

# Chelmsford City Council Housing Assistance Policy

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Housing Assistance Policy	Revisions Approved by:	Cabinet member under delegated authority 16/11/22

# 1 Executive Summary

- 1.1 This document replaces Chelmsford City Council's 'Housing Assistance Policy 2015' (adopted July 2019. Part II reviewed November 2022)
- 1.2 Chelmsford City Council's view is that the primary responsibility for maintaining property lies with the property owner and the Council cannot and should not seek to fund all improvements to all properties. We accept that some homeowners, particularly the elderly and most vulnerable do not have the necessary resources to keep their homes in safe and good repair. Our priority therefore, is to work with residents and partners to direct available resources to those who need them most, to protect the health and safety of residents, support independent living, and improve the quality of life for disabled and vulnerable residents.
- 1.3 The Policy takes a safety net approach to protect and assist vulnerable, disabled and elderly residents who may not have the financial resources to improve or maintain their property. It aims to be flexible to support the needs of these residents and underpins a number of the Council's priorities for health and wellbeing and housing need
- 1.4 Part I of this document refers to the Council's statutory responsibility for the administration and delivery of Mandatory Disabled facilities Grants
- 1.5 Part II provides the Council's Policy on Discretionary Assistance using the powers provided under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to offer a range of assistance to improve housing for low income and vulnerable groups and to increase the range of support for disabled people.
- 1.6 This policy does not include detailed conditions relating to offers of grants or loans. These are included in a supplement document 'Housing Assistance Conditions' which should be read in conjunction with this document.

## Right of Appeal

- 1.7 Anyone who feels that their application has been refused unfairly can make a complaint and ask for their case to be reviewed through the Council's corporate complaints procedure. The decision will be reviewed by Council's Business Compliance Manager and Public Health and Protection Services Manager.

## Comments and complaints

- 1.8 The Council has a published policy for complaints which covers all services. Any complaints will be dealt with in line with this policy.
- 1.9 If you have suggestions for improving the service please contact:

Jane Smith, Business Compliance Manager via 01245 606662 or email:

[jane.smith@chelmsford.gov.uk](mailto:jane.smith@chelmsford.gov.uk)

Housing Standards, Chelmsford City Council, Civic Centre, Duke Street, Chelmsford, CM1 1JE

## 2 Introduction

2.1 The Housing Grant, Construction and Regeneration Act 1996 (as amended) provides the statutory framework and responsibilities for mandatory Disabled Facilities Grants (DFGs). Power is also available under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to provide assistance to improve living accommodation if the Authority have adopted and published a Policy relating to the exercise this power. Part II of this document includes Chelmsford City Council's Policy under the 2002 Order.

2.2 With the exception of mandatory Disabled Facilities Grants (DFGs) all Housing Assistance referred to in the Policy will be discretionary and subject to the Council having sufficient funds available

2.3 Assistance can take any form, including Grants, Loans and Services. Chelmsford City Council's policy is to provide Discretionary Financial Assistance for eligible works by way of repayable grants or loans. In this way, essential funds can be eventually re-used to support others in financial need.

2.4 Financial Assistance may be subject to certain repayment conditions, depending on the type and amount of finance. DFGs will be processed in accordance with the appropriate legislation and this document will not re-iterate matters that are bound by legislative standards. However, Part I of this document indicates where there are options for locally agreed conditions, for example, circumstances under which the finance is to be repaid.

### Scope of Policy

2.5 This Policy covers the priorities for assistance and the type of assistance that is available. Our Aim in providing assistance is to help people maintain their health, safety and independence. This is achieved by assisting people who have insufficient income or savings to fund work to prevent or remove serious hazards from their homes that impact on health, safety and welfare and reduce the number of empty homes.

2.6 Priorities:

- The health, safety and security of vulnerable persons living in their home
- Reduction of the most serious hazards
- Reduce the number of empty homes

2.7 The type of Assistance currently provided by Chelmsford City Council is set out in the following sections :

#### Part I:

- Mandatory Assistance:
- Disabled facilities Grants

#### Part II:

- Discretionary Assistance:
  - Discretionary Disabled Facilities Assistance
  - Remaining Independent Assistance
  - Healthy Homes Loans
  - Empty Homes Loans

### 3 Exceptions to the Policy

3.1 Although the Council is specific about the circumstances in which an application for assistance will be accepted and approved, there may be exceptional circumstances based on need where the Council finds it appropriate to deviate from the policy, these will be considered by the Public Health and Protection Services Manager

### 4 Resources

4.1 Currently, disabled facilities grants are funded through an allocation made to local authorities by central government via The Better Care Fund.

4.2 Authorities may decide to spend Government funding for the DFG in three ways:

- Approving DFGs in accordance with the Housing Grants, Construction and Regeneration Act 1996 (the 1996 Act)
- Providing housing assistance in accordance with a locally published Housing Assistance Policy under RRO powers.
- Using a portion of the DFG funding for other social care capital funding purposes (as locally agreed with district councils in two-tier areas).

4.3 Authorities can apply a mix of these options to meet local priorities but should consider that:

- the local housing authority has a statutory duty under the 1996 Act to provide adaptations for those who qualify for a DFG.
- the primary role of Government funding is for the provision of home adaptations to help eligible people safely access their home and key facilities within it. Government funding is via a capital grant so must not be used for any revenue purposes.

4.4 DFG funding can be used to support local authority expenditure incurred under the Regulatory Reform Order 2002 which allows local authorities to use specific DFG funding for wider purposes. Discretionary Assistance (financial or services) that are required for medical needs can be financed through the joint Memorandum of Understanding drafted by Essex County Council and the Essex Disabled Facilities Grants Working Group. This includes the fast delivery of small-scale adaptations to assist in the quick discharge of people from hospital.

4.5 In addition, Chelmsford City Council may provide a financial allocation, determined annually, to fund healthy homes loans and other discretionary finance set out in Part II that do not fall within the scope of work that can be funded through the Better Care Fund.

4.6 Empty homes loans to bring properties back into use are funded through the PLACE agreement

4.7 All discretionary assistance is dependent on sufficient funding being available and may be suspended if funds have been disbursed, allocated or withdrawn.

#### Data Sharing

4.8 Personal data provided to the Council by applicants as part of the application process will be checked thoroughly and may be shared with other departments of the Council and other organisations involved in any aspect of handling public funds to help prevent and detect fraud or in the investigation of other possible criminal activity

# PART I

## Mandatory Assistance:

### 1 Disabled Facilities Grants

1.1 These are mandatory grants governed by the requirements of the Housing Grants, Construction & Regeneration Act 1996. Many elements of the process and approval are prescribed by law and are therefore not repeated within this document. Examples of such matters include:

- The information, certification, undertakings and evidence that needs to accompany an application or be considered prior to approval.
- The nature of preliminary and ancillary charges that can be included in an application
- The minimum age of the applicant and other applicant ineligibility criteria
- Provisions relating to the assessment of financial means of an applicant and where benefits or other forms of assistance are relevant
- Those relating to owner's and tenant's applications and those made in respect of a qualifying houseboat or caravan
- The purposes for which a grant must or may be given
- The restrictions relating to the approval of a grant
- The requirement to consult the social services authority that works are necessary and appropriate to meet the needs of the disabled occupant
- The maximum grant payable
- The decision process
- Conditions that can be applied to an approval and/or payment
- How the grant may be paid
- The repayment, recalculation repayment or withholding of a grant
- Preliminary and ancillary fees that can be grant-aided

1.2 The maximum grant available is £30,000.

1.3 Any resident who owns or rents a house, bungalow, flat, qualifying houseboat or qualifying caravan with an occupant who is registered (or is registerable as) disabled may apply for a Disabled Facilities Grant for adaptations. Landlords can also apply on behalf of their tenant.

1.4 Disabled facilities grants can also be applied for to secure suitable adaptations to common parts of buildings containing one or more flats.

1.5 Registered Social Housing Providers (RSHP) are eligible to apply for mandatory Disabled Facilities Grants. The Council may request that the RSHP contributes towards the cost of the adaptation works.

1.6 Each case must be supported by a recommendation from an Occupational Therapist with Essex County Council Social Services. Applicants will be advised to contact Social Care for an assessment prior to submitting an application.

1.7 The purpose of mandatory Disabled Facilities Grants is to enable adaptations to be undertaken to provide the disabled person with:

- Access into and around the dwelling
- A safe and suitable dwelling (e.g. providing or improving a heating system, eliminating or reducing changes in level)
- Access to bathroom facilities
- Access to suitable bedroom facilities
- Access to main living/family room
- Use of suitable lighting and heating
- Access to kitchen facilities
- Access to the garden
- Any adaptations necessary to enable the disabled person to care for dependent residents

1.8 The matters that can be considered by Chelmsford City Council in determining an application for a disabled facilities grant are set down in legislation and associated guidance issued by central government.

1.9 The Council reserves the right to refuse grant aid where the works are not necessary and appropriate, or reasonable and practicable (including where the cost is excessively high or the property is not suitable for adaptation).

1.10 As medical needs and personal situations can change over time, there is no restriction on the number of DFGs that may be applied for in respect of one property and depending on the time lapse between applications there is provision for any means-tested contribution made on earlier grants not to be taken into account on a subsequent application. Successive grants can take into account previous client contributions made within a grant condition period

#### Alternative Schemes

1.11 Where a number of different suitable options have been identified to meet the needs of the disabled person, the Council will provide disabled facilities grant funding in relation to the lowest cost option. The applicant (or their representative) will therefore need to secure adequate alternative funding to meet their assessed contribution and the additional costs associated with a more expensive option if that is their preference. The Council will require evidence that sufficient funding has been secured to meet the additional costs before it approves the grant. To ensure that grant funding results in a successfully completed adaptation, payments will only be authorised once all other funding contributions have been paid.

#### Converting existing living space

1.12 Where it is reasonable and practical to do so, funding will be based on schemes to convert existing rooms to meet the needs of the disabled person. This is to avoid the higher cost of extending a property, so that the overall budget available to the Council can be used effectively to help as many people as possible. Examples include provision of ground floor facilities such as a bedroom, a safe room or a shower room.

1.13 Conversion of existing rooms will normally be considered reasonable where adequate space remains available, having regard to the total number of residents.

1.14 If it is appropriate to use a room for more than one purpose then the Council will base the funding on this option. An example might be redesigning the disabled person's bedroom to provide a specially adapted safe room.

#### Re-instatement works

1.15 The reasonable cost of redecorating all disturbed surfaces, where required in Kitchens and Bathrooms, will be included in the grant calculations. In other areas of the home, the reasonable cost of 'making good' decoration as a result of grant-aided works may be included.

1.16 See Part II of this document (Discretionary Assistance) for assistance available:

- to help a disabled person to move to more suitable accommodation.
- For adaptations that fall outside those covered by a mandatory DFG
- For Top-Up grants for mandatory DFGs
- For limited exceptions to means testing

#### Conditions

1.17 Chelmsford City Council will attach suitable conditions to financial assistance it approves.

1.18 Mandatory Disabled Facilities Grants have conditions attached under the Housing Grants Construction and Regeneration Act 1996.

1.19 The applicant will be required to confirm that this is their intention that the disabled person will live in the adapted dwelling for five years after the works have been completed. Landlords will also be required to give consent on this basis.

1.20 Where a disabled facilities grant funding of more than £5,000 is provided to an applicant in respect of a home they own, the sale or transfer of the property within 10 years of the certified completion date will result in a requirement to repay all grant funding between £5,000 and £15,000 (i.e up to a maximum of £10,000). This condition will be registered as a local land charge on the property for 10 years from the certified completion date.

1.21 In exceptional circumstances, the Council may decide to waive this repayment condition or reduce the amount repayable

1.22 Chelmsford City Council will exercise its right to approve a disabled facilities grant with a deferred start date if it appears that the funding for the financial year has already been disbursed or allocated or withdrawn

## PART II

### 1. POLICY ON DISCRETIONARY ASSISTANCE

- 1.1. The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 requires local authorities to publish their policy for providing households with financial assistance to improve living conditions.

For the purpose of improving living conditions in their area, a local housing authority may provide, directly or indirectly, assistance to any person for the purpose of enabling him—

- (a) to acquire living accommodation (whether within or outside their area);
- (b) to adapt or improve living accommodation (whether by alteration, conversion or enlargement, by the installation of any thing or injection of any substance, or otherwise);
- (c) to repair living accommodation...

**(The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 Article 3 (1))**

- 1.2. The range of support that local authority can help finance is broad and may include essential repairs to reduce injury and accidents in the home, ensuring homes are adequately heated, expanding the scope of adaptations available under the Mandatory Disabled Facilities Grants legislation
- 1.3. Improvements may be achieved through alteration, conversion, installation or injection of materials or through the repair or demolition of buildings
- 1.4. Legislation does not restrict discretionary assistance to private sector homeowners alone. However, Chelmsford City Council would not normally provide discretionary assistance (other than relocation assistance in exceptional circumstances) to housing association tenants as other mechanisms are in place to improve their homes. The Council will not fund work that is due to the failure of a landlord to meet their statutory obligations or to repair or improve property that is in poor condition as a consequence of the nature of its occupation or a deliberate act of the occupier.

#### Assistance to Landlords, Registered Social Landlords and Housing Associations

- 1.5. If a Housing Association Tenant is entitled to a mandatory disabled facilities grant, but the works required are in excess of the maximum mandatory grant, Chelmsford City may consider providing additional financial assistance to the housing association so that the works can progress. These will be considered on a case by case basis.
- 1.6. It is expected that social landlords will manage the delivery of adaptations in their own stock, with investment over and above the DFG, improving the long-term accessibility of their stock and reducing the number of adaptations that are removed on change of tenancy
- 1.7. Where mandatory and/or discretionary funding has been provided to adapt a property in the social rented sector, it should be maintained for priority housing for someone who would also benefit from those adaptations. Where the works have been completed with the assistance of discretionary assistance, this assistance will be conditional on an undertaking being made that the adaptation will not be subsequently removed and the property will be maintained as priority property for a disabled person



1.8. We will encourage the use of landlord applications for disabled adaptations in privately rented property. No means test will be required of the tenant and the landlord may be considered for additional finance by way of a loan secured on the property if the works exceed the statutory maximum

1.9. This policy is not intended to duplicate or replace financial or other assistance which is available from other statutory agencies and to this end, Chelmsford City Council will liaise with partners and external agencies to help ensure, as far as possible, a joined-up approach is achieved to meet a person's identified needs.

1.10 Discretionary Assistance may take the form of

- A grant
- A loan
- The provision of services – e.g. installation of items, minor works, services or advice

Assistance may be provided directly or through partner agencies.

General considerations for Discretionary Assistance

1.11 Qualifying criteria will exist relating to:

- The eligibility of the applicant
- The ability of the applicant to pay for the works themselves
- The works that can be funded

1.12 Chelmsford City Council's Discretionary Assistance falls into the following categories:

- 1) Discretionary Disabled Facilities Assistance
- 2) Remaining Independent Assistance - these being:
  - Urgent and Interim Solutions and Stairlifts or
  - Minor works: home improvements to keep elderly residents safe at home
- 3) Healthy Homes Loans
- 4) Empty Homes Loans

*A summary of the main types of discretionary assistance and eligibility criteria can be found as an appendix to this Policy*

1.13 Financial Assistance will normally be secured on the property being occupied and be registered as a local land charge to be repaid when the property is sold, transferred or otherwise assigned

1.14 An application for Discretionary Disabled Facilities Assistance will not normally be considered if the applicant or the property to which the application relates has been the subject of a successful application within the previous 5 years.

1.15 For Healthy Homes Loans, an application will not normally be considered if the applicant

or the property to which the application relates has been the subject of a successful application within the previous 10 years. The degree to which a property has been maintained by the occupier will also be taken into account when considering a second application.

- 1.16 The terms, conditions and eligibility criteria for discretionary assistance will be provided to applicants following receipt of an enquiry or application
- 1.17 Discretionary Assistance will, where appropriate, be funded through the Disabled Facilities Grant allocation. Mandatory assistance will take precedence and discretionary assistance may be suspended or withdrawn if resources are limited
- 1.18 Discretionary Assistance will be subject to maximum amounts and to the availability of necessary funds. The Council reserves the right to refuse an application for discretionary assistance and may withdraw discretionary assistance at any time

## 2. Discretionary Disabled Facilities Assistance

- 2.1. The Council meets most needs for home adaptation by providing mandatory Disabled Facilities Grants as set out in legislation. However it does have discretion to provide help beyond this, provided that it does so in accord with its own published policy.
- 2.2. The purpose of this policy is to allow the Council, subject to the availability of resources from the Better Care Fund, to extend the scope of the help that it can give.
- 2.3. This policy supersedes any previously published policy for assisting residents with disabilities in private sector housing under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
- 2.4. Qualifying residents are entitled to disabled facilities grants as set out in the grant legislation and that entitlement is in no way diminished by anything in this policy. Making such disabled facilities grants available will continue to be the Council's first priority when allocating resources made available for home adaptations for people with disabilities.
- 2.5. We aim to
  - 2.5.1. Provide Assistance to help people who qualify for a mandatory disabled facilities grant, but the work required falls outside that which can be funded through that route.
  - 2.5.2. Streamline the application process for certain home adaptations for certain types of work for example by simplifying the application form, limiting the situations when the means test applies and/or varying the requirements around contractors
- 2.6. It is not the aim of this policy to duplicate support that is already available, therefore, where provision already exists through other agencies or organisations to fund the necessary work or provide the necessary improvements or adaptations, the work would not normally be eligible for Discretionary Assistance.
- 2.7. Discretionary Disabled Facilities Assistance may take the form of a grants or a repayable interest free loan placed as a local land charge on the property or a combination of the two.
- 2.8. The range of work that may be funded by Discretionary Disabled Facilities Assistance:
  - 2.8.1. Helping someone to relocate to a more suitable dwelling (relocation assistance): In situations where it has been identified that the disabled person would be entitled to a disabled facilities grant, but it is not practicable or too expensive to undertake the adaptations at their current address, a grant may be available to help them move to another property. The new property must be one that has been assessed as already meeting the needs of the disabled person or capable of meeting the needs by adapting at reasonable cost:
    - If the move is construed as providing access to facilities, the move can be funded/part funded through the mandatory DFG and-
    - the amount of assistance being provided will be equivalent to that required to adapt the current home subject to the maximum amount available)
  - 2.8.1.1. Maximum available for relocation assistance: £30,000

2.8.2 Discretionary disability adaptations – to provide adaptations or improvements to the home to meet the needs of a disabled person that are not covered by a mandatory DFG, examples are given below but this list is not exhaustive:

- To help fund work for a disabled child where parents are separated or divorced and adaptation are necessary at the property which is not considered to be the child's main residence. It is not intended that the eligible works are to the same or equivalent extent as those undertaken at the main residence of the disabled child (which would be eligible for a mandatory disabled facilities grant).
- Providing improvements to the grounds of the property that would enable the disabled person to benefit from outside space, e.g. safe paths around a garden.
- Improvements to enable a disabled person to access the community, for example:
  - funding of a dropped kerb – (authority from the Highways authority will need to be secured) NB: Where this is recommended as part of wider adaptations to the home being considered under a mandatory DFG, the work and the funding will be processed as part of the mandatory grant application.
  - provision of facilities appropriate for essential equipment for the disabled person (eg an electrical charging point for electric wheelchair or mobility scooter – which may be considered where it is recommended as part of wider adaptations to the home being considered for a mandatory DFG)
- Providing of an area for specialist treatment (e.g. the provision of a dialysis room)
- Providing adaptations at the home of a family member who has a recognised caring responsibility for the disabled person and where the disabled person would qualify for a disabled facilities grant but the home is not the disabled person's main residence.
- Maximum available for discretionary disability adaptations: £20,000

**2.8.3 Discretionary Top Up Assistance:** To provide additional financial assistance where people cannot afford to fund their contribution to works that are eligible for a mandatory disabled facilities grant.

- The maximum available mandatory disabled facilities grant is £30,000. There are occasions when this figure is insufficient to provide major adaptations to meet the needs of a disabled person or their family.
- where the applicant is unable to meet their assessed contribution under the means- test for a mandatory DFG, in the absence of any suitable affordable alternative, the Council may provide the applicant with assistance to enable to works to proceed
- The Council will consider applications for a Top-up grant on a case by case basis.
- Maximum available top-up assistance: £50,000

## 2.9 Accessing Discretionary Disabled Facilities Assistance:

The referral route and the eligibility Criteria for all Discretionary Disabled Facilities Assistance is the same as for a mandatory Disabled Facilities Grant.

- 2.9.1 The applicant: must be resident in the Chelmsford area, and intending to live at the property for 5 years from the date of completion of works. The landlord (if applicable) must agree to the works being undertaken. Private landlords are encouraged to apply on behalf of a tenant, if they are willing to oversee the works.
- 2.9.2 Applicants must be aged 18 or over at the time the application is made. In the case of a disabled child, the application must be made by the parent(s).
- 2.9.3 Where the applicant is not in receipt of a qualifying benefit, a test of Resources (or 'means test') will be applied. This states the applicant's contribution towards the cost of the work and can vary from zero to the full cost of the works. Unless a means test has already been applied, applicants for Discretionary Disabled Facilities Assistance with the exception of "Remaining Independent Assistance" will be means tested as if applying for a mandatory disabled facilities grant.
- 2.9.4 The means test is applied to the disabled person requiring the facilities except if that person is under 19 years old and in full time education, when the test of resources is completed by the persons living at the property who have parental responsibility.
- 2.9.5 The application must be referred via a written recommendation deeming that the works are Necessary and Appropriate from an Occupational Therapist working with Essex County Council' Social Services
- 2.9.6 The funded work will require the agreement of all other persons with an interest in the property.
- 2.9.7 The work must be assessed as reasonable and practicable by the Council before it can be approved.
- 2.9.8 Applications must be submitted and approved prior to the works being undertaken. Financial assistance cannot be paid retrospectively.

### Ancillary costs

- 2.10 Reasonable ancillary costs associated with the application, such as planning permission, building control application, land searches, OT assessment costs, charges associated with help in submitting an application and supervision of works in progress may be included for consideration within the application if the total costs are not in excess of the maximum grant available. However, it should be noted that that any costs already incurred are to be funded by the applicant if the application is unsuccessful.

### Conditions

- 2.11 The entire amount of financial assistance is repayable will be recorded in full as a local land charge on the local land charge register and remain indefinitely. It will be repayable to the Council in full at such time that the property is disposed of by sale, assignment, transfer of the title or otherwise for any reason. This amount is in addition to any Mandatory grant amount that is also charged against the property.

2.12 At all times, the contract of engagement of services is between the applicant and the relevant contractor. Payments may be made direct to the contractor or the applicant. In either case valid invoices must be provided.

Other key considerations:

2.13 All discretionary funding is dependent on resources being available

2.14 Where the work and all other criteria satisfy the eligibility criteria for a mandatory DFG, that will be the primary route for funding

Charges

2.15 An administration fee of 7% up to a maximum of £350 may be added to the discretionary grants to cover administrative expenses. This fee will not form part of the award

2.16 All discretionary disabled facilities assistance (with the exception of the administrative fee) is repayable in full and will be placed as an indefinite land charge on the property. Its repayment is required at such time that the property is sold, transferred or otherwise assigned

Additional notes (relocation assistance):

2.17 The application for relocation assistance must be supported by a formal recommendation from the Occupational Therapy service at Essex County Council. Both the Council and the Occupational Therapist must be satisfied that the proposed dwelling already meets the needs of the disabled person without further adaptations or are satisfied that it can be adapted at reasonable cost.

- 2.18 The cost of the discretionary relocation assistance together with the cost of any adaptations required to the new dwelling must demonstrate value for money.
- 2.19 The financial assistance is towards the cost of specific relocation expenses which includes estate agent fees, legal costs and removal costs. Assistance will not be made towards the cost of the new dwelling.
- 2.20 The new dwelling must be the disabled person's main residence and no applicant will be awarded a discretionary relocation assistance more than once.
- 2.21 The Council will normally require two quotations from independent contractors. In some cases, one estimate may be accepted if the Council is satisfied that the cost is reasonable. Quotations will not be accepted from individuals or companies that have a familial relationship with the applicant.
- 2.22 Applicants will need to complete the move within 12 months from the date of approval of their application.

### 3 Remaining Independent Assistance

3.1 This assistance is available on a discretionary basis to provide minor property works for vulnerable or elderly owner-occupiers, and interim or urgent works deemed necessary to help prevent admittance to hospital or hospice or speed someone's return home from hospital, hospice or step-down care facility, possibly pending additional works under a disabled facilities grant. Eligible work may be fully funded through the disabled facilities grant allocation.

3.2 There are two areas of work that fall under this category for assistance:

The area of work

3.2.1 Urgent and Interim and Solutions and stairlifts To help a vulnerable person to be discharged from hospital or other care setting; to help reduce their need for hospital care, or if under hospice care to be cared for in a home environment, and

3.2.2 Minor works: home improvements to keep elderly residents safe at home

#### 3.3 Urgent and Interim Solutions and Stairlifts

3.3.1 The works may be considered subject to recommendation from an occupational therapist, adult social care, hospital admittance or discharge team or other medical professional from a similar care service with direct knowledge of the client's health condition.

3.3.2 The maximum amount of assistance is a single or cumulative amount up to £10,000 and is not means tested.

3.3.3 Assistance up to £5,000 will take the form of a non-repayable grant.

3.3.4 Assistance over £5,000 will be placed as an interest free local land charge on the property to be repaid at such time that it is sold, transferred or otherwise disposed of.

3.3.5 The assessment of 'Urgent and Interim' as appropriate to a particular case is undertaken as part of the referral by Social Services' Occupational Health and is an assessment of the immediate needs of that person and their environment to help them return safely to a home environment. It will not address any longer term needs.

3.3.6 Types of eligible Works (Each case will be determined on its merits)

- Works and services deemed necessary to assist in the discharge from hospital, rehabilitation, care setting (whether formal or informal) or hospice, or to prevent re-admission, for example, to facilitate the prompt installation of stairlifts and modular ramps, door widening, modification of step and threshold details with necessary preliminary and ancillary works
- Urgent interim works pending the assessment and application for a disabled facilities grant that would assess the wider and longer term needs of a disabled person.
- The provision of a rented adaptations eg a stairlift or ramp for up to 12 months may also be funded through this assistance where
  - the person has a life-limiting condition and the adaptations would facilitate them being cared for at their own home or the home of a family member or
  - the person is ready to be discharged from hospital but the overall structure or condition or facilities at their own home, means that it is not safe to return but a stairlift would facilitate their temporary care at the home of a family member



## Eligibility

- 3.3.7 The applicant must be referred by an occupational therapist, adult social care, hospital admittance or discharge team or other professional from a similar care service with direct knowledge of the client's health condition.
- 3.3.8 If referred as urgent works, the assessment is to be confirmed by an Occupational Health Practitioner from Essex County Council
- 3.3.9 The referral must state what works are requested and why, and how the criteria for the assistance for works are met. The work must be both necessary and appropriate to secure the person's safety and/or wellbeing within the property

## Conditions

- 3.3.10 In the case of stairlifts, modular ramps or other work to enable a person to safely access the property, housing standards officer or referring Occupational Health Practitioner may arrange for a joint visit to the property with an appropriate company / installer. The officer's inspection will assess the practicality of the installation and liaise with the installation company accordingly and may not require more than one competitive quote if the recommended work is in relation to a stairlift
- 3.3.11 The financial assistance will be paid on receipt of suitable, acceptable invoice, electrical and warranty certification (where applicable) and following the signing of a certificate of completion by a Housing Standards Officer.
- 3.3.12 No means test will be required for a urgent and interim solution
- 3.3.13 The maximum available finance is £10,000.
- 3.3.14 Any assistance over £5,000 is repayable and will be placed as an indefinite local charge on the property.
- 3.3.15 If a valid application is received for a mandatory grant for other works at the property within 12 months of completion, the contribution made under the fast track grant will be taken into account when assessing the amount of grant that will be placed as a land-charge on the property.

## 3.4 Minor Works: home improvements for elderly residents

- 3.4.1 The aim is to help an elderly resident to be safe in their home. There is no means test where all occupiers who are over 75 years of age. The works are those that would help keep people safe from falls - (eg which can result from reduced mobility due to cold or from falls)
- 3.4.2 Amount of assistance: Up to a single or cumulative value of £3,000.
- 3.4.3 The following list of examples of eligible work is not exhaustive.
- Work to reduce risk of falls EG
    - Provision of improved or movement activated external lighting to external access areas
    - Work to reduce tripping hazards (eg providing a concrete path replacing paving slabs)
    - improvement to heating in one or more key rooms

- Improvement to stairs or stair covering to reduce tripping.
- Works to a property to improve safety and security
  - Replacement of one or more windows or window latches
  - Replacing or improving doors and/or door frames so that they can be opened and closed easily to ventilate the property and reduce risk of unauthorised entry.

#### Eligibility

- 3.4.4 At least one of the occupiers must be over 75 years old
- 3.4.5 Various referral routes including: in writing by Social Services, Occupational Therapist, hospital discharge team, medical practitioner, police or charitable organization, community agent, social prescriber. Applications may also be made by a relative or be self-referred. The recommendation must state what works are requested and why the works are required to maintain or improve the person's safety or wellbeing.
- 3.4.6 The person(s) for whom the work is considered necessary will not be subject to a test of resources. Unless on a passported benefit, a test of resources will normally be required of other adults under 75 years old who are resident at the same address

#### Conditions

- 3.4.7 An application will not be approved if work is deemed not to be reasonable and practicable (this will include an assessment of cost).
- 3.4.8 More than one minor works grant may be applied for, but the cumulative total assistance provided in respect of a single property will not exceed £3,000.
- 3.4.9 All applications must be made by or on behalf of the person in need of the adaptation/improvement and be agreed by the owner of the property if different to the applicant.
- 3.4.10 Proof of age and occupation of the property by the eligible person will be required
- 3.4.11 Financial Assistance that is paid under this part of the policy up to the value of £1,000 to help older people is not repayable. Assistance provided in respect of a property over £1,000 will be placed as an indefinite local land-charge on the property to be repaid when the property is sold, transferred or otherwise disposed of
- 3.4.12 All discretionary assistance is dependent on the financial resources being available. The Council's obligations in relation to mandatory grants take precedence over discretionary assistance.

### 3 Healthy Homes Loans

1.2 Healthy Homes Loans are available on a discretionary basis to help owner-occupiers remedy what are known as 'Category 1 and/or serious Category 2 Health and Safety Hazards'. These are deficiencies identified under the Housing Health and safety Rating System (HHSRS).

4.2 The loan is interest-free, though subject to a single administrative charge of 7% up to a maximum of £350 which may be added to the loan amount. The loan is registered as an indefinite charge on the property and repaid when the property is sold, transferred or otherwise assigned to another owner.

4.3 The aim of a Healthy Homes Loan is to make a property safe, healthy and free from serious hazards for a minimum of 10 years. However where either the funding does not cover the cost of removing all category 1 health and safety hazards from a home, or the applicant chooses not to have certain works undertaken to remove a category 1 hazard, the Council has a duty to take follow up action. In such circumstances, the Council will usually look to discharge its duty by serving a Hazard Awareness Notice which provides details of the remaining hazard(s) and the works required to remedy the hazard(s) to all owners and anyone else with a legal interest in the home.

4.4 Examples of qualifying works include:

- electrical rewiring or repairs to an electrical installation to reduce the risk of electrocution and/or fire (including mains wired smoke detection)
- repair or renewal of a boiler or other element of a heating or hot water system to reduce the risk of ill-health associated with living in a cold home or being without hot water
- repair or renewal of floors and staircases that are liable to collapse or otherwise present a significant risk to residents
- repair or renewal of walls and ceilings that are liable to collapse
- repair or renewal of windows or doors that seriously compromise security or pose other significant risks to residents
- repair or renewal of any building element causing significant rising or penetrating damp affecting the internal fabric of the building.
- to prevent ongoing and significant structural movement. (in most cases this will be achieved by funding the excess payment required for insurance works to proceed)
- to provide adequate space and a safe layout for the storage, preparation and cooking of food
- to provide a bath/shower, wash-hand basin and toilet where current provision is absent or inadequate (for example if a property only has an outside toilet)
- to provide adequate foul drainage where current provision is absent or inadequate

4.5 Any deficiencies that result from the removal of facilities or poor workmanship within the control of the owner will not qualify for loan assistance

4.6 Anyone who believes they meet the basic criteria for eligibility (see below) is able to make an initial enquiry, but only those whose properties have subsequently been assessed as having eligible hazards and whose financial means have also been assessed as meeting the qualification criteria will be invited to complete an application form.

4.7 Applications are prioritised according to the seriousness of the deficiencies and potential impact on excess winter deaths/falls and the financial circumstances of the applicant.

#### Amount

4.8 Loans can only be provided in respect of qualifying works and the maximum loan available per dwelling is £30,000 and subject to available resources. An applicant can only receive Healthy Homes Assistance on one occasion within a 10 year period

#### Eligibility

4.9 The property must:

- be over 10 years old
- be within Council tax bands A – E · present one or more category 1 health and safety hazards when assessed under the Housing Health and Safety Rating System (HHSRS); or
- present a significant, serious category 2 hazard which makes the home difficult to keep warm and/or presents a serious risk to health (sometimes evidenced by serious damp and mould problems)

4.10 Note: property includes qualifying mobile homes and qualifying houseboats that are permanently sited or moored in the District.

4.11 The applicant must:

- be an owner-occupier or leaseholder with a full-repairing lease
- have lived at the property for at least 3 years prior to making an enquiry
- not have had a Healthy Homes Loan within 10 years of the current enquiry
- be in receipt of a qualifying benefit or be eligible by way of a means test:
- qualifying benefits: entitled to 100% of a loan up to a maximum of £30,000:
  - (qualifying benefits may be subject to change and will be confirmed at the time of application).

4.12 A means test will confirm the percentage of the loan that the applicant is eligible for, up to a maximum of £30,000.

4.13 Qualifying works will be determined by a technical survey and hazard assessment, in accordance with the latest national guidance, and will be undertaken by a qualified HHSRS assessor

#### Main Conditions

4.14 A Healthy Homes Loan is subject to a test of resources  
The maximum loan is £30,000 (plus the administrative fee)  
An administrative fee of 7% of the cost of works up to a maximum of £350 will be applied to the loan and included in the total loan amount.

4.15 Healthy Homes Loans are registered as an indefinite land charge on the property to be repaid in full when the property is sold, transferred or otherwise disposed of.

4.16 A full set of conditions is published separately from this policy. An applicant will be provided with a full set of conditions for consideration with their application form. A set of conditions can also be requested at any time.

4.17 Requests for a deviation from the eligibility criteria may be considered in exceptional circumstances

## 2 Empty Home Assistance

5.1 Empty Home Assistance is available to renovate an empty dwelling to the Decent Homes Standard (as a minimum) or to convert an empty property into one or more units to the Decent Homes Standard so that it is suitable for immediate occupation whether by selling it, or renting it out.

5.2 The PLACE Scheme, made up of a consortium of Local Authorities, exists to assist owners of long term empty properties (those that have been registered as empty for 6 months or more) to bring those homes back into use.

5.3 Certain empty property loans are made available through the PLACE scheme. This is a loan that has been developed to offer assistance to renovate and/or convert empty properties so that they are suitable for reoccupation.

5.4 Two loan options are available

- “Loan to Sell” the loan will be repayable either immediately upon sale of the property, or within 2 years of the dated Loan Facility Agreement (whichever is the sooner).
- “Loan to Let” the loan will be repayable within 5 years of the dated Loan Facility Agreement, or upon the future sale of the property (whichever is the sooner).

### Eligibility

5.5 To be eligible:-

- The property must have been empty for at least 6 months
- The property must be in the ownership of the applicant
- The property must require work to bring it up to the Decent Homes Standard
- All necessary consents for the works must be obtained. In the case of conversions, these will have been approved and will include full planning permission, building regulation approval, listed building and conservation area consent, where applicable
- The owner must intend to either sell the property or rent it out on completion of the works
- There must be sufficient equity in the property and have an acceptable risk rating
- There must be no legal constraints or restrictive covenants on the property that would prevent the proposed works/ conversion from being undertaken.

5.6 Loan assistance will not be available for:

- Properties, which are not of a permanent nature such as houseboats and caravans
- Sheds, outhouses and extensions such as conservatories which do not have Building Regulation approval
- Buildings not suitable for conversion to habitable dwellings
- Buildings, which are intended to be used by the applicant and/or his family use,

## Main Conditions

- 5.7 Loans available through the PLACE scheme are determined and bound by conditions agreed by the PLACE consortium and although implemented and administered locally in line with those conditions, Chelmsford City Council cannot make any unilateral decisions in respect of this assistance.
- 5.8 All loans under the scheme are repayable and subject to funds being available.
- 5.9 The maximum amount of loan available is £50,000 per unit of accommodation up to a maximum of £175,000. The amount of loan available is dependent on the total cost of the eligible works, costs will be assessed by the Council to ensure that they are reasonable and present value for money.
- 5.10 A Legal Charge is placed on the property for the period of the loan or until repaid in full (whichever is the sooner)
- 5.11 Loan to Sell: This loan is repayable either, immediately upon sale of the property, or within 2 years of the dated Loan Facility Agreement (whichever is the sooner).
- 5.12 Loan to Let: This loan is repayable within 5 years of the dated Loan Facility Agreement, or upon the future sale of the property (whichever is the sooner).
- 5.13 If the loan is to convert a property into multiple units and there is a disposal of one or more units then the applicant must repay the lesser amount of either the gross sale proceeds or the amount of loan outstanding. If after this there are still monies outstanding on the loan, then the applicant must repay this on whichever occurs the earlier of either the disposal of the final unit or the relevant date set out in Loan Facility Agreement.
- 5.14 The loans are interest free providing there is no default on the loan agreement.
- 5.15 Detailed information including information on conditions will be provided to any person expressing interest in applying for an Empty Home Loan.

Creation date	Version no:	changes	Changes approved by	date
1 <sup>st</sup> July 2019 Approved by Cabinet 1 <sup>st</sup> July 2019	2	Replaces the 2015 policy and includes wider Discretionary Assistance	n/a	n/a
Revision November 2022	3	See below - summary of main and minor changes	Cllr Moore cabinet member	16/11/2022
<p>Main changes to discretionary policy: (approved 16/11/2022)</p> <ol style="list-style-type: none"> <li>1. additional assistance to social landlord - (with conditions)</li> <li>2. increase in 'top up' assistance to £50,000</li> <li>3. Urgent and Interim &amp; stairlifts non-means testing max assistance increased from £5,000 to £10,000 (with conditions over £5,000)</li> <li>4. Minor works for elderly residents to keep safe/reduce falls increased from £1,000 to £3,000 (with conditions over £1,000)</li> <li>5. Ability to rent stairlifts for up to 12 months for life-limiting conditions or to assist return from hospital - no means test</li> <li>6. Relocation assistance - no repayment required if equity released</li> </ol> <p>Minor changes:</p> <ul style="list-style-type: none"> <li>• Definition of 'urgent' for Urgent and Interim solutions</li> <li>• Numbering of paragraphs.</li> <li>• Table summary added as attachment</li> </ul>				

Appendices:

Attachment 1: Overview of assistance available in table form

References:

- Disabled Facilities Grant (DFG) Delivery: Guidance for Local Authorities (Department for Levelling Up, Housing and Communities & Department of Health and Social Care)  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1065574/DFG\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1065574/DFG_Guidance.pdf)
- Housing Grants, Construction & Regeneration Act 1996
- Housing Renewal Grants (Service and Charges Order 1996)
- Housing renewal (Services and Charges) Order 1996
- Disabled Facilities Grants (Conditions relating to approval or repayment of Grant) General Consent 2008 (England)
- Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008
- Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
- Home Adaptations for Disabled People - Good Practice Guide by the Home Adaptations Consortium (published 2013)
- Chelmsford City Council's supplement to Housing assistance Policy: Conditions applicable to Housing Assistance



Attachment 1:

	Assistance	Referral route	Name of assistance	Eligibility	Maximum amount	Resident conditions	Repayment conditions
Mandatory DFG	Major adaptations for disabled person at main place of residence	ECC social care - Occupational Therapist	Mandatory DFG	Set out in legislation. means test unless for a child/ proof of ownership or landlord consent/ proof of entitlement (NI number)	£30,000	Minimum 5 years	< £5000 none > £5000 land charge up to £10,000 for 10 years
Mandatory / discretionary	Relocation to adapted property	ECC social care - Occupational Therapist	relocation assistance	Same as mandatory DFG	£30,000 (based on quote to adapt existing dwelling)	Minimum 5 years	If mandatory same as mandatory DFG (if discretionary - full amount placed as charge on new home)
Discretionary	Adaptations at child's second home (eg separated parents)	ECC social care - Occupational Therapist	Discretionary disability adaptations	Same as Mandatory DFG	£20,000	Minimum 5 years	Fully repayable on sale/trans fer of property
	Safe paths around a garden for disabled person						
	Providing area for specialist equipment						
	Facilities at home of family member with caring responsibility						
	Person cannot afford their DFG contribution to a DFG	Already referred and confirmed as eligible for mandatory DFG	Top Up Assistance	As per mandatory DFG plus: Information on income and expenditure required	£50,000	Minimum 5 years	Fully repayable on sale/transfer of property
	Person cannot afford the costs of work that exceed the mandatory DFG						
	Urgent works to access the home to get from hospital/ hospice	ECC social care - Occupational Therapist/hospital discharge team	Remaining independent - Urgent and Interim solutions	No means test	£10,000	no	Anything over £5,000 repayable - local land charge
	Small works for elderly residents	Multiple routes of referral	Remaining independent - Minor works for elderly residents	At least one householder to be 75 or over. Means test occupiers under 75 years	£3,000	no	Anything over £1,000 repayable - local land charge
Serious hazards at a property over 10 years old	Self-referral. No prior loan in previous 10 years. Defects assessed by housing standards officer	Discretionary Healthy homes loans	Means-tested. Lived in property for 3 years	£30,000	no	Full amount repayable - local land charge	
Works required to bring empty property into use	Self-referral. Officer assessment of work required to sell or rent the property	PLACE loan	Property registered empty for 3 or more months	£50,000	Property must be brought back into use by sale or renting	Repayable on sale or after 5 years if rented	