

OADBY & WIGSTON BOROUGH COUNCIL  
Private Sector Housing Renewals (Financial Assistance)  
Policy  
June 2014

Draft

TU approval	[Names of TUs (if applicable)]
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# PART 1: INTRODUCTION

Housing provides the foundation, from which people can engage with life opportunities, including education, employment and training. Having a secure address helps people access employment<sup>1</sup>.

Oadby and Wigston Borough Council believes that its residents should have access to a safe and warm home free from significant hazards and if necessary adapted for their needs.

This policy details how Oadby and Wigston Borough Council deliver financial assistance to repair or adapt properties and to bring empty homes back into use. To realise efficiencies the service has brought together the administration of Disabled Facilities Grants in both the private and social sectors. Adaptations in Council properties must legally be financed from the Housing Revenue Account and its Council tenants are not currently subject to a means test. This is currently under review and will be subject to a further report before any changes to this are made.

The link between housing and health is well recognised. In particular, cold homes can contribute to illnesses such as strokes, asthma and heart attacks. The health impact of poor housing is most pronounced amongst pensioners, young children and people with disabilities who spend more time at home.

There is a significant social return on investing in adapting disabling environments by delaying the need for residential care.

The service will manage any demand above the resources available by holding a waiting list based on the date the referral has been received from the Occupational Therapy Service.

It is also the aim of the Council to bring empty properties back into use to provide much needed accommodation in the borough. To this end and where finances are available we will assist owners of empty properties to bring them back into use by offering a mix of grants and loans. These will be available with conditions set out in this policy.

This policy replaces the previous policy approved by Committee in 2013. It sets out a comprehensive housing assistance package that is targeted to meet those households in greatest need and is introduced under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

The specific means of delivery and review are identified in the policy and an easy to read guide will be available to enquirers.

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<sup>1</sup> [Developing your local housing offer for health and care: Targeting outcomes: CIH](#)

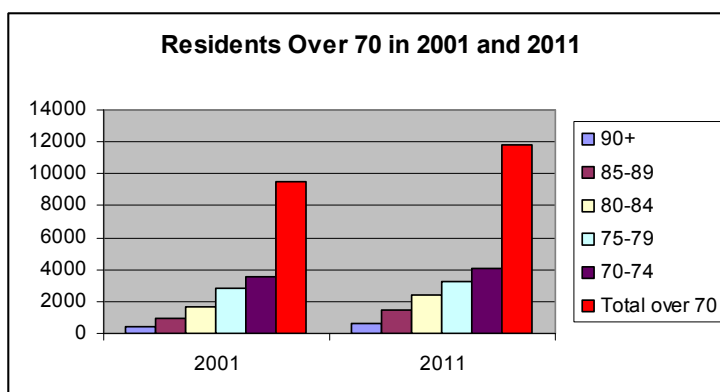
## PART 2: Background

### 2.1 Demands for the Service

In line with the national trend Oadby and Wigston has an ageing population. Since 2001 there are an additional 2,300 residents over the age of 70 living in the borough, and an increase of 223 people who are over 90 years of age.

There are 56,000 people in the borough living with a long-term health problem or disability and 4,000 of these people's day to day activities are limited.

Figures from the 2011 census show that the number of people with activity limitations has increased by 1.6% in Oadby and Wigston and is in the top 10 authorities with the greatest rise in prevalence of activity limitations since 2001.<sup>2</sup>



	All categories: General health	Very good or good health	Fair health	Bad or very bad health
<b>All categories: Long-term health problem or disability</b>	56,170	45,951	7,524	2,695
<b>Day-to-day activities limited a lot</b>	4,309	469	1,668	2,172
<b>Day-to-day activities limited a little</b>	5,412	2,010	2,990	412
<b>Day-to-day activities not limited</b>	46,449	43,472	2,866	111

## PART 3: Implementation

### 3.1 Effective Date

This policy will come into effect at 1 September 2014.

It will apply to all applications/enquiries made after this date and to any applications made earlier, where the policy covers unforeseen circumstances that are preventing completion of a current application.

### 3.2 Transitional Arrangements

<sup>2</sup> [ONS: Disability in England and Wales, 2011 and Comparison with 2001](#)

Where an application was properly made on or before 31st August 2014 and meets the policy criteria for 2013/14 but which the council was not able to approve in 2013/14 due to budget restrictions, approval may be carried over into 2014/15. The policy criteria for 2013/14 will be applied to the approval of such applications. If these criteria are not met, the application will not be approved.

## PART 4: Aims and Objectives

### 4.1 Aim is to:

Deliver an efficient service providing assistance to vulnerable owner-occupiers or tenants to adapt or improve their home. And to bring an empty property back into use for the benefit health and well being of vulnerable residents.

### 4.2 Objectives

To achieve our aim we will work with partners to:

- Provide a comprehensive grants service to adapt disabling environments so that people have a choice to live independently at home.
- Assist vulnerable homeowners and tenants to remove significant hazards and improve the energy efficiency of their homes
- Return empty properties back into use through financial incentives and enforcement.
- Keep under review the processes for delivering grant funding to ensure it remains efficient and value for money

This will be delivered by offering a mix of financial assistance, signposting and the provision of advice.

## PART 5: How this Policy Supports the Priorities of the Council

### 5.1 Creating a Safer Borough

Addressing the prescribed hazards existing within properties and also concerns that residents raise in relation to poor housing conditions increases resident satisfaction, raises the aesthetic appearance of properties which in turn can stimulate other improvements in the local area reducing the fear of crime.

Work undertaken can also address concerns that residents may have over security. Individual needs are met for disabled residents by providing adaptations that increase their safety within their home and also allow them to stay in their own home for as long as possible.

Application of the Housing Health and Safety Rating System requires officers to assess the safety risks within dwellings and in particular the risks that children and older persons are exposed to. Where risks are identified and are significant, action will be taken to remove or reduce those risks through enforcement or financial assistance.

Bringing empty properties back into use improves the local area and reduces the fear of crime.

## **5.2. Improve the Health and Wellbeing of our Residents**

The links between health and housing are well established. It is also the case that living in poor quality overcrowded houses particularly disadvantages children in their academic achievements and social development. This is also the case for people with disabilities.

## **5.3 Work Smarter to Deliver Customer Focussed Services**

The service continually looks at ways to make the DFG process more efficient and customer focussed and remains value for money. The service is under review to ensure it remains fit for purpose for current and future demand.

# **PART 6: Housing Offer to Health and Wellbeing**

The 'Housing Offer' to health and well being describes what Leicestershire's district councils can deliver to support the Health and Well Being Strategy's objectives. It also sets out how the district councils' housing services can support and promote the health and wellbeing of residents across Leicestershire.

In summary, the offer is for residents to have access to a settled, secure home that is fit for living, combined with timely, appropriate housing support and interventions. Addressing these issues can help to address a range of factors that adversely impact on individual and community health and wellbeing. These include the following that are relevant to this policy.

- Providing good quality homes and tackling cold homes and fuel poverty;
- Preventing and reducing homelessness;
- Providing an efficient aids and adaptations service to existing homes;
- Providing new adapted housing and where possible building for Lifetime Homes;
- Helping older and vulnerable people remain independent through the use of support services and assistive technology.

# **PART 7: Our links with Community Safety**

People's homes are where they should feel safe. The fear of crime has a profound impact on people's lives particularly the vulnerable, who, spend more time at home and or are living alone. If an area looks run down or there is a high incidence of crime in the area, people can feel trapped in their home leading to long term anxiety and depression.

It is also the case that if people have been subjected to any crime, including theft is more likely to need a higher level of confidence in the security of their home compared to those who have not. There has been an increase in burglaries in Oadby and Wigston, by providing small grants to make properties more secure will reduce the fear of crime and this work will be ongoing with the Community team and joining up with the Community Safety Partnership.

In line with provisions of the Housing Act 2004 we can target our enforcement to achieve the aims of the Council. We will, therefore, make security a priority when enforcing in the private sector and consider serving statutory notices for category 2 hazards related to security.

## PART 8: Resources

### 8.1 Financial Resources

Resources to the support policy objectives are provided through capital funding partly from Government grant and Council funds. With the exception of Disabled Facilities Grants, all other forms of assistance outlined in this policy are discretionary and all or any may be withdrawn at any time without prior notice.

Each year, the Council will decide what level of funding it makes available to support the assistance package outlined in this policy. The Council has complete discretion in deciding how discretionary funding is allocated between the different types of assistance.

As part of the June 2013 spending round the Government announced that a combination of funding streams (including £220m DFG funding) would be pooled in the Better Care Fund from 2015-16. This fund will enable the NHS and Local Authorities to jointly commission health and social care services enabling both services to work more collaboratively in their locality.

This Council will consult with Social Services to review current and predicted demand to ensure it secures the right funding to support mandatory DFGs and to provide this funding to as many disabled residents as possible. Strict financial controls will be applied to ensure grants are value for money and we will seek to recover any costs in line with legal guidance and this policy where necessary.

Grant funding will be restricted to essential works only and we will re-use equipment where possible to ensure that more people have access to this service.

It is unlikely in this financial climate that funding will be made available for non-mandatory grants such as home repairs assistance. However the Council has a duty to ensure it has a policy for dealing with homes that need major renovation. There is no legal requirement to provide grants, advice and signposting would be sufficient to meet our legal obligations.

The council will seek to promote private investment in the private housing stock by;

- Ensuring client contributions to eligible works are calculated in accordance with the law when assessing an adult DFG application. DFGs for children are not means tested.
- Encouraging Registered Social Landlords (RSLs) to contribute 40% towards adaptations (with the exception of lifts) as recommended in the DCLG Good Practice Guide
- Recommending applicants take independent financial advice when considering any funding for home renovation work
- Signposting residents to green deal providers and green deal finance initiatives where appropriate
- Securing property owner funds to bring long-term empty properties back into use by conditioning grant funding to private finance.

### 8.2 Human Resources

An independent contractor who acts as the Grants Officer administers DFGs on the Council's behalf. This Officer will be the main point of contact during the grant process and is responsible for ensuring that the work is of a good standard and meets the needs of the customer.

## PART 9: Publicity Advice and Assistance

The council will make available advice about our services and this policy in the following ways—

- An information booklet written in plain English explaining the financial assistance will be available in places most likely to be visited by potential applicants.
- The Councils web site will be updated to provide good quality easy to understand information about grants, the conditions attached to them and how to apply.
- The Council will make available the Council and Local Government (DCLG). Good Practice Guide "Delivering adaptations for Disabled People"
- We will provide individual assistance to our most vulnerable customers with any aspect of the process to ensure equal access to the service
- Where an applicant who cannot read English and is not able to get assistance with translations themselves then we will offer assistance where possible
- The council may choose to provide some or all of the above by means of an agency service

## PART 10: Reporting and Monitoring

### 10.1 Reporting

Performance will be reported through the Council's performance monitoring process. One of these reports will include confirmation that this policy remains relevant to current needs as a way of demonstrating it has been reviewed.

### 10.2 Targets

Title	Measure	Target
Long term empty properties identified	All long term empty properties to be recorded and risk assessed	
Time valid application is received to approval	Statutory target	6 months
Customer satisfaction	Satisfaction survey of 100% of completed grants satisfied with overall service	90% satisfied
Customers stating Grants Officer courteous and professional	Satisfaction survey of 100% of completed grants satisfied with overall service	95% satisfied

**N.B** These are in addition to the corporate targets.

Any significant variations to the targets or performance management standards will be put to the council's Management Team as variation reports to ensure the policy delivers its strategic aims.



## PART 11: Exceptional Circumstances

Whilst this policy sets out the framework under which the Council will consider applications for grant assistance, there may occasionally be circumstances that would warrant deviations from this policy.

To ensure a fair and transparent process, applications that fall outside the scope of this policy, or requests to amend the terms and conditions will only be considered if there are exceptional circumstances that justify such a decision.

The Head of Community in consultation with the Director of Services will consider any such request. Their decision is final and there is no right of appeal. However the Council's complaints procedure can be used to adjudicate if requested.

## PART 12: Complaints

Any person who is aggrieved about a decision made under this policy or how the policy has been interpreted or applied should first discuss their concerns with the Council Independent Officer.

If the matter is not resolved, the person will be directed to the Council's Complaints Procedure. Details of the Complaints Procedure can be found on the Council's website.

## PART 13: General

Any matter not covered by these terms and conditions shall be dealt with in accordance with the Housing Grants, Construction & Regeneration Act 1996 (as amended) and any associated statutory or government guidance.

Following the making of a grant application and until any repayment liability has been discharged, the applicant shall upon receiving a written request supply from the Council with any such information as may reasonably be required in connection with the application, including the ownership and occupation of the property which is the subject of the application and how they are complying with any grant conditions.

## PART 14: Policy Review

This policy will be subject to a complete review after three years. However there will be an annual light touch review to ensure it remains fit for purpose. Any significant changes will require Committee approval.

# PART 15: Types of Financial Assistance

## 15.1 Disabled Facilities Grant

Purpose	To help meet the cost of adapting a property in which a disabled adult or child lives so they can live as independently as possible in their own home. All works must fall within the mandatory Disabled Facilities Grant (DFG) regime.
Who can apply	<p>The eligibility criteria for mandatory DFGs are set out in the Housing Grants Construction and Regeneration Act 1996.</p> <p>The applicant must be:</p> <ul style="list-style-type: none"> <li>● The owner or tenant of the property; and</li> <li>● Over 18 years of age and living at the property as their main residence; and</li> <li>● Disabled or have a member of the family living with them who is disabled; and</li> <li>● Referred by an Occupational Therapist.</li> </ul> <p>Applications will be accepted by the Council from tenants of all tenures. However payment for any adaptations cannot legally be made from the General fund, payments will be made from the Housing Revenue Account.</p>
What help is available	<p>Grant assistance is available to adapt a property to meet the needs of a disabled occupant.</p> <p>An Occupational Therapist will recommend works that are necessary and appropriate for the disabled person, for one of the following reasons:</p> <ul style="list-style-type: none"> <li>● To facilitate access to the dwelling.</li> <li>● To make the dwelling safe.</li> <li>● To facilitate access to a family room, bedroom or bathroom / toilet.</li> <li>● To provide or improve any heating system.</li> <li>● To provide access to controls to provide heating, lighting, power or amenities.</li> <li>● To facilitate access around the dwelling to enable care of a resident.</li> <li>● To enable access to a garden.</li> </ul> <p>The Council will then determine whether the works are reasonable and practical.</p> <p>Cases excluding those involving stair lifts only are considered by a panel comprising the Grants Officer and a representative of the Occupational Therapy service as well as a manager of the service. This is designed to ensure a fair and equitable service to all applicants.</p> <p>Reduced assistance may be considered where it is not in the best interests of the applicant (due to poor health for example) to undertake full adaptation.</p> <p>The Panel, having regard to the applicant's needs, must agree the form of the reduced assistance.</p>
How to apply	<p>The first step is to arrange an assessment by an Occupational Therapist.</p> <p>Where the Occupational Therapist determines that an adaptation is needed to meet the customer's needs they will make a referral to the Council.</p>

	<p>A formal application is made by completing and submitting:</p> <ul style="list-style-type: none"> <li>● A prescribed application form;</li> <li>● An owner occupation certificate or certificate of intended letting; proof of ownership;</li> <li>● If the applicant is a tenant, written confirmation from the owner that they agree to the works being carried out;</li> <li>● Proof of income, savings and benefits;</li> <li>● Two competitive estimates from legitimate building contractors; and</li> <li>● Details of any professional fees and/or other ancillary charges.</li> </ul>
Amount of grant	<p>The grant will cover the full cost of eligible work, up to a maximum of £30,000. This upper limit is set by statute and may be subject to change.</p> <p>The grant is subject to a financial test of resources. The applicant's assessed financial contribution will be deducted from the cost of the eligible work, or the £30,000 grant limit, whichever is the lower amount.</p> <p>In the case of a disabled child, the parents' or guardians' income and savings are discounted and there is no financial test of resources.</p> <p>If the total cost of the eligible work exceeds £30,000, the applicant may be entitled to additional financial support to meet the balance of the cost. For further information, please refer to the Discretionary Disabled Adaptations section.</p>
Grant Conditions	<p>The grant will be registered as a local land charge against the property for which grant is awarded.</p> <p>There are no conditions attached to grants of up to £5,000. For grants over £5,000, they must be repaid in full if the owner or the disabled person disposes of the property or fails to comply with any grant conditions within 10 years of the Certified Date.</p> <p>The full value of the grant awarded or £10,000, whichever is the lesser amount is repayable.</p>
General terms and conditions	Please refer to Appendix A

## 15.2 Discretionary Financial Assistance

Purpose	To assist with the cost of disabled adaptations that exceeds the mandatory Disabled Facilities Grant (DFG) limit.
Who can apply	Residents already in receipt of a DFG
What help is available	<p>Grant assistance is available to top-up a mandatory DFG where the overall cost of the work including fees and/or other ancillary charges exceeds £30,000.</p> <p>The proposed scheme of works must be agreed at the regular who will consider whether the work is necessary, appropriate, reasonable and practical. The exception to this would be where the grant relates to the installation of a stairs lifts or other minor works.</p>

	<p>Final approval will be at the discretion of the Head of Community. In reaching a decision, he/she will consider whether the scheme provides the most appropriate, cost effective and long-term option to meet the needs of the disabled person, and whether the applicant has taken all reasonable steps to secure private finance for this work.</p>
How to apply	<p>Enquires will only be accepted from people who have already been assessed by an Occupational Therapist and have been referred for a Disabled Facilities Grant</p> <p>A formal application is made by completing and submitting:</p> <ul style="list-style-type: none"> <li>● A prescribed application form</li> <li>● An owner occupation certificate</li> <li>● Proof of ownership</li> <li>● Proof of income, savings and benefits</li> <li>● Two competitive estimates from legitimate building contractors</li> <li>● Details of any professional fees and/or other ancillary charges.</li> </ul> <p>There is no need to resubmit any documentary evidence already provided as part of the DFG application.</p>
Amount of grant	<p>The grant will cover the full cost of eligible work above the mandatory DFG limit, up to a maximum of £10,000.</p> <p>The grant is subject to a financial test of resources using approved software. The applicant's assessed financial contribution will be deducted from the cost of the eligible work, or from the maximum £10,000 grant limit, whichever is the lower amount.</p> <p>Any assessed financial contribution already being paid towards a Disabled Facilities Grant will be discounted for this purpose.</p> <p>In the case of disabled children, both parents will be subject to the financial test of resources provided they are both normally resident at the property.</p>
Grant Conditions	<p>The grant will be registered as a local land charge against the property for which the grant is awarded and must be repaid in full if the property is sold or ownership is transferred within 20 years of the Certified Date.</p> <p>This is a long-term financial commitment and the applicant may wish to seek legal and/or financial advice before applying for this type of grant assistance.</p>
General Terms and Conditions	Please refer to Appendix A

### 15.3 Relocation Grants

Purpose	To help disabled residents move to a more suitable property if it is not practicable or cost effective to adapt their current property to meet their needs.
Who can apply	<p>Applicant must be:</p> <ul style="list-style-type: none"> <li>■ The owner of the property; and</li> <li>■ Over 18 years of age and living at the property as their main residence <b>and</b></li> <li>■ Disabled or have a member of the family living with them who is disabled; <b>and</b></li> <li>■ Referred by an Occupational Therapist; <b>and</b></li> <li>■ On a low income.</li> </ul> <p>To calculate whether someone is on a low income, the Council will conduct a</p>

	<p>financial test of resources using approved software.</p> <p>Applicants will only be accepted if their financial contribution is no more than £15,000 and they have no more than £16,000 in savings.</p>
What help is available	<p>This option will only be considered if the Council is satisfied it is not reasonable and practical to adapt the existing home and that finding alternative accommodation is the best and most cost effective long-term solution.</p> <p>Grant assistance is available to help a disabled person move into a property which is already suitable or which is capable of being adapted to meet their needs, as determined by an Occupational Therapist.</p> <p>The cost of adapting the new property must not exceed the £30,000 mandatory DFG grant limit.</p> <p>It will remain the applicant's responsibility to find suitable alternative accommodation. The Council is unable to provide this service.</p>
How to apply	<p>Enquires will only be accepted from people who have already been assessed by an Occupational Therapist and have been referred to the Council for a Disabled Facilities Grant</p> <p>A formal application is made by completing and submitting:</p> <ul style="list-style-type: none"> <li>● A prescribed application form;</li> <li>● Proof of ownership;</li> <li>● Full details about the new property;</li> <li>● One competitive estimate for legal and estate agency fees and confirmation of stamp duty liability</li> <li>● Two competitive estimates for removal costs; and</li> <li>● Details of any professional fees and/or other ancillary charges.</li> </ul> <p>There is no need to resubmit any documentary evidence already provided as part of a recent DFG application.</p>
Amount of grant	<p>The grant will cover the full cost of:</p> <ul style="list-style-type: none"> <li>● Legal fees;</li> <li>● Estate agency fees;</li> <li>● Stamp duty;</li> <li>● Removal costs; and</li> <li>● Any other ancillary costs or professional fees up to a maximum of £5,000.</li> </ul> <p>The grant is intended to help with the cost of moving home and not the capital cost of purchasing a new property.</p> <p>The grant is subject to a financial test of resources and the applicant's assessed financial contribution will be deducted from the cost of the eligible work, or from the maximum £5,000 grant limit, whichever is the lower amount.</p> <p>No payment will be released until the Solicitor has provided written confirmation that the sale of the property has been completed.</p>

Grant Conditions	<p>The grant will be registered as a local land charge and must be repaid in full if the owner disposes of the new property within five years of the date the purchase is completed. If the applicant moves outside the borough, the grant will be registered as a charge with HM Land Registry.</p> <p>Receiving this grant does not prevent the applicant from applying for a mandatory Disabled Facilities Grant for the new property they are moving to. If the new property is outside of the borough, the DFG enquiry will be dealt with by the Council in whose area the property is located.</p> <p>Repeat applications for relocation grants will not be considered within 10 years of the date the grant was approved.</p>
General terms and conditions	Please refer to Appendix A

#### 15.4 Hazard Removal Grants

Purpose	<p>These are discretionary repayable grants that can be used to provide finance to support the Councils priorities.</p> <p>Their main purpose is to provide safe, warm and secure accommodation for older, vulnerable or disabled homeowners and tenants who are at serious imminent risk of harm due to the condition of their property, for example;</p> <ul style="list-style-type: none"> <li>● To carry out urgent repairs where the condition of the property prevents the occupier from being discharged from hospital</li> <li>● Where the condition of the property may lead to a vulnerable person being made homeless due to significant hazards within their current property</li> <li>● Where the condition of the property is impacting on an existing illness of an occupant/s</li> <li>● Where the condition of the property poses an imminent risk of harm to the occupant/s</li> </ul> <p>The Head of Community in consultation with the Director of Services will approve any financial assistance under this part of the policy.</p>
Who can apply	<p>The applicant must be:</p> <ul style="list-style-type: none"> <li>● The owner of the property; and</li> <li>● Over 18 years of age and living at the property as their main residence; and</li> <li>● Disabled or have a member of the family living with them who is disabled; and</li> <li>● Referred by an Occupational Therapist; and</li> <li>● On a low income.</li> </ul> <p>To calculate whether someone is on a low income, the Council will conduct a financial test of resources.</p> <p>Applicants will only be accepted if their financial contribution is no more than proposed cost of works and they will have no more than £5,000 in savings after the work is completed</p>
What help is available	<p>The types of work this finance can be used for;</p> <ul style="list-style-type: none"> <li>● Dangerous or inadequate gas or electrical installations</li> <li>● No adequate heating or hot water during cold weather</li> </ul>

	<ul style="list-style-type: none"> <li>● Serious roof leaks</li> <li>● No suitable bathing facilities</li> <li>● No suitable facilities for cooking food safely</li> <li>● Insecure premises</li> <li>● No suitable sanitation</li> <li>● Damaged and dangerous floor boards</li> <li>● Exposed asbestos</li> </ul>
How to apply	<p>A formal application is made by completing and submitting:</p> <ul style="list-style-type: none"> <li>● A prescribed application form;</li> <li>● An owner occupation certificate</li> <li>● Proof of ownership;</li> <li>● Proof of income, savings and benefits;</li> <li>● Two competitive estimates from legitimate building contractors; and</li> <li>● Details of any professional fees and/or other ancillary charges.</li> </ul> <p>Where appropriate, the Council may verify ownership details by carrying out a land registry check, rather than demanding a Certificate of Title.</p> <p>Only one competitive estimate is required for works up to £1,000.</p>
Amount of grant	<p>The grant will cover the full cost of eligible work, up to a maximum of £10,000.</p> <p>The grant is subject to a financial test of resources using the relevant software package.</p> <p>The applicant's assessed financial contribution will be deducted from the cost of the eligible work or from the maximum £10,000 grant limit, whichever is the lesser amount.</p>
Grant Conditions	<p>There are no conditions attached to grants of up to £2,000. For grants over £2,000, they will be registered as a local land charge against the property for which grant is awarded and must be repaid in full if the applicant fails to comply with any grant conditions, or if the property is sold or ownership is transferred within 20 years of the Certified Date.</p> <p>Throughout the 20 year grant condition period:</p> <ul style="list-style-type: none"> <li>● The property must be covered by buildings insurance and must be kept in good repair;</li> <li>● The owner must continue to occupy the property; and</li> <li>● The owner must provide the Council with full details of who is occupying the property within 15 working days of a written request.</li> </ul> <p>This is a long-term financial commitment and the applicant may wish to seek legal and/or financial advice before applying for this type of grant assistance.</p> <p>No more than £10,000 grant assistance will be provided in any 10-year period.</p>
General Terms and Conditions	Please refer to Appendix A

### 15.5. Empty Property Grants

Purpose	To bring long term empty properties back into use and increase the supply of safe, warm and decent housing accommodation in the private rented sector.
Who can apply	The applicant must be: <ul style="list-style-type: none"> <li>• The owner of the property; and</li> <li>• The property must have been empty for at least twelve months at date of application.</li> </ul>
What help is available	Grant assistance is available to: <ul style="list-style-type: none"> <li>• Renovate empty properties and bring them back into use</li> <li>• Convert empty commercial properties or space above shops into living accommodation</li> <li>• Convert larger empty properties into multiple units of accommodation.</li> </ul> All works must comply with the decent homes standard. <p>The proposed scheme of works must be agreed and supported by Head of Community, having regard to all relevant factors (location, size, housing need, access arrangements, internal layout, etc).</p> <p>The proposed management arrangements must be to the Council's satisfaction and the Council reserves the right to insist on a leasing arrangement.</p> <p>Final approval will be at the discretion of the Head of Community and the Director of Services. In reaching a decision, they will consider whether the scheme provides the most appropriate, cost effective and long-term option to bring the property back into use and secure nomination rights for Oadby and Wigston Borough Council.</p>
How to apply	A formal application is made by completing and submitting: <ul style="list-style-type: none"> <li>• A prescribed application form;</li> <li>• A certificate of intended letting;</li> <li>• Proof of ownership;</li> <li>• Two competitive estimates from legitimate building contractors;</li> <li>• Details of any professional fees and/or other ancillary charges; and</li> <li>• Details of the proposed management arrangements for the property.</li> </ul> <p>In the case of property conversions, evidence of planning permission and/or building regulation approval must also be provided.</p>
Amount of grant	The grant will cover 50% of the cost of the eligible work, up to maximum limits set out below: <ul style="list-style-type: none"> <li>• One bedroom flat £10,000</li> <li>• Two bedroom flat or house £15,000</li> <li>• Three bedroom flat or house £20,000</li> <li>• Four or five bedroom flat or house £30,000</li> </ul> <p>Buildings containing two or more self-contained flats will be restricted to a maximum grant of £40,000 per property.</p> <p>Larger grants may be considered at the discretion of the Head of Community in consultation with the Director of Services. Relevant factors taken into account will include the location of the property, the length of time it has been empty, its impact on the local community, how it will contribute to meeting housing need and how it links to other corporate objectives.</p> <p>Prior to grant approval, the applicant must demonstrate to the Council's satisfaction that they have funding to pay their financial contribution to the scheme cost.</p>



Grant Conditions	<p>The grant will be registered as a local land charge against the property and must be repaid in full if the owner disposes of the property or fails to comply with any of the grant conditions within 5 years of the Certified Date.</p> <p>Throughout the five year grant condition period:</p> <ul style="list-style-type: none"> <li>• The property must be rented out to tenants nominated by the Council's Housing Team.</li> <li>• The property must be managed by the applicant, let through a managing agent, leased to a Registered Provider (i.e. Housing Association) or leased to the Council through a Private Sector Leasing scheme.</li> <li>• An applicant who intends to manage the property themselves must be a member of a Landlord Accreditation Scheme.</li> <li>• If the property becomes vacant, the applicant or their agent must notify the Council and allow at least 10 working days for the Council to nominate a new tenant. In the event of refusal by the nominated tenant, this timescale will be extended to 20 working days;</li> <li>• The applicant must not unreasonably refuse a tenancy to someone nominated by the Council;</li> <li>• Rent levels must not exceed the Local Housing Allowance rates plus 10%;</li> <li>• The property must have buildings insurance and must be kept in good repair in accordance with all necessary legal requirements.</li> </ul>
General Terms and Conditions	Please refer to Appendix A

## **Appendix A: Initial Enquiry**

### **I. Initial Enquiry**

Following receipt of an initial enquiry, the applicant will be asked to complete an enquiry form to check whether they are eligible for assistance. Applicants will be expected to return the completed form within 28 days. Failure to do so will result in the enquiry being cancelled.

No applications will be accepted from an applicant who is a 'person from abroad', as defined in housing benefit rules.

No applications will be accepted in respect of a property that has been built or provided by conversion within the last 10 years.

In relation to Disabled Facilities Grants, no action will be taken we have received a referral from an Occupational Therapist.

Once a referral has been received, an enquiry form will be sent to the applicant.

### **II. Preliminary Assessment**

Upon return of the completed enquiry form, the Council will undertake a preliminary assessment to establish whether the applicant is likely to be eligible for assistance.

Unless otherwise specified in this policy, the financial test of resources will be carried out in accordance with the national guidelines already in place for the purpose of Disabled Facilities Grants.

Applicants will be informed of their likely eligibility and any potential financial contribution they would be required to make towards the cost of the work.

Where it is established that an applicant is not eligible for financial assistance they will be advised accordingly and signposted to other agencies that may be able to assist them.

### **III. Property Inspection**

Applicants who may be eligible for assistance will be offered an appointment to have a home survey conducted by a Grants Officer. The purpose of the visit is to assess the condition of the property and establish the extent and nature of works required.

Council Officers always carry a photo ID card to prove they work for Oadby and Wigston Council and will show this to residents when they arrive at the property. Applicants should not let anyone into their property unless they are carrying an ID card. If unsure whether the person works for the Council you can contact 0116 2881961 or in an emergency, contact the Police.

When conducting the home survey, any works to remedy negligence, vandalism or illegal alterations will be excluded for the purposes of this policy. In addition, no assistance will be available if the applicant or someone acting on their behalf has intentionally removed any kitchen or bathroom facilities or any plumbing or structural elements within the property that make the property non-decent.

Any works that are subject of a legal dispute or insurance claim will be excluded from grant assistance. In the case of structural stability, the applicant will normally be expected to pursue a claim under their building insurance policy before any grant enquiry will be considered.

## IV. Formal Application Pack

Following the visit, the Grant office will prepare a schedule of work. The schedule will have enough information for the applicant to be able to obtain quotes from their chosen contractors.

This will be sent to the applicant together with a grant application pack containing an application form, forms relating to ownership of the property and guidance notes on how to make an application.

The applicant is not permitted to make any changes to the schedule of work issued by the Council.

The application pack issued by the Council is valid for six months from the date of issue. Failure to submit a completed application within this period will normally result in the enquiry being cancelled.

## V. Choosing a Building Contractor

Applicants should take care when selecting contractors. Applicants should not enter into any agreement with a contractor until a grant has been approved and they are certain they can meet the cost of the work.

The Environmental Health Service does not maintain a list of recommended contractors and cannot recommend contractors for undertaking grant work. It is the applicant's responsibility to choose a suitable contractor.

Guidance on employing contractors can be found by using 'Trustmark' – a scheme that is backed by Government, the building trade and consumer groups. For more information visit: [www.trustmark.org.uk](http://www.trustmark.org.uk) or Tel 01344 630 804.

Local contractors can be found on the Buy with Confidence website which [www.buywithconfidence.gov.uk](http://www.buywithconfidence.gov.uk).

There are various commercial websites such as [www.trustatrader.com](http://www.trustatrader.com) where customers can search for local contractors and read reviews posted by previous customers.

Oadby and Wigston Borough Council take no responsibility for the content on these third party websites and it is the applicant's responsibility to find a suitable contractor.

The Grants service will not accept quotations from the applicant or a member or his or her family. Any relationship between the applicant and the contractor must be declared at the time of the application.

All work costing above £1,000 will require two original quotations from legitimate building contractors. Photocopies or faxes are not acceptable. The quotation should:

- Be printed on company headed paper and dated;
- Include the companies full address and telephone number;
- Be addressed to the applicant and not the Council
- Be signed by a representative of the company whose name is printed beneath the signature;
- Include the company's VAT registration number (if applicable)
- Provide a separate price for each item listed in the schedule of work and confirm whether the quote is inclusive or exclusive of VAT; and
- Include the company registration number, if it is a Limited Company.

Quotations that do not contain this information will be rejected. If the costs are considered excessively high or the quotation includes additional items not approved by the Grants Officer, the costs may either be disallowed, the applicant may be invited to obtain further quotes, or the grant may be calculated at a lower level following a comparison with a schedule of rates or other suitable methodology.

Where disabled adaptations recommended by an Occupational Therapist are of a specialist nature to meet the specific needs of an individual and are difficult to source on the open market (e.g. ceiling track hoist, variable height bath, or specialist through-floor lift) then just one estimate will be acceptable.

## **VI. Professional and Ancillary Fees**

There are various professional and ancillary fees that may be incurred by the applicant. These can include:

- Architect, surveyor or agency fees in relation to the preparation of plans and/or supervision of the building works;
- Charges for Party Wall Act notices, planning permission or building regulation approval;
- Charges made by agents for advising on or assisting with a client's application; and
- Charges for specialist reports.

Details of any professional and ancillary fees must be submitted as part of the grant application. The Council will determine whether the fees are considered reasonable and necessary for inclusion within the grant.

Applicants should not incur any costs until after the grant has been approved in writing. Otherwise, if the case does not proceed to approval, the applicant will be responsible for paying any costs they have already incurred.

## **VII. Using an Agent**

If the applicant lacks the knowledge, ability or confidence to manage the grant process themselves, they may wish to appoint an agent to carry out this role on their behalf. This will be particularly relevant for large or complex schemes that require specialist technical or architectural skills.

Fees will vary according to the nature of the agency service being provided. Agents offering a full agency service can claim an agency fee of up to 15% of the net cost of the building work. Agents will be expected to provide full details of their charges as part of the application process.

A full agency service will include:

- Helping the applicant to complete all necessary forms and certificates;
- Acting as the main point of contact with the Council;
- Preparing a detailed specification and any necessary plans;
- Obtaining any necessary planning and building regulation approval;
- Overseeing the work on site;
- Liaising with the Council over any unforeseen work and
- Dealing with payments and resolving any disputes or snagging items on completion.

The Council does not have an approved list of agents but details can be found from Age UK and the Trusted Trader Web Sites.

## **VIII. Grant Approvals**

Before the Council can decide whether to approve or refuse a grant, the applicant must submit a 'valid application'. An applicant makes a valid application when:

- They submit all the documentation listed under 'How to apply' in the relevant part of the policy; and
- The Council is satisfied that they have all necessary information on which to base a decision.

The Council will notify the applicant in writing of its decision to either approve or refuse a grant application. The approval letter will set out details of the amount of grant assistance available, any financial contribution by the applicant and any associated grant conditions. If the application is refused, the refusal letter will explain why the application has been refused.

Decisions will normally be made within six weeks of receiving a valid application. However, should the budget becomes overcommitted, or, during periods of high demand, the decision to approve or refuse a grant may be delayed for up to six months.

Alternatively, the Council may issue an approval but specify a date before which no grant payment will be made. The maximum period for delayed payments will be 12 months from the grant approval date.

Applicants must not carry out any work prior to receiving confirmation of grant approval in writing. Otherwise, the applicant will be responsible for all costs incurred.

Where the cost of eligible works exceeds the maximum grant limit, the applicant will be responsible for paying all extra costs. If this situation arises at the time of application, the grant will not be approved until the applicant satisfies the Council that they are able to fund the extra cost.

The applicant is responsible for obtaining any necessary planning permission, building control approval or party wall act agreement to enable the works to proceed. Issuing the grant approval does not means that such approvals are already in place.

## **IX. Undertaking the Work**

If the applicant believes there are urgent reasons that justify starting the work prior to receiving grant approval, they should contact the Council for further advice. No grant assistance will be available for work that is carried out before the Grants Officer has visited to assess eligibility under the terms of this policy.

Even if the Council accepts there is a valid reason for starting the work early, this does not guarantee that the application will be subsequently approved. Any decision to start the work early is entirely at the applicant's risk and the Council takes no responsibility for any costs incurred.

Where work has been started prior to grant approval, the Council will normally treat the application as varied so as to exclude the cost of completed work.

However, the Head of Community in consultation with the Director of Services has discretion to approve the full cost of the scheme if satisfied the applicant had an urgent need for starting the work early because of an imminent risk to their health and safety.

When undertaking grant works, the applicant must use the contractor who quoted for the work and whose quotation formed the basis of the grant approval.

The contractor must not be changed without obtaining prior written approval from the Council. Changing contractor without prior consent may invalidate the grant approval.

It is the applicant who employs the contractor to undertake the grant work and the Council has no contractual responsibility or liability in relation to any building contract between the applicant and their contractor. The applicant retains full responsibility for supervising the contractor, dealing with any disputes and ensuring the work is properly completed. If the applicant does not feel confident in carrying out this role, they may wish to employ an agent to assist them in undertaking this role.

During the building work, the applicant may encounter unforeseen work that cannot be completed within the approved grant. If this occurs, the applicant must notify the Council at the earliest opportunity so that a site visit can be carried out.

The applicant is strongly advised not to proceed with unforeseen works until the works have been inspected and written approval received from the Council. If approval is not granted or the maximum grant limit has already been reached, then the applicant will be responsible for any extra costs incurred.

## X. Payments

Prior to requesting a grant payment, the applicant must check that all works have been completed to their satisfaction. The applicant is responsible for resolving any dispute about the nature or quality of the work in conjunction with their agent (if any) and the contractor.

Following receipt of a request for payment, the Grant Officer will visit the property to carry out an inspection. The Officer will not authorise the grant payment until:

- The work has been completed to their satisfaction in accordance with the grant schedule of work;
- The applicant has supplied an original invoice from the contractor who carried out the work. The invoice must be addressed to the applicant or their agent and not the Council; and
- Any necessary supporting documentation or guarantees have been provided.

If the applicant has to make a financial contribution towards the cost of the work, this must be paid in full to the contractor before the Council makes any grant payment.

Where appropriate, the Council can make interim payments for works invoiced and completed to their satisfaction, subject to a minimum of £5,000. No interim payments will be made for grants of less than £5,000.

In relation to agents fees, up to 50% of the fee can be paid once the grant has been approved, with the balance paid on satisfactory completion of all grant works.

Interim payments cannot exceed 90% of the total grant or loan approved.

Once all works have been completed to the Council's satisfaction, the applicant will be required to submit any original documentation and/or guarantees before the final payment is released. Depending on the nature of the work, this may include:

- A 20 year guarantee for all wood rot, woodworm treatment or damp proofing works
- A gas safety certificate from a Gas Safe Registered contractor
- An NICEIC or equivalent electrical certificate from an organisation approved in accordance with Building Regulations Approved Document P

Payments will normally be made to the appropriate contractor or agent, unless otherwise instructed by the applicant. In the case of a dispute between the applicant and the contractor

that is not resolved in a reasonable time period, the Council may use its discretion to pay the grant or part thereof to the applicant, agent or contractor, as it deems appropriate.

## **XI. Time Limits**

Once a grant application has been approved, it is a condition of the grant that the work must be completed to the satisfaction of the Council within 12 months from the date of approval.

Applicants who cannot complete the work within this time limit must notify the Council in writing. They must explain the reasons why and explain how much extra time they require. The Head of Private Sector Housing can use their discretion to extend the time limit.

If no request is received to extend the time limit within 12 months from the date of approval, the grant will normally be cancelled without prior notice and the applicant would be required to repay any interim payments already made with immediate effect.

No allowance will be made for an increase in material and/or labour costs caused by the applicant's delay in carrying out the work.

## **XII. Permissions**

### **a) Planning**

Some works may require planning permission, especially if they involve extending a property or changing its use. If the applicant lives in a flat, a conservation area or if the property is subject to an Article 4 Direction there are likely to be restrictions on making external alterations or restrictions on the type of materials that can be used, such as when changing windows or roof coverings.

It is the applicant's responsibility to contact the relevant regulator to ensure their proposals meet with planning requirements and have any other necessary approval. These checks should be carried out at an early stage and should not be delayed until a grant has been approved. The Council is not responsible for checking this information.

If planning permission is required, an agent should be employed to prepare plans. The cost of employing an agent can normally be included within the cost of any grant that is subsequently approved.

### **b) Building Regulation Approval**

Some works will need to be approved by a Building Control Officer to make sure that they meet the standards required by the Building Regulations.

It is the applicant's responsibility to ensure that they, their agent or contractor contact Building Control, send in all the forms and gain all necessary approvals.

### **c) Party Wall Act**

There are special rules that apply when carrying out works to a party wall or along the boundary line that separates two properties. Applicants may need to consult their neighbours and obtain consent before carrying out any work. In the event of a dispute, it may be necessary to appoint a party wall act surveyor. If in doubt, applicants are advised to seek independent legal advice.

## **XIII. Repayment of Grant**

Some forms of grant assistance include a condition that the grant must be repaid in full if the applicant fails to comply with any grant conditions, or if the property is sold or ownership is transferred within a certain period from the Certified Date.

The length of the grant condition period will vary according to the type of assistance and details are contained in Parts 3 to 9 of this policy.

If the owner disposes of the whole or any part of the property or fails to comply with any grant conditions within the grant condition period, he or she must notify the Council in writing and must repay the grant to the Council. If the grant is not repaid within 6 weeks from the date of the disposal or the date any grant conditions were breached, then compound interest will be charged on the amount outstanding at the current Bank of England Base Rate. The Council may also seek to recover the money through the courts and this may involve a charging order.

The Council does have discretion to either not demand repayment, to delay repayment or to demand a lesser amount. The Council will normally only exercise its discretion not to demand repayment where there are extenuating conditions and the applicant supplies the Council with supporting evidence as is necessary to help reach a decision.

The Head of Community will consider any such representation. In deciding whether to exercise discretion, regard will be had to the following factors: -

- Financial hardship: where recovery would cause financial hardship and the breach was either unintentional or unavoidable in the circumstances; and
- Equity: where the net value of the property (sale price minus any mortgages and other secured loans) is less than the value of financial assistance to be recovered, thereby leaving the owner in negative equity.
- The value of any loan or mortgage taken out after the financial assistance was approved will not be taken into account when determining whether to recover or reduce the repayment of the financial assistance

In deciding the amount of repayment to be waived, the Council will take account of:

- the amount of financial assistance;
- the period of occupancy since completion of assisted work;
- the relative approximate values of property pre and post assisted work; and
- the amount of equity in property.
- The Council's decision on this matter is final and there is no right of appeal.

#### **XIV. Fraud**

The Council is committed to tackling dishonest and fraudulent activity associated with grant applications made under this policy.

Applicants must ensure that all paperwork is honestly and truthfully completed to the best of their knowledge. Anyone found to have committed or attempted to commit fraudulent activity by providing false, misleading or incomplete information will lose the right to apply for assistance under this policy and may be subject to further legal action.

Information obtained throughout the grant 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 to help prevent and detect fraud or in the investigation of other possible criminal activities.

Where fraudulent activity has been identified and payments have already been made, the Council will demand immediate and full repayment of the grant or any interim payments plus compound annual interest charged at the Bank of England base rate plus 2%, starting from



the date of payment or the Certified Date whichever is earlier. The applicant could also be subject to legal action in the criminal courts.

If the grant has been approved but not yet paid, the Council reserves the right to reconsider the grant application with immediate effect if the application is found to be fraudulent. The grant may be cancelled if the true circumstances mean the application would not be eligible for assistance under the terms of this policy.

## Glossary

Certificate of Intended Letting	A certificate that certifies the applicant has a qualifying owner's interest in the property and that they will rent out the property to tenants who are not members of their family for five years after the Certified Date.
Certificate of Title	A certificate that is completed by the applicant's solicitor or mortgage lender and which certifies the applicant is the freeholder or leaseholder of the property.
Certified Date	The date grant eligible works are completed to the satisfaction of the Council
Disabled Child	For the purposes of a Disabled Facilities Grant or Discretionary Disabled Adaptations, a disabled child is defined as someone between the age of 0 and their 16th birthday or someone between their 16th and 20th birthday who is in ordinary, non-advanced full time education. This includes standard education as provided by a school or similar establishment up to GCE A level or equivalent, and with at least 12 hours per week of teaching. The person will normally have child benefit paid to someone in respect of him or her. See also Disabled Person.
Disabled Person	In relation to Home Repairs Grants or the Handyperson Scheme, a disabled person is someone who receives a disability benefit or a disability premium as part of their claim for a means tested benefit.
Eligible work	The Council will provide the applicant with a schedule of work listing the items that are eligible for grant assistance, subject to submission of a valid application within any specified time limit. Any additional work not included in the schedule will be the responsibility of the applicant.
Imminent risk of harm	In assessing the imminent risk of harm, the Council will consider all relevant factors including the severity of the hazard, the age and health of the applicant, the size and composition of the household, the time of the year and any other relevant issues.
Grant	For the purposes of this policy, grants include any form of financial assistance detailed in this policy whether repayable or not. For each type of grant assistance, details of any repayment conditions are explained in the relevant part of the policy. Housing Health and Safety Rating System (HHSRS)  A system introduced under the Housing Act 2004 and that forms part of the decent homes standard. It assesses the health impact associated with poor housing conditions and defines category 1 hazards (where the Council has a duty to take action) and category 2 hazards (where the Council has the power to take action).

Owner Occupation Certificate	A certificate that certifies that the applicant has a qualifying owners interest in the property and that they will live in the dwelling as their only or main residence for the required condition period after the Certified Date.
Person from Abroad	A 'person from abroad' is a person who has limited leave to enter or remain in the UK in accordance with the provision of the Home Office immigration rules relating to the right to public funds. For further information, contact the Council
Owners Interest	In relation to any premises means an estate in fee simple absolute in possession, or-a term of years absolute of which not less than five years remain unexpired at the date of the application, whether held by the applicant alone or jointly with others.
Property	Means the dwelling, house or building that is the subject of an application for financial assistance. It includes any building or part of a building used wholly or partly as a private dwelling, together with any yard, garden, outhouses and appurtenances belonging to or usually enjoyed with that building or part.
Regulatory Reform Housing Assistance (England and Wales) Order 2002	This is the legislation that enables the Council to adopt a housing assistance or renewal policy for repairing, adapting or improving housing accommodation which best meets the needs of local residents.
Valid Application	An applicant is considered to have submitted a valid application when: <ul style="list-style-type: none"> <li>• They submit all the documentation listed under 'How to apply' in the relevant part of the policy; and</li> <li>• The Council is satisfied that they have all necessary Information on which to base a decision.</li> </ul>