



APPENDIX 1

CAERPHILLY COUNTY BOROUGH COUNCIL

PRIVATE SECTOR HOUSING RENEWAL POLICY

(4th Revision – April 2014)

DIRECTORATE OF CORPORATE SERVICES

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1. Introduction

In July 2002 the Government, by way of a Regulatory Reform Order, introduced significant changes in relation to Private Sector Housing Renewal by repealing much of the existing legislation governing the provision of housing grants and replacing it with a new, wide-ranging power allowing local authorities the ability to provide assistance for housing renewal in any form. The Order afforded local authorities a much greater degree of flexibility in devising a strategy to deal with poor conditions within the private sector both in terms of the policy tools available to them and their ability to work in partnership with others. It was a condition, however, that before local authorities could make use of the opportunities afforded by the Order they had to produce and publish a policy detailing how the new powers would be utilized and it is in this context that in June 2003 the Caerphilly County Borough Council Private Sector Housing Renewal Policy 2003 – 2006 was produced.

It was always intended that the original policy document would be subject to continuous review and since its introduction formal reviews were undertaken in November 2005, September 2008 and March 2012. This current version takes account of policy revisions previously implemented and reflects a position that has come about as a result of changing needs and a reducing capital finance provision.

In preparing its original policy the Authority examined the profile of the County Borough in relation to the types of houses it contained and the conditions that existed within the differing house types. The Authority also examined the population profile together with the health and social needs of the county borough's residents. This led to the identification of six key priorities that the Authority sought to address via its Private Sector Housing Renewal Policy. Whilst circumstances that have arisen since the original drafting have necessitated certain changes to policy tools, other than wording change to Key Priorities 2 and 6, the key priorities themselves remain as relevant today as when they were first developed in 2003. This policy is, therefore, based upon addressing:

1. **Regeneration of declining communities.**
2. **Reducing the incidence of unhealthy housing.**
3. **The return to use of long-term empty private sector houses.**
4. **Providing Adaptations for disabled persons.**
5. **Enabling vulnerable persons to remain at home in safety and comfort.**
6. **Improving Standards within the private rented sector.**

2. Key Priorities

1. Regeneration of declining communities –

Selected as a key priority due to the evidence of multiple deprivation, in parts of the County Borough.

2. Reducing the incidence of unhealthy housing –

Selected as a key priority due to the inextricable link between poor housing and poor health.

3. The return to use of long-term empty private sector houses –

Selected as a key priority due to the large number of such properties within the County Borough and the wasted resource they represent.

4. Providing adaptations for disabled persons –

Selected as a key priority in recognition of the needs of a vulnerable sector of the community and the mandatory status of Disabled Facilities grant provision.

5. Enabling vulnerable persons to remain at home in safety and comfort –

Selected as a key priority in recognition of the difficulties encountered by low-income householders of all ages in respect of their ability to implement essential or emergency repairs to their homes.

6. Improving standards within the private rented sector –

Selected as a key priority due to the increasing importance of this sector to the market and recognizing that the sector has the highest levels of poor quality accommodation and a significant proportion of vulnerable tenants.

3. Addressing the Key Priorities

Key Priority 1 – Regeneration of Declining Communities

Historically Caerphilly County Borough Council and its predecessor Councils have been extremely successful in arresting housing and socio-economic decline by adopting a strategic approach to private sector housing renewal. This has been achieved by utilizing the concepts of Enveloping, Block Repair and Group Repair within areas demonstrating the greatest need for such activity. Communities such as Abertysswg, Tiryberth, Oakdale, Rhymney, Llanbradach and more recently Senghenydd have all seen the benefits of such a strategic approach, and in adopting this strategy the Council will reaffirm its commitment, albeit in the shorter term, to strategically planned area renewal.

The Council will therefore:

1. Utilise the opportunities presented as a result of the availability of hypothecated Welsh Government funding until 2016/17 so as to maximize intervention activity within its declared **Renewal Area at Senghenydd**.
2. Seek to continue its strategic housing activity within areas designated **Priority Neighbourhoods**, where group or block repair is deemed to be the most appropriate method of assisting in ensuring the sustainable future of the community.
3. Assist in the corporate objective to improve town and village centres by offering grant aid for the conversion of redundant retail accommodation to housing accommodation. Schemes such as these will, however, only receive financial support where they reflect housing need and are conducive to the overarching needs of the area.

Detailed guidance in respect of the assistance available to householders is contained in the appendices but generally is as follows:

Group Repair/Block Repair Grants

Eligible Participants	Owner Occupiers, Private Sector Landlords and Tenants with repairing obligations.
Eligible Works See Appendix A	External Works identified as necessary and appropriate by the Council
Assistance Available	Owner Occupiers and Qualifying Tenants - contribution between nil and 25%, the exact amount being decided via means test. Private Sector Landlords – 25% contribution.
General Conditions See Appendix F	Participants will comply with either owner-occupation or letting conditions for five years following completion of works. In exceptional circumstances this condition may be relaxed to secure maximum levels of participation.

Conversion Grants

Eligible Applicants	Owner Occupiers, Accredited Private Sector Landlords.
Eligible Works See Appendix A	Conversion of non-domestic accommodation to domestic unit/s. Conversion of mixed-use accommodation to domestic. Conversion of domestic accommodation to smaller self contained units. Conversion of HMO's to single let housing.
Assistance Available	Owner Occupiers - contribution via means test subject to a £15,000 grant maximum per unit provided. Landlords – 50% contribution subject to a £15,000 grant maximum per unit provided.
General Conditions See Appendix F	Applicants will comply with owner-occupation or letting conditions for 10 years following completion of works.

Renewal Area Grants

Eligible Applicants	Owner Occupiers, Accredited Private Sector Landlords, or Tenants with a repairing obligation whose properties are at least 10 years old.
Eligible Works See Appendix A	Works solely to bring properties to a standard whereby they are free from serious disrepair and Category 1 hazards.
Assistance Available	Owner Occupiers/Qualifying Tenants - contribution as assessed by means test, subject to £30,000 grant maximum. Landlords – 50% contribution subject to £15,000 grant maximum.
General Conditions See Appendix D & F	Applicants will comply with owner occupation or letting conditions for 10 years following completion of the works.

Key Priority 2 – Reducing The Incidence Of Unhealthy Housing

Poor housing is well recognised as one of the determinants of ill health. The assessment of property condition for housing purposes is undertaken by application of the Housing Health & Safety Rating System (HHSRS). This is a system which, rather than focusing solely on property condition, has been devised with the intention of establishing the health and safety risks to occupants by the identification of hazards and, thereafter, determining the extent of risk to occupants as a result of the hazard. This system is, however, not a finite standard and consequently its use as a benchmark for grant/loan activity is not straightforward. The Authority will, therefore, adopt its own baseline standard for assistance on the basis that to qualify a property must:

“exhibit serious disrepair and/or be affected by the presence of Category 1 hazards.”

In the context of this standard “serious disrepair” and “Category 1 hazard” are defined at Appendix H and in an effort to raise the standard of living accommodation within the county borough the Authority will utilize:

a. Statutory Enforcement

The Authority will continue to utilize its regulatory powers to vigorously enforce minimum standards in respect of properties whose owners ignore their statutory responsibilities. These powers afford the Authority the ability to facilitate repair, prohibition, demolition or clearance area activity where appropriate.

b. Home Improvement Repayment Loans

The Authority will offer Home Improvement Repayment Loans in accordance with the prioritization policy outlined at Appendix B. Assistance generally available will be as follows:

Eligible Applicants	Owner Occupiers, Accredited Private Sector Landlords, or Tenants with a repairing obligation whose properties are at least 10 years old.
Eligible Works See Appendix A	Works to bring properties to a maximum standard whereby they are free from serious disrepair and Category 1 hazards.
Assistance Available	Repayment Loans of between £1,000 - £25,000 inclusive of legitimate fees and charges. The maximum repayment period is 5 years for landlords and 10 years for owner-occupiers. All applicants will be subject to an affordability assessment to determine eligibility.
General Conditions See Appendix D & F	Applicants will comply with owner occupation or letting conditions for the term of the loan.

(c) Individual Grant Aid – Home Repair Grant

Assistance as identified in Key Priority 5 below.

(d) Group/Block Repair

Assistance as identified in Key Priority 1 above.

(e) National Loan Scheme

At the time of writing Welsh Government is developing a private sector housing loans scheme that should be made available for use by Welsh Local Authorities during the summer of 2014. The current proposals indicate that local authorities will be afforded flexibility in the manner these loans can be delivered and so individual Private Sector Housing Renewal Policies can be

tailored to utilize the national scheme in a manner as best befits local needs. Details in respect of this scheme will, however, be the subject of a further report to Members and, if endorsed, the scheme will form an intrinsic part of this Private Sector Housing Renewal Policy.

Key Priority 3 – The Return to Use of Long-Term Empty Houses

It is inevitable that at any given time there will be a number of dwellings vacant within the County Borough to allow the housing system to function effectively, facilitating residential mobility and the improvement/redevelopment of the stock. Empty homes are, nevertheless, a wasted resource and bringing them back into beneficial use can serve the dual purpose of meeting the particular housing needs of an area and improving the condition of some of the worst housing.

There are essentially two types of empty housing:

- “Transitional vacant properties” – properties which are vacant for a short term, reoccupied relatively quickly and which are necessary for the mobility of the housing market.
- “Problematic vacant properties” – properties inactive in the housing market, often in poor condition, empty for a long time and which in many cases are giving rise to complaints.

Transitional vacant properties are seldom a problem and are not addressed as part of the Authority’s empty homes activities. The Authority is, however, committed to reducing the numbers of long-term empty homes (defined as those that have been empty for more than 6 months) and returning them to beneficial use. In doing so our strategic objectives are:

1. To increase the supply of good quality accommodation.
2. To further develop working relationships with internal and external partners to develop and sustain initiatives to maximize the return of empty properties to beneficial use.
3. To raise awareness of empty property issues with owners.
4. To maximize all resources (funding, advice, planning powers and enforcement action) to return long-term empty properties to beneficial use.
5. To promote the availability of financial assistance and other services to private landlords and owners.

The strategic objectives will be achieved through a proactive programme of intervention. Each year the Authority will set itself a target in respect of numbers of vacant properties to be brought back to beneficial use. To achieve its target the Authority will not only respond to complaint but will pro-actively target those properties which have been empty for more than 6 months with a particular focus on those whose appearance/condition detracts from the amenities of the neighbourhood.

Outcomes in respect of the Authority's performance in returning long-term empty homes to beneficial use by direct action are reported as National Strategic Performance Indicators and published annually along with those for all other Welsh Local Authorities.

Financial Assistance For Long Term Empty Properties

Financial assistance will be available in the form of an interest free loan, awarded either in line with the national Houses into Homes scheme, a Home Improvement Repayment Loan as referenced on page 6 or via the proposed National Loans Scheme outlined above.

The Houses into Homes Scheme is a Welsh Government initiative introduced in 2012 which is delivered on a regional basis in partnership with the four other former Gwent authorities. This scheme differs from the proposed National Loans Scheme, referenced on page 7, in that its use is restricted solely to the offer of loans to landlords of long-term empty properties. These loans are repayable over either two or three years depending on whether a property is subsequently sold or made available for letting.

Key Priority 4 – Providing Adaptations for Disabled Persons

The provision of Disabled Facilities Grants is mandatory and in this respect the Authority will continue to ensure the availability of such grants is given the highest priority. Similar priority will also be afforded for adaptations for disabled persons in the public sector who are dealt with outside the grants system.

Discretionary Assistance

It is intended that the budgetary provision will also provide for discretionary works of adaptation. To this end the Authority will make available a means tested Discretionary Disabled Facilities Grant with the same eligibility criteria as the mandatory Disabled Facilities Grant but with a maximum grant ceiling of £10,000. This grant will be utilized either as a top up to a mandatory Disabled Facilities Grant or else as a dedicated grant for discretionary works considered to be essential for the purpose of making a dwelling suitable for the accommodation, welfare or employment of a disabled occupant. The discretionary grant will have the same post completion conditions as the Home Repair Grant.

The Authority will also offer assistance towards the relocation of a disabled person in appropriate circumstances i.e. where a property's adaptation costs are not reasonable or practicable, or else where adaptation of the existing property may not adequately meet the needs of the disabled person or their family/carer.

For owner occupiers a Relocation Grant will be offered which will be subject to the same eligibility criteria, means test and post completion conditions as apply to the mandatory grant and will be cash restricted to the same grant maximum.

In determining the level of assistance consideration will be given to the feasibility and cost of adapting both the current and proposed property, and the market value of each of the properties. The grant offered will not exceed the cost of adapting the current property and will be reduced to

take account of any mandatory or discretionary assistance that may be offered to carry out necessary and appropriate adaptations to the proposed property. Grant assistance will not be available to reduce the applicant's level of indebtedness.

For private sector tenants assistance with removal expenses will be considered in cases of hardship.

In addition to the major works of adaptation provided by way of Disabled Facilities Grants, the Authority will also continue to offer assistance for small-scale adaptations by way of Minor Works of Adaptation, in a partnership arrangement between the Directorate of Corporate Services and the Directorate of Social Services. Also, the close working partnership between the Authority and Care and Repair Caerphilly, will continue to be strengthened, enabling the elderly and infirm to receive additional assistance via a range of initiatives, including the Rapid Response Adaptations Programme (RRAP), Safety at Home scheme and Independent Living Grant.

Key Priority 5 – Enabling Vulnerable Persons to Remain at Home in Safety and Comfort

The County Borough has a significant proportion of vulnerable households. Recognising the importance of targeting this client group, the Authority will provide Home Repair Grants to assist vulnerable persons in effecting essential or emergency repairs to enable them to remain within their own homes in safety and comfort.

Home Repair Grant

Eligible Applicants	Owner Occupiers or Tenants with a repairing obligation whose homes are at least 10 years old and fall within Council Tax Bands A-D. Applicants will be in receipt of Income Support, income based Job Seeker's Allowance, Employment and Support Allowance (Income Related), Guaranteed Pension Credit or Housing Benefit. Also applicants who can demonstrate a nil contribution via the Authority's means test.
Eligible Works See Appendix A	Works of repair of an essential nature as deemed necessary by the Council.
Assistance Available	100% grant subject to £10,000 grant maximum + legitimate fees.
General Conditions See Appendix F	Applicants, other than first time buyers, must have occupied the property for 12 months prior to application. Applicants must comply with owner occupation or letting conditions for 10 years following completion of works.

Key Priority 6 – Improving Standards Within The Private Rented Sector

It is widely acknowledged that the poorest quality housing is located within the private rented sector. However, current housing market conditions and the limited availability of social

housing mean the private rented sector is becoming far more relevant, both as a tenure of choice and of necessity. It is, therefore, important that efforts are increased to forge better links with landlords and letting agents within the private rented sector, to improve our knowledge of the sector within the Caerphilly County Borough, and to improve standards of both management and the accommodation itself. Such efforts will be greatly assisted when the proposals contained within the current Housing Bill requiring all landlords and letting agents renting in Wales to become licensed come to fruition.

The Caerphilly Private Landlords Forum is well attended and is providing an ideal platform for engagement between the Authority and private landlords who share a common aim to raise standards within the private rented sector. Consideration is being given to the creation of a Social Lettings Agency (SLA) within the County Borough. The SLA will need good quality, affordable housing leased from private landlords and managed by the Authority. The strong working relationships with private landlords facilitated via the Landlord Forum would greatly assist in the setting up of this important facility. Further working links are facilitated by the Authority's membership of the National Landlords Association and the Landlord Accreditation Wales scheme.

This policy already highlights the Authority's intention to support landlords with repayment loans in relation to key priorities 1, 2 & 3. The Authority will also assist accredited HMO Landlords in effecting works of fire precaution and means of escape from fire by way of repayment loans.

HMO Loans

Eligible Applicants	Accredited Private Sector Landlords of HMOs where the living conditions other than fire precautions are of a standard acceptable to the Authority.
Eligible works See Appendix A	Works to address fire precautions and means of escape from fire.
Assistance Available	£10,000 loan maximum
General Conditions See Appendix F	Landlords must comply with letting conditions for the term of the loan.

It is hoped that by better partnership working and maximizing the opportunities presented as a result of the current Housing Bill, a well-managed private rented sector can be achieved with minimal use of statutory enforcement. However, for those landlords who choose to ignore their responsibilities, enforcement will continue to be undertaken in accordance with the Authority's Private Sector Housing Enforcement Policy so as to ensure minimum standards are maintained within the sector.

Loans may not be available to effect remedial works which are identified following the formal complaint of a tenant.

Housing Advice

The provision of sound housing advice to the residents of the County Borough is seen by the Authority as an integral part of its housing service provision. To this end, the Authority has its own Housing Advice service that assists with problems encountered by tenants in both the public and private sectors. The Authority also works in partnership with Shelter Cymru in offering housing advice whilst the Private Sector Housing Service will also provide practical advice in respect of the maintenance and repair needs of those householders who fall outside the eligibility criteria for grant and loan assistance. Advice targeted at the County Borough's older persons is also provided by Care and Repair, Caerphilly, who are based alongside the Private Sector Housing Service at Pontllanfraith House.

Complaints

Whilst the Authority will make every effort to meet the needs of the public, there may be circumstances when individuals consider that they have been aggrieved.

There are two main categories for complaint:

- Complaints about the Policy and its interpretation; and
- Complaints about the standard of service received.

Complaints about the Policy

Members of the public may feel aggrieved by the content of this Policy, either in relation to the eligibility criteria, or by conditions associated with the assistance offered.

Any individual so aggrieved by the Policy is invited to contact the Authority outlining the reasons why they feel aggrieved. Their complaint will then be investigated and a formal response will be sent to the individual concerned.

Standard of Service

Caerphilly County Borough Council operates a formal Corporate Complaints Procedure. Members of the public dissatisfied with the standard of service received, are invited to utilize this Corporate Procedure to register a complaint. Details of this procedure are available on request from the Authority's Tenant and Community Involvement Team.

6. Agency Services

The Authority recognizes the significant contribution Home Improvement Agencies can make in supporting grant applicants, many of who may be disadvantaged and unfamiliar with the demands of grant administration, works supervision and often the substantial financial management involved. In view of the substantial capital investment the Authority provides towards private sector renewal, the need to secure a quality product representing value for money is paramount. To this end the Authority will actively encourage users to avail themselves of the services of a recognized home improvement agency or other competent person to oversee grant and loan assisted projects, costs for which may be grant or loan assisted, subject to the conditions outlined at Appendix F.

The Authority itself operates a comprehensive Agency Service providing professional, technical and administrative services to clients so as to remove the responsibility and worry of arranging building works to their homes. The services offered are:

1. A user-friendly service and one stop shop.
2. Advice on eligibility of client for financial assistance and the appropriate works required.
3. Assistance in filling in all forms and documents required in making an application for financial assistance.
4. Providing a specification of works required.
5. Estimating the cost of the work.
6. Providing plans and working drawings.
7. Obtaining Building Regulations and Planning Approvals.
8. Arranging other necessary consents e.g. Landlords or Mortgagee's Approval.
9. Financial Advice for non-assisted works.
10. Help to arrange loans, maturity loans, mortgages etc. where required.
11. Appointment of builder from approved list of builders if so required.
12. Arrangement of contracts and provision of a contract management service.
13. Supervision of works.
14. Management of financial payments to Contractors.
15. Arranging temporary accommodation, where necessary.

16. Protection against unscrupulous Contractors.

17. Dedicated post contract complaint service.

The Authority reserves the right to utilize its own in-house agency service in respect of strategic schemes pro-actively initiated by the Authority (as identified in Key Priority 1).

APPENDICES

PURPOSES FOR WHICH ASSISTANCE MAY BE GIVEN

Renewal Area Grants

Renewal Area Grants will only be made available within formally declared Renewal Areas. They will only be awarded in respect of properties that on inspection are found to be in serious disrepair and/or affected by the presence of Category 1 hazards and where, in the opinion of the Authority, repair/improvement is the most appropriate course of action.

In addressing the above the Authority will afford assistance solely towards those works that are necessary to remove serious disrepair and/or category 1 hazards. Wherever possible, however, grant specifications will specify replacement products that are maintenance free and in line with the Authority's other strategies relating to energy conservation, thermal insulation and energy efficiency.

In determining whether or not the provision of new kitchens/bathrooms by way of new-build extensions is appropriate, consideration will be given to the manner in which the property is currently occupied. No new-build facilities, either kitchens or bathrooms will be provided where properties are under-occupied and/or the facilities could be reasonably sited within the existing structure.

Home Repair Grants

Home Repair grants are small grants aimed at protecting the health and comfort of members of vulnerable households.

These grants are subject to a £10,000 maximum limit and are only available to applicants who:

- (a) Are in receipt of Employment and Support Allowance (Income Related), Guaranteed Pension Credit, Income Support, Income Based Job Seeker's Allowance or Housing Benefit;

or

- (b) Can demonstrate a nil contribution by way of the Authority's means testing process.

In certain circumstances some eligible applicants may have members of their household or family who could reasonably be expected to contribute to the cost of the works requested. This may occur when close relatives are permanent members of the household, or when the applicant jointly holds the owners interest with another party.

As the grant is intended to target only the most vulnerable, where the above circumstances exist assistance shall be refused if one or more of the relevant parties do not meet the financial criteria detailed in (a) or (b) above.

In addition to the above, the assistance available will only be afforded where:

- (a) The works are essential to protect the health and comfort of the occupants; **or**
- (b) It would be difficult for the occupants to remain in their homes without assistance and it may be necessary for them to move into care; **or**
- (c) Large scale improvement work would be inappropriate and may cause undue distress or trauma to the occupants;

Conversion Grants

Conversion grants are available to:

- (a) Convert non-domestic accommodation to domestic accommodation.
- (b) Convert domestic accommodation to smaller units of domestic accommodation.
- (c) Convert mixed use accommodation to domestic.
- (d) Convert existing bed-sit HMO's to houses.

Conversion grants are only available where the Authority considers such assistance appropriate in accordance with both the housing needs and the general needs of the area.

Conversion grants will only be made available for the provision of self-contained accommodation.

The scope of works towards which assistance is provided are those necessary to ensure the converted unit/s comply fully with Building Regulations and provide modern, useful units of accommodation.

Home Improvement Repayment Loans

Repayment Loans will be used solely to bring properties to a maximum standard whereby they are free from serious disrepair and category 1 hazards and where, in the opinion of the Authority, repair/improvement is the most appropriate course of action.

Wherever possible loan specifications will specify replacement products that are maintenance free and in line with the Authority's other strategies relating to energy conservation, thermal insulation and energy efficiency.

In determining whether or not the provision of new kitchens/bathrooms by way of new-build extensions is appropriate, consideration will be given to the manner in which the property is currently occupied. No new-build facilities, either kitchens or bathrooms will be provided where properties are under-occupied and/or the facilities could be reasonably sited within the existing structure.

Discretionary Disabled Facilities Grant

The Discretionary Disabled Facilities Grant will be utilized either as a top up to a mandatory Disabled Facilities Grant or else as a dedicated grant for discretionary works considered to be essential for the purpose of making a dwelling suitable for the accommodation, welfare or employment of a disabled occupant.

Relocation Grant

A Relocation Grant will be considered to assist an applicant with their purchase of an alternative property where the adaptation of their current property is not reasonable or practicable, or else where adaptation of the existing property may not adequately meet the needs of the disabled person or their family/carer.

For private sector tenants assistance with removal expenses will be considered in cases of hardship.

HMO Loans

HMO Loans are available to assist accredited private sector landlords in effecting works of fire precaution and means of escape from fire. HMO Loans will not address all necessary works but will be afforded in respect of:

1. The installation of fire alarm systems appropriate to the dwelling size.
2. The installation of emergency lighting in dwellings where such an installation is necessary.
3. The creation of fire resistant structural elements within the dwelling.
4. The installation of a sprinkler system where appropriate.

The landlord will be responsible for all other works relating to fire precautions and means of escape from fire that must be implemented prior to final payment of the loan.

Group Repair/Block Repair Grants

The object of Group Repair/Block Repair Grants is to secure the external fabric of a group of properties so they are in reasonable repair on completion of the works. Targeting housing renewal via a co-ordinated pro-active approach offers not only economies of scale but also visual enhancement of an area, and the Authority will, therefore, utilize the policy tools of both Group

Repair and Block Repair Grants within its formally declared Renewal Areas and designated Priority Neighbourhoods.

To this end the Authority will decide the areas and streets to be targeted and householders will be invited to participate. Works undertaken will be external works only, the extent and nature of which will be determined by the Authority.

The concepts of group and block repair are essentially similar in that both address external disrepair. They differ administratively, however, in that Group Repair is an Authority contract whereas Block Repair is the “grouping together” of individual grants. Both concepts have their merits and in addressing area-based renewal the Authority will utilize each of these initiatives as appropriate.

General

The Authority will not normally consider the provision of any of the above types of assistance where the request relates to works to address damage caused by an insurable peril.

Decoration costs will not be considered for grant aid.

Prioritisation Policy

All enquiries for each form of assistance will normally be dealt with on a date order basis.

Priority will, however, be afforded in cases where:

- (a) A property, on inspection, is found to be so far defective that there is an imminent threat to the health and safety of residents or passers-by.
- (b) A property is located within a formally declared Renewal Area or designated Priority Neighbourhood.
- (c) A Disabled Facilities Grant cannot be properly undertaken without home improvement works being undertaken concurrently.

APPENDIX C

PRELIMINARY ENQUIRY PROCEDURES

The Authority will implement a preliminary enquiry system for persons making an initial enquiry for assistance under this policy.

This pre-application policy will channel enquirers into the most appropriate type of assistance at an early stage or signpost them to more appropriate agencies to help resolve their problems.

The preliminary enquiry system will establish:

- The works for which assistance is being sought
- The financial circumstances of the applicant
- The ownership of the property
- Compliance with prior qualification requirements

Preliminary enquiries will be taken in writing, by telephone or via the Caerphilly County Borough Council Website. Thereafter applicants will be provided with written information as to the type(s) of assistance to which they may be entitled.

The Authority will then inspect the property to determine its eligibility for assistance and to confirm preliminary details previously provided by the applicant.

The properties of those applicants deemed eligible for assistance will be assessed in accordance with the prioritization system detailed in Appendix B of this policy and prioritized accordingly.

Applicants who the Authority deem are not eligible for assistance under this policy will be notified in writing and, where appropriate, they will be offered advice and/or signposted to other agencies who may be able to assist e.g., Care and Repair, NEST.

APPLICATIONS FOR ASSISTANCE

Applications for assistance will be dealt with in date order of enquiry having regard to any prioritization policy and as financial resources dictate.

No assistance will be paid unless an application for it is made to the Authority in accordance with the provisions of this policy and is approved by them.

All applications for assistance will be on the appropriate application form issued by the Authority and shall specify the premises to which it relates. It shall contain:

- Particulars of the works in respect of which the assistance is sought.
- Particulars of any preliminary or ancillary services and charges in respect of the cost of which the assistance is also sought (if appropriate).
- Except in the case of Home Repair Grants at least two estimates from different contractors of the cost of carrying out the relevant works. In exceptional circumstances, as determined by the Authority, one estimate may be accepted.
- For Home Repair Grants at least one estimate of the cost of carrying out the relevant works.
- In the case of registered titles, a current verification of ownership via Land Registry Direct.
- In the case of unregistered titles, a Certificate of Title signed by a Bank, Building Society or Solicitor confirming the ownership of the property may be accepted.

The application will not be deemed complete until such time as the Authority has determined a schedule of eligible works in accordance with this policy and all paperwork relevant to that application has been received.

Ineligible Applicants

No assistance is payable unless the applicant is aged 18 years or over on the date of the application.

No assistance is payable to “persons from abroad” as defined in Regulation 7A of the Housing Benefit (General) Regulations 1987 as amended.

Age of the Property

Other than for HMO Loans, the Authority will not consider an application for assistance in respect of a premises provided by construction or conversion that is less than 10 years old.

Owners interest

The Authority will not consider an application for Home Repair Grant or Conversion Grant assistance unless they are satisfied that the applicant has, or proposes to acquire, an owners interest in the land on which the relevant works are to be carried out, or that the applicant is a qualifying tenant of the dwelling (alone or jointly with others) by virtue of a lease with a full repairing obligation with a minimum of 12 years remaining.

The Authority will not consider an application for Renewal Area Grant, Block Repair Grant and Group Repair assistance unless they are satisfied that the applicant has, or proposes to acquire, an owners interest in the land on which the relevant works are to be carried out, or that the applicant is a qualifying tenant of the dwelling (alone or jointly with others) by virtue of a lease with a full repairing obligation with a minimum of 7 years remaining.

The only exception to this will be in the case of an application whereby the strategic objectives of the Authority when pursuing its activities within Renewal Areas and Priority Neighbourhoods would be prejudiced.

Certificates Required in Case of Owners Application

The Authority will not consider an owners application for assistance unless it is accompanied by an owner occupation certificate or a certificate of intended letting in respect of the dwelling to which the application relates, or in the case of a conversion application, in respect of each of the dwellings to be provided.

An “owner occupation certificate” certifies that the applicant has or proposes to acquire an owner’s interest and that throughout the relevant condition period he/she or a member of their family will live in the dwelling as their only residence.

A “certificate of intended letting” certifies that the applicant has or proposes to acquire an owners interest, and that throughout the relevant condition period the dwelling will be let (other than on a long tenancy) or available for letting as a residence to a person who is not a member of the owner’s family.

Certificates Required in the Case of a Tenant’s Application

The Authority will not consider a tenants application for assistance unless it is accompanied by a tenant’s certificate. Unless the Authority deem otherwise, a tenant’s application for Discretionary Disabled Facilities Grant should also be accompanied by an owner’s certificate provided by the person who, at the time of application, is the landlord.

A tenant's certificate certifies that the applicant is a qualifying tenant of the dwelling, and that he or a member of his family will live in the dwelling as their only residence.

Prior Qualification Period

In the case of Home Repair Grants the Authority will not consider an application unless they are satisfied that the applicant has occupied the property for one full year immediately prior to submitting that application.

The Authority will dispense with the prior qualification period in respect of a Home Repair Grant application for dwellings in a Renewal Area or Priority Neighbourhood, or where the applicant is a 'First Time Buyer'.

The terms of prior qualification will also be deemed to be met:

- If the applicant acquired the property under the will or intestacy of a member of his family, **for such period as the deceased held that interest.**
- If the applicant acquired the property by virtue of a disposal made by his spouse, and the Authority are satisfied that the disposal was made as a result of arrangements in relation to divorce, judicial separation or declaration of nullity of marriage, **for such period as the spouse held that interest.**
- If the applicant acquired the property from a member of his family **for such period as the family member held that interest**, if the Authority are satisfied that the family member was elderly or infirm and that he made the disposal with the intention of:
 - (i) Going to live with and be cared for by a member of his family, or
 - (ii) Going to live in a hospital, hospice, sheltered housing, residential care home or similar institution as his only or main residence.

Applicant Contributions

Owner Occupiers and Tenants

For the purposes of assessing the contribution of an owner or tenant applicant the Authority will adopt the current means test regime as laid down in the Housing Renewal Grants Regulations 1996, as updated by the Welsh Government, subject to the following amendments:

- The removal of Council Tax Reduction as a qualifying benefit.
- The introduction of an eligibility cap on households with combined cash savings and shares in excess of £50,000.

- The consideration of Child Tax Credit and Working Tax Credit as income.
- The equity held in any property by the applicants other than that which is subject to the application for assistance shall be treated as capital.
- Tariff income from capital shall be £1 for each complete £250 in excess of £6,000.

Where an applicant misrepresents their financial circumstances on the means test form, this may affect the applicant's application for assistance.

For Renewal Area Grants the result of the means test will equate to the contribution of the applicant towards the cost of the eligible expense, subject to any grant maximum imposed by the Authority as outlined below.

For Block Repair Grants and Group Repair the maximum contribution by an applicant will be 25% of the eligible expense. Applicants will be given the opportunity to be subjected to a means test to determine whether their contribution will be less than 25% or else may opt to pay a 25% contribution.

Landlords

For Block Repair Grants and Group Repair the contribution of a landlord applicant towards the eligible expense will be 25%.

For Conversion Grants, the contribution of a landlord applicant towards the eligible expense will be 50%, subject to any grant maximum imposed by the Authority as outlined below.

Maximum Amounts

The Authority will impose the following maxima: (excluding legitimate Agency Fees)

- Home Repair Grants - £10,000
- Renewal Area Grants (Owner Occupiers/Qualifying Tenants) - £30,000
- Renewal Area Grants (Landlords) - £15,000
- Conversion Grants - £15,000
- Home Improvement Repayment Loans – Between £1,000 and £25,000 inclusive of legitimate fees and charges.
- HMO Loans - £10,000

Decision and Notification

The Authority will notify an applicant, within six months of receipt of the application, whether it is approved or refused. Where the Authority decides to approve an application for assistance, they shall determine:

- Which of the relevant works are eligible for assistance,

- The amount of expenses that in their opinion are properly to be incurred in the execution of the eligible works,
- The amount of the costs which in their opinion have been properly incurred, or are properly to be incurred, with respect to preliminary or ancillary services and charges, and
- The amount of assistance they have decided to award.

If the Authority approves the application they shall specify in the notice:

- The amounts referred to in the above paragraph, and
- The amount of the assistance.

If the Authority refuses the application, they shall notify the applicant of the reasons for the refusal.

Unforeseen Work

If, after an application has been approved, the Authority are satisfied that owing to circumstances beyond the control of the applicant:

- The eligible works cannot be, or could not have been, carried out for the assessed amounts
- The amount of the costs which have been, or are to be, incurred as mentioned above has increased, or
- The eligible works cannot be, or could not have been carried out without carrying out additional works which could not have been reasonably foreseen at the time the application was made

The Authority **may** re-determine the estimated expense and the amount of the assistance, subject to the relevant grant maximum. In such circumstances the consent of the applicant will firstly be secured.

In the case of a Home Improvement Repayment loan any consideration of an increase will be the subject of an affordability assessment.

Where an application for assistance is approved the Authority will impose the conditions set out in Appendices E and F in relation to the approval or payment of the assistance.

Approval of Applications

The Authority will not approve an application for assistance for anything other than eligible works, as defined in Appendix A.

Where the Authority considers an application for assistance from a person who proposes to acquire a qualifying interest, they will not approve the application until they are satisfied that he has done so.

The Authority will not approve an application for assistance unless they are satisfied:

- That there are satisfactory financial and other arrangements for carrying out those works, and
- That the carrying out of works is the most appropriate course of action.

Other than to meet the strategic ambitions of the Authority, successive applications for grant assistance will not be approved in relation to a property that has received a Renewal Area Grant, where the grant condition period has not expired.

Except in cases of emergency the Authority will not approve an application for assistance in respect of a property where the grant conditions in respect of a previous Home Repair Grant have not expired.

Except in cases of emergency the Authority will not approve an application for assistance in respect of a property where a previous loan has not been repaid in full. All subsequent loan applications will be subject to an affordability/equity assessment.

It is a condition of financial assistance, other than Home Repair Grants and HMO Loans that all eligible works are carried out within 12 months from the date of approval of the application. This period may be extended if the Authority thinks fit. If an applicant requires additional time a request must be made in writing before the end of the 12 months period.

It is a condition of Home Repair Grants and HMO Loans that all eligible works are carried out within 6 months from the date of approval of the application. This may be extended if the Authority sees fit. If an applicant requires additional time a request must be made in writing before the end of the 6 months period.

Participation in Group Repair Schemes

Persons eligible to participate in a Group Repair Scheme will do so by signifying their consent (“scheme consent”), in accordance with the terms of the scheme, to the proposals to carry out the works specified in the scheme.

Once works are completed to the satisfaction of the Authority, the Authority will notify each participant, specifying the date on which the works were so completed.

Conditions as to occupation and disposal are as those outlined at Appendix F.

PAYMENT OF FINANCIAL ASSISTANCE

1. It is a condition of payment of financial assistance that unless the Authority direct otherwise, the financially assisted works shall be undertaken by a contractor whose estimate accompanied the application.
2. Financial assistance will be paid by installments as works progress with the balance on completion of works to the satisfaction of the Authority.
3. Interim payments will normally represent a maximum of 75% of valuation figures except in exceptional circumstances where 90% payments are appropriate. However, the aggregate of installments paid prior to completion shall never exceed 90% of the works element of the financial award.
4. The payment of financial assistance is subject to eligible works being carried out to the satisfaction of the Authority and the Authority being provided with an acceptable invoice. In respect of grant applications such invoices will not be accepted from the applicant or a member of his/her family.
5. Payments will normally be made direct to the contractor, however, in certain circumstances, **with the prior agreement of the Authority** an instrument of payment made payable to the contractor can be sent to the applicant.

GRANT AND LOAN CONDITIONS

GRANT CONDITIONS

The following conditions apply in respect of Group Repair, Block Repair Grants, Renewal Area Grants, Discretionary Disabled Facilities Grants, Relocation Grants and Home Repair Grants.

Conditions in respect of **occupation** shall have effect from the certified date to the end of the grant condition period.

Conditions in respect of **repayment on disposal** shall have effect from the date of approval to the end of the grant condition period.

“Certified Date” means the date on which all eligible works are completed to the satisfaction of the Authority.

“Grant Condition Period” means the period of **10 years** beginning with the certified date, other than for Group Repair/ Block Repair Grants where the grant condition period shall be **5 years**.

Occupation Conditions

It is a condition that where an application or scheme consent is accompanied by an owner occupation certificate, the dwelling shall be owner-occupied for the duration of the grant condition period.

Where an application or scheme consent is accompanied by a certificate of availability for letting the dwelling shall be available for letting throughout the grant condition period.

In the event of a breach of the above conditions at any time during the grant condition period the person to whom the grant conditions relate shall repay to the Authority the amount of the grant in full.

Disposal Conditions

It is a condition that if an owner disposes of the premises to which an application or scheme consent relates at any time between the payment of any grant instalment and the end of the grant condition period he/she shall repay to the Authority the total amount of grant paid. The Authority may, however, determine not to demand repayment or to demand a lesser amount in the event of one of the following:

- (a) A disposal to a family member where the family member abides by the grant conditions for the remainder of the grant condition period.

- (b) A disposal relating to a vesting in a person(s) taking under a will or on an intestacy, where that person(s) abides by the grant conditions for the remainder of the grant condition period.
- (c) A disposal where the owner is disposing of the property to go to live with and care for an elderly or infirm member of his family or partners family.
- (d) A disposal where the owner is elderly or infirm and is disposing of the property to move to more suitable accommodation as their current accommodation is unsuitable to be adapted to meet their needs.
- (e) A disposal following a Court Order in the course of a domestic breakdown.
- (f) A compulsory disposal.
- (g) A disposal where the person making the disposal is at least 70, the disposal is to provide annuity income and the person concerned is entitled to continue to occupy the premises as his only or main residence.
- (h) A disposal by a mortgagee acting in possession.
- (i) A disposal to facilitate mortgage rescue.

Other Conditions

- (a) Where an applicant/participant has an insurable interest in the property he/she shall arrange and maintain comprehensive buildings insurance for the full insurable value of the property throughout the grant condition period.
- (b) Where an applicant is entitled to pursue a claim under an insurance policy for works identified in the grant specification he shall pursue such a claim before assistance is provided.
- (c) Where an applicant has a relevant insurance claim in respect of works undertaken as part of the grant, he/she shall pursue such a claim and repay the grant so far as appropriate out of any proceeds of such a claim.
- (d) Where grant assistance includes the installation of a central heating boiler, the applicant shall ensure that the boiler is serviced by a competent person on an annual basis for the duration of the grant condition period.
- (e) It is a condition of the grant that if at any time during the grant condition period the Authority serves notice on the owner of the dwelling requiring him to do so, he shall within 21 days furnish the Authority with a statement showing that the grant conditions are being fulfilled.

- (f) In the case of Renewal Area Grants and Conversion Grants the applicant will be required to enter into a Legal Charge of the property in order to secure repayment of the grant in the event of any breach of the Occupation or Disposal Conditions.
- (g) The Authority reserves the right to secure nomination rights in respect of any property for which a grant is awarded to a landlord under this policy.

LOAN CONDITIONS

The following conditions apply in respect of Home Improvement Repayment Loans and HMO Loans.

Conditions in respect of **occupation** shall have effect from the certified date to the date when the loan has been repaid in full.

Conditions in respect of **repayment on disposal** shall have effect from the date of approval to the date when the loan has been repaid in full.

‘Certified date’ means the date on which all eligible works are completed to the satisfaction of the Authority.

‘Loan Condition Period’ means the period when any element of the loan debt remains outstanding.

Occupation Conditions

It is a condition that where an application is accompanied by an owner occupation certificate, the dwelling shall be owner-occupied for the duration of the loan condition period.

Where an application is accompanied by a certificate of availability for letting, the dwelling shall be available for letting throughout the loan condition period.

In the event of a breach of the above conditions at any time during the loan condition period the person to whom the loan conditions relate shall repay to the Authority the amount of the loan in full.

Disposal Conditions

It is a condition that if an owner disposes of the premises to which an application relates at any time between the payment of any loan installment and the end of the loan condition period he/she shall repay to the Authority the total amount of loan paid.

Other Conditions

- (a) Where an applicant/participant has an insurable interest in the property he/she shall arrange and maintain comprehensive buildings insurance for the full insurable value of the property throughout the loan condition period.
- (b) Where an applicant is entitled to pursue a claim under an insurance policy for works identified in the loan specification he shall pursue such a claim before assistance is provided.
- (c) Where loan assistance includes the installation of a central heating boiler, the applicant shall ensure that the boiler is serviced by a competent person on an annual basis for the duration of the loan condition period.
- (d) It is a condition of the loan that if at any time during the loan condition period the Authority serves notice on the owner of the dwelling requiring him to do so, he shall within 21 days furnish the Authority with a statement showing that the loan conditions are being fulfilled.
- (e) The Authority reserves the right to secure nomination rights in respect of any property for which a loan is awarded to a landlord under this policy.

APPENDIX G

FEES & SERVICES

The Authority will consider inclusion of the following preliminary and ancillary services and charges for grant and loan assistance.

- Technical and structural surveys
- Design and preparation of plans and drawings
- Applications for Building Regulations approval
- Applications for Planning permissions
- Applications for Listed Building Consent
- Applications for Conservation Area Consent
- Disconnection and reconnection of electricity, gas, water or drainage
- Utilities where this is necessitated by the relevant works
- Agency services, in accordance with policy criteria

Agency Services

The Authority encourages the use of Agency Services in relation to the preparation, submission and supervision of financially assisted schemes. The Authority feels, however, that whilst agency services are important, they should only be provided by professional advisors who because of the responsibilities of contract management carry full professional indemnity.

The Authority will, therefore, only consider grant or loan assistance towards Agents' fees where the Agent concerned is:

- (a) A recognized Home Improvement Agency; or
- (b) An independent person possessing a recognized professional qualification in building, having full membership of his/her professional body and possessing appropriate Professional Indemnity Insurance.

The level of grant or loan assisted fees will depend upon the extent of the service provided by the Agent, and will be at the discretion of the Authority. As a guide, however, the following fee structure will be adopted:

Renewal Area Grants/Block Repair Grants/Group Repair/Home Improvement Repayment Loans

- (a) Full Agency Service including customer liaison and Clerk of Works attendance throughout project – 15% of eligible works cost.
- (b) Agency Services providing both pre and post contract support without customer liaison/Clerk of Works attendance – 10% of eligible works cost.

- (c) Pre or post contract services – fee level by prior agreement with the Authority.

The Authority reserves the right to utilize its own in-house agency service in respect of strategic schemes pro-actively initiated by the Authority.

Disabled Facilities Grants

Fees for mandatory Disabled Facilities Grants will be capped at the relevant grant maximum. For mandatory Disabled Facilities Grants fees will be set at 15% for grants where the eligible expense does not exceed £20,000 and 10% for grants where the eligible expense exceeds £20,000. Fees for discretionary Disabled Facilities grants will be taken at a flat rate of 15% up to the current grant maximum.

Minor Works Grants

Minor Works grants are targeted at vulnerable households. The Authority will, therefore, insist that all applications for Minor Works grants are overseen by a recognized Home Improvement Agency for which a fee of 12% of eligible works cost will be payable.

Grants - General

Percentage related in house Agency fees for all grants and loans will be subject to a minimum fee of £450 + V.A.T.

Non In House Agency Grants

Where an applicant elects to appoint an Agent other than the Authority's own Agency or elects to supervise the scheme him/herself, the Authority will charge an administration fee of £350+ V.A.T.

Non Agency Mandatory Disabled Facilities Grants

Where an applicant elects to appoint an Agent other than the Authority's own Agency or elects to supervise the scheme him/herself, the Authority will offer a reduced Agency Service providing a detailed works specification/bill of quantities to grant applicants to assist them with their submission. The fee for this service will be £250 + V.A.T.

APPENDIX H

GLOSSARY

“Accredited landlord” means a landlord who has formal accreditation status from a nationally recognized landlord accreditation scheme such as those operated by the National Landlords Association and Landlord Accreditation Wales.

“Category 1 hazard” is defined in the Housing Act 2004, Section 2 and means a hazard of a prescribed description that falls within a prescribed band as a result of achieving, via the Housing Health and Safety Rating System, a numerical score of or above an amount prescribed by regulations made by the Welsh Assembly Government.

“close relative” means a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother, sister, or the spouse of any of the preceding persons, or if that person is one of an unmarried couple, the other member of that couple.

“estimated expense” means the amount of the expenses which the Authority consider are properly to be incurred in the execution of the eligible works together with the amount of the costs which the Authority considers have been properly incurred, or are properly to be incurred, with respect to preliminary or ancillary services and charges.

“family” means:

a married or unmarried couple;

a married or unmarried couple and a member of the same household for whom one of them is or both are responsible and who is a child or young person; or

a person who is not a member of a married or unmarried couple and a member of the same household for whom that person is responsible and who is a child or young person.

“first time buyer” means a person or a member of a married or unmarried couple, who has never had a legal interest in a property prior to the property for which the grant application is made, nor have they cohabited with a spouse or former spouse who had a legal interest in the property in which they resided, at the time of their cohabitation.

“dwelling” means a building or part of a building occupied or intended to be occupied as a separate dwelling, together with any yard, garden, outhouses and appurtenances belonging to or usually enjoyed with that building or part.

“house in multiple occupation” means an entire house, flat or converted building which is let to three or more tenants who form two or more households, who share facilities such as a kitchen, bathroom or toilet.

“long tenancy” has the meaning assigned by Section 115 of the Housing Act 1985.

“Member of a persons family” - a person is a member of another’s family if:

he is the spouse of that person, or he and that person live together as husband and wife; or he is that person's parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece.

A relationship by marriage shall be treated as a relationship by blood, a relationship of the half blood shall be treated as a relationship of the whole blood.

The stepchild of a person shall be treated as his child, and an illegitimate child shall be treated as the legitimate child of his mother and reputed father.

"owner's interest" means an estate in fee simple absolute in possession; or a term of years absolute of which not less than seven years remain unexpired at the date of the application, whether held by the applicant alone or jointly with others.

"partner" means that person's spouse or a person other than a spouse with whom he or she lives as husband or wife.

"Registered Social Landlord" has the same meaning as in Part I of the Housing Act 1996.

"Renewal Area" has the same meaning as in Part VII of the Local Government and Housing Act 1989.

"serious disrepair" relates to items of disrepair which, in the opinion of the Authority, either individually or due to their combined effect are so severe and/or extensive that they present a risk to health and safety, or cause serious inconvenience to any occupants, potential occupants or passers-by. (NAW CIRC 20/02 Page 70)

"unmarried couple" means a man and woman who are not married to each other but are living together as husband and wife.