



PRIVATE SECTOR HOUSING ASSISTANCE POLICY

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

For Approval April 2020

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CHAPTER 1 – INTRODUCTION

The Hambleton District Council Private Sector Assistance Policy 2020-24 is made under the provisions of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. This enables local authorities to set their own policy for helping households maintain and adapt their homes so that they are safe for people to live in. This Order also allows the council to use specific Disabled Facilities Grant funding for wider purposes, to support the strategic priorities which integrate health, wellbeing and housing, for the benefit of local residents.

This policy sets out the range of financial assistance that Hambleton District Council will make available, together with the eligibility criteria and the conditions that will be applied to each form of assistance including the provision of mandatory Disabled Facilities Grants under the Housing Grants, Construction and Regeneration Act 1996 for home adaptation.

The council's view is that it is primarily the responsibility of homeowners to maintain their own property but accepts that some homeowners, particularly the elderly and most vulnerable, may not have the necessary resources to keep their homes safe and in good repair. The council has a duty under the Housing Act 2004 to ensure that homes within the district are safe (free from category 1 hazards) and it is acknowledged that some people need help to do this, either through advice or with financial assistance.

This policy replaces the previous edition approved by Cabinet on 5th September 2017.

The Policy makes provision for a number of types of assistance:

- Home Appreciation Loan.
- Disabled Facility Grants.
- Access to Energy Efficiency Funding.
- Empty Property Loan.
- Advice/Support and Signposting.

The amount of assistance to be given each year will be dependant upon the level of capital resources available and will be subject to eligibility criteria and conditions. The Director of Environment or Director of Economy and Planning will consider exceptional circumstances outside the scope of the policy.

CHAPTER 2 – AIMS, OBJECTIVES AND PRIORITIES

2.1 Aims of the policy

The Private Sector Housing Assistance Policy reflects the aims of the Hambleton Housing Strategy Action Plan 2015-21 and contributes to a number of the nine Housing Priorities laid out in the York, North Yorkshire and East Riding Housing Strategy 2015-21. The aims of the policy are as follows:

- To promote housing as a key role in achieving the council's priorities of 'Enhancing Health and Wellbeing' and 'Providing a Special Place to Live'.
- To support the wider adult social care prevention agenda; specifically those aims of the Care Act 2014 to promote wellbeing, independence and prevent or delay care and support needs, for example keeping vulnerable people independent in their own homes, helping to avoid unnecessary hospital admissions or GP visits and facilitating timely hospital discharge.
- To promote carbon reduction by facilitating energy efficiency improvements in the private sector.

The Government accepts that local authorities have an important role to provide further assistance in these cases.

2.2 Objectives of the policy

The policy will seek to improve private housing through:

- The use of public funds to assist the most vulnerable client groups who are living in inadequate housing.
- The effective targeting of resources to secure the council's overall strategic objectives.
- Supporting home owner occupiers and private landlords to improve energy efficiency and reduce fuel poverty.

2.3 Priorities of the policy

The policy identifies three key priority action areas:

- Improving the condition of private sector housing stock.
- Adapting homes for people with disabilities.
- Tackling fuel poverty and improving energy efficiency.

CHAPTER 3 – GENERAL PROVISIONS

3.1 Introduction

The council will publicise the adoption of the policy widely and in doing so makes a commitment to apply the highest standards of customer care. Relevant conditions will be applied to all forms of assistance.

The following general provisions will apply throughout the policy:

- Before any financial assistance is provided, the council will set out in writing to each person the terms and conditions to which the assistance is to be subject.
- A person's ability to contribute towards or repay any assistance is taken into account.
- Applicants will be given details, in writing, of any fees and charges that will be levied prior to any works commencing.
- Risk of fraud is minimised by following the Government's Housing Renewal Guidance and working closely with Veritau who provide auditing services to the council.
- Registered providers of social housing would not normally be provided with financial assistance to improve, adapt or repair their properties. The only exception to this provision will be in the provision of assistance through mandatory Disabled Facilities Grant. Applications for Disabled Facilities Grants will be considered from registered provider tenants. However in such instances the council will expect the registered provider to have explored all alternative solutions prior to encouraging such an application. The council does have recourse to enforcement action in respect of registered provider properties in line with the Environment and Leisure & Communities Enforcement Policy - Private Sector Housing.
- The council will only provide financial assistance for home energy efficiency measures where an individual is unable to obtain assistance through a national scheme or for a top up where other schemes do not meet the full costs.
- The council will seek to process all grant applications from receipt of initial enquiry to completion within reasonable timescales.
- The appropriate Director will consider, in exceptional circumstances, applications not covered by the policy, where there are health and/or safety risks or other relevant circumstances.

3.2 Complaints and redress

Any complaints that are received in relation to housing assistance will be dealt with in accordance with the council's policies and procedures.

https://www.hambleton.gov.uk/info/20090/customer_services_and_complaints/157/customer_services_and_complaints

3.3 Appeals procedure

The process is available to anyone who is dissatisfied with an officer's decision made in line with the council's Housing Assistance Policy. The process will also apply in cases where the council is seeking repayment of financial assistance under conditions which were set out at the time the assistance was given, but the person from who the repayment is being sought wishes the council to consider waiving the repayment.

Appeals on these issues should be made in writing to the Director of Environment or the Director of Economy and Planning stating the nature of and the reasons for the appeal.

The Director may request any additional information from the appellant that is believed necessary for an informed decision to be made on the matter.

The facts of the case will be reviewed by the Director and the relevant service manager. The appellant will be informed of the outcome of the appeal giving full reasons for the decision.

3.4 Monitoring and review

Regular monitoring of the effectiveness and progress of the policy will be carried out to ensure that implementation is satisfactory and continues to meet local needs. This will include reviewing the:

- Assistance provided in the policy.
- The income thresholds used to determine low household income and fuel poverty in accordance with Government and other appropriate guidance.
- The housing needs of private occupiers in the district.

The policy will be reviewed at least every four years or to take in account any significant changes to legislation, appropriate guidance or any other circumstances to ensure that the policy is fit for purpose.

3.5 Equalities

The policy will promote equality and provide high quality accessible services that meet the needs of district's residents.

The Public Sector Equality Duty (Section 149 of the Equality Act 2010) covers local authorities and other public sector organisations such as the police, health and education services. It also applies to organisations the council contracts with who are carrying out functions on the council's behalf.

The general duty has three aims. It requires public bodies to have due regard to:

- Eliminating unlawful discrimination, harassment and victimisation.
- Advancing equality of opportunity.
- Fostering good relations.

The Council's Equality and Diversity Policy and Procedure sets out the equality commitments to staff, visitors, contractors, service users and members of its communities and how it will meet them. The Policy is available to view here:

https://www.hambleton.gov.uk/info/20259/council_policies_and_plans/24/equality_and_diversity

CHAPTER 4 – PARTNERS IN SERVICE DELIVERY

4.1 Services provided by the council

As well as providing general services for all householders in the district, the council has a role in shaping the structure of private sector housing through the following policy areas:

- Planning – facilitating affordable housing development.
- Private Sector Housing activity – including providing advice, financial assistance, implementing the Hambleton Housing Strategy Action Plan and taking formal and informal enforcement action.
- Revenues and Benefits – administration of a benefits service.

4.2 Services provided by the Home Improvement Agency

The council will work in partnership with a service provider such as a Home Improvement Agency to assist in service delivery.

Home Improvement Agencies are a network of small independent not-for-profit organisations that help people to remain in their own homes through linking housing, health and social care services. Home Improvement Agencies work closely with councils, health and social services and a range of other voluntary and statutory agencies. Their emphasis is on client-centered services and they will advise on and draw in appropriate services and benefits for each individual client.

Home Improvement Agencies are able to access funding from a range of sources including additional grants and service-related income from health and social services, fee income from customers, plus voluntary sector and/or charitable funding.

Clients will be visited in their own homes and provided with a free and confidential advisory service. If works proceed, for an agency fee, clients will be advised and supported throughout the process including:

- The preparation of schedules of work, detailed drawings and contract documents.
- Help in finding a suitable and reliable builder and in obtaining competitive quotes.
- Obtaining the required local authority planning and building regulations approvals.

Advice on and help in securing possible sources of funding including:

- Hambleton District Council's housing assistance.
- Warm Healthy Homes.
- Charitable Funding.
- Energy Company Obligation.

In addition the Home Improvement Agency will provide a number of ancillary services and details can be found on their website:

<https://www.yorkshirehousing.co.uk/home-improvement/swale>

4.3 Services provided by Sheffield City Council

Sheffield City Council operates and administers the Home Appreciation Loans and Empty Property Loans on behalf of Hambleton District Council via the Homes and Loans Service. Loans will be subject to the conditions, practices and policies of the Homes and Loans Service.

4.4 Partner organisations

The council may enter into partnerships with external organisations to facilitate access to funding for energy efficiency improvements to assist home owners and occupiers. This may include working with other parties or councils to submit funding bids and/or to assist with the delivery of a particular scheme.

The council will consider all requests from potential partner organisations. When partnering with any organisation the council will place emphasis on client-centred services that will be able to provide advice and source appropriate services and benefits for each client.

CHAPTER 5 – ADAPTATIONS ASSISTANCE

Disabled Facilities Grant

5.1 Purpose of the grant

The grant is to help people who have a disability adapt their home to make it easier for them to continue to live there and/or maintain their independence. The Government sets out what the grant can be used for and a maximum amount that can be paid - this is called the mandatory grant. In certain circumstances the council will pay an additional discretionary amount of grant funding.

5.2 Who is eligible for a grant?

Home-owners, registered provider tenants and private tenants can apply in respect of a disabled occupant. Applications will normally be made following an assessment carried out by North Yorkshire County Council's Health and Adult Services team via Occupational Therapists. Referrals can also be made by partner organisations including other health professionals, voluntary sector organisations or as a direct enquiry from the applicant. Approved Trusted Assessors may also carry out an assessment for certain adaptations on behalf of the council or the Home Improvement Agency.

The recommended works must provide the most effective long-term solution, taking into account the relevant circumstances of those affected. In some instances, the existing home will not be suitable for adaptation and with the disabled person's agreement the council may decide that it is better for them to move to more suitable accommodation.

5.3 What work will the grant cover?

In considering the Occupational Therapist's recommendations, the council must establish that the proposed works are necessary, appropriate, reasonable and practicable having regard to the age and condition of the dwelling.

The following categories of work are eligible for a mandatory disabled facilities grant:

- Facilitating access to and from the dwelling or building by the disabled occupant.
- Making the dwelling or building safe for the disabled occupant.
- Access to the principal family room by the disabled occupant.
- Access to, or providing a bedroom for the disabled occupant.
- Access to, or providing a room containing a bath or shower for the disabled occupant or facilitating the use by the occupant of such a facility.
- Access to, or providing a room containing a WC for the disabled occupant or facilitating the use by the occupant of such a facility.
- Access to, or providing a room containing a wash basin for the disabled occupant or facilitating the use by the occupant of such a facility.
- Facilitating the preparation and cooking of food by the disabled person.
- Improving or providing a heating system for the disabled person.
- Facilitating the use of power, light or heat by the disabled person by altering the same or providing additional means of control.
- Facilitating access and movement around the dwelling to enable the disabled person to provide care for someone.
- Access to gardens.

5.4 How much grant will be given?

Normally the disabled person and any partner are means tested to determine the amount of their contribution towards the cost of the work. However, if the disabled applicant is under 18 years old or is in receipt of a qualifying benefit the applicant will not be subject to means testing.

The maximum mandatory grant is £30,000.

Where the Home Improvement Agency is used agency fees levied against capital work can also be included in the grant amount. Agency fees are currently set at 15% but will be reviewed annually.

The council also uses its discretion under the Regulatory Reform Order to provide a 'non means tested' Disabled Facilities Grant where the total value of works recommended by the Occupational Therapist or Trusted Assessor is less than £6,000. Only one such grant shall be awarded to any applicant within a three-year period, with any further requests for assistance being subject to a full test of resources.

5.5 Other conditions for mandatory grant applications

A Local Land Charge will be placed on all disabled facilities grants awarded to owner-occupiers where the amount paid towards works exceeds £5,000 (exclusive of any agency or professional fees incurred).

The table below gives examples of grants and the respective charges:

Grant	Local Land Charge	Comment
£4,999	No charge	Below statutory level
£5,500	£500	A charge relating to the value above the £5,000 grant level will be placed on the property.
£6,000	£1,000	
£8,000	£3,000	
£15,000	£10,000	The maximum charge of £10,000 will be placed on the property.
£30,000	£10,000	

The Local Land Charge period will be a maximum of ten years from the date of final grant payment.

The council has the discretion to reclaim any of or the entire grant paid, but it is required to consider the following:

- The extent to which the recipient would suffer financial hardship if the grant was reclaimed;
- Whether the disposal of the property was to enable the recipient to take up employment; or change the location of their employment;
- Whether the disposal of the property is made for reasons of the recipient's physical or mental health or well-being, or
- Whether the disposal is made to enable the recipient to live with, or near, any person who will provide care for the recipient by reason of their disability.

Under this policy the discretion not to reclaim any of or the entire grant paid will be delegated to the Director of Environment or the Director of Economy and Planning where:

- A client has several Disabled Facility Grants successively, each, if over £5,000 will have its own Local Land Charge applied to it.
- The normal conditions prescribed under the Housing Grants, Construction and Regeneration Act 1996 that relate to Disabled Facilities Grants will remain.

In the event of a breach of a condition, the owner of the dwelling shall, on demand, repay the council the amount of the grant.

5.6 Prioritisation of applications

Delivery of Disabled Facilities Grants is mandatory and as such the council is obliged to work within the timescales set out in the Housing Grants Construction and Regeneration Act 1996.

The council will, where possible, deal with applications in chronological order of receipt. An enquiry may be considered for prioritisation and fast tracked through the system, subject to the following criteria:

- The individual would be unable to remain in their home safely unless works are expedited, notwithstanding that care in the home is provided.
- Where required works are necessary to facilitate discharge from hospital, nursing or residential care.
- The applicant is terminally ill.
- The applicant cannot access essential hospital appointments, dialysis or day care without adaptations.
- The property subject of the enquiry is in such a condition as to present an immediate and significant danger to the occupants and/or visitors.

Where resources (financial, staffing or other) are limited, priority may be afforded to vulnerable individuals based on an assessment of need (taking into consideration appropriate information received from the client, Occupational Therapists and other relevant parties).

5.7 Timescales

Upon receipt of an application for a Disabled Facilities Grant, and where staffing allows, the council will endeavour to consider cases for approval within 10 working days. On occasion, more complex cases may require additional consideration and consultation with other agencies.

The applicant will be notified in writing whether the application for a grant is approved or refused as soon as reasonably practicable and not later than six months after the date of the application concerned; and adaptations must be completed to the council's satisfaction within 12 months of the date of approval.

5.8 Use of private Occupational Therapists

The regulations governing Disabled Facilities Grant applications require that the council consult with Occupational Therapists from social services on the judgement of whether the works applied for are 'necessary and appropriate' to meet the needs of a disabled occupant.

The council recognises that this process can slow down the progression of an application. The council reserves the right to employ a private Occupational Therapist to provide the necessary assessment or to consider applications supported by the applicant's own private Occupational Therapist or other health specialist including, but not limited to Trusted Assessors where the six months deadline for assessment may be breached. Costs from an applicant's own professional assessment are recoverable under the grant funding.

CHAPTER 6 DISCRETIONARY ADAPTATIONS ASSISTANCE

Applications for all types of discretionary assistance will be considered on an individual basis by the appropriate Director.

6.1 Discretionary grant funding under the Regulatory Reform Order

Subject to the availability of funding, the council reserves the right to use its discretion under the Regulatory Reform Order to pay for works under a Disabled Facilities Grant that may otherwise not be eligible for assistance through other funding streams.

The aim is to alleviate the most significant hazards in domestic dwellings that have the potential to impact on the health of the most vulnerable occupants. These could include:

- Undertaking measures to resolve a category 1 hazard for excess cold through insulating a home, providing uPVC double glazing, installing additional heating or providing or renewing a new heating system.
- Undertaking measures to resolve a category 1 hazard for trips and falls by making improvements to staircases, lighting, surfacing etc.
- Funding to meet the cost of aids and adaptations to help people with dementia to make changes to the home that would support them to live in their own home safely and for longer.
- Funding to make structural or electrical repairs/upgrades to enable a disabled facilities grant to proceed.

Typically these works would be to support the occupant to stay within the home longer without risk to health or injury from category 1 hazard or high category 2 hazards namely; excess cold or collective falls.

Assistance may also be available to people living with a clinically proven diagnosis of dementia and who require support in managing their surroundings. This could be in the form of bespoke orientation aids, products to assist daily living or implementing measures to minimise risk of harm.

Discretionary assistance grants of between £500 and £5,000 will be awarded to individuals based on an assessment of need (taking into consideration appropriate information received from the client, medical professionals and other relevant parties).

The maximum discretionary grant per property would be £5,000. The grant amount (above £1,000) will be placed as a Local Land Charge on the property for a term of five years.

Where the applicant is a tenant the landlord's consent will be required and grant funding will only be provided when the landlord agrees to make 50% contribution or agrees to a Local Land Charge for the full amount of the grant being applied to the property for five years.

6.2 Alternative (preferred) schemes of work

In certain circumstances consideration will be given to allowing grant assistance for a recommended scheme of adaptation works to be offset against an applicant's preferred scheme of works, providing the alternative scheme meets the needs of the disabled person.

Any proposed alternative scheme of works would be assessed by North Yorkshire County Council's Health and Adult Services to ensure that the scheme will still meet the needs of the disabled person. This allows the client to have their needs met in a way that is preferable to them and the council is

able to provide the financial assistance it was willing and able to make to meet the original assessed needs.

Funding will be limited to that assessed on the original scheme or no more than the actual cost of work. The council will instruct the Home Improvement Agency to determine the cost of the original scheme of works and as such standard fees will be applied and deducted from the grant amount. This will be the final sum the council will pay towards an alternative/preferred scheme of works.

As applies with all adaptations, work must be completed within 12 months of the date of approval. The applicant would be responsible for the cost of any unforeseen works.

6.3 'Top up' provision

Subject to available funding where a maximum Disabled Facilities Grant has been awarded but a shortfall still exists on the actual costs of the eligible works and no alternative funding is available, consideration will be given to a further 'top up' loan of £10,000. In exceptional circumstances the 'top up' provision may be increased at the discretion of the Director of Economy and Planning.

In each case the additional £10,000 of interest free loan funding will be means tested and registered as a Local Land Charge, repayable within a ten year period if the property is sold. Where the applicant is a tenant of a private sector landlord, the landlord's consent will be required and 'top up' loan funding will only be provided when the landlord agrees to make 50% contribution or agrees to a Local Land Charge being applied to the property for ten years.

Top up funding may be available for social rented properties where the registered provider is willing to contribute 50%.

The council recognises that every application is unique and each case will be considered on an individual basis.

6.4 Repayment of the top up loan

In respect of discretionary interest free loan assistance the council will require repayment of the loan.

Where appropriate, the value of the loan will be registered as a Local Land Charge on the property and will be subject to repayment when the property is sold or ownership transferred.

Applications for all types of discretionary assistance will be considered on an individual basis by the appropriate Director.

6.4 Supporting works

Under certain circumstances works not normally eligible for Disabled Facilities Grant funding will be considered if they directly support the needs of the disabled person for example safety rooms or highly specialised bathing equipment.

6.6 Re-location loans

The council will also offer discretionary assistance in the form of an interest free loan of up to £10,000 where the property of an owner-occupier who qualifies for mandatory Disabled Facilities

Grant is not suitable or reasonably capable of being adapted for the needs of the applicant. In these circumstances, the council will consider on an individual basis applications for financial assistance to move to a more suitable property.

The maximum financial assistance available will be up to £25,000 of mandatory Disabled Facilities Grant for adaptations to the new property plus up to £10,000 of discretionary loan assistance to cover actual moving costs and any top-up assistance required for adaptation works to the new home. Applications will be considered in consultation with North Yorkshire County Council Health and Adult Services, who must confirm that the new home is suitable for adaptation to the needs of the applicant.

Discretionary interest free loan assistance will require repayment to the council.

The value of the loan will be registered as a Local Land Charge on the property and will be subject to repayment when the property is sold or ownership is transferred.

CHAPTER 7 – HOME APPRECIATION LOAN

7.1 Purpose of the loan

A Home Appreciation Loan is an equity release loan to undertake essential repairs and improvements to the property and energy efficiency works.

The loan will be operated and administered by Sheffield City Council on behalf of Hambleton District Council via the Homes and Loans Service. The loan will be subject to the conditions and operating practices and policies of the Homes and Loans Service.

7.2 Who is eligible for a loan?

To qualify for assistance an applicant must normally:

- Be an owner occupier.
- Be aged over 18 years.
- Have a low household income (gross income of less than £25,000 per annum or be in receipt of Council Tax Benefit, or be in receipt of Council Tax Reduction or a Means Tested Benefit).
- Have a maximum saving amount of £6,000.
- The property must not have received loan assistance for works from the council within the last five years.

Where an applicant meets the above eligibility criteria, when deciding whether to award a loan, the council will have regard to the following:

- Council's available resources.
- Cost of carrying out the works.
- Individual circumstances of the applicant.

7.3 What work can the loan be used for?

The council will carry out a survey of the property to identify the works required. The required works will be detailed in the schedule of works (the works) and it is these works that will be eligible for the loan. The Home Appreciation Loan can only be used to cover works that have been specified and agreed on the schedule of works provided by the council.

The types of work which will be considered are as follows:

- To meet health and safety and decency standards - examples are rewiring, roof repairs and window replacements.
- Energy efficiency works such as central heating boilers, replacement radiators.

7.4 Lending Criteria

The council's lending criteria are as follows:

- The minimum loan that will be available is £1,000 and the maximum loan is normally £30,000.
- The loan must not normally exceed 50% of the unimproved value of the property.
- The total borrowing, including any outstanding mortgages or secured loan, must not exceed 70% of the unimproved value of the property.
- Loan referral outside of these limits may be considered in exceptional circumstances.
- There will be limited budget each year for this assistance and enquiries will be dealt with in date order in a waiting list system.

Where the applicant is eligible for a loan the council will decide the loan amount to be approved. When making this decision regard will be given to the following:

- The current valuation of the property in its unimproved state and current available equity.
- The value of the works.
- The value of the current charges and outstanding mortgage on the property.
- House price trends in the immediate area.
- Impact of council initiatives on house prices in the area.
- The council's own financial assessment of the application.
- Other available solutions to meet the applicant's needs.
- The loan amount limits.
- Any other relevant circumstances.

7.5 Conditions

The following conditions will apply:

- The applicant will be subject to the conditions detailed in the loan agreement and Legal Charge.
- The property is the only or main residence of the applicant.
- Continued occupation of the property is sustainable.
- The applicant has an owner's interest in the property and be party to the loan.
- The loan will be secured as a Legal Charge on the property in the name of the council.
- For the purpose of this policy a loan approval will be treated as approved on the date a Legal Charge is registered on the applicant's property.
- Payment of the loan will be made on completion of works to the satisfaction of the council.
- Payment will be made direct to the contractor carrying out the works.
- The works must be completed within six months of the loan application being approved.

7.6 Loan Repayment

The loan will be repayable on the transfer of ownership of the property.

At the time the loan is taken out, the loan amount is expressed as a percentage of the unimproved value of the property. The amount repayable is the same percentage of the revised valuation of the property (if the valuation has increased) at the time the loan is repaid.

On repayment if the value of the property is the same or has decreased during the period of the loan, only the amount of the original loan is repayable, the maximum amount repayable shall not exceed the available equity in the property at repayment.

A fixed property growth cap is in place to protect applicants against exceptional property price rises. This means that when calculating the amount to be repaid, the increase in the value of the property will be limited to 7% per annum.

Applicants wishing to repay the loan in full prior to transfer of ownership may do so provided that they pay all valuation fees. There are no early repayment charges.

The council will be entitled to demand immediate repayment of the loan together with all other sums owing but unpaid, if there is a breach of the loan agreement and/or Legal Charge, which may include but not limited to any of the following circumstances:

- In the event that the last surviving person with an owner's interest dies within the loan period, the loan must be repaid within 18 months of the death by the executors of the estate.
- The property ceases to be occupied by the applicant as their only or main residence.

- Any information the applicant provides about themselves subsequently proves to be materially incomplete, inaccurate, incorrect, or otherwise misleading, such that had the council known, the offer of loan may not have been made.
- The applicant fails to observe or perform any terms of the Legal Charge.
- The applicant takes out further secured borrowing without obtaining the council's written consent.

7.7 Fees

The loan set up fees may be payable by the applicant and can either be paid up front or added to the loan.

An individual detailed breakdown of the fees payable will be provided to the applicant prior to them applying for a loan. If a loan application is cancelled after the full application has been submitted then any costs incurred by the council since the full application was submitted will be recoverable from the applicant at cost.

7.7 Discretion

The council may award a loan outside the criteria detailed below. When making this decision regard will be given to the individual circumstances of the applicant.

Where the applicant requests that the loan repayment be reduced and the council, following consideration of the circumstances of the case, is satisfied that exceptional hardship would be caused if the full amount of loan was recovered, may vary the amount to be recovered.

Where the applicant accesses commercial borrowing after their loan has been paid out, that is secured as a Legal Charge on the property, and where the purpose of that commercial borrowing is for an Approved Purpose, then the Legal Charge securing the commercial borrowing, may, at the discretion of the council having regard to the individual circumstances of the case, rank in priority to the Legal Charge secured against the property under the policy.

When deciding whether to exercise this discretion the council will have regard to the following:

- The type of charge taking priority.
- The amount and type of outstanding loan against the council's lending criteria.
- The reason a charge priority is being requested.
- The current financial vulnerability of the applicant.

The above does not constitute an exhaustive list of matters to be considered. Each decision will be considered on the individual merits of the case.

CHAPTER 8 – ENERGY EFFICIENCY FUNDING

- 8.1** There are a variety of schemes being introduced both nationally and regionally to support home owners and occupiers to improve the energy efficiency of their homes with the aim of reducing carbon dioxide emissions and/or reducing fuel poverty.
- 8.2** The council will consider the suitability of these schemes and where deemed appropriate will either individually or with partner organisations submit bids to secure funding or support which will benefit residents within Hambleton District Council.
- 8.3** As the criteria for grant funded schemes varies significantly it is not possible to determine the level resource required by the council at any one time to administer any particular scheme. However schemes will only be considered that do not pose a significant burden on council resources and in particular schemes will be favoured where a percentage of the grant funding is available to cover administration costs or where delivery could be through a third party on the council's behalf.
- 8.4** Discretionary funding may be available under certain circumstances, for example where a shortfall exists that would prevent the energy improvement works going ahead or the energy efficiency works identified are not included in any current schemes. Applications will be considered on a case by case basis if funding is available.

CHAPTER 9 – GENERAL ASSISTANCE CONDITIONS

9.1 Conditions

The following general conditions will normally apply to applications for assistance:

- Properties eligible for assistance must be more than 10 years old except for Disabled Facilities Grants.
- Two competitive estimates are required for all eligible works.
- Applicants or members of their families who wish to carry out assistance aided works themselves will only be eligible for the cost of materials. Satisfactory invoices or receipts will be required before payment is made.
- The eligible works must be commenced within three months of approval and completed within 12 months of the date of approval of the application for assistance.
- Work must not be started before written approval is received as assistance is not available retrospectively.
- Additional or unforeseen works identified during works in progress will only attract additional financial assistance if the works are approved by the council following a written estimate from the contractor.
- Payment will be made direct to the contractors or supervising agent on completion of the specified works, receipt of a satisfactory invoice and a satisfactory final inspection.
- Interim payments may be made as work progresses on receipt of satisfactory invoices subject to such payments not exceeding 90% of the total value of the works.
- Any works that may be covered by an insurance policy will need to be pursued through the customer's insurance policy and the outcome confirmed in writing before works commence.

9.2 Fees for preliminary and ancillary service charges

Charges incurred by the applicant may form part of the financial assistance being provided for the following types of services:

- Preparation of schedules of works.
- Assistance in the completion of forms and the application process.
- Assistance in the appointment of a builder.
- Maintaining regular contact with the applicant during work in progress.

Where the cost of works exceeds the maximum level of assistance, financial assistance to cover the cost of the charges will be paid in addition.

9.3 Recycling of grant and loan funding

Where appropriate the council will make provision for the recycling of grant and loan funding where a charge against the property has been applied.

CHAPTER 10 – EMPTY PROPERTY LOAN

10.1 Purpose of the loan

An Empty Property Loan is to help create additional rented housing accommodation by returning empty dwellings into use or by converting empty homes or unused space associated with commercial premises into new homes. In addition to reducing the number of empty properties the grants will also help to reduce the number of non-decent homes.

On completion properties must be made available for rent to tenants nominated by the council at an affordable rent for a period of five years. The loan will be paid back each month by direct debit.

The loan will be operated and administered by Sheffield City Council on behalf of Hambleton District Council via the Homes and Loans Service. The loan will be subject to available funding and the conditions and operating practices and policies of the Homes and Loans Service.

10.2 Who is eligible for a loan?

At the date of the application the following conditions must be met:

- Property:
 - The property must be an empty home or be unused space that has been unoccupied for the last six months.
 - An empty home must fail to meet the Decent Home Standard except in cases where the loan is to convert it into two or more dwellings.

- Eligible applicants must:
 - Have an owner's interest in the property.
 - Have the legal right to undertake the eligible works.
 - Have the legal right and any necessary consent to let the property for rent to tenants for a minimum period of five years.

10.3 What work can the loan be used for?

The council will determine the reasonable cost, extent and nature of the works to be undertaken which will be eligible for loan assistance. The eligible works may include any of the following:

- Repair and improvement work required to bring an empty property up to the Decent Home Standard including works required to prevent the dwelling from becoming not decent within five years.
- Additional energy efficiency works above the Decent Home Standard where required to provide a minimum of 270mm loft insulation, cavity wall insulation, tank and pipe lagging, draught proofing and Sedbuk A or B rated boiler replacement or thermostatic radiator valves.
- Works required to convert an empty home into two or more dwellings.
- Works required to convert unused space into one or more dwellings.
- All relevant professional fees associated with the eligible works including architects, surveyors, planning or building control fees, Home Improvement Agency fees or any other council fees or charges.
- On completion of the loan aided works all dwellings repaired, improved or created by conversion must meet the Decent Home Standard and be fully self-contained units.

10.4 How much loan will be given?

The amount of loan approved will be 100% of the reasonable cost of the eligible works up to a maximum of £15,000 per dwelling.

Where the application is to convert an empty dwelling into two or more dwellings or to convert unused space into one or more dwellings the maximum grant will be £15,000 per dwelling unit created.

Where the cost of the eligible works exceeds the amount of grant offered, applicants will be required to fund the excess cost from their own resources.

10.5 Priority for assistance

Priority for loan assistance will be determined on the basis of how well applications meet the identified housing needs within the Hambleton district and the resources available.

Factors that will be taken into account when determining priority include:

- Demand for housing in the locality.
- Suitability of the property.
- The number of homes created or brought back into use.
- The length of time the property has been empty.
- The letting conditions agreed for the property.
- The amount of financial assistance required.

REFERENCES

Regulatory Reform (Housing Assistance) (England and Wales) Order 2002

<http://www.legislation.gov.uk/uksi/2002/1860/contents/made>

Housing Grants, Construction and Regeneration Act 1996

<http://www.legislation.gov.uk/ukpga/1996/53/contents>

Housing Act 2004

<http://www.legislation.gov.uk/ukpga/2004/34/contents>

Housing Renewal - Office of the Deputy Prime Minister Circular 05/2003

<https://webarchive.nationalarchives.gov.uk/20120920034634/http://www.communities.gov.uk/documents/corporate/pdf/145088.pdf>

Decent Homes Standard

<https://www.gov.uk/government/publications/a-decent-home-definition-and-guidance>

Care Act 2014

<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

Housing Health and Safety Rating System

<https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-guidance-for-landlords-and-property-related-professionals>

Equality Act 2014

<http://www.legislation.gov.uk/ukpga/2010/15/contents>