs Assistance Grant (HRA) for an essential minor aid or adaptation	£5,000
Discretionary Disabled Facilities Grant	Determined by Housing Board
Handyperson and Homecheck Schemes	£250

A2.38 **Funding will only be increased** beyond the sum originally approved, up to the maximum set out above, in the event of :

- unforeseen work being required to allow completion of eligible works, or
- associated works needed to protect the health and safety of occupiers, or
- evidenced increases in costs to the contractor from their suppliers, etc.

A formal **Revised Approval** will be required before any additional payment is made.

A2.39 Where an **applicant's other circumstances change**, or are confirmed as different from originally stated, after the application has been approved, such that approval would no longer be given, the grant approval will be cancelled and no payments made, or no further payments made where interim payments have already been paid, except in exceptional circumstances when the Head of Environmental Health may give authority to provide further funding so as to conclude work at a suitable and appropriate stage. Where payments have been made, the local authority may demand repayment together with compound interest from the date on which payment was made until the date of full repayment, at such reasonable rate as the Council may determine.

A2.40 The Council will determine in each approval document the **time period allowed for works** to be completed, which will not normally exceed 12 months and may be significantly shorter for small items of work.

A2.41 The Council may specify in grant approvals involving the installation of specialised equipment for the benefit of people with disabilities that the **equipment is to be returned to the Council** if it is no longer needed or the property is sold. The grant recipient, or a representative, shall notify the Council as soon as the equipment is no longer needed and the Council or their agent may choose to remove it for re-use elsewhere, making good any

damage caused by its removal. This principle shall apply even where the original grant was approved with a contribution from the applicant.

- A2.42 **The applicant employs the builder or contractor** to undertake agreed works and the Council have no contractual liabilities in that relationship as their role is only to administer the grant process.
- A2.43 The applicant is ultimately responsible for ensuring the **quality of the completed works**. This responsibility can be transferred to an agent of the applicant, such as an architect or a Home Improvement Agency, such as In Touch.
- A2.44 The **payment** of a grant will only be considered after any applicant's contribution has been accounted for in the value of invoices submitted.
- A2.45 All payments shall be conditional upon **receipt of an acceptable invoice** and made direct to the appropriate contractor following agreement with the applicant that works to the appropriate stage have been satisfactorily completed. In any dispute between the applicant and contractor, which is not resolved in a reasonable time period, the grant, or part thereof, may be paid to the applicant at the discretion of the Council.
- A2.46 The Council will consider requests for **Interim Payments** such that no interim payment will be more than 90% of the cost of completed work and in aggregate no more than 90% of the total approved amount before final completion.
- A2.47 In the case of a **Conversion Grant** (made to a landlord) for which part or complete payment has been made, and where the applicant **disposes of the property**, or ceases to make it available for letting as the case may be, before the conclusion of a five-year period (or longer period at the discretion of the Head of Environmental Health) following the date of final payment then he/she shall repay to the Council on demand the full amount of assistance paid plus compound interest at a reasonable rate determined by

the Council. The compound interest part of this equation may be waived in exceptional circumstances, and at the discretion of the Head of Environmental Health, such as the ill-health of the original applicant being unable to continue his business.

A2.48 In the case of a **Discretionary Home Repairs Assistance Grant** (made to an owner-occupier) for which part or complete payment has been made, and where the applicant **disposes of the property**, or does not use the property as their sole or main dwelling as the case may be, before the conclusion of a five-year period following the date of final payment then he/she shall repay to the Council on demand the full amount of assistance paid plus compound interest at a reasonable rate determined by the Council. The compound interest part of this equation may be waived in exceptional circumstances, and at the discretion of the Head of Environmental Health, such as the ill-health of the original applicant forcing them to move properties.

A2.49 The condition requiring repayment of assistance in the event of sale, etc, within the five full years after final payment is made **shall not apply to the following** :

- Handyperson Scheme,
- Mandatory Disabled Facilities Grants below £5,000, or
- Exceptional circumstances at the discretion of the Head of Environmental Health, e.g. the applicant having to move into a nursing or residential home.

A2.50 **Repayment shall not be required** in the instance of discretionary grant aid for the Handyperson Scheme because their low cost value, i.e. less than £250, would make recovery uneconomic and in any event the measures undertaken have improved the housing stock as a whole.

A2.51 Under the terms of The Housing Grants, Construction and Regeneration Act 1996 : Disabled Facilities Grant (Conditions relating to approval or payment

of Grant) General Consent 2008, if a person (who is an owner-occupier) **disposes of the property** benefiting from the DFG before a period of 10 years from the 'certified date' (or, 'completion date'), then that person must repay to the Council on demand, up to a maximum of £10,000, any part of the grant that exceeds £5,000. This condition does not apply to tenants.

A2.52 **If a property is disposed of within five years** and the grant recipient feels they have a case for repayment to be foregone, representations will be considered by the Head of Environmental Health, who will determine whether to waive repayment or not, or to recover the grant in total or in part. The Head of Environmental Health shall have regard to the individual circumstances and the ability of the person concerned to make that repayment in full or part.

A2.53 In the five-year period following final payment of grant, the applicant shall, upon written request from the Council, reply in writing within 21 days of the date of the request stating how he/she is **complying with any of the terms and conditions** of the grant. Failure to comply with this requirement will be deemed a failure of grant conditions requiring total repayment of grant plus compound interest at a reasonable rate determined by the Council.

A2.54 The conditions relating to **repayment of grant** apply equally to whichever certificate was signed for a five-year period from the date of final payment of grant.

A2.55 In the event of a grant recipient pursuing a **successful insurance claim**, action for legal damages, etc, which covers the cost of works for which grant was previously paid, the applicant will on demand repay the total value of grant paid relating to such works or the value of the insurance payment/legal damages if lower.

A2.56 The Council will **not undertake works on behalf of applicants**, except where works may be due in default of an owner's, tenant's, etc, failure to comply with a statutory notice. This involves no grant aid.

APPENDIX 3

KEY SERVICE STANDARDS 2010/11

ACTIVITY	TARGET
Respond to urgent service requests, such as : <ul style="list-style-type: none">• no hot water in private tenanted home of vulnerable person, or• severe water penetration in private tenanted home, or• electrical failure in private tenanted home, or• Disconnection of gas/electric/water in a House in Multiple Occupation.	95% within 1 working days
Resolve all requests for private sector housing service.	95% within 6 months
Determine all valid and fully made grant applications.	95% within 30 working days
Authorise payment of grant monies following the satisfactory completion and inspection of the work and submission of all documentation.	95% within 20 working days

APPENDIX 4

DEFINITION OF A VULNERABLE HOUSEHOLD

Vulnerable households have been defined for the purposes of the Decent Homes Standard as a whole as those in which at least one household member is in receipt of at least one of the principal means tested or disability related benefits. These being :

- Income Support.
- Housing Benefit.
- Council Tax Benefit.
- Disabled Persons Tax Credit.
- Income Based Job Seekers Allowance.
- Working Families Tax Credit.
- Attendance Allowance.
- Disability Living Allowance.
- Industrial Injuries Disablement Benefit.
- War Disablement Pension.
- Child Tax Credit.
- Working Tax Credit.
- Pension Credit.

The definition of qualifying benefits used to define 'vulnerable' will be subject to change; for instance, the last three qualifying benefits above have been introduced since 2001 and they have different qualifying thresholds.

APPENDIX 5

CONTACT DETAILS

Private Sector Housing Team
Environmental Health Section
Environmental Services Unit
Gosport Borough Council
Town Hall
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GOSPORT
PO12 1EB

Tel 023 9254 5510
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AGENDA ITEM NO. 8

Board/Committee:	POLICY AND ORGANISATION BOARD
Date of meeting:	WEDNESDAY 17 MARCH 2010
Title:	EXTENSION OF MANAGEMENT CONTRACT AT HOLBROOK RECREATION CENTRE
Author:	LEISURE SERVICES MANAGER
Status:	FOR DECISION

Purpose

To seek the Board's approval for an extension of the contract for the management of the Holbrook Recreation Centre to 31 March 2011.

Recommendation

The Board is requested to approve the extension of the contract for the management of the Holbrook Recreation Centre to 31 March 2011.

1. Background

- 1.1 The management of the Holbrook Recreation Centre is currently undertaken by Arena Group plc; the company also owns and manages the adjacent Gosport Ice Rink.
- 1.2 The current contract is due to expire on 31 March 2010. It is therefore necessary to extend this for a further year whilst the work progresses towards the provision of a new leisure centre for the Borough.
- 1.3 The work to select the preferred developer to deliver the new Leisure Centre and associated enabling development is progressing well. There are 4 companies that have been included on the shortlist for the next stage of preparation to procure the new leisure centre.
- 1.4 These companies will submit their outline solutions (ISOS stage) as to how they propose to meet the Council's requirements for both the leisure centre and the enabling development.
- 1.5 The shortlist will be reduced further in the Summer to two companies from whom the Council will select their preferred developer.

2.0 Proposal

- 2.1 It is proposed that the management contract is extended to March 2011 which will run concurrently with the preparations for procuring the new leisure centre and enabling development.
- 2.2 Once the preferred developer has been appointed, a contract will be awarded to allow construction to commence. Construction is

scheduled to be underway in January 2011, before the extended management contract will expire.

- 2.3 The new leisure centre is scheduled to be completed in Spring of 2012. The opening date will fall within Olympic year which will offer a significant opportunity to promote the new facilities.

3.0 Risk Assessment

- 3.1 The current management contract will expire on 31 March 2010 and it is therefore necessary to extend this for a further year while the preparation for the new leisure centre is progressed.

4.0 Financial Implications

- 4.1 The proposed extension of the management contract can be funded from the budgetary provision for 2010/11; the budget is £230,000.

5.0 Conclusion

- 5.1 The management of the Holbrook Recreation Centre is currently undertaken by Arena Group plc.
- 5.2 The contract is due to expire on 31 March 2010 and it is necessary to extend this for a further year to 31 March 2011 while the preparation for the new leisure centre is progressed.

Financial Services comments:	The proposed extension of the management contract can be funded from the budgetary provision for 2010/11.
Legal Services comments:	None for the purposes of this Report
Service Improvement Plan implications:	The proposed action is included in the Leisure Services Plan.
Corporate Plan:	The proposal meets the Strategic Priority of (i) People - better leisure facilities and increased usage;
Risk Assessment:	See Section 3 of the report.
Background papers:	None
Appendices / Enclosures:	None
Report Author / Lead Officer:	David Martin

AGENDA ITEM NO. 8A

Board/Committee:	POLICY AND ORGANISATION BOARD
Date of meeting:	WEDNESDAY 17 MARCH 2010
Title:	TRANSFER OF PLAY AREAS AT PRIDDY'S HARD FROM BDW TRADING LTD TO GOSPORT BOROUGH COUNCIL - REVISED PAYMENTS
Author:	LEISURE SERVICES MANAGER
Status:	FOR NOTE

Purpose

To update the Board regarding the transfer of the play areas within the Priddy's Hard housing development to Gosport Borough Council.

Recommendation

To note the variation to the amount of land and costs associated with the transfer of the play areas at Priddy's Hard to the Council on the terms set out in the Report to the Board in November 2009.

1. Background

- 1.1 At the meeting of the Board on 3 November 2009, Members approved the transfer of land from Barratt (Southampton) at the time, now BDW Trading Ltd, to the Borough Council to take responsibility for the play areas and boundary fencing as public open spaces.
- 1.2 Following the final exchange of detailed paperwork in progressing the transfer, it became apparent that some areas would not be transferring to the Council. As a result, there is a reduction in the extent of responsibility and subsequently, the costs of maintenance for the land to be transferred.

2.0 Revised Proposals

- 2.1 The Play Areas consist of equipment, seats, litter-bins and perimeter railings and access gates. Based on past experience in dealing with associated vandalism and repair related issues of such items and equipment, there is an increased risk of significant repair and / or renewal of the equipment being required within the projected period of 10 years.
- 2.2 The initial payment required in bringing the facilities to a standard that will enable the Council to include it within the current Play Area inspections and maintenance programme is revised to **£20,860.50**. A revised site plan is attached as Appendix A with the original proposal site plan attached as Appendix B.

2.3 In terms of the on-going inspections, maintenance and the requirement for addressing any issues of repair / renewal within the 10 year period, the annual contribution has been revised to **£124,294.73**; this is calculated with an annual uplift of 5%.

2.4 Therefore, the revised total Payments required from the developer amount to:

Play Area Upgrade (One-off payment)	£20,860.50
Play Area Maintenance (To cover 10 years)	<u>£124,294.73</u>
Total	£145,155.23

3.0 Risk Assessment

3.1 As indicated in the original report, the play area will be subject to a pre-transfer inspection before any responsibility is taken by this Council.

3.2 The initial payment referred to in paragraph 2.2 will enable the Council to bring the facilities up to the standard similar to other Council Play areas. From that time, the contribution detailed in 2.3 will cover future maintenance costs for a period of 10 years.

4.0 Financial Implications

4.1 The costs for the Council to take responsibility for the play area have been revised based on the reduced liability and amount to a total payment of **£145,155.23** to cover its future costs projected over the next ten years.

5.0 Conclusion

5.1 Having previously approved the transfer, the Board is requested to note the revised lower payments due to the Council which take account of the reduced liability.

5.2 BDW Trading Ltd wish to complete the transfer of the areas to the Borough Council for the new financial year so that they can make the first payment in April 2010.

Financial Services comments:	None for the purposes of this Report.
Legal Services comments:	The Council has the power to acquire the land in question.
Service Improvement Plan implications:	The proposed action will be added to the Leisure Services Plan.
Corporate Plan:	The proposal meets the Strategic Priorities of (i) People - better leisure facilities and increased usage; (ii) Places - quality public areas and green spaces;
Risk Assessment:	See Section 3 of the report.
Background papers:	None
Appendices / Enclosures: Appendix A Appendix B	Revised Site Plan Original Site Plan
Report Author / Lead Officer:	Alan Gibson