



## HOUSING ASSISTANCE POLICY

1. Introduction .....	2
2. The Legal Framework for the Policy .....	2
3. The Local Strategic Context.....	2
3.1 The Borough Council's Corporate Plan 2013-16 .....	2
3.2 The Housing Strategy 2016 - 2021 .....	3
3.3 The Empty Homes Strategy 2012-2017 .....	3
4. Aims, Priorities and Principles of the Policy .....	3
4.1 Aims of the Policy .....	3
4.2 Priorities of the Policy .....	3
4.2.1 Needs Based Priorities.....	3
4.2.2 Property Based Priorities.....	4
4.2.3 Tenure-based Priorities .....	4
4.2.4 Theme-based Priorities .....	4
4.3. Principles of Assistance .....	4
5. Types of Assistance.....	5
i. Disabled Facilities Grants .....	5
ii. Relocation Grant.....	5
iii. Home Improvement Loan - Secured (Interest Free).....	5
5.1 Staffordshire Independent Living Service.....	6
6. Resources Committed to Implementing the Housing Renewal Policy .....	6
8. Complaints .....	7
9. Review .....	7
10. Enquiries Concerning the Policy .....	7
Appendix: One .....	8
Disabled Facilities Grant .....	8
Appendix: two .....	12
Relocation Grant.....	12
Appendix: three.....	14
Home Improvement Loan – secured (interest free) .....	14
Appendix: four.....	17
Emergency Repair Assistance Grant .....	17
Appendix: five .....	19
Empty Homes Match Funding Grant .....	19
Appendix: six.....	21
Accredited Landlord Match Funded Grant.....	21

## 1. Introduction

Poor and unsuitable housing has a detrimental impact upon the, health, safety and wellbeing of occupants and can lead to the decline of neighbourhoods.

The primary responsibility for maintaining privately owned property rests with the owner but it is nationally recognised that some owners lack the means to carry out essential repairs, improvements and adaptations.

This policy outlines how the Council intends to reduce the impact of poor housing conditions within the Borough setting out the types of assistance which may be available to homeowners to improve, repair or adapt their properties and the terms and conditions that apply to the assistance.

## 2. The Legal Framework for the Policy

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 has given local housing authorities a wide-ranging power to provide assistance to help people acquire, adapt, repair, improve or rebuild living accommodation. Assistance may be subject to terms and conditions including a requirement to contribute or repay some or all of the assistance in certain circumstances.

The Order stipulates that a local housing authority may not exercise the power to provide assistance unless they have adopted a policy for the provision of assistance.

This policy will apply to all new applications for assistance from 1<sup>st</sup> April 2016.

The amount of assistance available each year will be dependent upon the level of capital resources made available through the Housing Capital Programme which is funded from a variety of sources. This means that some types of assistance may be withdrawn during the life of this policy because funding has been exhausted.

## 3. The Local Strategic Context

### 3.1 The Borough Council's Corporate Plan 2013-16

This Housing Renewal Assistance Policy contributes directly to several of the priorities in the Council's Corporate Plan:

- **Creating a Clean, Safe and Sustainable Borough**  
The way in which housing is constructed and maintained has a significant and immediate impact on the environment. Energy consumption within housing accounts for 30% of the UK's total energy consumption. Assistance that improves the energy efficiency of dwellings therefore contributes to this priority.
- **Creating a Healthy and Active Community**  
The link between poor quality housing and ill health is well recognised. Assistance that addresses housing disrepair therefore contributes directly to this priority.
- **Creating a Co-operative Council**  
Together with its partners the Council has developed and operates a streamlined disabled facilities grant process that significantly reduces the bureaucracy involved in an application.

### **3.2 The Housing Strategy 2016 - 2021**

The Housing Strategy sets out the Council's vision for housing in particular how it will meet housing needs within the Borough. To do this the Council has established priorities and identified targets for action to enable the achievement of a long-term housing vision for the benefit of all residents in the Borough.

This Housing Renewal Assistance Policy contributes to the objectives in the Council's Housing Strategy to:

- Support Private Sector Housing - by providing appropriate advice and assistance designed to achieve this.
- Promote independence and inclusion to our most vulnerable residents - by incorporating measures which will help improve poor quality accommodation occupied by vulnerable groups including people with a disability and those in fuel poverty.
- Reduce the number of empty homes - by providing assistance that enables the return of empty properties to use.

### **3.3 The Empty Homes Strategy 2012-2017**

The Empty Homes Strategy outlines the Council's approach to reducing the number of vacant homes in the Borough.

This assistance policy contributes to the principal objective in the Council's Empty Homes Strategy of bringing empty homes back into use by making financial assistance available to help an owner achieve this.

## **4. Aims, Priorities and Principles of the Policy**

### **4.1 Aims of the Policy**

This Policy aims to:

- Reduce the number of dwellings in the private sector which fail to meet minimum statutory house condition standards because they contain serious hazards to the occupiers' safety or health.
- Improve the sustainability of housing within the borough by assisting those on lowest incomes with the funding of essential repairs to ensure dwellings remain weatherproof, safe and structurally sound.
- Provide for the adaptation of property to enable people with disabilities to continue living safely in their own home.
- Improve the thermal efficiency of accommodation within the borough and reduce the number of homes that are hard to heat and keep warm.
- Bring empty homes back into use to help meet housing demand and contribute positively to the whole community.

### **4.2 Priorities of the Policy**

#### **4.2.1 Needs Based Priorities**

There will always be a need to ensure that the most vulnerable households are living in accommodation that is safe and that the needs of the disabled are met. The Borough's demographic profile points to an ageing population and the number of frail elderly people is increasing. Housing stock condition data indicates that 26% (11,500) private households are on low incomes and economically vulnerable, whilst the Census shows 20% households have at least one member with a long term illness or disability. Evidence also shows levels of equity in properties owned by the elderly are substantial.

This Policy includes the provision of secured loan assistance to low income households towards works to meet the Decent Homes Standard and to disabled persons to adapt their home.

It is important to note that whilst home loans may assist some vulnerable residents they may not be suitable for all residents. It will be necessary for the Council to offer a grant in circumstances where housing conditions are so unacceptable that there is a serious risk to the health and safety of occupants and there is no prospect of alternative funding. Accordingly there is provision for means tested emergency repair grant and disabled facilities grant assistance within the policy.

#### **4.2.2 Property Based Priorities**

There will be some particular properties where specific assistance will need to be directed.

The current minimum legal standard for housing requires a property to be free from category 1 (high risk) health and safety hazards when assessed using the Housing Health and Safety Rating System. In the cases where serious health and safety risks are present and emergency action is required limited grant assistance will be made available to low income owner/occupiers who are unable to afford the cost of repairs as determined by a test of financial resources.

There are approximately 560 homes in the borough which have been empty for 6 months or more. This policy includes match funded assistance to provide an incentive for owners to bring homes back into use.

#### **4.2.3 Tenure-based Priorities**

The priority tenure for assistance will be owner/occupiers. It is considered that landlords should meet their statutory responsibilities to maintain their property to the minimum standard from their rental income. This will, if necessary, be enforced in accordance with the Council's Enforcement Policy. However, those landlords which adhere to good property and management standards and join the Landlord Accreditation Scheme North Staffordshire may benefit from limited match funded assistance, to improve dwellings and to bring long term empty homes back into use.

#### **4.2.4 Theme-based Priorities**

Improving home energy efficiency and reducing fuel poverty are key objectives within the Council's housing strategy.

In 2015 the Department of Energy and Climate Change reported that average rate of fuel poverty across the Borough was 14%. However, there are a small number of wards which have levels significantly above this rate.

The policy includes provision for financial assistance to low income households living in homes with insufficient heating and insulation. We will also signpost homeowners to government and Energy Company schemes such as the Energy Carbon Obligation Scheme and provide supplementary funding where possible. Furthermore we will require landlords to improve cold homes by enforcement action if necessary.

### **4.3. Principles of Assistance**

When considering assistance to individual homeowners the following principles apply:

- Homeowners, rather than the Council, have the primary responsibility for ensuring their homes are properly maintained. This also means that home owners have the responsibility to maintain work that has been publically funded.
- Everyone lawfully resident in the Borough of Newcastle under Lyme should have access to a home that is free from serious hazards to their safety and /or health.

- Support and assistance should encourage private investment and maximise the impact on available public funds.
- The Council will not normally approve an application for assistance if the eligible works have been carried out before the application is approved. In exceptional circumstances where the Council are satisfied that there are good reasons for beginning the works before the application was approved this condition may be waived.
- The provision of all financial assistance is subject to the availability of funding. This means that the Council may withdraw any of the discretionary forms of financial assistance at any time should this be necessary.

## 5. Types of Assistance

The policy makes provision for the following types of assistance, further details for each one are in the appendixes.

### **i. Disabled Facilities Grants**

A disabled facilities grant is a statutory grant that all local authorities must make available. The grant is paid when the Council considers it necessary, appropriate, practical and reasonable to adapt a residential property to meet the access needs of a person with a disability.

### **ii. Relocation Grant**

In some instances it may not be possible to adapt accommodation to meet the needs of the disabled occupant or the works required would be so major that it would not be cost effective. A discretionary relocation grant, which is means tested, provides assistance to move by helping with removal costs and legal expenses.

### **iii. Home Improvement Loan - Secured (Interest Free)**

This is a secured interest free loan for homeowners needing to make repairs and/or improvements to their home towards the Decent Homes Standard; or to assist disabled people adapt their home.

The product is discretionary and primarily for homeowners in receipt of a means tested benefit or low income that are unable to access loans from mainstream lenders at affordable rates of interest and is repayable on disposal of the property. The loan is secured by a Land Charge.

### **iv. Emergency Repair Assistance Grant**

Emergency repair assistance is a form of discretionary assistance to address 'Category 1' serious hazards identified by a Council officer using the Housing Health and Safety Rating System.

### **v. Empty Homes Return-To-Use Match Funding Grant**

Empty homes are a wasted resource within the Borough at a time when national house building is significantly lagging behind demand. They can also seriously detract from the appearance of an area and attract antisocial behaviour.

Subject to the Council securing sufficient funding the assistance will consist of 50% match funding up to a maximum of £2,000 for works towards the Decent Homes Standard for residential accommodation that have been empty for over two years when the application is made.

### **vi. Accredited Landlord Match Funding Grant**

The Council is a member of the North Staffordshire Landlord Accreditation Scheme, which promotes responsible letting and high standards within private rented accommodation. The accredited landlord match funding is a discretionary form of assistance intended to support landlords making improvements to their property over and above legal standards.

Subject to the Council securing sufficient funding the assistance will consist of 50% match funding up to a maximum of £2,000 for security and energy efficiency measures and works towards the Decent Homes Standard.

#### **vii. Advice and Support**

Enquirers' are able to receive advice and support from the officers of the Council and appropriate partner organisations. The Council's website [www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk) provides extensive information including enquiry forms which can be completed and forwarded on line.

#### **5.1 Staffordshire Independent Living Service**

Staffordshire Independent Living Services (SILS) operate the Disabled Facilities Grant service on behalf of Newcastle-under-Lyme Borough Council.

SILS are able to assist in making applications for grants including completing forms, suggesting reputable contractors, obtaining quotes and seeking other sources of funding if required. They will charge a fee for doing this work but this can be included in the grant or loan.

SILS contact details are:

Telephone: 0330 124 7077

Website: [www.millbrook-healthcare.co.uk/contact-us/service-centre-locations/home-improvement-agency-services/staffordshire-ilis/](http://www.millbrook-healthcare.co.uk/contact-us/service-centre-locations/home-improvement-agency-services/staffordshire-ilis/)

Address: Dalewood Road  
Lymedale Business Park  
Newcastle-under-Lyme  
ST5 9QH

### **6. Resources Committed to Implementing the Housing Renewal Policy**

The financial resources committed by the Council to implementing this assistance policy are subject to change on an annual basis. The amount of assistance for discretionary grants each year is dependent on the resources made available to the Housing Services team through the Housing Capital Programme. Resources for mandatory disabled facilities grants are made available from central government via the better care fund administered by Staffordshire County Council.

The Council may withdraw any discretionary form of assistance once the available funding has been committed.

### **7. Requests outside the Provisions of the Policy**

Circumstances may arise where people seek assistance that is not provided by the Council or is restricted by a condition or eligibility criteria.

While the Council will usually adhere to the content of the policy, if a person considers their case suitable for special consideration they should explain their circumstances in writing, setting out why their case is exceptional to:

Executive Director of Regeneration and Development,  
Newcastle under Lyme Borough Council  
Civic Offices, Merrial Street, Newcastle under Lyme, ST5 2AG

The Executive Director of Regeneration and Development will reply to written requests within 28 days providing a formal decision or requesting further information

Each case will be considered on its own merits and the decision of the authority will be final.

## 8. Complaints

The Council recognises the right of its customers to complain and indeed welcomes complaints as a valuable form of feedback about its services. The Council is committed to using information gained from complaints to help make improvements to services and to better understand and meet the needs of people within the borough.

In the first instance complaints relating to this policy should be addressed to the Housing Manager whose contact details are:

Housing Services  
Newcastle-under-Lyme Borough Council  
Civic Offices, Merrial Street  
Newcastle-under-Lyme  
ST5 2AG

Email: [housing@newcastle-staffs.gov.uk](mailto:housing@newcastle-staffs.gov.uk)

Details of how the Council responds to complaints are available in the Corporate Complaints, Comments and Compliments Policy which is available on the Council's website at [www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk) and clicking on the link to 'Customer Services'.

## 9. Review

The Policy may be reviewed whenever necessary. Minor changes to the policy may be approved by the written consent of the relevant Cabinet Member. Major changes to the policy require the approval of the Council.

## 10. Enquiries Concerning the Policy

Please contact Housing Services at:

Newcastle under Lyme Borough Council  
Civic Offices, Merrial Street  
Newcastle-under-Lyme, ST5 2AG

Telephone: 01782 717717

Email: [housing@newcastle-staffs.gov.uk](mailto:housing@newcastle-staffs.gov.uk)

## Appendix: One

### Disabled Facilities Grant

#### **Purpose of the Assistance**

- This is a mandatory grant to adapt the home of a person with a disability.
- The purposes for which adaptation may be provided are:
  - a) facilitating access by the disabled occupant to and from the dwelling or the building in which the dwelling or, as the case may be, flat is situated; including facilitating access to and from a garden by a disabled occupant and making access to a garden safe for a disabled occupant.
  - b) making the dwelling or building safe for the disabled occupant and other persons residing with him/her;
  - c) facilitating access by the disabled occupant to a room used or usable as the principal family room;
  - d) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room used or usable for sleeping;
  - e) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a lavatory, or facilitating the use by the disabled occupant of such a facility;
  - f) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a bath or shower (or both), or facilitating the use by the disabled occupant of such a facility;
  - g) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a hand-wash basin, or facilitating the use by the disabled occupant of such a facility;
  - h) facilitating the preparation and cooking of food by the disabled occupant;
  - i) improving any heating system in the dwelling to meet the needs of the disabled occupant or, if there is no existing heating system in the dwelling or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet his/her needs;
  - j) facilitating the use by the disabled occupant of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;
  - k) facilitating access and movement by the disabled occupant around the dwelling in order to enable him/her to care for a person who is normally resident in the dwelling and is in need of such care;
  - l) such other purposes as may be specified by order of the Secretary of State.

#### **Maximum Assistance**

- Maximum statutory grant is £30,000.
- If the potential cost of adaptations is considered by the Council to be likely to exceed £30,000 or in any case where rehousing is considered a viable option then the Occupational Therapist should ensure that re-housing is investigated and the applicant is advised to contact Newcastle Housing Advice for a Housing Options Interview.
- Where works exceed the maximum amount the Council will require evidence that the applicant has the funds to make up any shortfall over and above £30,000 before agreeing that it is 'reasonable and practicable' to approve a grant.
- Successive grant applications can be made to meet different or substantially altered needs that have not been addressed through a previous application.

## **Method of Application**

- Applicants for a mandatory disabled facilities grant must have:
  - A completed referral form from a competent Occupational Therapist (not necessarily employed by Staffordshire County Council) with full details of the adaptation needed.
  - Plans and/or schedule of work with sufficient detail to enable the Council to determine whether the adaptation is practical and reasonable.
  - A completed application form.
  - Confirmation of tenure, Owner's Certificate or Tenant's Certificate.
  - The result of a means test in accordance with the Housing Renewal Grants (Amendment) (England) 2008 (except where the disabled person is under 18 years old).
  - Evidence, usually in the form of original documents not less than 3 months old, to confirm the financial status claimed in the means test.
- The Council's nominated Home Improvement Agency is able to advise on each of the requirements for application, including carrying out the means test in accordance with the Housing Renewal Grants (Amendment) (England) Regulations 2008.
- The Council requires original documents or copies that have been endorsed by the Home Improvement Agency to confirm that the original was viewed by them and the copy if an accurate reproduction.

## **Eligibility**

- The applicant must:
  - Be aged 18 or over on the date of application (if the person with a disability is a child the applicant should normally be the parent or legal guardian).
  - Be either the owner of the dwelling or be a tenant (including licensees), and be able to provide an Owner's Certificate or Tenant's Certificate. This will not necessarily be the disabled person for whom the works are required. A landlord may apply on behalf of a disabled tenant.
  - Not be a statutory body such as Registered Social landlord.
  - Satisfy a means test as prescribed by the Housing Renewal Grants (Amendment) (England) Regulations 2008, if the applicant is the disabled person, unless the application is being made on behalf of a child.
- The adaptation must be for the benefit of a person who is 'disabled' within the criteria in section 100 of the Housing (Grants, Construction and Regeneration) Act 1996.

## **Terms and Conditions**

- The applicant, whether an owner occupier, tenant or landlord must be able to provide a certificate which states that he/she intends that the disabled occupant will live in the qualifying property (dwelling, flat, houseboat or park home). In the case of a tenant's application the landlord must agree to the works and produce an Owner's Certificate at the same time.
- The applicant must provide two estimates for the cost of carrying out the work (except where specialised equipment is to be provided and costs are obtained through Social Services) and for the particulars of any preliminary or ancillary services or charges.
- The Council will require that as a condition of the grant the eligible works are carried out in accordance with any specification they impose.

- The Council will not approve an application for assistance if the works involved have been carried out before the application has been approved. Except where the relevant works have been begun but not been completed and the Council is satisfied that there were good reasons for beginning the works before the application was approved. Where the Council decide to approve an application in these circumstances they may treat the application as varied so that the eligible works do not include any that are completed.
- The specific works must be carried out within twelve months from the date of the approval of the application. This period may however, be extended by the Council if they think fit, particularly where they are satisfied that the eligible works could not have been carried out without carrying out other works which could not have been foreseen when the application was made.
- If following grant approval but before the Certified Date (the date the Council certifies that the work is completed) the applicant ceases to be a person entitled to a grant the Council may refuse to pay grant and demand that any instalment be repaid.
- Where an application for grant has been approved and the Council ascertain:
  - That the amount of grant was determined on inaccurate or incomplete information and exceeds that to which the applicant was entitled; or
  - That without its knowledge the eligible works were started before the application was approved; or
  - The works were carried out otherwise other than as approved, the council may refuse to pay the grant or any further instalment of grant which remains to be paid or make a reduction in the grant and they will demand repayment by the applicant in whole or in part of any grant paid.
- The payment or part payment of grant is conditional upon the eligible works, or corresponding part of the works, being completed to the satisfaction of the Council and upon the authority being provided with an acceptable invoice for payment for the works and any related preliminary or ancillary services or charges. For this purpose an invoice is acceptable if it satisfies the Council and is not given by the applicant or a member of his family. Since the grant is made to the applicant the contractor's invoice should be addressed to them. However, because the grant is paid by the Council the invoice should also be marked for the attention of the Council.
- In cases where the work is carried out by the applicant or a member of his/her family then assistance may be given for materials only. Where the assistance is paid by instalments the aggregate of the instalments paid before the completion of the eligible works shall not at any time exceed nine-tenths of the amount of the assistance.
- It is a condition of payment that the specific works are carried out by the Contractor, whose estimate accompanied the application or, where two or more estimates were submitted, by one of those contractors.
- The Council may pay the full, or part of the, assistance by direct payment to the Contractor(s). However the Council will not do so unless the applicant was informed before the application for assistance was approved that this would or might be the method of payment.
- Where the amount of assistance is payable, but the works in question have not been completed to the satisfaction of the applicant, the Council may, at the applicant's request, or if the Council considers it appropriate to do so, withhold payment from the contractor. If the Council does withhold payment from the contractor it will make the payment to the applicant instead.
- The contract of works is between the applicant and the contractor. The Council will not be liable in anyway whatsoever, contractually or otherwise for the payment of any works carried out by the contractor under the terms of the assistance.
- If the applicant dies after liability has been incurred for any preliminary or ancillary services or charges, the Council may, pay grant for some or all of the works already carried out and other relevant works and associated preliminary or ancillary services or charges covered by the application.

- If the applicant dies after the relevant works have begun and before the certified date, the Council may pay grant for some of some or all of the works already carried out and other relevant works covered by the application.
- If necessary the applicant must take reasonable steps to pursue any relevant insurance or legal claim, in order to pay or repay the grant from the proceeds of such a claim.
- If the eligible works consists of or include the installation into the property of either or both specialised equipment or portable accommodation for the disabled occupant the applicant and this ceases to be needed within 5 years of the Certified Date, the applicant shall notify the Council if and as soon as possible so that it can reused if necessary .
- Grant conditions are registered as a local land charge when the original grant is issued by the Council.

### **Repayment of Assistance**

- The Council will require that any grant amount over £5000 given to a qualifying owner is repaid up to a maximum repayment of £10,000 if the recipient disposes of, (whether by sale, assignment, transfers or otherwise) the premises in respect of which the grant was given within 10 years of the certified date. Providing that:
  - The recipient of the grant would not suffer excessive financial hardship were they required to repay all or any of the grant.
  - The disposal of the premises was not to enable the recipient of the grant to take up employment, or to change the location of his employment.
  - The disposal was not made for reasons connected with the physical or mental health or well-being of the recipient of the grant or of a disabled occupant of the premises.
  - The disposal was not made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity.
  - The Council is satisfied that it is reasonable in all the circumstances to require the repayment.

The condition requiring repayment will be a local land charge and will be binding on any person who is for the time being an owner of the dwelling or building.

### **Notes**

- The Council, will notify the applicant as soon as reasonably practicable and, in any event not later than six months after the date of the application concerned, whether the application is approved or refused.
- Where the Council decides to approve an application for assistance it will determine;
  - which of the works are eligible for assistance,
  - the amount of the expenses which in it its opinion are properly to be incurred in the execution of the eligible works,
  - the amount of assistance the Council has decided to pay.
- If the Council approve the application for assistance it will notify the applicant that the application is approved and the amount of assistance payable.
- If the Council notify the applicant that his/her application for assistance has been refused then the Council will, at the same time, advise the applicant of the reasons for refusal.
- To avoid any doubt, if the cost of the works exceeds the maximum grant (including any discretionary grant), any applicant's contribution will be subtracted from the maximum grant amount rather than the total cost of works.
- If the applicant wants the grant money to be paid to the Home Improvement Agency, another agent or direct to a contractor they must inform the Council. If this is not done the Council will pay the grant money to the applicant.

## Appendix: two

<b>Relocation Grant</b>
<p><b>Purpose of the Assistance</b></p> <p>This is a discretionary grant to assist people, who would qualify for a Disabled Facilities Grant, with the costs of moving to another property because it is not reasonable or practical to adapt their present home. This will be because the adaptations:</p> <ul style="list-style-type: none"><li>- are not possible; or</li><li>- they are unable to fully meet the assessed needs of the disabled person; or</li><li>- they involve major work and it would be beneficial to the disabled person and more cost effective if they moved to a home more suitable to their needs; or</li><li>- the disabled person is a tenant whose landlord has reasonably refused to give consent and a more satisfactory outcome, both in cost and end result, can be obtained by assisting with rehousing.</li></ul> <p>The alternative property must be assessed by an Occupational Therapist and the Council's Grant Officer as being suitable or easily adaptable to meet long term needs. Properties which require extending or will be overcrowded on occupation will not be considered suitable.</p>
<p><b>Maximum Grant</b></p> <p>The maximum grant will be £10,000 for owner occupiers and £2,000 for private sector tenants.</p> <p>For owner occupiers' a land charge will be registered against the property requiring full repayment if the property is sold within ten years.</p>
<p><b>Method of Application</b></p> <p>Consideration for this grant will usually be part of the Disabled Facilities Grant process where following an Occupational Therapist assessment moving home is one of the preferred options. Applicants must provide:</p> <ul style="list-style-type: none"><li>- A referral from a competent Occupational Therapist regarding adaptations to the existing accommodation and whether these will be reasonable and practicable.</li><li>- An assessment from a competent Occupational Therapist regarding the suitability of the proposed new property .</li><li>- A completed application form including test of resources.</li><li>- Evidence, usually in the form of original documents, to confirm the financial status claimed in the application form.</li><li>- Confirmation of tenure (Tenant's Certificate and/or Owner's Certificate) of the existing property and proposed new property.</li><li>- Two quotations for the eligible works/costs.</li><li>- Confirmation that where the new property is located outside the Borough that any adaptations necessary will be funded.</li></ul>
<p><b>Eligibility</b></p> <p>Applicants must:</p> <ul style="list-style-type: none"><li>- Be aged 18 or over on the date of application (If the person with a disability is a child the Applicant should normally be the parent or legal guardian).</li><li>- Be disabled or a member of their family who is living with them should be disabled. The adaptation must be for the benefit of a person who is 'disabled' within the criteria in section 100 of the Housing Grants, Construction and Regeneration Act 1996.</li><li>- Be either the owner of the existing dwelling or be a private tenant. Tenants of Registered Providers will not be eligible.</li></ul>

- Satisfy a means test as prescribed by the Housing Renewal Grants Regulations 1996 (as amended).
- Have been assessed by one of the Council's Occupational Therapists as requiring adaptations that fall within the eligibility of the mandatory Disabled Facilities Grant.

Further, the proposed new accommodation must have been assessed as being suitable to adapt at a reasonable cost or already meeting the disabled person's needs by one of the Council's Occupational Therapists and a Housing Surveyor from the Council's Grants Team prior to purchase and approval of the grant.

The property being vacated must be in the Borough of Newcastle-under-Lyme but the property being moved to does not necessarily have to be. However, if this is the case the local authority, in which the property is situated, must be approached regarding funding any adaptations that may be required.

### **Eligible works**

The grant can be used to assist with:

- Removal costs,
- Resettlement costs, such as reinstatement of utilities, disconnection and re-connection of household appliances and any disability equipment.
- Legal and other fees, including solicitors, surveys, estate agents.

Whilst the grant is open to private sector tenants and owner-occupiers for tenants it will only cover the removal and resettlement costs and consideration will be given to the long term suitability for the tenancy.

### **Terms and Conditions Applicable**

- This grant is limited to one application only, for the disabled person and/or members of their immediate family, within any 10 year period.
- The grant will only be approved once the purchase process in relation to the property has been completed. However, a provisional approval may be given prior to this which will indicate only the amount of grant available.
- Payment of the grant will only be made upon receipt of satisfactory invoices and receipts for eligible works/costs. If these have already been paid, then reimbursement to the Applicant will be paid upon satisfactory proof of payment.
- Payments will not be made for services provided by family members.

### **Repayment of Assistance**

The Council will require that any grant over £5000 is repaid, up to a maximum repayment of £10,000, if the recipient disposes of, (whether by sale, assignment, transfers or otherwise) the premises in respect of which the grant was given within 10 years of the certified date; providing that:

- The recipient of the grant would not suffer excessive financial hardship were they to be required to repay all or any of the grant.
- The disposal of the premises was not to enable the recipient of the grant to take up employment, or to change the location of his employment.
- The disposal was not made for reasons connected with the physical or mental health or well-being of the recipient of the grant or of a disabled occupant of the premises.
- the disposal was not made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity.
- The Council is satisfied that it is reasonable in all the circumstances to require the repayment.

## Appendix: three

<b>Home Improvement Loan – secured (interest free)</b>
<p><b>Purpose of the loan</b></p> <p>This is a secured loan for homeowners needing to make repairs and/or improvements to their home towards the Decent Homes Standard; or to assist disabled people adapt their home.</p>
<p><b>Amount of loan funding available</b></p> <p>Loans are available from £500 to £10,000</p>
<p><b>How to apply</b></p> <ul style="list-style-type: none"><li>• Initially applicants should contact the Housing Team by telephone, 01782 742543 or by e-mail <a href="mailto:housing@newcastle-staffs.gov.uk">housing@newcastle-staffs.gov.uk</a> to check that they meet the eligibility criteria.</li><li>• The Council will arrange to survey the property to assess the eligible works and prepare a schedule of works from which two quotations must be obtained.</li><li>• Formal application is by completion of a prescribed form following the survey.</li><li>• A loan offer will be sent to the applicant with an agreement form for them to sign and return.</li></ul>
<p><b>Eligible applicants</b></p> <p>Eligible applicants must be owner/occupiers and either receive a means tested benefit, or a low income, and following a means test by the Council be assessed as being unable to fund the works.</p> <p>In addition applicants must meet all of the following criteria-:</p> <ul style="list-style-type: none"><li>• Be over 18 years of age.</li><li>• Have owned and occupied the property as his/her only or main residence for at least one full year prior to the application for assistance.</li><li>• Hold the registered title to a property as their main residence.</li><li>• Be the owner of the property on a sole or joint basis (all joint owners must agree and accept the loan terms and conditions).</li><li>• Be an owner or joint owners of a freehold or minimum 50 year leasehold.</li><li>• Not be the owner of another property that could be reasonably occupied or disposed of for the purpose of raising funds.</li><li>• Have taken independent financial advice or confirm in writing that they have made their own decision not to take advice.</li><li>• Must not have received one of these loans or an equivalent loan within the last five years (from date of certified completion).</li><li>• Must not have any debts outstanding to the Council.</li><li>• Landlords are not eligible for this product.</li></ul> <p>The annual budget for loans is limited, therefore, not all applicants may be able to access the loan assistance in any one year.</p> <p>Consequently, the Council will prioritise loans towards adaptations to dwellings to meet the needs of a disabled person before dwellings requiring improvements and/or repairs.</p>

### **Eligible work**

The following work may be funded using a secured interest free loan:

- Towards works to meet the needs of a disabled person which cannot be financed from a mandatory Disabled Facilities Grant where the costs of the works exceed the maximum eligible expense limit, or the applicant is unable to fund an assessed contribution following the test of resources for a Disabled Facilities Grant.
- Towards works which contribute to the dwelling meeting the Decent Homes Standard

Assistance will not be available for works which can be paid for from alternative funding sources, such as government grants, energy supplier schemes and household insurance.

### **Ineligible work**

The following work will not be funded using a secured interest free loan:

- Creation of garages/parking spaces, except where the client is disabled (or a disabled person resides) and mobility is an issue.
- Creation of storage space - except where storage space is needed for medical equipment, or disabled aids.
- Extensions to properties, except to alleviate overcrowding, or existing facilities that do not need to meet Decent Homes Standard (e.g. inadequate kitchen space) or replace existing extensions.
- Decorating, except where the requirement for redecoration has risen as a result of other works being carried out under the loan.
- Fitted carpets (or floating floors e.g. laminate), wardrobes or other 'furnishings' items.
- Conservatories - except to replace existing conservatories in disrepair and replacement is the most appropriate option.

### **Loan Costs**

Reasonable costs incurred when the loan is set up or redeemed and paid for by the applicant will be added to the loan value.

These could include;

- Administration fee.
- Land Registry (Property Title).
- Legal fees incurred as a result of the loan.
- Home Improvement Agency fee.
- Building Control fees.
- Bankruptcy Search.
- Other fees might be considered.

### **Independent advice**

Applicants may wish to consider taking independent financial and legal advice and talk with relatives/dependents to satisfy themselves that taking out the loan is the most appropriate way of meeting their needs. A loan will have to be repaid even if someone inherits the property. Accordingly applicants must have taken independent advice or confirm in writing that they have decided not to take up such advice.

### **Processing the loan**

Before the application is approved the Council will consider the applicant's ability to repay the assistance and that it is the most suitable way to proceed.

The Council will take into account any charges already secured on the property. It will not normally award assistance to an applicant where the existing charges registered on the property combined with the amount of financial assistance requested would reduce the available equity in the property to 50% or less of the property value.

Applicants will need to provide two quotations from different contractors with the application form and the work must be carried out by one of those contractors or by an alternative contractor as agreed in advance by the Council.

The contract of works is between the applicant and the contractor. The Council will not be liable in any way whatsoever contractually, or otherwise, for the payment of any works carried out by the contractor under the terms of the assistance.

The Council will not approve an application for a loan if the works have been started before the application has been approved.

If following loan approval the applicant ceases to be a person entitled to a loan, the Council will refuse to pay the loan and demand that any instalment be repaid.

If unforeseen works arise or an increase in the costs of the works arises during the course of the works the amount of loan may be increased within the eligible limit.

Payment of the loan will be made on satisfactory completion of eligible works and receipt of satisfactory invoices and other relevant completion documentation /certification.

The applicant can choose for the loan funds held by the Council to be paid directly to the contractor.

The applicant must take reasonable steps to pursue any relevant insurance or legal claim, if applicable, and to repay the loan, so far as appropriate, out of the proceeds of such a claim.

### **Securing and repaying the loan**

The loan will be secured against the property with a land charge. A legal agreement accepting that the charge is registered for the full amount of the loan will need to be signed by the applicant. The charge must be either a first or second charge, third and subsequent charges will not be accepted. Where the property is already subject to a first charge the applicant will be required to provide written confirmation from the lender that they are willing to accept a second charge being placed on the property in favour of the Council. It would be preferable to establish this prior to submitting your application,

The full amount of the loan will need to be repaid to the Council in the following circumstances:

- On the death of the applicant and subsequent disposal of the property.
- On disposal of the property (sale/transfer/change of ownership).

For joint applicants the loan is repayable on the death of the last applicant.

**Please note that all loans are secured by a legal charge on your property.**

**Before committing to a loan, applicants are strongly advised to consult their own solicitor and financial advisor to discuss the implications.**

## Appendix: four

<b>Emergency Repair Assistance Grant</b>
<p><b>Purpose of the Assistance</b></p> <p>This is a discretionary form of assistance to help those in greatest need to carry out work to address serious risks to their safety or health arising from the condition of their home.</p>
<p><b>Maximum Assistance</b> Maximum £5,000</p>
<p><b>Method of Application</b></p> <ul style="list-style-type: none"><li>• Preliminary enquiries may be made to the Council by telephone, e-mail or letter. The Council can also offer advice on the likely eligibility of improvement or repair work.</li><li>• Enquirers are usually asked to complete a preliminary enquiry form which requests information on the work required and financial circumstances of the applicant. This pre-application process aims to avoid confusion and uncertainty and minimise abortive applications.</li><li>• Application is by submission of a completed application form.</li></ul>
<p><b>Eligibility</b></p> <ul style="list-style-type: none"><li>• The applicant must:<ul style="list-style-type: none"><li>- Be aged 18 or over on date of application,</li><li>- Not have made an application for an emergency repair grant or emergency repair assistance within the previous 12 months.</li><li>- Live in a property that is found, by assessment using the Housing Health and Safety Rating System and to the satisfaction of the Council, to have a category 1 (serious) hazard.</li><li>- Live in the dwelling as his/her only or main residence at the time of application.</li><li>- Be able to prove they have an owner's interest in the dwelling.</li><li>- Not been registered social landlord or a tenant of such a landlord.</li></ul></li><li>• The amount of grant will be subject to a standard test of financial resources. If the test of resources identifies that the applicant should make a financial contribution the amount of grant will be reduced accordingly and the applicant will be wholly responsible for paying their contribution to the cost of works, fees or charges.</li><li>• The grant will only be provided towards the cost of eliminating serious category 1 hazards, as assessed using the Housing Health and Safety Rating System.</li><li>• Grant will only be made available if that is considered, by the Council, to be the most satisfactory course of action.</li></ul>
<p><b>Terms and Conditions</b></p> <ul style="list-style-type: none"><li>• The applicant must provide 2 quotes for any work.</li><li>• The eligible works must be carried out in accordance with any schedule or specification that the Council imposes.</li><li>• Subject to the maximum grant amount the Council will pay grant for the cost of any fees or charges for services necessary in the making of the application providing a written quotation is provided with the application and that the fees and charges are properly incurred and are reasonable in the Council's opinion.</li><li>• Reasonable costs might include the cost of having plans or schedules for the work drawn up and any legal costs associated with making the application. Reasonable fees charged by a Home Improvement Agency to assist with the application may also be included.</li></ul>

- The Council will not normally pay for work that is already started or completed.
- If a property is owned by more than one person, both with repairing responsibilities, then each owner must be means tested in accordance with the Housing Renewal Grants (Amendment) (England) Regulations 2008 and contribute to the cost of repair accordingly. These terms and conditions would then apply to each owner.
- The Council may refuse to make any further payments and require previous payments to be returned if:
  - The applicant ceases to be eligible for the grant before the work is complete; or
  - Incomplete or inaccurate information lead to the grant amount being more than it should have been; or
  - The grant-funded work was started, without written consent from the Council, before the application was approved; or
  - The cost of completing the grant-funded work or of any fees/charges is less than the approved grant amount; or
  - The works were not carried out in accordance with any drawing, schedule, specification or standard required by the Council.

### **Repayment of assistance**

- Applicants will have to repay some, or all, of the grant if the property changes hands within five years. If the ownership of the freehold or leasehold of the property changes within five years from the date that the Council certifies that the work was complete the applicant will be required to repay to the Council one fifth of the grant for each full or part year remaining of the five year term. (For example if the property was sold after 2 years, 3/5 of the grant must be repaid)
- Grant conditions are registered as a local land charge

## Appendix: five

<b>Empty Homes Match Funding Grant</b>
<p><b>Purpose of the Assistance</b></p> <p>To reduce the number of empty homes and minimise their impact by assisting owners to bring them back into use.</p>
<p><b>Maximum Assistance</b></p> <p>Maximum £2,000 (50% funding)</p>
<p><b>Method of Application</b></p> <ul style="list-style-type: none"><li>• Preliminary enquiries may be made in person, via the website, by telephone, e-mail or in writing</li><li>• Formal application is by completion of a prescribed form.</li></ul>
<p><b>Eligibility</b></p> <p>The applicant must:</p> <ul style="list-style-type: none"><li>▪ Be aged 18 or over to apply for the grant</li><li>▪ Be the owner of the property.</li><li>▪ Have the duty or the authority to carry out the necessary work.</li><li>▪ Agree to the Council's grant conditions.</li></ul>
<p><b>Terms and Conditions</b></p> <ul style="list-style-type: none"><li>• The property must not be marketed for sale at the time of application.</li><li>• The property must have been empty for over 2 years when the application is made.</li><li>• The property must have been originally constructed as a dwelling or for mixed use including residential accommodation.</li><li>• The eligible works must be carried out in accordance with any schedule or specification that the Council imposes.</li><li>• The applicant must provide 2 quotes for the work.</li><li>• The Council will not pay for work that is already started or completed.</li><li>• Grant payments will be made when the work, for which the payment is requested, has been completed to the satisfaction of the Council; and an acceptable invoice, demand or receipt for payment has been received by the Council.</li><li>• The Council will not pay more than 90% of a grant until the total work agreed has been completed to the Council's satisfaction.</li><li>• The Council may refuse to make any further payments and require previous payments to be returned if:<ul style="list-style-type: none"><li>- The applicant ceases to be eligible for the grant before the work is complete.</li><li>- Incomplete or inaccurate information lead to the grant amount being more than it should have been; or</li><li>- the grant-funded work was started, without written consent from the Council, before the application was approved; or</li><li>- the cost of completing the grant-funded work or of any fees/charges is less than the approved grant amount; or</li><li>- the works were not carried out in accordance with any drawing, schedule, specification or standard required by the Council.</li></ul></li><li>• If the work is carried out by the applicant, or a family member of the applicant, the Council will only pay for the cost of materials.</li><li>• The contract for work is between the applicant and the contractor.</li></ul>

- The Council will not be liable in anyway whatsoever, contractually or otherwise for the payment of any works carries out by the contractor under the terms of the assistance.
- Where an application for grant has been approved and the Council ascertain:
  - that the amount of grant was determined on the basis of inaccurate or incomplete information and exceeds that to which the applicant was entitled; or
  - that without its knowledge the eligible works were started before the application was approved; or
  - the works were carried out otherwise than as required (condition as to contractors employed),
 the Council will refuse to pay the grant or any further instalment of grant which remains to be paid or make a reduction in the grant and they will demand repayment by the applicant in whole or in part of any grant paid.
- The owner will be responsible for obtaining planning permission and building control approval.
- The property must meet the Decent Home Standard on completion of works. The Council will inspect the property to ensure this condition is met.
- The specific works must be carried out within three months from the date of the approval of the application. This period may however, be extended at the Council's discretion, particularly additional unforeseen work has been identified as necessary.
- On satisfactory completion of works, the value of grant funding will be placed on the land charges register.
- The Council does not provide a management service.
- Grant conditions are registered as a local land charge when the original grant approval is issued by the Council as a means of security in cases where conditions are not complied with.
- If the grant conditions are satisfied, the charge will be removed from the local land charges register at the end of the five year period.

**Repayment of assistance**

- Applicants will have to repay some, or all, of the grant if the property changes hands within five years. If the ownership of the freehold or leasehold of the property changes within five years from the date that the Council certifies that the work was complete the applicant will be required to repay to the Council one fifth of the grant for each full or part year remaining of the five year term. (For example if the property was sold after 2 years, 3/5 of the grant must be repaid).

## Appendix: six

<b>Accredited Landlord Match Funded Grant</b>
<p><b>Purpose of the Assistance</b></p> <p>To help increase the choice of high quality accommodation in the private rented sector by encouraging landlords to join the North &amp; Central Staffordshire Landlord Accreditation Scheme and to improve security, energy efficiency or compliance with the Decent Homes Standard within their properties.</p>
<p><b>Maximum Assistance</b></p> <p>Subject to available resources the maximum match-funding will be £2,000 (Up to 50% of the cost of the work).</p>
<p><b>Method of Application</b></p> <p>Preliminary enquiries may be made by telephone, e-mail or letter, the Council can offer advice on the likely eligibility of improvement or repair work. Application is by submission of a completed application form. Forms are available from the Council.</p>
<p><b>Eligibility</b></p> <p>The applicant must:</p> <ul style="list-style-type: none"><li>- Be aged 18 or over on date of application.</li><li>- Have an owner's interest in the dwelling.</li><li>- Be member of a recognised Landlord Accreditation scheme operating in the Borough.</li><li>- In the case of Houses in Multiple Occupation let as bed-sits the landlord can make one application per three households.</li><li>- Only one application may be made per property in each financial year.</li><li>- The grant is available throughout the borough of Newcastle under Lyme.</li><li>- The property must be at least 10 years old and, in the Council's opinion, be in need of improvements to home security, energy efficiency and/or works to meet the Decent Homes Standard.</li><li>- Examples where assistance may be given include, mmodernise a kitchen or bathroom that is more than 30 years old, double glazed windows and external doors, damp prevention treatment, hard wired smoke detectors, security lighting.</li></ul>
<p><b>Terms and Conditions</b></p> <ul style="list-style-type: none"><li>• The applicant must provide 2 quotes for the work.</li><li>• The applicant must provide a quote for the cost of any services to help make the application. This might include the cost of having plans or schedules for the work drawn up and any legal costs associated with making the application. The cost of using a Home Improvement Agency to assist with the application can also be included.</li><li>• If the grant application is approved the Council will offer 50% funding towards the cost of the work up to a maximum contribution of £2,000. (For example if the total cost of the work is £4,200 the Council will offer the maximum of £2,000 and the applicant will be responsible for paying the remaining £2,200.)</li><li>• The Council will not normally pay for work that is already started or completed.</li><li>• It is the landlord's responsibility to ensure that properties do not contain any Category 1 Hazards as defined by the Housing Health &amp; Safety Rating System. The grant may not be used to carry out work to address a category 1 hazard.</li></ul>

- The Council may refuse to make any further payments and require previous payments to be returned if:
  - The applicant ceases being eligible for the grant before the work is complete.
  - Incomplete or inaccurate information lead to the grant amount being more than it should have been; or
  - The grant-funded work was started, without written consent from the Council, before the application was approved; or
  - The cost of completing the grant-funded work or of any fees/charges is less than the approved grant amount; or
  - The works were not carried out in accordance with any drawing, schedule, specification or standard required by the Council.
- Grant payments will be made if:
  - The work, for which the payment is requested has been completed to the satisfaction of the Council; and
  - An acceptable invoice, demand or receipt for payment has been received by the Council.
- If the work is carried out by the applicant, or a family member of the applicant, the Council will only pay for the cost of materials.
- The Council will not pay more than 90% of a grant until the total work agreed has been completed to the Council's satisfaction.
- The work must be carried out by the contractor specified on the approval letter. This will normally be the contractor who provided the lowest quote. The Council may refuse to pay the grant for work completed by any other contractor. If this contractor ceases to be able to carry out the work the Council may require that the second contractor is used, or that two quotes are obtained for the outstanding work.
- The Council may withhold payment if it considers that the work has not been completed in full and to an acceptable standard.
- The contract of works is between the applicant and the contractor. The Council will not be liable in anyway whatsoever, contractually or otherwise for the payment of any works carried out by the contractor under the terms of the assistance.
- Grant conditions are registered as a local land charge.
- The work must be completed within 6 months of the date that the grant was approved by the Council except where an extension of time has been agreed and confirmed in writing by the Council. An extension of time will only be given when the Council is satisfied that there are unavoidable reasons for the work not being completed within 6 months.
- The applicant will have to repay all of the grant if the property is not let or changes hands within 12 months. If the landlord fails to let the property as a dwelling, or ownership of the freehold/ leasehold of the property changes within 12 months from the date that the Council certifies that the work was complete, the applicant will be required to repay the full grant to the Council.