

Scrutiny Standing Panel Agenda



Housing Scrutiny Standing Panel Monday, 5th March, 2012

Place: Committee Room 1, Civic Offices, High Street, Epping

Time: 5.30 pm

Democratic Services Officer: Mark Jenkins (The Office of the Chief Executive)
Tel: 01992 564607 Email:
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Members:

Councillors S Murray (Chairman), A Mitchell MBE (Vice-Chairman), Ms R Brookes, K Chana, Mrs A Grigg, Ms J Hart, Mrs S Jones, W Pryor, D Stallan, H Ulkun and Mrs J H Whitehouse

SUBSTITUTE NOMINATION DEADLINE:

16:30

1. APOLOGIES FOR ABSENCE

2. SUBSITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Assistant to the Chief Executive) To report the appointment of any substitute members for the meeting.

3. DECLARATION OF INTERESTS

(Assistant to the Chief Executive). To declare interests in any items on the agenda.

In considering whether to declare a personal or a prejudicial interest under the Code of Conduct, Overview & Scrutiny members are asked pay particular attention to paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a personal and prejudicial interest in any matter before an OS Committee which relates to a decision of or action by another Committee or Sub Committee of the Council, a Joint Committee or Joint Sub Committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 11 does not refer to Cabinet decisions or attendance at an OS meeting purely for the purpose of answering questions or providing information on such a matter.

4. NOTES OF THE LAST MEETING (Pages 3 - 14)

To agree the notes of the last meeting of the Panel held on 31 January 2012 (attached).

5. TERMS OF REFERENCE / WORK PROGRAMME (Pages 15 - 22)

(Chairman/Lead Officer) The Overview and Scrutiny Committee has agreed the Terms of Reference of this Panel and associated Work Programme. This is attached. The Panel are asked at each meeting to review both documents.

6. OUTCOME OF PRIVATE SECTOR HOUSE CONDITION SURVEY AND PROPOSED NEW PRIVATE SECTOR RENEWAL STRATEGY (Pages 23 - 88)

(Director of Housing) To consider the attached report. In addition there will be a presentation on the Private Sector House Condition Survey by Adrian Chowns on behalf of CPC Project Services LLP Project Services and a presentation on the draft Private Sector Housing Strategy by Peter Wilson of Wilson Associates.

7. CONSIDERATION OF PROPOSED LIST OF HOUSING IMPROVEMENTS AND SERVICE ENHANCEMENTS AND RECOMMENDATIONS TO CABINET (Pages 89 - 104)

(Director of Housing) To consider the attached report.

8. HOUSING STRATEGY ACTION PLAN - 6 MONTH PROGRESS REPORT (Pages 105 - 114)

(Director of Housing) To consider the attached report.

9. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

To consider which reports are ready to be submitted to the Overview and Scrutiny Committee at its next meeting.

10. FUTURE MEETINGS

The next scheduled meeting of the Panel was Tuesday 13 March 2012 at 5.30p.m. in Committee Room 1.

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF HOUSING SCRUTINY STANDING PANEL
HELD ON TUESDAY, 31 JANUARY 2012
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 5.33 - 8.00 PM**

Members Present:	S Murray (Chairman), Ms R Brookes, Mrs A Grigg, Ms J Hart, Mrs S Jones, Mrs J Lea, D Stallan, H Ulkun and Mrs J H Whitehouse
Other members present:	Mrs M McEwen
Apologies for Absence:	K Chana and W Pryor
Officers Present	A Hall (Director of Housing), P Pledger (Assistant Director (Property and Resources)), R Wilson (Assistant Director (Operations)), D Eyles (Cross Border Officer), J Manning (Acting Area Housing Manager) and M Jenkins (Democratic Services Assistant)

34. WEBCASTING INTRODUCTION

The Chairman advised that due to Item 7 of the agenda, Park Homes Licences – Progress Report and Consideration of Further Issues, being deferred to a later date, there would be no webcast recording of the meeting.

35. APOLOGIES FOR ABSENCE

It was noted that Mr S Hyde, the Co-Opted Member of the Panel representing the Tenants and Leaseholders Federation had sent his apologies.

36. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

It was noted that Councillor Mrs J Lea was substituting for Councillor Mrs A Mitchell, and Mrs M Carter was substituting for Mr S Hyde of the Tenants and Leaseholders Federation.

37. DECLARATION OF INTERESTS

Pursuant to the Council's Code of Conduct, Councillor D Stallan declared a personal interest in the following item of the agenda by virtue of having been the Housing Portfolio Holder when this issue had been discussed in January 2011. The Councillor had determined that his interest was prejudicial and would leave the meeting for the duration of the discussion on the item and voting thereon. In addition he apologised to the Panel for not having made this declaration at the Panel meeting on 25 October when this issue was discussed there. The item is as follows:

- Item 9 Fire Safety in Flat Blocks

38. NOTES OF THE LAST MEETING

RESOLVED:

That the notes of the last two meetings of the Panel held on 25 October and 28 November 2011 be agreed.

39. TERMS OF REFERENCE / WORK PROGRAMME

(a) Terms of Reference

The Panel's Terms of Reference were noted.

(b) Work Programme

The Panel was advised that there would be an extra meeting of the Panel on Monday 5 March 2012. The following was advised:

(i) Item 25 Annual Review of the Housing Allocations Scheme

The item was originally scheduled for the October 2012 Panel meeting. However it was advised that it was possible for this item to be brought forward and possibly discussed in July 2012. The Director of Housing confirmed that there would be consultation with housing applicants and housing tenants following consideration by the Panel and prior to final decision by the Cabinet.

(ii) Item 32 Homelessness Strategy – Revision and Update

This would be reviewed in March 2012.

40. PARK HOMES LICENCES - PROGRESS REPORT AND CONSIDERATION OF FURTHER ISSUES

It was advised that this item had been deferred to a future meeting of the Panel with the Chairman's permission as officers were awaiting documentation from Essex Fire and Rescue.

41. REVIEW OF SOCIAL HOUSING FRAUD INITIATIVE - PRESENTATION

The Panel received a report from the Assistant Director of Housing (Operations) regarding the evaluation of the Social Housing Fraud Pilot Scheme. In attendance at the meeting was the Housing Officer (Social Housing Fraud) Mr D Eyles.

In May 2010 the Cabinet agreed that a new part time post of Housing Officer (Social Housing Fraud) should be appointed on a temporary part time basis (22.5 hours per week) for a Social Housing Fraud Pilot Scheme for a 12 month period. The Council appointed a candidate to the post in May 2011. The Cabinet had asked that after 10 months of the commencement of the project, a formal evaluation should be undertaken and report submitted detailing the findings and future action proposed.

Since the part time Housing Officer (Social Housing Fraud) took up his post in May 2011, 37 cases of potential social housing fraud have either been, or continued to be, investigated.

The following results had been achieved, including the potential recovery of 6 properties:

- (a) Two fraudulent Right to Buy applications had been prevented, avoiding the Council giving discounts of around £68,000;
- (b) One property was found to be sub-let and had been re-possessed and let to an applicant from the Council's Housing Register;
- (c) One property was not allocated to a housing applicant as they were found to be providing false information on a housing application form;
- (d) One case was being investigated by Housing Benefit Fraud Investigators, which may result in the recovery of overpaid housing benefit;
- (e) Two further cases were close to being resolved which were expected to result in two properties being received due to non-occupation or sub-letting and re-let to legitimate Housing Register applicants.

In view of the success of the Social Housing Fraud Pilot Scheme, it was proposed that the scheme should be made permanent, and that the existing part time post of Housing Officer (Social Housing Fraud) be made both permanent and full time, with an increase in hours from 22.5 hours to 36 hours per week. The cost of these additional 13.5 hours per week would only be £8,200 per annum, and would be funded from the HRA.

The £68,000 alone that the post had saved the Council within the past 8 months by identifying and investigating the two Right to Buy frauds, amounts to more than treble the annual cost of employing one full time Fraud Officer.

The Panel also considered the possibility of a Senior Housing Officer (Social Housing Fraud) post being appointed, and the benefits this could bring.

The Panel thanked Mr D Eyles for his attendance and presentation at the meeting.

RECOMMENDED:

That the following be recommended to the Cabinet:

- (1) That the Cabinet notes the outcome of the formal evaluation of the Social Housing Fraud Pilot Scheme undertaken by Housing Scrutiny Standing Panel;
- (2) That the existing part time post of Housing Officer (Social Housing Fraud) be made with immediate effect, both permanent and full time, with the increase of 13.5 hours per week being funded from the Housing Revenue Account; and
- (3) That the Panel strongly recommends that the creation of a second Housing Officer (Social Housing Fraud) post be included on the list of possible housing improvements and service enhancements to be considered by the Housing Scrutiny Standing Panel at its next meeting, along with the other proposals brought forward, in order for a public awareness campaign to be undertaken and for further social housing fraud to be detected and investigated, more properties brought back into proper use, and further savings made to the Council as a result.

42. FIRE SAFETY IN FLAT BLOCKS

The Panel received a report from the Assistant Director of Housing (Property) regarding Fire Safety in Flat Blocks.

In January 2010, following consultation with the Housing Scrutiny Panel, the then Housing Portfolio Holder agreed a policy on fire safety in flat blocks. The policy stated that personal belongings, fitted or loose lay carpets, mats and any other items stored in common parts of flats be prohibited and removed, with the exception of the following concessions agreed with the Working Fire Safety Officer of the Essex Fire and Rescue Service:

- (1) Pictures hung on the wall, provided that they did not contain glass in the frame;
- (2) Mats placed outside front doors, provided that these were rubber backed (non slip) and have a chamfered edge all around;
- (3) Curtains at windows that were flame retardant; and
- (4) Non-flammable items which were aesthetically pleasing stored in recesses away from any means of escape routes, and not on window cills.

Letters were sent to all tenants and leaseholders in the blocks advising them of these concessions. Following the introduction of that policy, a small number of residents requested further review as they felt the policy was too risk averse and prevented them from making their flat blocks feel more homely.

In January 2011, the then Housing Portfolio Holder temporarily suspended the policy relating only to carpets in the common parts until such time as a further feasibility study was carried out.

The former Housing Portfolio Holder sent a letter to the Housing Minister in March 2011 expressing the concerns of members about the lack of clarity and guidance available to local authorities when assessing fire safety in flat blocks following the regulatory reform (Fire Safety) Order. A response was received from the Parliamentary Under Secretary of State in July 2011. The response made reference to the Local Government Improvement and Development (LIGD) part of the Local Government Group being given grant funding to develop and own practical and proportionate fire safety guidance specifically for residential buildings.

Fire Safety Guidance

The Local Government Group's fire safety guidance advised that:

- (a) Very few deaths occurred from fires in a neighbour's flat or the common part;
- (b) This was due to fire separation walls;
- (c) Common parts should therefore be free of all sources of ignition and material that could help spread flames;
- (d) Nearly all deaths occurred in flat in which the fire started; and

- (e) It was strongly discouraged that smoke detectors should be installed in common parts as this led to false alarms, chaotic evacuation and possible complacency from residents.

Additional guidance had also been sought from Due Diligence, a specialist company employed by the Council to undertake fire risk assessments. They advised that along with allowing carpets to be fitted, there should be a clear policy involving regular monitoring. Their advice went on to say that there should be a clear policy which would stipulate that these were professionally fitted using non-flammable adhesives and inspected on a regular basis for wear and tear.

In October 2011 the Environment and Street Scene Portfolio Holder made reference to a letter she had received from the Essex Fire and Rescue Service which suggested that it was acceptable to allow carpets in common parts, subject to a satisfactory risk assessment. In light of this, the Housing Scrutiny Standing Panel asked that the report be deferred until such time as the contents of that letter could be reviewed. Upon receipt of the letter by officers a further letter was sent to the Essex Fire and Rescue Service seeking clarification on a number of points, particularly seeking guidance on examples of where it may be acceptable for carpets to be installed in common parts.

A response to this letter from officers had been received and all the correspondence was considered by the Scrutiny Panel.

Feasibility Study – Smoke Alarms

In line with the decision of the previous Housing Portfolio Holder in January 2011, a feasibility study had been carried out into the cost of providing mains wired smoke detectors in individual flats, maisonettes and common parts to flat blocks. This decision would sit favourably with the guidance from the Local Government Forum and Due Diligence if it did not include alarms in the common parts.

Option 1 – Smoke alarms individual flats and maisonettes only

The Council was currently installing smoke detectors with individual dwellings. Only 500 properties had benefitted so far, with a further 427 sheltered accommodation homes for older people.

- Cost of providing mains operated smoke detectors in each individual flat/maisonette was around £1,046/825
- Cost of providing mains operated smoke detectors in all individual council properties was around £1,810,900
- Capital cost of installing smoke alarms in a 10 year replacement cost cycle
- Testing of smoke alarms equated to £92,600 per annum

Option 2 – Smoke alarms in individual flats and maisonettes, linked to alarms in the common parts

- Installation costs for all blocks of flats with 2 storeys or less would be around £567,450
- Installation costs for all blocks of flats with 3 storeys or more would be around £2,842,500
- The total cost of providing smoke alarms in individual flats and maisonettes, linked to smoke alarms in the common parts, would be around £3,409,950

- There would also be an ongoing cost to the Council in testing these alarms, which equated to around £185,000 per annum.

As part of the investigations into what other local authorities were doing, officers had found that virtually all local authorities and housing associations were adopting the zero tolerance approach, whereby the common parts were to remain as sterile environments. However, one neighbouring authority Harlow District Council, had adopted a slightly different approach whereby these blocks that already have carpets fitted, as long as:

- (i) they were in good condition, fitted professionally and did not present a trip hazard; and
- (ii) the flats had smoke detectors; and
- (iii) the main entrance had a door entry security system.

That authority was not currently allowing any further requests for carpets to be installed irrespective of the other measures being in place.

It was therefore recommended that the council considered undertaking a programme of installing smoke detectors in all properties, funded from any resources arising from HRA Self Financing, along with other funding priorities, which would be considered by the Housing Portfolio at a later date.

Shared Services

It was advised that there may be an opportunity of working in conjunction with Harlow District Council, whereby the role of undertaking fire risk assessments could be undertaken collectively, saving resources. The neighbouring authority would undertake the assessments and the District Council would save on the cost of employing consultants and overtime for staff. A preliminary meeting had already taken place.

RECOMMENDED:

That the following recommendations be made to the Housing Portfolio Holder on the policy relating to fire safety in common parts of flat blocks:

- (1) That the Council adopts the Policy on Fire Safety in Flat Blocks, agreed by the former Housing Portfolio Holder in January 2010, namely:

That the Council continues to enforce the removal of personal belongings and any other items stored in common parts of flats, with the exception of the following concessions as put forward by the Workplace Fire Safety Officer of the Essex Fire and Rescue Service:

- (a) Pictures hung on the wall, provided that they do not contain glass in the frame;
- (b) Mats placed outside front doors, provided that these are rubber backed (non slip) and have a chamfered edge all around;
- (c) Curtains at windows that are flame retardant; and

(d) Non-flammable items which are aesthetically pleasing (e.g. plant pots) stored in recesses away from any means of escape routes, and not on window cills.

(2) That the Council undertakes a programme of installing smoke detectors in all properties, funded from any resources arising from HRA Self Financing, along with other funding priorities, which will be considered by the Housing Portfolio Holder at a later date;

(3) That smoke alarms are not installed in common parts of flat blocks in line with the recommendations within the Local Government Group Guidance document "Fire Safety in Purpose Built Flat Blocks;" and

(4) That the Director of Housing explore further a joint working approach to fire safety risk assessments in flat blocks with Harlow District Council.

43. RESPONSE TO CLG CONSULTATION PAPER ON "REINVIGORATING THE RIGHT TO BUY AND ONE FOR ONE REPLACEMENT"

The Panel received a report from the Director of Housing regarding the Council's proposed response to CLG Consultation Paper on "Reinvigorating the Right to Buy and one for one replacement."

In late December 2011, the Department for Communities and Local Government issued a consultation paper on "Reinvigorating the Right to Buy and one for one replacement." The closing date for responses was 2 February 2012.

A proposed response by the Council to the consultation paper was attached to the report. It was suggested that rather than attempting to provide a response to each question raised in the consultation paper, the response only comments on these aspects of the consultation paper which it was felt warranted comment from the Council.

Consultation - Proposals for Caps, Discount Rates and Eligibility

The Government proposed to raise the upper limit on the Right to Buy discount entitlement to £50,000 throughout England. This more than tripled the cap currently applied in most of London and provided a substantial increase in the rest of England. However, for the East of England, it only amounted to an increase of £16,000 from the current maximum of £34,000. The Government was interested in views on whether there was a case for charging the minimum and maximum discount rates applied to houses and flats, or the rate at which tenants qualified for increased percentage discounts.

Consultation Question 1 – we would welcome views on the proposals outlined above.

Response:

(1) The resultant effect and level of tenant interest would vary in different parts of the country;

(2) The maximum RTB discount in the District's region was £34,000, the Government's proposals would therefore result in the maximum discount, for this region, as increased by 47%. In London where maximum RTB was £16,000, the

maximum discount was increased by 210%. Therefore it was likely that the take up by tenants in London would be greater than in similarly high priced areas like Epping Forest;

(3) The Council felt that the current discount rates were very generous and should not be changed to further reinvigorate Right to Buy;

(4) The Council welcomed the Government's intention not to change the qualifying period for eligibility.

The Right to Acquire

Paragraph 37 of the Consultation Paper pointed out that, as assured tenants, some housing association tenants benefitted from the Right to Acquire.

The suggested response explained that many housing association tenants were eligible for the Right to Acquire, but did not necessarily exercise this right, due to the financial benefits being less than even the current Right to Buy Scheme.

The proposed response stated that since many housing applicants on council housing registers were now nominated to housing associations for accommodation, it was now inequitable to have a different purchase scheme for housing association tenants and council tenants. It was the Council's view that arrangements and discounts for sitting tenants to purchase either their council property or their housing association property should be the same. Therefore the Council believed that the proposals within the consultation paper should also apply to housing association tenants, and that the Right to Acquire should be re-aligned with the Right to Buy Scheme.

Consultation - Use of Right to Buy Receipts: Proposals on Allowances and Deductions

Right to Buy receipts included all receipts from tenants under Right to Buy legislation. The government proposed including receipts arising from voluntary sales at discounts to secure tenants and some shared ownership sales.

Councils would no longer need to make and justify expenses claims to central government, making a detailed retrospective allocation of staff time between successful and unsuccessful applications. Instead councils would be able to simply deduct and retain a flat rate per successful sale. They would continue to be able to charge administration costs to the Housing Revenue Account.

Flat rate allowance would be set for each region with regard to the 40th percentile of costs achieved by councils in that region over the last three years. Adopting a flat rate at the 40th percentile of costs provided a strong incentive to councils to achieve efficiency in their operations. Where councils were able to push costs below this figure they could retain the surplus.

Consultation Question 5 – We would welcome your views on these proposals

Consultation Question 6 What proportion of Right to Buy applications are subsequently withdrawn in your area?

Consultation Question 7 What costs are incurred in managing aborted applications?

Consultation Question 12 We would welcome views on the calculation of allowable deductions**Response:**

The Council welcomed the Government's proposals to compensate local authorities for the loss of income to the Housing Revenue Account for each Council property sold above the total number of sales assumed by the Government within local authorities HRA Self Financing Settlements.

The District Council welcomed the fact that the Government had at last recognised that all local authorities incur costs in relation to the administration of withdrawn sales. However, the Council strongly disagreed with the Government's proposal to assess the local authority transactions and administration costs for the Right to Buy based on a flat rate allowance, instead of the actual cost to the Council as at present.

The Council's actual average administration costs per Right to Buy sale was £4,766 per sale. This actual cost to the Council was therefore around £3,700 more than the proposed flat rate allowance of £1,070.

Therefore if the Government's proposals to introduce a flat rate administration allowance went ahead, the Council would lose around £3,400 per sale compared to the current arrangements. Based on the Government's assumption that the District Council would sell 37 properties over the next four years under the existing Right to Buy Scheme, the council would lose around £136,000 over the next four years, compared to the current arrangements.

The Council noted from paragraph 47 that the Government believed that adopting a flat rate allowance at the 40th percentile of costs would provide a strong incentive to councils to achieve efficiency in their operations. However, the Council continuously strove to make efficiency savings within all of its areas of operations and we fundamentally disagreed that savings of this magnitude could be made in a relatively small area of operation for the Council.

The Council therefore strongly urged the Government to either retain the existing approach of allowing local authorities to reclaim the actual administration costs, or increase the proposed flat rate allowance to a more realistic and equitable level.

In addition, and in any event, since the current RTB arrangements would effectively apply to assumed sales, the Council felt that it was only fair and appropriate that the flat rate administration allowance should only apply in relation to additional sales to those assumed.

Numbers of Withdrawn RTB Applications

The Consultation Paper stated that the Government would welcome any information local authorities could provide on actual numbers and costs incurred in managing RTB applications which were subsequently withdrawn.

Over a 35 year period, the Council had received 11,634 RTB applications, which have resulted in 6,169 actual sales and 5,465 applications withdrawn. Therefore, as can be seen, 45% of all Right to Buy applications received of this period have subsequently been withdrawn.

More recently, over the 12 month period January 2011 to December 2011, the Council had received 26 RTB applications and, within the same period, only 7 RTB sales have been completed. Therefore, although there was a time lag between applications received and sales completed, it was reasonable to deduce from this information that currently, around 75% of RTB applications being received by the Council were subsequently being withdrawn.

This evidence suggested that the proposed uplift of 25% to cover withdrawn applications was insufficient. The Council would suggest that the uplift should be more in the region of 60% - 70% if it was to properly reflect the relatively high number of withdrawn applications that occur.

Consultation - Proposals for delivering Right to Buy replacement homes for Affordable Rent.

Under the Government's take up modelling, receipts were generally greatest and sales increase the most in areas of high housing need, because these were the areas where house prices were highest and Right to Buy demand had previously been limited setting the caps at low levels. However, receipts generated locally would not necessarily secure one-for-one replacement in each area.

Local Model

Receipts available for the delivery of replacement homes could be left with the local authority for investment in local priorities including new homes for Affordable Rent. Authorities could either choose to manage development themselves or develop in partnership with neighbouring councils or to commission housing associations or other registered providers directly.

Local Model with Direction

Receipts available for the delivery of replacement homes could be left with the local authority with the requirement they were used for investment in new homes for Affordable Rent.

Local Model with Agreement

Receipts available for the delivery of replacement homes could be left with the local authority, subject to agreement with the Secretary of State, including agreement on the contribution to replacement costs that the Council would make from its own resources.

National Model

Receipts available for replacement homes at Affordable Rent could be surrendered to this department which would pass these to the Greater London Authority and the Homes and Communities Agency to manage replacement programmes in London and the rest of England.

Consultation Question 13 Which model for delivery of replacement housing do you consider the most appropriate, and why?

Response:

The Council currently had over 5,700 households on its Housing Register seeking affordable rented housing, provided either by the Council or one of the Housing Association Partners. The numbers registered on the Housing Register have been increasing continuously over the past five years.

In view of the high number of households seeking and needing affordable housing in the Epping Forest District and other areas within the Region, the Council was strongly of the view that any Council homes lost within a district due to the proposed changes to the Right to Buy should be replaced by at least one new affordable home within that District.

The Council had recently agreed to embark on a new Council Housebuilding Programme for the provision of new rented housing, at affordable rents, on Council owned land. However the District Council's initial feasibility studies have identified that, even with charging affordable rents, there would still be a funding gap between the amount of loan that could be supported from the rental income received from the new properties over a 30 year period and the construction costs. Therefore, officers had identified that they would still need some form of grant funding to enable the Council Housebuilding Programme to be viable. The additional capital receipts that were expected to arise from the increased RTB sales as a result of the Government's proposals could provide an invaluable source of funding for our Housebuilding Programme, if officers were able to use them.

The Council was of the firm view that the "Local delivery" model for the replacement programme was the most appropriate, and was the model that the Council supported.

The Consultation Paper set out three variations of the Local Model. Understandably, because the Local Model provided local authorities with maximum flexibility to manage its own affairs and, as recognised by the Consultation paper, was generally consistent with replacement homes being built in areas of greater housing need, the Base Local Model was the Council's first preference.

However, the council recognised that, due to the maximum flexibility offered under this Base Local Model, it was unlikely that all the available receipts would be used for replacement homes and that it would therefore be unlikely to deliver on the Government's commitment of one-for-one replacement at the national level.

Therefore, if the Government was of the view that the base Local Model was inappropriate, it was the Council's view that the variation of the Local Model with Agreement should be the model adopted by the Government. This was because this variation of the Local Model provided three main benefits:

- (i) It enabled the Government's commitment of one-for-one replacement at a national level to be achieved;
- (ii) We consider it a fairer way of utilising the receipts arising from additional RTB sales, since the additional capital receipts would only be used within the local authority areas in which they had been generated; and
- (iii) All of the capital receipts generated from additional RTB sales would be used to provide and replace affordable housing, and not used for other housing purposes.

The Council did not support the National Model.

RECOMMENDED:

(1) That the abridged version of the CLG Consultation Paper "Reinvigorating the Right to Buy and one for one replacement" be noted; and

(2) That the proposed draft District Council response attached to the report be agreed.

44. MEMBER INFORMATION EVENING - LOCALISM ACT AND WELFARE REFORMS

The Housing Scrutiny Standing Panel noted that there would be a Member Information Evening on the Localism Act on Tuesday 28 February 2012 at 7p.m. in the Council Chamber. In addition, the Council's Benefit's Manager would be giving a briefing to Members on the current position regarding the proposed welfare reforms. This was an opportunity to update members on a number of discretionary powers being given to local authorities and housing providers under the Localism Act.

It was advised that it was essential for all Members to attend this event as it would assist them throughout the process.

45. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

There were no reports being submitted to the forthcoming Overview and Scrutiny Committee.

46. FUTURE MEETINGS

There were two meetings programmed for the Panel, they were as follows:

Monday 5 March 2012 at 5.30p.m. in Committee Room 1; and

Tuesday 13 March 2012 at 5.30p.m. in Committee Room 1.

TERMS OF REFERENCE - STANDING PANEL

Title: Housing

Status: Standing Panel

Terms of Reference:

(1) To undertake reviews of public and private sector housing policies on behalf of the Overview and Scrutiny Committee, Housing Portfolio Holder or Head of Housing Services and to make any recommendations arising from such reviews to the Housing Portfolio Holder or Cabinet as appropriate.

(2) To undertake specific projects related to public and private sector housing issues, as directed by the Overview and Scrutiny Committee, and to make any recommendations arising from such reviews to the Housing Portfolio Holder or Cabinet as appropriate.

(3) To consider and provide comments to the Housing Portfolio Holder on the following matters, prior to consideration by the Cabinet:

- (i) Draft Housing Strategy (to be adopted by full Council in accordance with the Council's Constitution)
- (ii) Draft Private Sector Housing Strategy
- (iii) Draft Private Sector Housing Grants Policy
- (iv) Annual Review of the Housing Allocations Scheme

(4) To consider and provide comments to the Housing Portfolio Holder on draft versions of the following documents:

- (i) Housing Revenue Account (HRA) Business Plan
- (ii) Local Supporting People Strategy
- (iii) Housing Service Strategies

(5) To undertake the Annual Ethnic Monitoring Review of Housing Applicants and Housing Allocations, in accordance with the Code of Practice in Rented Housing.

(6) To monitor progress with the actions plans contained in the following documents, on a six-monthly basis:

- (i) Housing Strategy
- (ii) Local Supporting People Strategy
- (iii) Private Sector Housing Strategy
- (iv) Housing Services Development Plan

(7) To consider the Housing Portfolio Holder's draft response to any consultation papers relating to public or private sector housing that the Housing Portfolio Holder considers warrants a response from the Council.

(8) In relation to Traveller issues to consider and monitor:

- (a) the position regarding tolerated sites and;
- (b) the management of travellers who enter onto land within the district with a view to unauthorised encampments, with particular reference to the legal remedies available, interactions with other agencies such as Essex Police and Essex County

Council and the provision of emergency and/or transit sites within the district;

(c) Government's guidance on the needs of travellers in the context of the Council's review of its District Local Plan and the Essex Housing Needs Assessment;

(d) the results of the Commission for Racial Equality's study on traveller issues in which this Council participated, once published;

(9) To report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.

Chairman: Cllr Stephen Murray

Housing Scrutiny Standing Panel – 2011/2012

Item	Report Deadline / Priority	Scheduled Date	Progress / Comments	Programme of Future Meetings
(1) Presentation by Mears on proposed approach to Repairs Management Contract	Low	July 2011	Completed – July 2011	19th July 2011 25th October 2011 28th November 2011 (Joint with Finance & Performance Management Scrutiny Panel)
(2) Annual Report on the HomeOption Choice Based Lettings Scheme	Low	July 2011	Completed – July 2011	31st January 2012 5 th March 2012 13 th March 2012 + Special Meeting (to be Arranged)
(3) HouseMark Benchmarking Report of Housing Services	Low	July 2011	Completed – July 2011	
(4) Annual Ethnic Monitoring Review of Housing Applicants	Medium	July 2011	Completed – July 2011	
(5) Housing Performance Indicators - 2010/11 Out-turn (Tenant-Selected & KPIs)	Low	July 2011	Completed – July 2011	
(6) 12-Month Progress Report on Housing Strategy Action Plan 2010/11	Low	July 2011	Completed – July 2011	
(7) Housing Strategy Action Plan 2011/12	High	July 2011	Completed – July 2011	
(8) Performance against Housing Service Standards and Review	Medium	July 2011	Completed – July 2011	
(9) Six-monthly Progress Report on Housing Business Plan Action Plan	Low	October 2011	Completed - 25 th October 2011	

(10) Approach to future Council House-building Programme	High	October 2011	Completed - 25 th October 2011
(11) HRA 30-Year Financial Plan in Preparation for HRA Self-financing	High	October 2011	Completed - 28 th November 2011
(12) Briefing on the proposed Council rent increase for 2010/11	Low	January 2012	Not Required – Following detailed consideration of the HRA Financial Plan and associated rent increases, this is not required this year
(13) Housing Service Strategy on Empty Properties (Review and update)	Medium	October 2011	On agenda – for 5 th March 2012 meeting (deferred from earlier meeting, due to officer workload and to spread the workload of the Scrutiny Panel)
(14) Review of Private Sector Housing Strategy	High	January 2012	On agenda – for 5 th March 2012 meeting (deferred from earlier meeting, due to officer workload and to spread the workload of the Scrutiny Panel)
(15) Six-monthly Progress report on Housing Strategy Action Plan 2011/12	Low	January 2012	On agenda – for 5 th March 2012 meeting (deferred from earlier meeting, due to officer workload and to spread the workload of the Scrutiny Panel)
(16) Feed-in Tariff Scheme for Council Housing Stock	High	July 2011	Considered on 25th October 2011 – but requires further consideration at 13th March 2012 meeting
(17) Housing Service Strategy on Repairs and Maintenance (New)	Medium	October 2011	Deferred to 13th March 2012 meeting – Due to officer workload and to spread the workload of the Scrutiny Panel
(18) Housing Service Strategy on Energy Efficiency (Review and update)	Medium	October 2011	Deferred to 13th March 2012 meeting – Due to officer workload and to spread the workload of the Scrutiny Panel
(19) Housing Service Strategy on Home Ownership (Review and update)	Medium	January 2012	Deferred to 13th March 2012 meeting – Due to officer workload and to spread the workload of the Scrutiny Panel

(20) Housing Service Strategy on Housing and Estate Management (Review and update)	Medium	March 2012	Not yet due – Scheduled for 13 th March 2012 meeting
(21) Housing Service Strategy on Rent Administration (Review and update)	Medium	March 2012	Not yet due – Scheduled for 13 th March 2012 meeting
(22) 12-monthly Progress report on Housing Business Plan Action Plan	Low	March 2012	Not yet due – Scheduled for 13 th March 2012 meeting
(23) Housing Service Strategy on Older Peoples Housing (Review and update)	Medium	March 2012	Not yet due – Scheduled for 13 th March 2012 meeting
(24) HRA Business Plan 2012/13	High	March 2012	Not yet due – Scheduled for 13 th March 2012 meeting
(25) Annual Review of the Housing Allocations Scheme	High	October 2011	Deferred to the October 2012 – To await the Commencement Order for this part of the Localism Act and publication (and consideration by officers) of the final version of the new Code of Guidance on Allocations.
Items added after the original Work Programme was agreed			
(26) Provision of smoke detectors in Communal blocks or Council properties	Medium	October 2011	Completed - 31 st January 2012
(27) Consideration of Council response to CLG Consultation Paper <i>“Reinvigorating the Right to Buy and one for one replacement”</i>	Low	January 2012	Completed - 31 st January 2012

(28) Presentation and review of the success of the Council's Social Housing Fraud Pilot Scheme and consideration of recommendations to the Cabinet	High	January 2012	Completed - 31 st January 2012
(29) Outcome report on the implementation of new licences for park home sites	High	October 2011	<p>Deferred until for a special meeting at a later date – This had been delayed from the originally scheduled date, due to the resignation of both the Technical Officer (Private Sector) and the Environmental Health Officer undertaking the site inspections, which has delayed the programme, and to await the outcome of liaison meetings with site owners and representatives of residents associations, held before Christmas.</p> <p>A report was included on the Scrutiny Panel's Agenda for its meeting on 31st January 2012, but was deferred to a special meeting of the Scrutiny Panel to allow the Essex Fire Authority to provide detailed written advice on the fire safety aspects of the issue.</p>
(30) Consideration and recommendations to Cabinet of proposed housing service improvements and service enhancements, as a result of the additional resources available from HRA self financing	High	March 2012	On agenda – for 5 th March 2012 meeting
(31) Consideration of Council response to CLG Consultation Paper " <i>Allocation of accommodation: guidance for local housing authorities in England</i> "	Low	March 2012	Not yet due – Scheduled for 13 th March 2012 meeting

(32) Homelessness Strategy – Revision and update	High	March 2012	Not yet due – Scheduled for 13 th March 2012 meeting	
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Report to Housing Scrutiny Panel

Date of meeting: 5 March 2012

Portfolio: Housing – Cllr M. McEwen

**Subject: Subject: Private Sector Housing Strategy
2012 - 2015**

**Officer contact for further information: L Swan,
Assistant Director of Housing (Private Sector & Resources) (01992 564146)**

Committee Secretary: M Jenkins (01992 56 4607)



Recommendations/Decisions Required:

- 1) That the Panel considers the attached Draft Private Sector Housing Strategy 2012-2015 and endorses it for further consultation with key partners and stakeholders;**
- 2) That appropriate comments received through the Consultation Exercise will be incorporated within the final version of the Strategy which will include the finalised Housing Assistance Policy;**
- 4) That the final version of the Strategy be submitted to the Cabinet, with a recommendation that it be formally adopted; and,**
- 5) That the Housing Scrutiny Panel considers progress with the Action Plan, in accordance with its Terms of Reference, on an annual basis.**

Report:

1. The purpose of this Report is to seek the approval of the Panel in principle to the draft Private Sector Housing Strategy (PSHS) to cover the period 2012 - 2017. The draft Strategy implements changes to the policies set out in the previous PSHS 2007 – 2011 for financial assistance to promote the repair and improvement of sub-standard private sector housing and the adaptation of properties not suitable for households where there is a person with a disability. It also implements changes to policies in the previous PSHS dealing with the enforcement of private sector housing standards and for giving advice, assistance and specialist support.

Background

2. Like all local authorities, Epping Forest District Council has a responsibility to keep housing conditions in its District under review, to enforce statutory standards to ensure satisfactory conditions in the private housing sector and also to offer financial assistance to repair and/or improve sub standard dwellings. The Council also has a duty to provide mandatory Disabled Facilities Grants (DFGs).

3. Until the implementation of the Regulatory Reform Order 2002 (RRO), the Government set very clear rules which governed the way that local authorities could give financial help. With effect from July 2003, however, the Order set aside these rules and gave local authorities much greater freedom to offer financial assistance in ways that reflect local

needs, circumstances and resources. To do this, however, a local authority has to prepare a PSHS which looks at evidence of local circumstances and links local priorities with national and local strategies.

4. The previous PSHS drew on evidence of housing conditions in the District from the House Condition Survey (HCS) 2005 along with prompts from national and local strategies. It implemented significant changes to the way in which the Council delivered financial assistance, which had previously been very similar to the original national framework. This new draft Strategy has been prepared following completion of the HCS 2011. It reviews the progress over the past four years and also takes into account priorities from the housing policies of the new Government and the impact of financial constraints

5. The Strategy has five main parts:

- **Introduction** - the background and importance of good housing;
- **The Strategic Context** - the framework of national and local strategies with which the PSHS must be consistent;
- **The Local Context** – the profile of the District, the local housing market and the findings of the HCS 2011;
- **What We Do Now and What We Have Achieved** - a review of current policies and practices and resources and the extent to which they have been successful; and,
- **What We Propose To Do** - the priorities for the new Strategy and changes to inspection and enforcement practices, revised arrangements for working with the privately rented sector and revised policies for offering financial assistance.

6. The draft Housing Assistance Policy, which is a detailed statement of what financial assistance will be available and the conditions that will apply, does not form apart of the draft Strategy as this will be completed after the Panel has considered the draft Strategy and public consultation has concluded. Part 5 of the draft Strategy does give details of the proposed framework for financial assistance and individual types of assistance.

7. The Strategy has four Appendices. Appendix A sets out an Action Plan for implementation. Appendix B explains the Decent Homes Standard. Appendix C explains the Housing Health and Safety Rating System (HHSRS) which now sets the min legal standard for housing. Appendix C also sets out the framework Officers will use when exercising the extensive discretionary powers under the HHSRS. This will form part of Council policy.

8. Appendix D, which deals with consultation, is not included as the consultation process has not yet finished. Any significant issues emerging from the consultation will be brought to the attention of the Panel.

Priorities for the New Strategy

9. The new Government has made it clear that its overriding priority is the reduction of the budget deficit. There has been a dramatic change in the economic climate with the global downturn having had a major impact on the British economy, leading in turn to large scale reductions in public spending.

10. The new Government has also brought with it a change in direction and emphasis with national housing policies. The prime focus of the November 2011 strategy document "*Laying the Foundations: A Housing Strategy for England*" had at its heart the revitalisation of the housing market. The Strategy makes it clear that the Government wants to see the private rented sector thriving and growing, but with a high standard of accommodation. Local authorities are encouraged to use existing robust powers to deal with private rented sector homes in poor condition.

11. The reduction of the number of long term empty homes is another key priority, with the financial incentive of the New Home Bonus (equivalent to match funding of Council Tax for a period of 6 years) applying to each empty home brought back into use as well as to new units built.

12. Improving energy efficiency remains a Government priority and the Energy Act 2011 will introduce the Green Deal later this year. This is a scheme to allow householders and businesses to install energy efficiency measures without any upfront cost. Improvements are paid for over a period of years with instalments being met from savings in fuel bills. It will be coupled with the Energy Company Obligation (ECO), a compulsory contribution from utility companies which will give additional support for hard to heat properties (e.g. those with solid walls) and vulnerable households.

13. The previous Government introduced the Decent Homes Standard, a non enforceable standard that was used for benchmarking in both public and private sector housing. It has four broad requirements; that a property:

- A. Meets the minimum legal standard for housing (now that it is free from serious (Category 1) hazards under the HHSRS, and
- B. Is in reasonable repair, and
- C. Has reasonably modern facilities and amenities, and
- D. Has a reasonable degree of thermal comfort.

14. A more detailed description of the Decent Homes Standard is set out in Appendix B of the draft Strategy.

15. Targets set by the previous Government in respect of Decent Homes in the private sector were that 65% of vulnerable households (households in receipt of benefit) should be living in Decent Homes by 2006/07 and 70% by 2010/11 (the PSA7 target). The formal requirement to meet the target was dropped by the former Government in 2008. However, performance against the target is still used by many local authorities for benchmarking. The 2005 HCS showed that there was a shortfall on 590 homes occupied by vulnerable households against the 2006/07 target in the District. The 2011 HCS showed that the shortfall against the higher 2010/11 target is 270 although the deficit is 570 in the private rented sector with a surplus of 300 in the owner occupied sector.

16. The Housing Act 2004 and the RRO remain the main statutory provisions covering local authority work in private sector housing. The 2007 PSHS did implement significant changes in the way EFDC offered financial assistance, with a focus on Decent Homes Assistance. Although this was a grant, the conditions attached required that the grant sum would have to be repaid to the Council if the property was sold within 15 years of the work being carried out. This made it almost equivalent to a loan. The other forms of assistance implemented in the 2007 PSHS are described in paragraph 27.

17. Recognising that many owner occupier households, especially older households in areas where house prices are high, have substantial equity in their property, many local authorities have moved almost totally from giving grants. Instead they are offering loans or full equity release schemes which are more complicated financial products. Giving loans does ultimately 'recycle' the assistance given, although in reality there is frequently a substantial interval between granting the loan and repayment. If no outside finance is introduced the cost is borne by the Council.

18. Equity release schemes are much more complex to administer (and require independent financial advice to be given) but do allow external finance to be introduced. Loans may be interest bearing or may involve repayment of a percentage of the property value (as in the property appreciation loan model). Because of the administrative issues, and

in order to minimise costs, smaller authorities generally work in partnership with neighbours when introducing equity release schemes. The 2007 PSHS did state an intention for Epping Forest District Council to move towards equity release during the lifetime of the Strategy but this did not take place.

19. The changes brought in by the Housing Act 2004 were substantial. It replaced the old Housing Fitness Standard with the HHSRS, a risk based system for assessing 'hazards' in homes with flexible but robust enforcement powers. Serious hazards are termed Category 1, less significant hazards Category 2. The Council now has a duty to take the most appropriate course of action in respect of Category 1 hazards (irrespective of the tenure) and discretion to take such action in respect of Category 2 hazards. Appendix C in the draft Strategy gives a full explanation of how the HHSRS works and also sets out the local discretion policy. The Act also introduced the mandatory licensing of higher risk three storey HMOs and gave the power for compulsory leasing of long term empty homes (Empty Dwelling Management Orders).

20. The draft Strategy also takes account of a range of prompts from local strategies, including the Local Plan, the Community Strategy, the current Housing Strategy and the Homelessness Strategy. Priorities from these were:

- Maximising the supply of affordable housing;
- Reducing health inequalities;
- Promoting energy efficiency and reducing Fuel Poverty;
- Promoting independent living for vulnerable groups;
- Developing an appropriate and reliable equity release product; and,
- Working with private sector landlords to promote the availability of affordable housing in particular for those potentially homeless.

21. The clear message from looking at the local housing context was that, whilst local household incomes are generally above average, both house and rental prices are very high. There is a very substantial waiting list for social housing and the lack of affordable housing is a major concern. Since 2005, the private rented sector has increased significantly with both the owner occupied and social housing sectors reducing. This is an issue for the draft Strategy as in reality most newly forming households turn to the private rented sector for affordable housing.

22. A number of messages came from the House Condition Survey. In general terms, the private sector housing stock in the District compares well with the national position. The number of homes overall failing the Decent Homes Standard is 26% compared with 32% nationally. Rates of Category 1 hazards are also below the national average although thermal comfort failures of the Decent Homes Standard are above the national average as are disrepair failures. Generally energy efficiency comparators were above the national average.

23. There was a marked disparity between tenures, with performance against all indicators significantly worse in the private rented sector. With property types, a notable feature was the high rate of Decent Homes failures in mobile homes and to a lesser degree low rise purpose built flats.

24. One issue highlighted by the HCS 2011 was the proportion of long term empty homes (empty for more than 6 months). At an estimated 1,020 (2.3%), this is significantly above the national average and given the pressure for affordable housing action to reduce the numbers of long term empty homes is clearly a major priority for this Strategy.

What We Do Now and What We Have Achieved

25. The preparation of the new Strategy gives an opportunity to review current policies and practices and the extent to which they have been successful.

26. Private Sector Housing comprises the Private Sector (Technical) Team and the Private Sector (Grants and C.A.R.E.) Teams. C.A.R.E. (Caring and Repairing in Epping Forest) is the Council's in-house Home Improvement Agency.

27. Current staffing levels are as follows:

Team	Staff
Technical	4.2 FTE officers.
Grants	2.5 FTE officers.
C.A.R.E.	2 FTE officers and 1 part-time contracted surveyor.
In addition	1 FTE officer jointly manages the Grants Team and C.A.R.E.

28. As well dealing with general housing complaints and enforcing statutory housing standards in single occupation dwellings and Houses in Multiple Occupation (HMOs), the Technical Team also undertakes:

- Inspection and licensing of park home sites (46 in the District);
- Advice, assistance and enforcement in harassment and illegal eviction cases;
- Dealing with anti social behaviour complaints;
- Inspection and resolution of cases of 'filthy and verminous' premises; and,
- Inspection of dwellings for entry clearance/immigration.

29. The Technical Team responded to the following numbers of complaints over the past five years:

	2006/07	2007/08	2008/09	2009/10	2010/11
Complaints	353	403	424	560	598

30. Almost all complaints were resolved informally as landlords in the District generally comply with Council requests for work to be done. However, the team did serve a limited number of statutory notices under the Housing, Environmental Protection and Public Health Acts. Four licences under the requirements for the mandatory licensing of HMOs have been issued and 55 long term empty homes have been brought back into use mostly through informal action. The recent introduction of model standards on park home sites has led to a significant volume of proactive work.

31. With regard to financial assistance, over the past 4 years £1.3 million (195 grants) has been spent on mandatory DFGs and just under £1.2 million on discretionary financial assistance such as Decent Homes Assistance.

32. As mentioned previously, Decent Homes Assistance was aimed at bringing properties up to the Decent Homes Standard. Other forms of assistance introduced by the previous PSHS were Small Works Assistance (minor works for vulnerable groups), Thermal Comfort Grants, Discretionary DFGs/Relocation Grant and grants targeted at bringing empty homes back into use and converting redundant space into affordable living accommodation.

33. The number of Decent Homes Assistance cases rose significantly in the final year which appeared to be because of acceptance of the 15 year grant condition. The table on the next page shows the numbers of discretionary grants/assistance each year. No Empty Homes or Conversion Grants were made during the four years.

Discretionary Grants/Assistance over the Past 4 Years

Year	Type	Number
2007/2008	Decent Homes Assistance	1
	Small Works Assistance	15
	Thermal Comfort Grant	10
2008/2009	Decent Homes Assistance	2
	Small Works Assistance	80
	Thermal Comfort Grant	30
2009/2010	Decent Homes Assistance	7
	Small Works Assistance	77
	Thermal Comfort Grant	38
2010/2011	Decent Homes Assistance	14
	Small Works Assistance	68
	Thermal Comfort Grant	25

34. The expenditure on DFGs has remained consistently high during the 4 years. The HCS 2011 found that 16% of households had at least one person with a disability and the potential demand for DFGs over the next 5 years was estimated at £3.7 even after allowing for means tested contributions.

35. C.A.R.E. also manages the Handyperson Service offering direct assistance with minor, low cost jobs (maximum cost £250) for householders who are over 60. The Service dealt with 124 cases in 2010/2011. With the benefit of additional Supporting People funding, the Service has been extended to provide security works ('Handyperson Plus') and limited decorating services.

36. Maintaining a constructive working relationship with private sector landlords is of great value, not least given the importance of the Private Sector to the supply of affordable housing especially for vulnerable households. The District is unusual in that the great majority of landlords own one or two properties only. 'Portfolio' landlords with many properties are commonly encountered in other authorities but not in the Epping Forest District. For this reason, a Landlords Forum has not been set up. However, the draft Strategy does include the setting up of a 'Landlords Resource Area' on the Council website.

37. The Technical Team have introduced a limited accreditation scheme for properties where the landlord sought a Rent Deposit Guarantee or the tenant a rental loan.

38. Private sector leasing is now carried out through two schemes - Private Leasing Agreements Converting Empties (PLACE) and Housing Association Leasing Direct (HALD). PLACE is a partnership of seven authorities in the London Commuter Belt sub region which bid for and retains substantial capital funding for dealing with long term empty properties.

39. Although slow in starting, these two schemes are now proving effective in making additional affordable homes available for vulnerable households especially those threatened with homelessness. Following recent revisions, PLACE should be able to play a greater part in the work to bring long term empty homes back into use. Schemes funded under PLACE do not incur capital costs to the Council.

What We Propose to Do

40. The proposed changes in the draft Strategy aim to reflect the priorities at national and local level, the realities of a different financial climate, the local housing market, findings in the HCS 2011, best practice elsewhere and the lessons from review of the past 4 years.

41. In many respects, the previous Strategy has worked well. However, it is clear that changes should be made in the way the Council deals with unsatisfactory housing. Some changes are relatively straightforward and can be introduced quickly; however, the move to equity release will need to be phased over a period of years.

42. Some further adjustments will be necessary as Government housing policies evolve. As one example, there is no detail yet on the way the Green Deal will operate. The Green Deal will implement substantial change in the way improvements to energy efficiency can be given and, if possible, the Council will wish to play a major role in local delivery of this.

Advice, Assistance and Specialist Support

43. When responding to enquiries about financial assistance, Officers currently undertake trial assessments to give an indication of eligibility. This process will be extended to a more comprehensive process which will include giving information (not 'advice' which falls within the consumer credit/financial services rules) on other routes to securing finance to carry out if assistance from the Council is not available. The additional training necessary will be carried out.

44. The Handyperson Service is very popular and its retention is a high priority. However, funding for the Service is dependent on the contribution from Supporting People and, whilst funding for the base service appears reasonably secure, that for the additional services (Handyperson Plus and decorating) less so. In the current climate all funding streams may be vulnerable and in order to safeguard this service the draft Strategy proposes a restricted charge for all households in receipt of benefit with effect from September 2012.

45. C.A.R.E. does publicise its activities through talks and exhibitions but the draft Strategy proposes increasing aware raising through targeting areas where there is likely to specific interest, including voluntary organisations and relevant professional groups. The Council website is being upgraded and a greater presence will be given to C.A.R.E.

46. The draft Strategy proposes a resources page for private sector landlords which will give information on statutory requirements, Council policies relevant to private rented sector accommodation and contact details. The web page will give landlords an opportunity to comment on private sector housing issues and also to send in specific queries.

47. The accreditation process linked to the rent deposit and rental loan scheme has worked well. The supply of good quality privately rented housing is extremely important in terms of affordable housing especially for vulnerable households. The draft Strategy proposes that in order to give landlords a further incentive to participate and in particular to offer accommodation to vulnerable households, by considering offering fast tracking of housing benefit claims by tenants in any property which has met the accreditation requirements.

48. Greater publicity for the PLACE and HALD schemes is proposed.

Enforcement

49. It is clear that bringing empty homes back into use has to be a major priority for the new Strategy in order to:

- follow Government housing policy;
- maximise the supply of affordable housing;
- reduce difficulties to neighbouring households; and,
- generate revenue through the New Home Bonus.

50. In addition, the 2011 HCS did indicate a significantly higher rate of non-Decency in park homes. Accordingly, the draft Strategy proposes that there should be greater emphasis on proactive inspections with planned inspections to focus especially on these two areas.

51. The draft Strategy emphasises that the approach to enforcement will continue the largely informal approach but that Officers will not hesitate to take formal action when necessary. The Strategy also acknowledges that there will be occasions where formal enforcement is necessary in respect of occupied properties.

Financial Assistance – Equity Release

52. House prices are very high in the District and the 2011 HCS identified that there is significant equity in many properties especially those occupied by older residents. The draft Strategy proposes that in the medium term there will be a move towards a full equity release scheme, realistically in partnership with neighbouring authorities. When developed, the C.A.R.E. will play a very important role in its delivery.

Financial Assistance 2012/2013 Onwards

53. The Council has a duty to make mandatory DFGs and obviously administration of these will continue to be a major part of the Team's work. The Capital Programme has currently set aside £400k for each of the next 3 years to cover expected demand. A substantial proportion of DFG expenditure is met by central Government.

54. The draft Strategy assumes that £350k has been set aside in the EFDC Capital Programme for discretionary financial assistance for each of the next three years. It is clearly most important that very best value is made of this and, in proposing a revised framework for financial assistance, the draft Strategy applies the following broad principles:

- With the exception of the discretionary Relocation Grant, all financial assistance will be repayable on sale or other disposal secured by a local land charge (or undertaking in the case of mobile homes). No interest will be charged.
- No financial assistance will be made available to landlords. Whilst Officers will continue to use their best endeavours to deal with unsatisfactory conditions informally, if necessary enforcement action will be used and works done in default.
- Only properties in Council Tax Bands A – E will be eligible for financial assistance.
- All applicants will be means-tested including those in receipt of Attendance Allowance/Disability Living Allowance.
- All discretionary financial assistance will only be available when capital funds permit.
- The discretionary financial assistance offered does not affect the Empty Property Loans and Empty Property Grants available in respect of long term empty homes recently introduced under the PLACE Scheme.

55. The draft Strategy proposes that Thermal Comfort Grants, Discretionary DFGs and Conversion Grants should no longer be available. Relocation Grants for cases where mandatory DFG works are not feasible or prohibitively expensive are retained. The Small Works Assistance and Decent Homes Assistance become Small Works Repayable Assistance and Decent Homes Repayable Assistance respectively with lower eligible expense limits. Thermal comfort works can be carried out using these two forms of assistance. A new Empty Homes Loan is introduced to encourage young households to bring long term empty properties back into use for owner occupation. The modified PLACE scheme will still give landlords/developers assistance with the costs of bringing empty homes in poor condition back into use and/or converting redundant space in non-residential properties.

56. Details of the individual grants can be found in Part 5 of the draft Strategy. The draft Strategy does not indicate the proportions of anticipated spend for each type of assistance and it is suggested that this should remain the case, subject to a possible cap on the amounts that could be spent in any one year on Empty Homes Loans and Relocation Grants.

57. A change with Mandatory DFGs is proposed. Where the grant is above £5,000, the Council is entitled to recover costs up to a maximum of £10,000 for a period of up to ten years. The Council currently does this where the cost is above £12,000. It is proposed that the Council considers requiring repayment of the grant (subject to the £10,000 limit) if the property is disposed within a 10 year period. This would be protected by a charge on the property which would be removed after a period of 10 years. Repayment would not be required for the costs of providing stair lifts, through floor lifts or removable equipment such as hoists. In addition, it is proposed that there should be discretion to waive the requirement in exceptional circumstances.

58. A possible change with the administration of DFGs is the Occupational Therapist referral service currently provided by the County Council. There have significant problems because of delays and other issues which have hampered significantly the service offered by C.A.R.E. The Strategy suggests that alternative means of service provision be investigated.

Conclusion

59. The proposed Private Sector Housing Strategy will lead to significant revision of the way the Council delivers private sector housing services.

60. The Strategy seeks to build on the work done in giving advice, assistance, and specialist support. It also seeks to strengthen the enforcement approach within existing resources. With financial assistance, the strategy signals a move if possible in the medium term towards a full equity release scheme. This is line with national policy, has been adopted by many local authorities and is an approach consistent with the house prices and equity levels prevailing in the District. In the short term, the changes to the framework for financial assistance seek to make best use of limited capital resources whilst still targeting vulnerable groups and Council priorities. The move to repayable assistance will mean monies paid out return to the Capital Programme over a period of years.

Reason for decision:

The Council is required under the terms of the Housing Act 2004 to keep housing conditions in the private sector under review and develop strategies to outline how it will use the powers available to deal with adverse housing conditions. The existing PSHS expired in 2011 and, given the changes in the housing and financial markets, and in government direction, the Council needs to develop a new Strategy. The purpose of this report is to seek the approval of the Panel in principle to the draft Private Sector Housing Strategy (PSHS) 2012-15. The draft Strategy implements changes to the policies set out in the previous PSHS 2007 – 2011 for financial assistance to promote the repair and improvement of sub-standard private sector housing and adaptation of the homes of people who are disabled. It also implements changes to policies in the previous PSHS dealing with enforcement of private sector housing standards and for giving advice, assistance and specialist support.

Options considered and rejected:

As the existing PSHS has now reached the end of its useful life, the Council has no other option than to develop and implement a new Strategy. Members may wish to adopt the proposed Strategy as drafted or to may wish to remove, add, alter or amend its provisions.

Consultation undertaken:

Consultation to date has included meetings with all members of the Private Sector Housing Team, representatives from the Housing Options Team, Strategy and Information Team and the Planning and Economic Development Directorate. Separate meetings have been held with the C.A.R.E. Advisory Panel, C.A.R.E. Service Users Panel and the Leaseholders Association. Further consultation will take place after this meeting with the draft Strategy (amended if and as necessary) being circulated to Stakeholder Groups and being made available for comment on the Council website.

Resource implications:

Budget provision: Within existing resources, unless legal action has to be taken against a large number of site owners, which could be costly and unable to estimate at present.

Personnel: Nil

Land: Nil

Relevant statutory powers: Housing Act 2004; Regulatory Reform Order 2002; Disabled Facilities Grant (Conditions relating to approval or repayment of Grant) General Consent 2008.

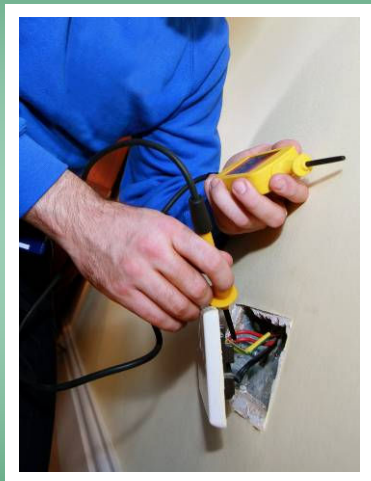
Background papers: Private Sector House Condition Survey 2011; the Private Sector Housing Enforcement Policy.

Environmental/Human Rights Act/Crime and Disorder Act Implications: N/A

DRAFT

Private Sector Housing Housing Strategy

2012 - 2015



Director of Housing
Alan Hall FCIH



**Epping Forest
District Council**

TABLE OF CONTENTS

Part	Content	Page
1	Introduction	
	• What is the Private Sector Housing Strategy?	1
	• The Background	1
	• Why is Good Housing Important?	3
2	The Strategic Context	
	• National Policies	5
	• Local Strategies	9
3	Epping Forest District – The Local Context	
	• Local Profile	12
	• Local Economy	14
	• Housing Market	15
	• The Epping Forest District House Condition Survey 2011	17
4	What We Do and What We have Achieved	
	• Who Does the Work?	25
	• Information, Advice and Specialist Support	25
	• Financial Assistance	28
	• Enforcement	30
5	What We Are Going to Do	
	• The Priorities for the New Strategy	33
	• Future Action	35
	• Information, Advice and Specialist Support	35
	• Enforcement	36
	• Financial Assistance	37
	• Review	42
	• Equality and Diversity	42
	• Contacts, Appeals and Complaints	42

APPENDICES

A	Action Plan	43
B	The Decent Homes Standard	45
C	The Housing Health and Safety Rating System (HHSRS)	48
D	Consultation	52

INTRODUCTION

What is the Private Sector Housing Strategy?

- 1.1 A person's home can have a major impact on their quality of life and general wellbeing. Everyone wants to live in a home that is warm, dry, secure and suitable for their needs. People also want a home they can welcome visitors back to. There are clear links between unsatisfactory housing and poor health and this is especially true for older people, residents with disabilities or chronic illness and households with young children. Like all local authorities, this Council has a responsibility to deal with private sector housing that is in poor condition or needs adaptation to meet the needs of those with disabilities.
- 1.2 Over 85% of the homes in the District are in the private sector – 70% owner occupied and 15% privately rented. Only 15% of the housing stock is social housing (Council or housing association owned). The proportion of privately rented properties has increased substantially in recent years. In practice the private rented sector is now the main source of affordable housing for many newly forming households.
- 1.3 This Strategy replaces the previous Private Sector Housing Strategy which ran from 2007 – 2011. The Strategy looks at all the issues relevant to private sector housing in the District and sets out how the Council aims to help achieve decent housing standards across the private sector. Although the District appears in many respects to be an affluent area, there are significant pockets of deprivation and the recent Private Sector House Condition Survey clearly shows that many properties fall below the Decent Homes Standard (see Appendix B) or are unsuitable for the household living there. A more detailed account of the findings of the House Condition Survey appear in Part 3.
- 1.4 The Council's overall aim is to achieve the best standards possible in terms of housing condition, energy efficiency and accessibility across the private sector. The Council also wants to encourage landlords who provide good quality, affordable accommodation whilst taking action to deal with those properties which present a risk to the occupiers.
- 1.5 The Strategy explains the way the Council will offer general advice, assistance and support to help with unsatisfactory housing, and in some cases financial assistance to help with works to repair, improve and/or adapt properties. It also sets out how the Council will use legal powers where necessary to enforce statutory standards.
- 1.6 This document links with the Housing Assistance Policy 2012 - 2015. The new rules on housing assistance apply from 1 June 2012.

The Background

- 1.7 An effective private sector housing strategy has to take into account relevant policies at national and local level along with information on local housing conditions and the local housing market. The policies that have driven the development of this Strategy are explained in more detail in Part 2. More information on the local context and housing conditions is given in Part 4.



Government policies

- 1.8 Since the last Strategy was developed, a new Government has been elected with revised housing policies and priorities. The recent strategy document *Laying the Foundations: A Housing Strategy for England* emphasised the importance the Government places upon a thriving private rented sector and on bringing empty homes back into use. There is also now a renewed emphasis on energy efficiency with the Energy Act 2011 which introduces the Green Deal.
- 1.9 In practice the Housing Act 2004 and the Regulatory Reform (Housing Assistance) Order 2002 still remain the main influences on the way local councils deal with private sector housing.
- 1.10 The Housing Act 2004 introduced major changes to statutory housing standards including a new minimum legal standard for housing. The Housing Health and Safety Rating System (HHSRS) now requires properties to be free of serious hazards that could affect the health of residents, visitors and passers by. A more detailed account of the HHSRS appears in Appendix C. Along with other legal provisions, the Act also requires the owners of higher risk 'Houses in Multiple Occupation' (HMOs), typically 3 storey bedsit type houses, to apply for a licence and also gives local authorities strong powers to deal with long term empty homes.
- 1.11 The Regulatory Reform Order led to major changes in the way local authorities can give financial help to people to repair or improve private sector homes. It gave local authorities greater freedom to set their own framework to provide financial assistance rather than simply apply national rules. However, to do so they have to show that their framework sits comfortably with national and local policies and with local priorities identified from evidence of housing conditions and housing demand.
- 1.12 Housing policies do not, of course, exist in isolation. There has been a very substantial change in the economic climate since the former Strategy was developed in 2007. This Strategy has to reflect the fact that public spending is now severely constrained and also that the prime responsibility for the repair and improvement of a property does rest with its owner.

Local information

- 1.13 The Housing Act 2004 places a duty on local authorities to keep the condition of the housing stock under review so that they can make proper decisions about the action they need to take to deal with unsatisfactory housing.
- 1.14 Some of the information used to develop this Strategy has been obtained through the day to day work done by its housing officers. A major source of information has also been the District-wide Private Sector House Condition Survey carried in 2011 (see Part 3).
- 1.15 In order to meet the duty to keep housing conditions under review, local authorities carry out a sample survey of housing conditions in their area roughly every five years. House condition surveys give extensive information on

property condition, compliance with the Decent Homes Standard, serious hazards, energy efficiency, adaptations for people with disabilities, etc.

- 1.16 The 2011 House Condition Survey showed that, whilst private sector housing conditions in the District compare well with figures nationally, and significant progress has been made since the last Survey in 2005, there are still significant problems to address:
- 26% of properties fail the Decent Homes Standard (49% in the private rented sector);
 - 33% of vulnerable households live in non-Decent homes;
 - 14% of homes contain at least one Hazard rated at Category 1 under the HHSRS;
 - At least 14% of households are in fuel poverty (i.e. having to spend at least 10% of their weekly income on heating and hot water); and,
 - 16% of households have one or more persons with a disability.
- 1.17 This Strategy also takes into account information on the local housing market in the District. House prices are the highest in Essex and in 2001 the average house price in the District was £373k, 55% higher than the national figure of £241k.
- 1.18 The high prevailing house prices make it very difficult for young households to buy a first home and the private rented sector plays a very important role in the provision of affordable housing. This Strategy aims to promote constructive working with landlords and to strengthen working arrangements which assist households threatened with homelessness to find accommodation.
- 1.19 Whilst high house prices make it difficult for households looking to get onto the first rung of the housing ladder, they also mean that many older households have substantial equity in their property. At a time when public spending has been cut back, it is very important that local authorities make best use of all resources and helping some households to repair or improve their property by facilitating equity release is a significant theme in this Strategy.

Why is Good Housing Important?

- 1.20 The Government is emphasising the importance of a good quality of life, a sense of “wellbeing”. ‘Decent’ homes are extremely important to quality of life. For most people the majority of time is spent at home. Research shows there are clear links between sub-standard houses and poor health – for example damp homes can lead to respiratory illness especially asthma, cold homes place an additional load on the circulatory system and the recent Marmot report highlighted the links between heart attacks, strokes and respiratory disease in the winter months.
- 1.21 The condition of a home can also present a serious hazard to its occupants – falls, burns, scalds, exposure to carbon monoxide, asbestos, etc. As just one example, every day two or three older people across the Country die after falling down stairs. The HHSRS was introduced in 2006 specifically to give local authorities powers to deal with deficiencies in homes that can cause illness and injury.

- 1.22 Studies also show that the impact of poor housing is not confined to physical effects. Sub standard housing conditions may lead to anxiety, depression and impaired child development, again all factors taken into account in the HHSRS.
- 1.23 The impact of poor housing is particularly noticeable with older residents, households where there is a person with a disability or chronic illness, and where there are young children – the phrase “health inequalities” is commonly used to describe the health disadvantages experienced by many vulnerable groups.
- 1.24 Whilst the District may appear affluent overall, the recent House Condition Survey has highlighted the fact that unsatisfactory housing is not rare and the Council wants this Strategy to build on the work of the past five years in helping to reduce health inequalities.

THE STRATEGIC CONTEXT

National Policies

- 2.1 Since the previous Strategy in 2007, there has been a change of Government, bringing with it a change in tone and direction in national housing policies, with a particular emphasis on revitalising the housing market. Other priorities include tackling long term empty homes and a renewed focus on energy efficiency. There has also been a very substantial change in the economic climate, with a global downturn that started in December 2007 having had a major impact on the British economy, with large scale reductions in public spending.
- 2.2 At the heart of the previous Strategy lay the changes introduced by the Housing Act 2004 and the Regulatory Reform Order 2002 (RRO). These are still the main statutory provisions covering local authority work in private sector housing. This Strategy reviews how the Council has used the Housing Act and RRO over the past four years and implements changes to improve the way the powers are used.

Housing Act 2004

- 2.3 The changes brought in by the Housing Act 2004 were substantial. It replaced the old Housing Fitness Standard with the HHSRS, a risk based system for assessing hazards in homes with flexible but robust enforcement powers. A more detailed account of the HHSRS appears in Appendix C. It also introduced the mandatory licensing of higher risk three storey HMOs. The Act contained other important private sector measures, including selective licensing to deal with areas of low demand and compulsory leasing powers to deal with empty homes (Empty Dwelling Management Orders or EDMOs). The Act also included improved rights and an extension of Disabled Facilities Grants (DFGs) to park home residents.

Decent Homes Standard

- 2.4 The Decent Homes Standard was a key element of the former Government's housing policy and was used for setting targets in both public and private housing sectors. The present Government has not given any clear policy indication on the future of the Standard but it remains an important benchmark. Appendix B gives detailed information on the Decent Homes Standard, but essentially it contains four main criteria – that a dwelling should:-
- A. be above the legal minimum standard for housing (now free of Category 1 hazards under the HHSRS – until 2006 it was that a property should be fit for human habitation), and
 - B. be in a reasonable state of repair, and
 - C. have reasonably modern facilities (such as kitchens and bathrooms) and services, and
 - D. provide a reasonable degree of thermal comfort (effective insulation and efficient heating).

- 2.5 The first Government target on Decent Homes dealt with social housing, which should all have met the Decent Homes Standard by 2010. The Government targets for the private sector in Public Service Agreement 7 (PSA7) were that the

proportion of vulnerable households (in receipt of income related or disability benefit) living in Decent Homes should be:

- 65% by October 2007;
- 70% by October 2011;
- 75% by October 2021; and,
- There should be a year on year increase in the proportion.

- 2.6 The former Government dropped the formal requirement for local authorities to meet the PSA7 targets from April 2008. However, in practice the extent to which local authorities have met the targets is still widely used as a benchmark.
- 2.7 The House Condition Survey 2005 showed that the proportion of vulnerable households in Decent Homes in the District was 61%, below the 2007 Government target of 65%. The House Condition Survey 2011 showed that the proportion of vulnerable households living in Decent Homes had in fact risen to 67% (this is considered in more detail in Part 3). However, this was still below the nominal PSA7 target of 70% for 2011 so further intervention is still necessary.
- 2.8 The Council did take advantage of substantial capital funding offered by the former East of England Regional Assembly to offer financial assistance to bring private sector homes up to the Decent Homes Standard. This funding, however, ceased in April 2011.

Regulatory Reform Order 2002 & Financial Assistance

- 2.9 The RRO itself prompted major change. Prior to the RRO, local authorities could only offer financial assistance through a framework of grant assistance which was set nationally. The RRO gave local authorities the freedom to set their own framework tailored to local needs. This meant councils had the opportunity to offer both grants and loans designed to meet the needs of their area.
- 2.10 Government guidance stresses that those who own homes are responsible for their repair and improvement. However, both the former and the present Government view the equity in many private sector homes as a potential source of finance for improving the conditions in private sector homes. The numbers of local authorities who still give financial assistance solely through grants is decreasing all the time. Many are using Government backed specialist providers and offer a range of low cost schemes tailored to the needs of vulnerable households.
- 2.11 The 2007 – 2011 EFDC Private Sector Housing Strategy took the opportunity given by the RRO to alter radically the framework for financial assistance. Up until 2007, the financial assistance offered largely followed the former national framework. The 2007 – 2011 Strategy introduced new grants targeted at bringing properties up to the Decent Homes Standard, small works for vulnerable households, improving thermal comfort, bringing long term empty homes back into use and converting redundant space in buildings into living accommodation.
- 2.12 Decent Homes Assistance had a lower maximum eligible expense than Improvement Grants, which were the equivalent type of assistance under the former Strategy, and also the condition for repayment of the Assistance on sale after completion of the work to 15 years. In practical terms, this condition made

the Assistance comparable to a loan. The 2007 – 2011 Strategy also envisaged a move to a formal equity release system to replace the majority of grant aid in the longer term. This did not materialise over the term of the Strategy, however, mainly for reasons connected with the downturn in the financial and housing markets.

- 2.13 Both the former and the present Governments view Home Improvement Agencies (HIAs) as very important - whether by simply giving advice or guidance, with practical help, by helping to arrange finance or supervising work. The Council has provided an agency service since 1991 (Caring and Repairing in Epping Forest – C.A.R.E.) which has worked very successfully. The Council intends to retain and to continue to build on the in house provision of Home Improvement Agency services.

New Government Priorities

- 2.14 The Government elected in May 2010 has made it plain that its overriding priority is to reduce the national budget deficit and has introduced a series of measures to reduce public spending. Other Government priorities which are relevant specifically to housing include increasing the freedom for local decision making on planning and housing through the Localism Act 2011 and measures to deal with climate change, in particular those in the Energy Act 2011. The Government has also made clear its aim to reduce the regulation of business.

“Laying the Foundations: A Housing Strategy for England”.

- 2.15 A clear statement on housing policy was made in the November 2011 strategy document *“Laying the Foundations: A Housing Strategy for England”*. The prime focus was on revitalising the housing market through measures to provide a mortgage indemnity for first time buyers of new properties, funds to promote infrastructure growth and development finance, freeing up public sector building land and support for self build. The Strategy also refers to measures to reform social housing contained in the Localism Act 2011.

Private Rented Sector

- 2.16 The Government also makes it clear in the Strategy document that it wants to see the private rented sector thriving and growing. To support that growth, it has introduced changes to stamp duty to benefit institutional investors with large scale housing portfolios and also measures to support the growth of Real Estate Investment Trusts. However, the Strategy also makes it clear that it wants to see high standards in the private rented sector and that it is encouraging local authorities to make ‘full use’ of the robust powers they already have to deal with unsatisfactory properties. New powers to deal with rogue landlords are being considered. These will be particularly important if the Council decides to use the powers available in the Act for local authorities to discharge their homeless duty to private sector landlords.

Empty Homes

- 2.17 The Housing Strategy for England also makes it clear that bringing empty homes back into use is a major priority. £100 million capital funding is being made available for housing providers, community and voluntary groups to tackle problematic empty homes. For local authorities, the Government is offering a

significant financial incentive by making empty homes brought into use qualify for the New Homes Bonus. In addition, the Bonus is also payable for the provision of additional traveller site pitches. For each qualifying property, the Government match funds the Council tax (using national average figures) for six years.

- 2.18 The provisional annual allocation (for all types of qualifying property) for Epping Forest District Council is £295k. The additional revenue from the New Homes Bonus in the last financial year has already funded the extension of an existing part time post to spend more time tackling long term empty homes.

Energy Act 2011 and the Green Deal

- 2.19 The Energy Act 2011 contains a range of measures aimed at reducing carbon emissions and promoting security of supply. It is the Green Deal, along with the and Energy Company Obligation (ECO) that is the flagship initiative aimed at improving energy efficiency in properties across mainland UK. The Green Deal, which will become available in Autumn 2012, is a scheme to allow householders and businesses to install energy efficiency measures without any upfront cost. Improvements are paid for over a period of years with instalments being met from savings in fuel bills.
- 2.20 Eligibility will depend upon meeting the 'golden rule', i.e. that the estimated savings on bills will always be equal to or exceed the cost of the work. If a property owner sells the property, then the next purchaser takes responsibility for the outstanding amount. The measures have to be approved measures, must be recommended by an accredited, objective adviser after an assessment and must be carried out by an accredited installer. Consent is required of all parties involved in a property including the present energy bill payer, the existence of the Green Deal arrangement has to be disclosed to all new owners/tenants along with energy performance information. Energy suppliers have to collect the Green Deal charge and pass it on.
- 2.21 For properties where the golden rule cannot be met (the Government indicates this will include most solid wall properties) and/or the household is vulnerable, additional support may be available through the ECO. This compulsory contribution from utility companies (essentially from consumers' bills) will replace the existing Carbon Emissions Reductions Target (CERT) and the Community Energy Saving Programme (CESP) which expire in December 2012.
- 2.22 The Government sees local authorities as having a significant role in the Green Deal:
- as possible direct providers co-ordinating finance and delivery;
 - working in partnership with commercial Green Deal providers and community partners; and,
 - acting as advocates to promote Green Deal.
- 2.23 Domestic energy efficiency will continue to be a very high priority for the Council. The Council also recognises that the Green Deal in conjunction with the ECO will be the main vehicle for property owners to receive assistance and will look hard at all possible ways to deliver the initiative.

Public Health Initiatives

2.24 The changes currently being progressed by the Government in the NHS are also likely to have a significant impact on local authorities. The Government is keen to promote social well being, and the return of a broader public health function to local government from the PCTs (which are currently due to be disbanded) is likely. This could lead to closer working to develop initiatives aimed at reducing health inequalities through unhealthy homes. The Council will monitor developments closely and will look for any opportunities to introduce funding to assist with improving conditions in private sector housing.

Local Strategies

2.25 The previous Strategy took into account East of England regional strategies and targets. However, following the abolition of the former East of England Regional Assembly in 2010, most of these no longer apply.

2.26 This Strategy has to link effectively with strategies at County and local level - the Council's own Corporate strategies and the strategies developed with local partners. Key amongst these are:

- Corporate Plan 2011 - 2015
- The EFDC Performance Plan
- Combined policies of Epping Forest District Local Plan (1998) and Alterations (2006);
- "Putting Epping Forest First" The Community Strategy 2010 – 2031;
- The EFDC Housing Strategy 2009 – 2012;
- The preceding EFDC Private Sector Housing Strategy 2007 – 2011;
- The EFDC Homelessness Strategy 2009/10 – 2011/12
- The EFDC Local Supporting People Strategy 2006 – 2010

2.27 The Corporate Plan emphasises the substantial change in the financial climate and sets a corporate objective of continuous performance improvement and the best use of resources, against the background of diminishing public expenditure. It sets the key objective of maximising the provision of affordable housing within the District.

2.28 From 2008, local authorities were no longer required to produce a Best Value Performance Plan. However, Council is committed to delivering improvements against Key Performance Indicators (KPIs), and continues to publish relevant performance information as part of an annual Performance Report. KPIs relevant to private sector housing are taken into account in this Strategy in particular the number of empty homes brought back into use after action by the Council and to reduce levels of Fuel Poverty.

2.29 The existing Local Plan states that on appropriate development sites, 40% of all new housing should be affordable, with this percentage increasing in rural areas. There is also a policy which requires that at least 10% of sites of 10 or more units should meet the Lifetime Homes Standard. The Council is currently preparing a

- new Local Plan to address the period to 2031, and the requirement for a significant amount of affordable housing remains.
- 2.30 This continued need was confirmed in a Strategic Housing Market Assessment updated in 2010. This covered the London Commuter Belt (East)/M11 Sub-region and was commissioned by a consortium of local authorities including EFDC. On the basis of the growth rates included in the East of England Plan, the SHMA identified the need for a further 6,600 homes by 2026 (a rate of 412 each year).
- 2.31 The assessment indicated that 2,900 of these should be social housing, 2,000 market housing and 1,800 intermediate market housing. Intermediate market housing is housing at prices or rents above those in social housing but below full market prices or rents through an element of subsidy (for example the Homebuy Scheme).
- 2.32 The government have committed to abolishing all Regional Spatial Strategies, and whilst this has not yet taken place, it is clear that Local Authorities will now be required to determine the most appropriate growth rate for their area. Following further research on population and household growth trends and predictions at a district level, the SHMA will need to be reviewed and updated to identify the precise level of affordable housing required in the district.
- 2.33 “Putting Epping Forest First”, the Community Strategy 2010 to 2031, sets out a vision of making the District a ‘great place to live, work, study and do business’. Particularly relevant to this Strategy are the objectives of reducing health inequalities, supporting projects that promote healthy living and well being and improving success to services.
- 2.34 The Housing Strategy itself sets the provision of more affordable housing as a key housing priority. It also focuses on the delivery of Decent Homes in the private sector. It acknowledges that the former PSA7 target no longer strictly applies, but that the target should continue to be used as a benchmark. It emphasises the importance of the private sector to the prevention of homelessness in particular through private sector leasing schemes, rent deposit guarantees and rental loans as well as general advice and support to households.
- 2.35 With regard to the private sector, the Housing Strategy set out a number of priorities:
- Continuing to increase the number of vulnerable households in Decent accommodation;
 - Reducing the number of long term empty homes;
 - Promoting schemes to help prevent homelessness;
 - Providing assistance and support to allow older, disabled and other vulnerable groups to remain in their properties;
 - Providing advice and assistance to improve energy efficiency; and,
 - Investigating the options for an equity release/loan product, in partnership with neighbouring local authorities and/or lending providers.

- 2.36 The Council places a high priority on preventing homelessness and reviews its Homelessness Strategy every three years, more regularly than the statutory five year period. The most recent Strategy prepared in 2009/10 explained the greater emphasis on preventing homelessness rather than dealing with the consequences of households made homeless. In the previous three years, in spite of the difficult economic climate there has been a drop in the numbers of homelessness applications and the cases where a full housing duty had been accepted. This Strategy will seek to build on the positive collaboration between the private sector Technical Team and the Housing Options Team in helping to prevent homelessness and to find good quality privately rented accommodation.
- 2.37 The Supporting People programme remains relevant to this Strategy as it deals with support to vulnerable groups such as those with disabilities and older people to promote independent living. Supporting People in Essex has continued to fund make a substantial contribution to running C.A.R.E., although the amount reduced in the new contract covering the period 2011-2013. It is anticipated that Supporting People will look again at the level of their contribution to C.A.R.E. when this contract expires in June 2013.
- 2.38 The EFDC Housing Charter sets out clearly the level of service residents can expect from the Council and this Charter applies to all housing throughout the District, whether it is in private or Council ownership.

3.0 EPPING FOREST - THE LOCAL CONTEXT

Local Profile

Location

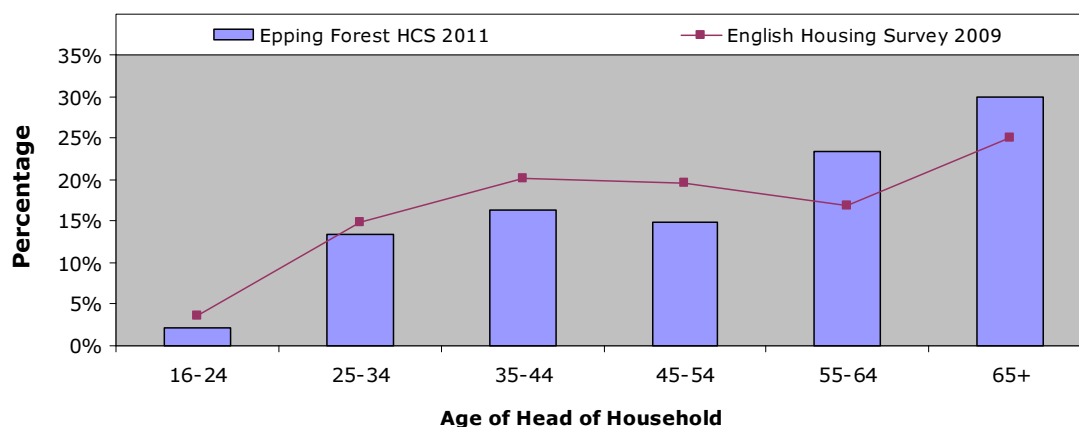
- 3.1 The Epping Forest District lies just north of the Greater London conurbation in south west Essex. The District has an area of 339 square kilometres (131 square miles). Although its southern boundary is only 10 miles from the centre of London, the District is still a mix of rural and urban land, with 94% in the Metropolitan Green Belt (the seventh highest in England and the highest proportion in the East of England).
- 3.2 The main conurbation comprises Grange Hill, Chigwell, Buckhurst Hill and Loughton. This area, which lies closest to the boundary with London, houses around half of the population of the District although it occupies only 5% of the area of the District. The other main urban population centre is Waltham Abbey, which shares boundaries with London and Hertfordshire. Market towns include Epping and Chipping Ongar, and large villages Sheering, Theydon Bois and Nazeing.
- 3.3 The District has excellent road and tube links with London; major roads include the M25 and the M11. However, public transport links within the District, particularly east/west, are much less satisfactory.
- 3.4 The closeness of London with good transport links, the attractive countryside and distinctive market towns and villages all combine to make the area extremely popular. This has major consequences for the affordability of housing, and the District has the highest house prices in Essex. There has been considerable pressure for development, resisted because of the extensive Green Belt. Given the growing number of households in London especially and the potential for business growth along the corridor to Peterborough, Cambridge and Stansted, the pressure is only likely to grow.

Population

- 3.5 The 2001 census gave the population of Epping Forest District as 120,896. The most recent figures from the Office of National Statistics (ONS) indicate that the population in 2008 was 123,900. Projections suggest that the population is likely to grow by 16% over the next 25 years, compared with an Essex average of 24% and a national projection of 19%.
- 3.6 In terms of age profile, the House Condition Survey 2011 (HCS) showed that in the private sector stock there were higher proportions of heads of household aged 55 years or older than nationally (53% compared with 42%). In particular, the proportion of those aged 65 years or older was 30% compared with 25% nationally. A chart showing the age profile is shown on the next page. In broad terms, these findings were consistent with 2009 ONS projections which predicted higher numbers of households aged over 75 years.
- 3.7 The HCS also indicated that a significant proportion (37%) of households where the head was 65 years or older had incomes below £10k per annum. This factor, along with the higher proportion of older households (which in line with

national trends will continue to increase) obviously has implications for this Strategy in that older households are more likely to need assistance and support to maintain independent living.

Age Profile of Epping Forest DC Population



Source: 2011 House Condition Survey & English Housing Survey (EHS) 2009

3.8 When tenure is taken into account, the HCS found that 34% of heads of household in owner occupied properties were aged 65 years or more, with 13% in the private rented sector.

3.9 The 2011 HCS also included information on household type:

Household Type Epping Forest DC

Household type	EFDC 2011	England 2009
Couple no Dependent Child	18,460 43%	40%
Couple with Dependent Child	8,520 20%	22%
Lone parent with dependent child	1,200 3%	5%
One person household	12,640 30%	25%
Other multi-person household	2,000 5%	7%
Total Household Type	42,820 100%	100%

Source: 2011 House Condition Survey & EHS 2009

3.10 The most notable differences with the national position are the higher proportions of two adult and single person groups and the lower proportion of single parents.

3.11 Estimates in 2007 from ONS indicated that, at over 10%, the District had the highest proportion of households from black and minority ethnic (BME) backgrounds in Essex (the County average is 6.5%). The HCS found that the proportion of BME households in the private sector stock was 6.9%

3.12 Transient populations are a distinctive feature of the locality, associated in part with seasonal horticulture. The area has long associations with gypsy and traveller families and there are currently 18 gypsy and traveller sites (95 pitches in total) in the District.

- 3.13 The HCS estimated the incidence of households where there was a person with a disability to be 16% (approximately 7,000 dwellings). The survey used a broad definition of disability – it included households where there was a frail older person and those where the residents considered themselves to have a long term illness or disability even if not registered as disabled.
- 3.14 The Survey also considered what adaptations might reasonably be required. With a DFG, the work required is assessed by an Occupational Therapist; this is not possible when carrying out a house condition survey and so the survey looks at works considered to be necessary by the household. This means that the figures produced have to be treated with a measure of caution. Nonetheless, they do give a clear indication of the scale of expenditure that may be necessary.
- 3.15 The Survey estimated the cost of works that could be necessary over a five year period at £7.7 million. Allowing for means testing, the cost of DFGs would be in the order of £3.7 million. The majority of the works thought necessary were bathroom redesigns, stair lifts and ramps.
- 3.16 The Survey also estimated that 27% of households where a person had a disability had an annual income of below £10k. In conjunction with potential demand, this figure also shows the possible implications for the Council.

Local Economy

- 3.17 Many indicators suggest that, at first sight, the District is an affluent area. Many jobs are in the service sector, finance and public service and the area has many small businesses rather than major employers. Agriculture and horticulture remain significant.
- 3.18 The District is very close to London and approximately 62% of residents obtain work outside the District (45% working in London). The unemployment rate in the District has generally been just above the regional average since 2007 but below the national average. 2011 ONS figures show the same pattern with the District rate at 7.0%, the regional rate at 6.7% and the national figure at 7.7%.
- 3.19 The same figures show 48% of those people working to be in a managerial, professional or technical capacity compared with 43% in both regionally and nationally. The figures suggest a District more prosperous overall than both the East of England Region and the national average.
- 3.20 The latest 2010 Index of Deprivation puts Epping Forest as of average affluence compared to other local authority areas. It ranks 5th out of 12 District and Borough areas in Essex and 203rd out of 325 local authority areas in England (1 being the most deprived). However, the picture is much more complex when considered at ward level. Higher rates of deprivation tend to be clustered around Epping, Loughton and Ongar, with pockets in Debden and Waltham Abbey.
- 3.21 The HCS did look at benefit receipt among households and found overall a rate of 20%, the same as nationally. Again as nationally, the survey found a much higher rate in the privately rented sector at 38% compared with 16% for owner occupiers.

Housing Market

The Epping Forest Housing Context

3.22 The Survey estimated there to be approximately 52,930 dwellings in the District. The Survey covered only the estimated 44,670 private sector dwellings. The table below shows the estimated proportions of the different tenures in the District given in the 2011 report along with comparisons from the English Housing Survey (EHS) 2009

Housing Tenures

Tenure	Dwellings	% of Total Stock HCS 2011	EHS 2009	EFDC HCS 2005
Owner occupied	36,920	70%	67%	79%
Privately Rented	7,750	15%	16%	3%
Private Sector Stock	44,670	85%	83%	82%
Housing Association	1,610	3%	9%	5%
Local Authority & Other Public	6,650	12%	8%	13%
Social Housing	8,260	15%	17%	18%
All Tenures	52,930	100%	100%	100%

Source: 2011 & 2005 House Condition Surveys & EHS 2009

3.23 The proportion of social housing stock is 2% lower than the national figure but the proportion of privately rented stock is now in line with the national average. Realistically the 2005 survey probably underestimated the number of privately rented properties. However, it is clear that, as nationally, there has been a substantial rise in the number of privately rented properties over the past five years. Also, as nationally, there has been a fall in the level of owner occupation.

3.24 As nationally, the young households who previously would have looked to buy their first property are now doing so in a market where obtaining mortgage finance is much more difficult, deposits required are high, the price of entry level properties is high and there is strong competition from landlords investing in property.

Affordability – Household Incomes and House Prices

3.25 The affordability of homes revolves around two main issues – the cost of purchase or renting and typical household incomes.

3.26 2011 figures from the Office of National Statistics indicate that gross weekly pay for full time workers in the District was £587. This compares with a regional figure of £529 and a national average of £503.

3.27 However, information on household incomes from the HCS indicates that the District has a higher proportion of households with an income of less than £15,000 (29%) than the national average (22%).

3.28 In terms of affordability, these figures have to be looked at in the context of property prices. The most recent house prices from the Land Registry (July – September 2011) show the average house price in EPDC to be £373k compared with a national average price of £241k. Average prices for different property types are shown below :

Average Prices for Different Property Types

Property Type	Average Price
Detached	£660k
Semi-detached	£340k
Terrace	£269k
Flat	£195k

Source: Land Registry Prices July – September 2011

3.29 The Strategic Housing Market Assessment (SHMA) was commissioned by six local authorities including EFDC. The aim was to give a good understanding of how housing markets operate in the area and in particular to estimate the need for additional affordable housing.

3.30 In considering affordability, a key issue is the relationship between earnings and house prices. The SHMA used the Government model which assumes a single person may borrow up to 3.5 times their annual earnings with two income households being able to borrow no more a maximum of 2.9 times their joint annual income. The SHMA report identified that in practice no owner occupied housing would be available across the SHMA area to households earning less than £30k per year with only 12% of properties available to individual earners with annual incomes of less than £50k.

3.31 For a property price of £200k (well below the overall average price in the District and well below the average price of a terraced home) the SHMA estimated that individual earners would need an annual income of £55k - £60k and joint earners an annual income of £65k - £75K. For households with annual income below £20k, realistically the only option will be social housing for which there was a waiting list of over 5,800 in February 2012.

3.32 In reality, this means that for the great majority of newly forming households their only realistic option will be the private rented sector. The Council does work with the Moat Housing Association to promote intermediate market housing through the Homebuy Scheme. However, the issue of affordable housing shows clearly that building a constructive working relationship with good local landlords is extremely important to maintaining a supply of good quality affordable housing.

3.33 An issue of concern following changes to the way that benefit is paid means that Officers report that some landlords are now reluctant to take any tenant likely to claim Housing Benefit. In reality, in the absence of Housing Benefit, access to

the privately rented sector may require household resources approaching those needed to enter the owner occupied market.

- 3.34 The annual rental for an entry level one bedroom flat in the District will typically be at least £8k which, using the multiplier of 4 times households income generally adopted for rental properties would require an annual household income of £32k. Prevailing rental levels for larger flats and houses are substantially higher.
- 3.35 The immense pressures for accommodation shown by house prices and rentals are another reason for increasing still further the priority the Council intends to put on bringing long term empty homes back in to use as affordable housing particularly for vulnerable households. The Council has used a variety of measures to bring 55 long term empty properties back into use over the past 4 years. Private sector leasing through the PLACE (Private Leasing agreements Converting Empties) Scheme is now starting to make an impact in this area.
- 3.36 The issue of property prices is also relevant to equity release. The principle adopted by both the previous and current Government is that prime responsibility for the condition of a property rests with the owner. Where house prices permit, many local authorities have moved away from the provision of grants to the offering of either loan assistance or to facilitating full equity release schemes.
- 3.37 House prices in the District are substantially above the national average and the reality is that many owner occupied households, especially older households, have substantial equity in their homes. The 2011 HCS estimated the average mortgage at £118k. As the average house price is £373k, the difference of £255k indicates that in many cases there is substantial potential for equity release.

The Epping Forest District House Condition Survey 2011

General Profile of The Private Sector Housing Stock

- 3.38 Stock condition surveys are carried out to give an accurate picture of housing conditions in a district using a representative sample of properties chosen at random. The overall results are analysed to give a database illustrating housing issues – housing hazards, disrepair, energy efficiency, compliance with Decent Homes Standard, etc, along with information on social issues.
- 3.39 The Government carries out a national stock condition survey every year now with the English Housing Survey (EHS) The results are used to measure progress and to inform future Government policies housing, energy efficiency and climate change.
- 3.40 A Private Sector HCS was carried out on behalf of EFDC in 2011 with a sample of 1,000 dwellings. The previous condition survey had been undertaken in 2005.
- 3.41 The main factors looked at when surveying the physical condition of a dwelling are:
- The construction of the property;
 - The four criteria of the Decent Homes Standard (including HHSRS Hazards);

- The thermal performance of the building and heating services; and,
- Any adaptation work required if there is person with a disability.

3.42 In addition, the surveyors will ask the householder a range of social and financial questions covering their household circumstances, income, borrowings, etc.

Profile of the Private Sector Stock

3.43 The HCS estimated that there are 44,670 dwellings in the private sector. Only 12% of the stock was built before 1919 compared with 25% nationally, and 45% of stock was built between 1945 - 1980 compared with 37% nationally. This reflects in the better than average figures for properties meeting the Decent Homes Standard.

3.44 In many respects the dwelling profile is similar to the national profile. However, there are fewer detached houses (16% compared with 20%), more low rise purpose built flats (14% compared with 9%) and no high rise purpose built flats. A notable feature is the proportion of mobile (park) homes. There are an estimated 940 mobile homes, just over 2% of the private sector stock. The table below shows the proportion of dwellings by type.

Proportion of Dwellings by Type

Dwelling type	Dwellings	Proportion of Stock
Small terraced house	4,750	11%
Medium/large terraced house	7,440	17%
Semi detached house	12,550	28%
Detached house	7,340	16%
Bungalow	3,850	9%
Converted flats	1,680	4%
Low rise purpose built flats	6,120	14%
Mobile Homes	940	2%
Total	44,670	100%

3.45 With tenure, as described earlier the proportion of owner occupied properties at 70% is higher than the national average of 67% and the proportion of privately rented properties at 15% just below the national average of 16%. Unusually, the great majority (80%) of owner occupied dwellings were built before 1965 whilst the 59% of privately rented homes were built after this time. It is much more common to find high proportions of older stock in the privately rented sector.

3.46 With occupancy type, most homes (83%) are occupied by single household groups and are also occupied as built. Flats (converted, purpose built and above shops) account for 17% of the stock. Only 0.4% of properties were found to be HMOs, significantly below the national average of 2%.

Decent homes standard, hazards and energy efficiency

3.47 The table below sets out the summary findings of the HCS in respect of properties condition:

Summary of Key Condition Findings

Characteristic	Owner occupied	Privately rented	All private sector stock	England
Dwellings	36,920	7,750	44,670	
<i>Per cent of stock¹</i>	70%	15%	85%	83.0%
Non-Decent	7,840	3,850	11,690	
<i>As a % of each tenure</i>	21.2%	49.7%	26.2%	31.5%
Vulnerable in Decent Homes ²	4,280	1,320	5,600	
<i>% vulnerable households in Decent Homes</i>	75.2%	49.1%	66.8%	77.3%
Category 1 Hazard	4,130	1,880	6,010	
<i>As a % of each tenure</i>	11.2%	24.3%	13.5%	22.0%
Mean SAP ³	54	51	54	51

1. Percentages given as a proportion of total housing stock, the remaining 15% is all social housing, which was not surveyed as part of this study

2. Refers to households in receipt of an income or disability benefit, as defined under former Public Service Agreement 7 (PSA7) objectives

3. SAP is the government's Standard Assessment Procedure for rating energy efficiency on a scale of 1 (poor) to 100 (excellent)

3.48 It is clear that the general condition of the private sector housing stock in EFDC compares well in many respects with the national position. The overall level of non-Decency at 26% is below the national figure of 32%, the proportion of properties with Category 1 Hazards at 14% is below the national comparator of 22% and the mean SAP rating (energy efficiency measure) at 54 is above the national figure of 51.

3.49 However, the proportion of vulnerable households in Decent Homes at 67% is below both the national figure of 77% and the notional PSA7 target figure of 70%.

3.50 The findings will now be looked at in more detail to establish the priorities in terms of Decent Homes Standard, HHSRS, energy efficiency, etc.

The Decent Homes Standard

3.51 Part 1 described the four criteria (A-D) of the Government's Decent Homes Standard. The detail of the Standard is set out at Appendix B:

3.52 The HCS report drew the strands of the Decent Homes Standard together in analysing the data on unfitness, disrepair, thermal comfort and amenities. The overall finding was that an estimated 11,690 dwellings (26.2%) are not Decent, compared with the national average of 31.5%. The table below shows the reasons for failure of the Standard:

Reasons for Failure of Decent Homes Standard

Reason	Dwellings	Percentage of stock	National Percentage (EHS 2009)
Category 1 Hazard dwellings	6,010	13.5%	22.0%
In need of repair	4,790	10.7%	6.3%
Lacking modern facilities	230	0.5%	2.8%
Poor degree of thermal comfort	5,560	12.4%	10.9%
Non-Decency total	11,690	26.2%	31.5%

Source: 2011 House Condition Survey & EHS 2009

3.53 The rate of Category 1 Hazards is significantly below the national comparator as is the rate for failures for lacking modern facilities. However, the rate of failure for thermal comfort is above the national average and the rate of failure for disrepair significantly so.

3.54 The table below looks at reasons for failure by tenure:

Reasons for Failure of Decent Homes Standard By Tenure

Reason	Owner Occupied		Privately Rented	
	Dwellings	Percentage of Stock	Dwellings	Percentage of Stock
Category 1 Hazard dwellings	4,130	11.2%	1,880	24.3%
In need of repair	3,730	10.1%	1,060	13.7%
Lacking modern facilities	100	0.3%	130	1.7%
Poor degree of thermal comfort	2,620	7.1%	2,940	37.9%
Non-Decency total	7,840	21.2%	3,850	49.7%

Source: 2011 House Condition Survey & EHS 2009

3.55 These findings show clearly the disparity in conditions overall between the owner occupied sector and the private rented sector. The proportion of Category 1 Hazards in the private rented sector is more than twice that in the owner occupied sector and the rate of failure for poor thermal comfort more than five times greater in the private rented sector.

3.56 The Survey also looked at non-Decency by build type. This found that the highest rate of non-Decency by a significant margin was in mobile homes at 75%, followed by low rise purpose built flats at 54%. Mobile homes account for only 2% of the stock, but the findings do highlight them as an issue of concern. The rate was also above the District average in converted flats at 32%, although again these are only a small proportion of the stock at just under 4%.

3.57 The main reasons for failure of the Decent Homes Standard in mobile homes related to the poor thermal performance. Over 63% of mobile homes had a Category 1 Hazard (many of which were Excess Cold) and 43% failed the thermal comfort criterion.

3.58 The HCS did look at the types of Category 1 Hazards and found that the overwhelming majority (76% of Hazards, 10% of properties) were for Excess Cold. The next most common was Falling on Stairs etc (14% of Hazards, 2% of properties). This pattern is found in Category 1 Hazards nationally. All the other Category 1 Hazards were found at rate below 1% of the stock.

3.59 The survey estimated the costs of works to rectify non decency:

Costs to Remedy Non-Decency

Reason	Total Cost (£ million)	Average cost per non-Decent dwelling (£)*
Category 1 Hazard	£34.4	£5,700
Repair	£28.7	£6,000
Amenities	£4.2	£18,600
Thermal Comfort	£9.4	£1,700
Total	£76.8	£6,600

* Rounded to nearest £100

Source: 2011 House Condition Survey

3.60 The costs were estimated purely on the basis of carrying out only those works necessary to make properties Decent. The costs do not include works, for example, to give a 10 year or 30 year life. The figures do indicate the scale of potential demand.

Vulnerable Households in Decent Homes

3.61 As stated already in Parts 1 & 2, the previous Government had set a target (PSA7) for the numbers of vulnerable households in Decent Homes. "Vulnerable household" was defined as one in receipt of one or more of the principal income related or disability benefits. The target for 2007 was that 65% of vulnerable households should live in Decent Homes and for 2010, 70%. The 2005 House Condition Survey showed that the proportionate vulnerable households in Decent Homes in the District was 61%, a shortfall of 1,020 properties occupied by vulnerable households to be made Decent.

3.62 Following the 2007 Comprehensive Spending Review, the previous Government dropped the requirement for local authorities to meet the PSA7 target. However, the target was used by the former regional bodies for monitoring and is used by most local authorities to measure their progress with housing conditions.

3.63 The 2011 HCS found that there are an estimated 8,830 private sector dwellings occupied by vulnerable households. Of these an estimated 2,780 were classified non-Decent, which represents 33% of dwellings occupied by a vulnerable resident. Conversely this means that 67% were Decent. The EHS 2009 found that 23% of vulnerable households were living in non-Decent homes (i.e. 73% in Decent Homes). This means that there is an overall shortfall of 270 dwellings occupied by vulnerable households to be made Decent.

3.64 The figures were then split by tenure and the results again show a very clear difference with conditions worse in the private rented sector.

Non-Decent Dwellings With Vulnerable Households By Tenure

Tenure	Vulnerable Households In Non-Decent Dwellings	Percentage Vulnerable Households In Decent Dwellings	Percentage vulnerable households in non-Decent dwellings	Shortfall
Owner Occupied	1,410	75%	25%	-300
Privately Rented	1,370	49%	51%	+570

Source: 2011 House Condition Survey

- 3.65 If the owner occupied sector is looked at in isolation, then the PSA7 target has been more than exceeded and, indeed, the notional 2020 target has been met. However, there is a substantial shortfall in a private rented sector. This is another factor which indicates that the private rented sector must be a clear priority for this new Strategy.
- 3.66 The HCS estimated the cost of works just to make Decent 270 homes at £2.5 million.

Energy Efficiency and Thermal Comfort

- 3.67 Criterion D of the Decent Homes Standard requires that properties provide a 'reasonable degree of thermal comfort'. Inadequate thermal comfort is the second common reason for private sector homes failing to meet the Decent Homes Standard, with 12.4% failing the thermal comfort criterion.
- 3.68 The survey found the total cost of remedying thermal comfort failures to be £9.4 million (average cost per dwelling £1,700).
- 3.69 The Survey also assessed dwellings to give Standard Assessment Procedure (SAP) ratings. The rating is a single figure between 1 – 100 (the higher the figure, the better the thermal comfort). Better standards of thermal insulation and heating system efficiency will lead to higher scores. The higher the inherent cost of fuel, the lower the score (solid fuel and off peak storage radiators score much lower than mains gas central heating).
- 3.70 The HCS found the average across Epping Forest was 54. The most recent figure from the 2009 EHS is 51. The average SAP rating in the owner occupied sector was 54 and in the private rented sector 51. These figures reflect the higher proportion of newer dwellings.
- 3.71 With dwelling types, the only types to have average significantly below the District average were once again mobile homes at 32 and converted flats at 46.
- 3.72 As well as responsibilities in terms of Decent Homes, the Council also has a duty to promote energy efficiency under the Home Energy Conservation Act 1995. The HCS looked at the costs of providing the following energy efficiency measures, where needed, to all properties whether or not they met the Decent Homes Standard:
- Loft insulation to 200mm
 - Upgraded hot water cylinder insulation
 - Double glazing

- Installation of high efficiency boiler where none present
- Full central heating where none present

3.73 Works were required in varying degrees to 85% of the stock at a total cost exceeding £113 million (average cost per dwelling £3,000). The great bulk of the works required were loft insulation (to 53% of properties) and cavity wall insulation (to 27% of properties).

3.74 Again there were differences between the tenures. The table below shows heating types by tenure. The incidence of the less efficient, more costly to run electric storage radiators and room heaters was less than 5% in the owner occupied sector yet almost 40% in the private rented sector.

Type of Heating by Tenure

Heating Type	Owner Occupied	Privately Rented	Whole District
Central Heating	95.7%	60.1%	89.5%
Storage Heaters	2.8%	28.1%	7.1%
Room Heaters	1.6%	11.8%	3.3%

3.75 The same disparity applied with the provision of insulation. The table below shows the levels of loft insulation in properties (where a loft is present) by tenure. With owner occupied properties, 26% of properties have loft insulation at 150mm or below. With private rented sector properties, the figure is 43%.

Levels of Loft Insulation by Tenure

Tenure	No Loft Insulation	<50mm	50mm - 100mm	100mm - 150mm	150mm - 200mm	>200mm
Owner occupied	1.8%	0.4%	7.1%	16.3%	17.8%	56.6%
Privately rented	6.8%	0.2%	10.0%	26.3%	21.5%	35.2%
Whole District	3.4%	2.5%	20.1%	20.7%	12.0%	23.0%

3.76 Fuel poverty remains a major Government priority and has increased substantially in recent years because of major fuel price rises. A household is said to be in fuel poverty if more than 10% of net income is spent on domestic energy costs. The survey found an estimated 6,010 dwellings (14%) where fuel poverty existed. The 2009 national figure was 18% and it is considered, therefore, that the 14% figure is likely to be an underestimate, particularly as heating costs have risen sharply since 2009.

3.77 The total cost of eradicating fuel poverty in the owner occupied sector was put at £9.1 million. As many of households will be eligible for grant aid through the Government's Warm Front scheme, the survey also estimated the cost of works where the households were not Warm Front eligible and put the cost at £5.2 million

3.78 Another target identified by the Survey were the estimated 2,500 dwellings not in fuel poverty but with mean SAP rating below 35. The total cost of works here was put at £12.9 million.

Houses In Multiple Occupation (HMOs)

- 3.79 Section 257 of the Housing Act 2004 introduced a much broader definition of “house in multiple occupation” – in particular it now includes converted buildings with only self contained flats where the conversion work does not meet the standard of 1992 Building Regulations and where more than one third of dwellings are let on short tenancies.
- 3.80 The HCS estimated there to be only 180 HMOs (0.04% of the stock compared with the national average of around 2%). The Survey estimated that around 20 of HMOs in the District would be likely to be eligible for mandatory licensing under the Housing Act 2004 but acknowledged that this estimate is not statistically reliable because of the very small sample size. In practice, since the introduction of mandatory licensing the Council has licensed only 4 properties. Whilst not under playing the importance of ensuring satisfactory standards in HMOs, because of their very limited numbers they are not a major priority for the Council.

Empty homes

- 3.81 The HCS estimated there to be 1,850 empty homes in Epping Forest (4.1% of the stock compared with the national average of 4.6%). Of these vacant properties, the majority are likely to be empty because of market activity and are awaiting new owner occupiers or tenants. However, the Survey did find an estimated 1,020 dwellings (2.3% of the stock) which had been vacant for 6 months or longer. The Council's own records indicate a figure in the order of 900.
- 3.82 Given the major pressure for affordable housing in the District, even allowing for recent progress in bringing long term empty homes back into use, clearly this area is a major priority for this Strategy.

4.0 WHAT WE DO & WHAT WE HAVE ACHIEVED

Who Does the Work?

- 4.1 This Part of the Strategy looks at what the Council does at the moment to improve private sector housing conditions and how this has worked over the past 4 years.
- 4.2 Private Sector Housing has two separate teams, Private Sector Housing (Technical) and Private Sector Housing (Grants and C.A.R.E.). C.A.R.E. is the short title of Caring and Repairing in Epping Forest, the Council's in-house Home Improvement Agency.
- 4.3 The Technical Team has prime responsibility for responding to complaints and statutory functions (HHSRS, HMOs, empty homes, caravan sites, etc.). The Private Sector Housing (Grants and C.A.R.E.) team takes prime responsibility for financial assistance with C.A.R.E. offering a high level service to vulnerable applicants in particular disabled and older residents. C.A.R.E. also deals with the Handyperson and Gardening Services.
- 4.4 The Private Sector Housing staff work very closely with the Housing Options Team in cases of actual and threatened homelessness.
- 4.5 The work done by the Council falls into three main categories:
 - Informing, advice and specialist support
 - Financial assistance
 - Enforcement.

Information, Advice & Specialist Support

General Advice

- 4.6 In practice, much of the work of all Officers in Private Sector Housing involves giving advice, in particular enquiries dealing with financial assistance. Residents often enquire about assistance and advice can include trial assessments of financial circumstances to indicate eligibility for assistance and possible contributions. Where residents are not eligible, Officers often advise on other ways to tackle housing problems.
- 4.7 There are frequent enquiries about improving energy efficiency, and staff give general advice as well as directing residents to Warm Front and the Herts and Essex Energy Partnership. All C.A.R.E. case workers have the City & Guilds Certificate in Energy Advice as do several other Team Members.

C.A.R.E. Support for Vulnerable Applicants Undertaking Work

- 4.8 The main function of C.A.R.E. is as a Home Improvement Agency providing an enhanced service, primarily to older and/or disabled owner occupiers and private sector tenants who are taking up financial assistance from the Council, whether a DFG, Small Works Assistance, Decent Homes Assistance, etc. C.A.R.E. staff give initial advice, assist with forms, assess the work required, advise on financial

assistance and benefits, arrange drawing and contract documents, obtain estimates and oversee the work.

- 4.9 Initial advice is free but a fee is charged for administering a contract. The service is funded jointly by Supporting People (Essex County Council), fee income and EFDC. Because of a cut in the Supporting People contribution which came into effect from April 2011, the fee rate has been raised from 10% to 15% of contract price. In 2010/11 C.A.R.E. received 574 enquiries and managed 124 cases.

Handyperson Services

- 4.10 The Agency also operates a Handyperson Service offering direct assistance with minor, low cost jobs (maximum cost £250) for householders who are over 60. Where the household is in receipt of benefit, the service is free otherwise the household is charged with the full cost of the work. Individual applicants may use the Service up to a maximum of 3 times a year with applications being at least 3 months apart. Each job can cost up to a maximum of £250 in any application but no more than £400 in any one year. Contractors from the Agency's Preferred List are used for the work. The costs of a caseworker to administer the Service are joint funded by Supporting People and EFDC.
- 4.11 The Handyperson Service was extended in 2010 to provide a Handyperson 'Plus' service to all users (whether paying or not) to allow fitting of a package of key security devices (locks, door viewers, chains, etc). The Handyperson Service has also been extended on a temporary basis to include decorating services. These services were both funded by additional allocations of funding from Supporting People in 2009/10 and 2010/11 respectively and will continued for as long as sufficient funds remain. This is not expected to be beyond April 2012
- 4.12 In addition, under its new contract with Supporting People, C.A.R.E. is providing a Gardening Service for the first time. This will continue for at least the duration of the existing contract, i.e. until July 2013.
- 4.13 The Handyperson service dealt with 124 cases 2010/11.
- 4.14 The Council does intend to move towards implementing a scheme where housing assistance is funded through loans and/or equity release, possibly in partnership with others. C.A.R.E. will play the key role in providing information to help people to access these sources of funding.

Working With Landlords

- 4.15 Housing standards are set by law and the Council does have the power and in some cases a duty to take legal action against the owners of unsatisfactory. However, whilst there are some occasions where using legal powers is appropriate, the Council believes it is better to work on an informal, constructive basis with landlords and formal statutory action in recent years has been very limited.
- 4.16 The lack of affordable housing is a major concern. It is clear that the privately rented sector has grown substantially over the past 5 years and now plays a major part in the provision of affordable housing. In many local authorities, a regular Landlords Forum is held to allow exchange of information between local landlords and Council officers.

- 4.17 However, those attending a Landlords Forum are generally 'portfolio' landlords owning a significant number of properties. The District is unusual in that almost all private sector landlords own one or two properties at most. The Council has considered introducing a Forum but has concluded that, because of the pattern of property ownership, other forms of information flow are more appropriate in the District. Information in respect of private sector leasing is given in 'The Forester', the Council's magazine that is delivered three times a year to all the homes in the District. The Council website, which is to be updated in the summer of 2012, also presents a good vehicle for communication.
- 4.18 The deposits required by landlords are often a major obstacle to potential tenants and has been a significant concern for staff in the Housing Options Team. The Council works with the Epping Forest Housing Aid Scheme (EFHAS) which runs a Deposit Guarantee Scheme. It provides private landlords with rent deposit guarantees for applicants who are in housing need and are unable to raise the deposit themselves. The Scheme now underwrites rent guarantees of up to four weeks rental value.
- 4.19 The Council has also introduced a rental loan scheme for people likely to become statutorily homeless with a payment of £670 for a single person and £1,000 for a family. The recipient enters into an agreement to repay the money over a two year period.
- 4.20 The Council does not as yet run a full landlord accreditation scheme although work is ongoing to review the potential benefits of either the national Scheme or an Essex-wide Scheme that is currently under development. Work is also under way to establish a scheme for accommodation rented by students of Essex University who attend the East15 Acting School in Loughton. However, all properties where the landlord takes the benefit of a rent deposit guarantee and/or the tenant has a rental loan are inspected by the Technical Team to ensure compliance with statutory standards before the guarantee and/or loan are made.

Private Sector Leasing – HALD and PLACE

- 4.21 Private sector leasing is an area where the Council has made significant progress with providing affordable housing. It has worked in partnership with Genesis Housing in the development of the Housing Association Leasing Direct (HALD) scheme. Here, private sector landlords enter into an agreement with Genesis to lease a property to Genesis for three or five years and receive guaranteed rent when the property is occupied by tenants. The properties are let to families who have approached the Council for housing assistance.
- 4.22 Along with 6 other local authorities, EFDC was successful in a bid to the former East of England Regional Assembly (EERA) for funds to run the Private Leasing Agreements Converting Empties Scheme (PLACE). This is aimed at bring empty homes in poor condition back into use.
- 4.23 In its original format, the scheme involved funding work up to the value of £50k per property, depending on its size, to put it back into good order. The properties was then leased rent free to the Pathmeads Housing Association (part of the Genesis group) for a period of three years. The properties were let to tenants nominated by the Housing Options Team to prevent homelessness. This form of

the scheme has brought 4 former long term empty homes back in to use in the District.

- 4.24 There was some resistance by property owners because of the three year rent free period. Also, the scheme involved full scale renovation which is not necessary in all cases. The scheme has therefore been modified to allow for:
- Empty Property Grants: Grant of a maximum of £25k to bring a property to the Decent Homes Standard. The property is leased for a 3 year period and the landlord retains a modified rent.
 - Empty Property Loans: Maximum loan of £25k per unit (up to £175k for building). On completion, the property can be sold or let. Repayment conditions are dependent on final use but funds are secured with a charge and the money is recycled back into the scheme.
 - A possible extension of the scheme to cover conversion of redundant space is being considered.
- 4.25 PLACE will now also allow councils that are part of the scheme to use PLACE funds to support enforcement action that requires capital input. Various enforcement actions possible with empty properties (Empty Dwelling Management Orders (EDMOs), Compulsory Purchase Orders (CPOs), works in default and enforced sale) involve a local authority spending and then recovering some or all of the costs later. These costs can now be met from the PLACE fund.

Financial Assistance

- 4.26 Financial assistance can mean a grant and/or a loan, or offering financial advice. In the previous 2007 Strategy, an intention to move towards equity release was stated but in practice this did not happen for a variety of reasons mainly connected with the downturn in both the financial and housing markets. The financial assistance given was grant based (although the 15 year repayment condition for owner occupiers/long leaseholders with Decent Homes Assistance made it nearly equivalent to a loan).
- 4.27 Like all local authorities, EFDC has a duty to offer Disabled Facilities Grants (DFGs) for the majority adaptation works. The Council has no discretion over the way grant aid is paid. The maximum eligible expense is now £30,000. A test of resources applies to all applicants except where the case involves a child under 18 years. The costs of DFGs are split between the Council and Government. In the period 2007 – 2011 there were 195 mandatory DFGs with the total spend £1.3 million. The annual spend is typically £370k.
- 4.28 In addition to mandatory grants, the Council has the power to offer discretionary financial assistance. The previous Strategy introduced five forms of financial assistance. Please note that where the list below refers to 'owner occupiers' that includes long leaseholders. In all cases, eligible owner occupiers are 60 years or over, have a disability or are a low income household with dependent children.
- 4.29 Owner occupiers applying have to satisfy a test of resources (with receipt of a means tested benefit or a disability benefit giving automatic entitlement). For

Decent Homes Assistance, owner occupiers have to provide a Certificate of Owner Occupation for 15 years. Landlords generally have to provide a Certificate of Availability for Letting for 5 years. Where eligible for assistance, Landlords receive 50% of the maximum eligible expense.

- **Thermal Comfort Grants:** Available to owner occupiers and landlords for heating works. Maximum eligible expense £3,000 or £750 per letting in an HMO.
- **Small Works Assistance:** Available to owner occupiers only to deal with statutory hazards or defects likely to damage the fabric of the dwelling. Maximum eligible expense £5,000.
- **Decent Homes Assistance:** Available to owner occupiers only where there is a significant Hazard or disrepair, to bring the property (limited to properties in Council Tax Bands A – E only) up to the Decent Homes Standard. Maximum eligible expense £15,000.
- **Discretionary DFG/Relocation Grant:** Available in exceptional circumstances where the costs of work exceed the maximum eligible expense or where there are some works outside the scope of the mandatory grant.
- **Empty Property Grant:** Available to owner occupiers and landlords to bring properties empty for over a year back into use. Maximum eligible expense £10,000.
- **Conversion Grant:** Available to landlords to convert underused or redundant space into affordable living accommodation for rent. Maximum eligible expense £10,000 per unit (£30,000 per scheme).

4.30 From 2006/2007, substantial capital funding was made available to Epping Forest DC by the former EERA for Decent Homes (a total of £1.1 million). This has been used to augment the funding for the delivery of discretionary financial assistance. This funding ceased in 2010/11.

4.31 When the new financial assistance regime was introduced in 2007/2008, take up was originally very slow. Only £76k was spent in the first year, but this rose to £348k in 2008/2009, £310k in 2009/2010 and to £421k in 2010-2011. The number of individual grants in each year were as follows:

Year	Type	Number
2007/2008	Decent Homes Assistance	1
	Small Works Assistance	15
	Thermal Comfort Grant	10
2008/2009	Decent Homes Assistance	2
	Small Works Assistance	80
	Thermal Comfort Grant	30
2009/2010	Decent Homes Assistance	7
	Small Works Assistance	77
	Thermal Comfort Grant	38
2010/2011	Decent Homes Assistance	14
	Small Works Assistance	68
	Thermal Comfort Grant	25

- 4.32 The figures mean that over the past four years discretionary assistance has been provided on 367 occasions. The take up in Decent Homes Assistance was particularly slow at the start as there appeared to be resistance to the 15 year condition in the Certificate of Owner Occupation, but this became accepted.
- 4.33 In spite of publicity, there have been no completed Empty Homes or Conversion Grants (one Empty Homes Grant is due for completion in 2012), nor have there been any Discretionary DFGs or Relocation Grants. Discretionary DFGs were primarily intended to provide a top-up to mandatory DFGs that exceeded the maximum limits available which was £25,000 in 2007 but is now £30,000.
- 4.34 The administration of discretionary financial assistance over the past 4 years has generally been without any significant problems. However, there has throughout the period been an inconsistency in the throughput of Occupational Therapists' referrals by Essex County Council. This has, on more than one occasion, resulted in EFDC being unable to spend the budget allocated. Ways to possibly reduce these delays are considered in Part 5.
- 4.35 One area of concern with financial assistance has been park homes. The House Condition Survey demonstrates clearly that the rate of non-Decency in these properties is substantially above the District average. However, in practice the offering of financial assistance has revolved around adaptations for disabled people and other relatively limited works. This is because park home owners are effectively not eligible for Decent Homes Assistance as the conditions regarding repayment of the assistance cannot be secured by a local land charge in the same way as with traditionally built, 'permanent' dwellings.

Enforcement

- 4.36 Under the Housing Acts and related legislation, local councils have both legal powers and duties to deal with unsatisfactory housing conditions in the private sector. Statutory notices can be served on both owner occupiers and landlords to require work to be carried out or, in extreme cases, for properties to be closed or demolished. In practice, the great majority of action relates to privately rented properties to seek repairs or improvements to be carried out for the benefit of tenants.
- 4.37 The main statutory provision used for enforcement where unsatisfactory housing conditions are found is the HHSRS. The details of this risk based method for assessing hazards found in properties is set out in Appendix C. The Council has a duty to take action in respect of more serious Category 1 Hazards but also has a discretionary power to take action with Category 2 Hazards. Appendix C sets explains the framework Officers take into account when exercising discretion.
- 4.38 There are significantly greater risks associated with HMOs and, because of this, additional powers and duties exist for these.
- 4.39 The Council does have other private sector housing duties. These include:-
- Inspecting and licensing of caravan and park homes sites (46 in the District);
 - Advice, assistance and enforcement in harassment and illegal eviction cases;

- Dealing with anti social behaviour complaints;
- Remedying filthy and verminous premises; and,
- Inspecting dwellings for entry clearance/immigration.

4.40 Subject to certain mandatory requirements (for example dealing with Category 1 Hazards), local authorities do have wide discretion in the way they use these powers. It is common to adopt an informal approach with landlords before statutory notices are served, with contact through telephone and letters, and this approach is encouraged through the national Enforcement Concordat. Decisions from the Residential Property Tribunal show that they expect local authorities to adopt an informal approach before any recourse to statutory action unless the situation is very urgent or there are good reasons.

4.41 EFDC has used mainly an informal approach, with only a small number of statutory notices served each year. The table shows the number of complaints received from members of the public by the Technical Team over the past 5 years, which have grown year on year:

Housing Complaints Received

	2006/07	2007/08	2008/09	2009/10	2010/11
Complaints	353	403	424	560	598

4.42 Officers from the team respond to every complaint and almost all are visited. In practice, the vast majority of complaints are resolved without needing to use formal action as landlords in the District almost always resolve a problem after an informal approach. The number of statutory notices served under the Housing Act 2004 and related acts such as the Environmental Protection and Public Health Acts have been very limited.

4.43 When considering investigating housing complaints where Hazards are found, Council Officers do not confine action (whether informal or formal) to Category 1 Hazards. They will draw landlords attention to higher level Category 2 Hazards (within Bands D & E) and if necessary will serve formal notices for Category 2 hazards.

4.44 The approach to enforcement can be reactive (i.e. responding to complaints made) or proactive (inspections on a planned, regular basis, for example looking for empty homes, HMOs, etc). The majority of inspections in the District have been reactive although over the past 4 years the proportion of proactive work in connection with empty homes, park home sites and HMOs has increased.

4.45 The large number of caravan and park home sites reflects both the large area of rural land in the District and the high price of local housing. The Council recently introduced Model Standards on residential park home sites and this has led to a significant volume of proactive work.

HMOs

4.46 HMOs can pose far greater risks to their occupants than single household dwellings, especially with fire. Across the country there is more local authority intervention with HMOs to ensure satisfactory conditions and the Housing Act

2004 introduced mandatory licensing of higher risk HMOs (3 or more storeys occupied by 5 or more persons who comprise 2 or more households).

- 4.47 The Council did undertake a campaign to publicise the need to license HMOs and also undertook a survey to ensure that licensable HMOs were dealt with. As indicated in the HCS, the proportion of HMOs in the District is much lower than the national average and only 4 licences have been issued.

Empty Dwellings

- 4.48 The 2005 HCS did recognise that long term empty homes were a significant issue in the District and a specific Empty Homes Strategy was introduced in 2007. These included a range of measures to bring long term empty homes back in to use including a 'Finders Fee' Scheme, removal of the Council Tax discount, publicity and reporting procedures as well as the private sector leasing and grant incentives referred to earlier.
- 4.49 The approach of the Private Sector Technical Team has essentially been to identify long term empty homes by both responding to complaints and by proactive means for example checking through Council Tax records. Publicity encouraging members of the public to alert staff to long term empty homes has been sent out in the Council newsletter and also posted on the website. Once identified, steps are taken to identify the owner and then, where possible, to encourage them to bring the properties back into use. A part time post was created in 2009 with prime responsibility for tackling empty homes to maximise the New Homes Bonus (NHB) and this has now been increased to a full time appointment.
- 4.50 Homes remain empty for long periods for a variety of reasons including for example probate issues, matrimonial disputes, etc and cases can be very complex. The Technical Team start by using informal approaches but do make it plain that if necessary formal action will be taken. In one case a compulsory purchase procedure was started on a long-term empty property in the District but this was ultimately resolved informally. An application for an Interim EDMO is currently being pursued in another case. In practice, the private sector leasing schemes have also proved very effective.
- 4.51 Since the Empty Property Strategy was introduced, 55 long term empty homes have been brought back into use.

5.0 WHAT WE ARE GOING TO DO

The Priorities For The New Strategy

National & Local Priorities

- 5.1 Part 2 set out the strategic context surrounding this Private Sector Housing Strategy. The new Strategy has to take into account prompts from policies at both national and local level.
- 5.2 The four years since the previous Strategy was introduced have seen radical change. There is now a new Government with different housing policies and priorities. There is also a dramatically different financial climate. The new Government has made it very clear that reducing the budget deficit is its overriding concern and there have been very substantial reductions in public spending with more cutbacks scheduled for coming years.
- 5.3 The new Government recently published a housing strategy document *Laying the Foundations: A Housing Strategy for England*. This makes it clear that its major housing priority is the revitalisation of the housing market. The Localism Act 2011 places great emphasis on local decision making and the Energy Act 2011 will introduce the Green Deal during 2012.
- 5.4 *Laying the Foundations* also emphasises that the Government wants to see a private rented sector that is thriving and growing, but one where high standards are maintained (with the use of enforcement powers where necessary). There is a high priority placed on bringing empty homes back into use, and the New Home Bonus gives local authorities a financial incentive to do this.
- 5.5 The Housing Act 2004 and the Regulatory Reform Order 2002, however, remain the key statutory provisions covering local authority work in private sector housing. Whilst in reality the Technical team are able to resolve most issues informally, the Housing Act 2004 does provide robust enforcement provisions under the Housing Health and Safety Rating System (HHSRS), for licensable HMOs and in respect of long term empty homes. When necessary, Officers use these powers and the approach to dealing with unsatisfactory housing remains framed around the Housing Act 2004 (with the use of other statutory powers as necessary).
- 5.6 With the previous Private Sector Housing Strategy the Council did take advantage of the freedom to set a framework for discretionary financial assistance tailored to local needs. This has proved generally successful with discretionary housing assistance having been delivered to 367 households. However, the new financial landscape of itself prompts the need for review as does the Government view that the owners of dwellings are responsible their repair and improvement. It is clear from the estimated figures in the House Condition Survey that the potential costs even just to make non-Decent homes Decent significantly outstrip capital resources available to the Council.
- 5.7 Several consistent themes emerge from the local strategies:-
 - Maximising the supply of affordable housing
 - Reducing health inequalities

- Promoting energy efficiency and reducing Fuel Poverty
- Promoting independent living for vulnerable groups
- Developing an appropriate and reliable equity release product
- Working with private sector landlords to promote the availability of affordable housing in particular for those potentially homeless

Local Housing Context

- 5.8 Part 3 looked at the local context. Although the District is affluent District overall, there are some pockets of deprivation. It is very clear that the lack of affordable housing is an overriding concern. Whilst incomes are higher to a degree than national averages, because the area is so popular both house and rental prices are very high.
- 5.9 In line with national trends, the proportion of owner occupied stock has fallen (now at 70%) and the proportion of private rented sector stock has risen significantly to 15%. The proportion of social housing at 15% is below the national average figure of 17%, and the waiting list stood at 5,800 in February 2012. The combination of high house prices and the major demand for social housing means that in reality the most newly forming households have to look to the private rented sector for a home.
- 5.10 The Council regards effective working with private sector landlords to promote the availability of affordable housing as extremely important and this Strategy will build on the work done over the past four years to do that. However, the Council also recognises the need for housing in the private sector to comply with statutory standards.
- 5.11 While in many respects the housing stock in the District compares favourably with the rest of England, the HCS did highlight a number of areas that warrant attention. In particular, the survey highlighted that conditions overall in the privately rented sector were significantly worse than in the owner occupied sector against all indicators – Decent Homes, Category 1 Hazards, energy efficiency, Fuel Poverty and especially the number of vulnerable households in non-Decent homes. Build types of concern were low rise purpose built flats, converted flats and in particular mobile homes.
- 5.12 The HCS showed that there is substantial potential demand for disabled adaptations and that DFGs will continue to require a substantial capital allocation. The age profile in the District also has significant implications for this Strategy in that the proportions of older residents, who are more likely to require support to maintain independent living, are higher than the national average and the proportions will increase as time goes on.
- 5.13 Whilst high house prices create difficulties with affordability, they also mean, however, that there is substantial equity in many properties. This does mean that there is considerable scope for the Council to consider moving towards equity release over the medium term. In the short term, the prevailing financial climate means that the Council will be moving away from grants towards loans.

Consultation

- 5.14 Extensive consultation with stakeholders took place as this Strategy was developed. Details of those consulted and the consultation process are set out at Appendix D.

Future Action

- 5.15 In many respects, the previous Strategy has worked well over the past years. However, given the substantial changes in the national and local environments and the concerns raised by the local housing context and the results of the HCS, it is clear that the Council needs to make changes to the way it deals with unsatisfactory housing.
- 5.16 Some changes are relatively straightforward and will be introduced quickly; however, a move to equity release would need to be phased over a period of years. Some further adjustments may also be necessary as Government housing policies evolve. As one example, there is no detail yet on the way the Green Deal will operate. The Green Deal will implement substantial change in the way improvements to energy efficiency can be given and, if possible, the Council will wish to play a major role in local delivery of this.

Information, Advice and Specialist Support

General Information and Advice

- 5.17 As described in Part 4, much general advice is given out by C.A.R.E. Caseworkers in response to requests for financial assistance. The Section on Financial Assistance, below, describes changes to financial assistance which will remove existing grants from owner occupiers and realistically the demand for general advice will increase.
- 5.18 When responding to enquiries about financial assistance, Officers currently undertake trial assessments to give an indication of eligibility. This process will be extended to a more comprehensive process which will include giving information (not 'advice' which falls within the consumer credit/financial services rules) on other routes to securing finance to carry out works if assistance from the Council is not available. This is likely to result in additional training being necessary.
- 5.19 The Council will also review advice procedures when the outcome of the Essex Right2Control Trailblazer trial period on the new Right to Control right for persons with disabilities is published.

Handyperson Service

- 5.20 The Handyperson Service is very popular and the Council considers its retention to be a very high priority. However, funding for the service is dependent on the contribution from Supporting People and, whilst funding for the base service appears reasonably secure, that for the additional services (Handyperson Plus, gardening and decorating) less so. In the current climate all funding streams may be vulnerable and the Council considers it very important to safeguard this service.
- 5.21 The Service is currently free of charge to people who are over 60 years in receipt of benefit (both means tested and disability benefits) whilst the full cost is recharged to all other older households. The Council will now look at the various

options for charging with a view to introducing a restricted charge for all households in receipt of benefit with effect from September 2012.

C.A.R.E.

- 5.22 The role of C.A.R.E. will increase in importance as the Council moves away from grants. The Agency does publicise its activities through talks and exhibitions but awareness raising will now be increased through targeting areas where there is likely to be specific interest including voluntary organisations and relevant professional groups. The Council website is being upgraded and a greater presence will be given to C.A.R.E.

Engaging With Landlords

- 5.23 Part 4 explained that the District is unusual in that the majority of landlords own one or two properties only. Because of this, a Landlords Forum is unlikely to be successful or an effective way to exchange information with landlords. However, the Council feels that because the private rented sector is growing in size and importance, an effective channel for information and communication needs to be set up.
- 5.24 Realistically most, if not all, private sector landlords (and potential landlords) will have internet access. The Council will set up on the website a resources page for private sector landlords which will give information on statutory requirements, Council policies relevant to private rented sector accommodation and contact details. The web page will give landlords an opportunity to comment on private sector housing issues and also to send in specific queries. The web page will be regularly updated.
- 5.25 The experience of Officers is that the accreditation process linked to the rent deposit and rental loan scheme works well. It helps to increase the supply of good quality housing available to potentially homeless households and also reinforces the effective working relationship between Officers in the Private Sector Team and the Housing Options Team. Extension of the scheme to properties typically used by university students is being considered.
- 5.26 One way to add to give landlords a further incentive to participate and in particular to offer accommodation to vulnerable households is to offer fast tracking of housing benefit claims by tenants in any property which has met the accreditation requirements and this will now be put in place by September 2012.
- 5.27 The opportunities for private sector leasing and for the other financial incentives to bring empty properties back into use will be given greater publicity.

Inspection and Enforcement

- 5.28 The 2007 Private Sector Housing Strategy recognised that the Private Sector Team did not have sufficient staff. Effective inspection and enforcement needs adequate numbers of specialist staff to undertake surveys, prepare notices, inspect work, deal with landlords and contractors and, where appropriate, pursue statutory action. The staffing arrangements should allow a proper balance between reactive work (responding to complaints) and proactive work (planned inspections according to priorities). Staffing resources have twice been increased and the Council feels staffing levels are now appropriate for the District.

5.29 The proportion of proactive work has increased over the past four years, in particular with long term empty homes and with caravan sites. Given the importance of dealing long term empty homes

- To follow Government housing policy
- To maximise the supply of affordable housing
- To reduce difficulties to neighbouring households, and
- To generate revenue through the New Home Bonus

the Council will now increase the proactive work done to bring long term empty properties back into use.

5.30 Because of the concerns raised by the House Condition Survey in respect of mobile homes, the Council will also increase the rate of proactive inspections of caravan sites. In both cases staff activity will be formally programmed.

5.31 Enforcement action has largely been informal over the past four years. This reflects the fact that landlords in the District almost always comply with Council requests to carry out remedial work. The aim of the Technical Team is to achieve at best high quality housing and at worst to secure compliance with minimum statutory standards ideally without the need for formal action. The Council feels that the emphasis on the informal approach should continue. However, enforcement action including compulsory purchase and compulsory leasing (Empty Dwelling Management Order) has been initiated where necessary and Officers will not hesitate to take formal action where required.

5.32 The HHSRS does not differentiate between tenures. If a Category 1 Hazard is found in an owner occupied property then a local authority has a duty to take the most appropriate course of action. Like most local authorities, EFDC has been reluctant to take statutory action against owner occupiers.

5.33 Appendix C includes the guidelines that staff will follow where Category 1 hazards are found in owner occupied properties. In general terms Hazard Awareness Notices will be served unless the circumstances make this inappropriate (for example if there is an imminent risk of harm or the owner occupied property is having a serious impact on neighbouring properties).

5.34 In these cases the Council will be prepared, where necessary, to take enforcement action and recover costs through a charge on the property. It is possible in unusual circumstances that enforcement action may follow a visit made in response to a request by an owner occupier for financial assistance.

Financial Assistance

Releasing Equity

5.35 Until now, EFDC has provided financial assistance to the private housing sector through grant aid. However, many local authorities across the country have now moved towards facilitating equity release or offering direct loans. Many authorities now only offer grant assistance in exceptional cases.

5.36 "Equity" is the difference between the market value of a property and the value of any mortgage or other charges held against it. If there is no mortgage (as is generally the case with older residents) then the equity is the full market value. It

- is the Government's view that, where equity exists in a property, with the exception of DFGs, some of this potential value should be released to fund any renovation and improvement work that is necessary.
- 5.37 As described in Part 3, house prices in the District are high. The most recent Land Registry figures (to March 2006) put the average house price in the District at £373k. The average prices for semi-detached and terraced houses are £340k and £269k respectively. The HCS included information on outstanding mortgages and this indicated an average equity of around £255k. The 2011 Census showed there was a higher proportion of properties in the District with no mortgage than nationally.
- 5.38 The HCS showed that the estimated cost to remedy all items that make properties non-Decent is £77 million at an average cost per dwelling of £6,600. The cost to make decent the 270 non-Decent homes occupied by vulnerable households in order to meet the notional 2010/11 PSA7 Government target is £2.5 million.
- 5.39 It is clear that there is a very substantial gap between potential costs of works just to make homes Decent and the capital budget. It is also clear, having regard to property prices and typical mortgage levels, that there is scope for the Council to consider introducing a mechanism to facilitate equity release.
- 5.40 If a local authority makes a loan directly, then the loan amount counts against the capital allocation. With specialist providers, as private finance is brought in, the funds available to the local authority for loan can be a multiple several times greater than the amount the local authority commits to the scheme, although there may be a significant non-recoverable cost in setting up. In addition, there is the issue of giving financial advice, which is subject to strict independent regulation. It is necessary for advice to be given by wholly independent financial advisors or there may be a successful legal challenge.
- 5.41 The Council does recognise that there are many households on low incomes and it will be important that any new system takes account of their needs. However, financial schemes generally available through the specialist, not-for-profit agencies are specifically designed to meet the circumstances of low income households. In particular, repossessions are usually restricted. However, the recent financial climate has meant a reduction in the schemes available although some voluntary groups are currently working on new packages.
- 5.42 Developing a new approach will require significant preparatory work. The set up and administration costs of equity release schemes are significant and many local authorities have grouped together to share costs. EFDC will now explore the possibility of partnership on this issue with other neighbouring authorities. Realistically it is likely that any new arrangements will take at least two years to develop.
- 5.43 The existing arrangements for providing a Home Improvement Agency have worked well and the Council intends to develop them. In the longer term, as the equity release mechanism is developed, the C.A.R.E. will play an important part in delivering this.

Financial Assistance 2012/2013 Onwards

- 5.44 Whilst the Council is developing these arrangements, interim changes will be made to the existing arrangements for delivering financial assistance. The financial climate has altered dramatically since the previous Strategy and these interim changes will reflect that. In particular, the substantial Decent Homes capital funding is no longer available and resources made available for private sector housing will come from the Council's capital budget.
- 5.45 Full details of the conditions applicable to all discretionary financial assistance are set out in the separate Housing Assistance Policy.
- 5.46 Capital budgets of £400k for mandatory DFGs and £350k for discretionary financial assistance have provisionally been made available for each of the next three years. It is important that the very best value is made of these and the following overall principles will apply:
- With the exception of the discretionary Relocation Grant, all financial assistance will be repayable on sale or other disposal secured by a local land charge (or undertaking in the case of mobile homes). No interest will be charged.
 - No financial assistance will be made available to landlords. Whilst Officers will continue to use their best endeavours to deal with unsatisfactory conditions informally, if necessary enforcement action will be used and works done in default.
 - Only properties in Council Tax Bands A – E will be eligible for financial assistance.
 - All applicants will be means-tested including those in receipt of Attendance Allowance/Disability Living Allowance.
 - All discretionary financial assistance will only be available when capital funds permit.
 - The discretionary financial assistance offered does not affect the Empty Property Loans and Empty Property Grants available in respect of long term empty homes under the PLACE scheme.
- 5.47 By making the bulk of the financial assistance repayable, the funds are recycled after a period for reuse to assist other households. The benefits from this will take some time to materialise but will make a significant contribution to the capital budget as time goes on.
- 5.48 The requirement to repay will be set out in a formal agreement and will be protected by a Local Land Charge on all dwellings except mobile homes where such a charge cannot be made. In these cases, the owner will be required to give a formal undertaking to advise the Council when the property is to be let or sold and Officers will carry out regular, routine monitoring to ensure that the occupancy conditions are still being met.
- 5.49 Thermal Comfort Grants will no longer be made available. Heating works may be covered in the new Small Works Repayable Assistance or in the new Decent Homes Repayable Assistance. Discretionary DFGs will no longer be available as none have been given over the past four years and provisions exist within the

Essex County Council to provide loans to top-up mandatory DFGs where the cost of work exceeds the £30,000 grant maximum.

- 5.48 The Council is retaining the discretionary Empty Homes Loan aimed at bringing long term empty homes back into use. This loan will be targeted at households who see a long term empty property and wish to renovate it to live in.
- 5.49 The Conversion Grant will no longer be available. Revision of the PLACE scheme to allow for landlords to apply for assistance to convert redundant space is under consideration.

Small Works Repayable Assistance

5.50 The existing Small Works Assistance is to be replaced with **Small Works Repayable Assistance**. These will be made available subject to the following conditions:

- (i) There must be a statutory Hazard within the property rated at Band D or above, or a defect which is likely to damage the fabric of the property unless repaired.
- (ii) The maximum eligible expense is £3,000.
- (iii) Eligible works will include works to rectify a significant Hazard under the HHSRS, works to rectify any disrepair likely to damage to the fabric of the property and works to improve thermal comfort.
- (iv) Applicants must be 60 years or above or be chronically sick or disabled or be a household with dependent children on a low income
- (v) The applicant must satisfy a test of resources and/or be in receipt of a means tested benefit.
- (vi) Owner occupiers and long leaseholders are eligible to apply.
- (vii) Assistance will only be available for properties in Council Tax Bands A – E.
- (viii) Owner occupiers and long leaseholders must have been resident for at least one year prior to making an application. The Council may consider waiving this requirement in exceptional circumstances.
- (ix) No more than one application can be made in any twelve month period commencing from the date of the final payment of the last Assistance.
- (x) The applicant will enter into an agreement to repay to the Council the whole amount of the Assistance paid on sale or any other disposal of the property.

Decent Homes Repayable Assistance

5.51 The existing Decent Homes Assistance will become **Decent Homes Repayable Assistance** and will be available subject to the following conditions:

- (i) There must be a significant hazard within the property rated at Band D or above, or disrepair which amounts to a breach of the Decent Homes Standard.
- (ii) The maximum eligible expense is £10,000.
- (iii) Eligible works will be any works necessary to ensure the property meets the Decent Homes Standard including:
 - Work to rectify any significant Hazard rated at Band D or above under the HHSRS.

- Work to repair or replace building components which are old and because of their condition require replacing or repair. (If there is only one such building component it must be a key building component.)
 - Work to replace defective kitchen or bathroom/WC fittings or kitchen fittings over 20 years old and bathroom fittings over 30 years old.
 - Work to improve thermal comfort.
- (iv) Applicants must be 60 years or above or be chronically sick or disabled or be a household with dependent children on a low income.
- (v) The applicant must satisfy a test of resources and/or be in receipt of a means tested benefit.
- (vi) Assistance will only be available for properties in Council Tax Bands A – E.
- (vii) Owner occupiers and long leaseholders are eligible to apply.
- (viii) Owner occupiers and long leaseholders must have been resident for at least one year prior to making an application. The Council may consider waiving this requirement in exceptional circumstances.
- (ix) The applicant will enter into an agreement to repay to the Council the whole amount of the Assistance paid on sale or any other disposal of the property.

Discretionary Relocation Grants

5.52 Discretionary DFGs will no longer be available.

5.53 A **Relocation Grant** may be available subject to the following conditions:

- (i) Where a person qualifies for a mandatory DFG but the necessary works are not feasible at their existing property, or could only be carried out at wholly disproportionate cost, then the Council may consider a grant towards essential relocation costs and/or the difference in price of the new home.
- (ii) In order to consider a relocation grant, the new property must be capable of being occupied as it stands or with adaptation at reasonable cost.
- (iii) The maximum relocation grant will be £10,000.
- (iv) Such grants will only be made in exceptional circumstances and subject to the Council having adequate budgetary provision at the time of the application and will require the express approval of the Head of Environmental Services.
- (v) No household can receive more than one relocation grant.
- (vi) The standard DFG test of resources will be applied to applications for relocation grants.

Empty Homes Loans

5.54 In order to encourage the return of long term empty properties back into use, and to increase the supply of affordable housing, owners intending to live in a property that is currently long term empty the Council may make available discretionary **Empty Homes Loans** subject to the following conditions:

- (i) The property must have been vacant for a minimum period of one year before the application is submitted
- (ii) There must be a significant hazard within the property rated at Band D or above, or disrepair which amounts to a breach of the Decent Homes Standard.

- (iii) Eligible works are as for Decent Homes Repayable Assistance.
- (iv) Persons intending to live in the property are eligible to apply.
- (v) The applicant will enter into an agreement to repay to the Council the whole amount of the assistance paid on sale or any other disposal of the property.

Mandatory DFGs

- 5.55 It is proposed that one change will be made to the administration of DFGs. Where the grant is above £5,000, the Council is entitled to recover costs up to a maximum of £10,000 for a period of up to ten years. The Council now intends to consider the benefits of requiring repayment of the grant (subject to the £10,000 limit) if the property is disposed within a 10 year period. This would be and protected by a charge on a property which would be removed after a period of 10 years. Repayment will not be required for the costs of providing stair lifts, through floor lifts or removable equipment such as hoists. In addition, there will be discretion to waive the requirement in exceptional circumstances.
- 5.56 There have been significant problems because of delays with the Occupational Therapist referral service provided by the County Council which have affected the service offered by C.A.R.E. Alternative means of service provision will be investigated.

Review

- 5.57 Appendix A sets out the Action Plan the Council will follow in implementing the Private Sector Housing Strategy.
- 5.58 The Council is committed to improving private sector housing standards and there will be a review by of progress against the targets set out in the Action Plan annually by Members. There will be also be ongoing formal reviews as part of the Corporate Planning process.

Equality and Diversity

- 5.59 The Council is committed to ensuring that there is equal access to all services by all residents of the District. This Strategy does concern the delivery of services and allocation of resources to many vulnerable groups including households on low incomes, households with older residents, residents with disabilities and residents from minority communities. The Strategy has been developed to ensure that scarce resources are allocated as fairly as possible and delivery will be in accordance with the principles of the Council's Policies on equality and diversity. An Customer Impact Assessment has been carried out of the Private Sector Housing Assistance function.

Contacts, Appeals and Complaints

- 5.60 Contact addresses and telephone numbers for Council staff are set out in the formal Statement of Housing Assistance Policy. The Policy also sets out the procedure for any person who wishes to appeal against any decision in respect of financial assistance or to complain about any issue relating to this Strategy.

APPENDIX A					
Private Sector Housing Strategy Key Action Plan 2012-15 (DRAFT)					
No	Category	Action	Responsibility	Timescale	Resources
	C.A.R.E./Housing Assistance	To introduce an extended assessment and advice procedure and to train staff in delivery of the procedure	Assistant Director (Private Sector/ Resources)/Private Housing Manager (Grants/C.A.R.E.)	Sept 2012	Within existing resources
	C.A.R.E.	To investigate the options and procedures necessary to introduce a charging scheme for residents in receipt of benefit using the Handyperson Scheme	Assistant Director (Private Sector/ Resources)/Private Housing Manager (Grants/C.A.R.E.)	Sept 2012	Within existing resources
	C.A.R.E.	Upgrade C.A.R.E. page on Council website including provision for on line applications	Private Housing Manager (Grants/C.A.R.E.)	September 2012	Within existing resources
	Disabled Adaptations	Explore alternative means of service provision for Occupational Therapist referrals	Assistant Director (Private Sector & Resources)	January 2013	Within existing resources
	Private Rented Sector	Develop Landlord Resources page on Council website including provision for interaction and response to queries. Include additional information on PLACE and HALD	Private Housing Manager (Technical)	December 2012	Within existing resources
	Private Rented Sector	Upgrade empty homes page on Council website giving consideration to inclusion of improved alert provisions for members of public to report empty homes	Private Housing Manager (Technical)	June 2012	Within existing resources

No	Category	Action	Responsibility	Timescale	Resources
	Private Rented Sector	Carry out feasibility study on the potential for fast track procedures for accredited properties	Private Housing Manager (Technical) and Housing Benefits Manager	January 2013	Within existing resources
	Private Rented Sector	Conclude discussions with Essex University in respect of accreditation	Private Housing Manager (Technical)	September 2012	Within existing resources
	Enforcement	Introduce programmes of proactive investigation/planned inspections for long term empty homes and park home sites	Private Housing Manager (Technical)	September 2012	Within existing resources
	Enforcement	Bring 40 long term empty homes back into use during 2012/2013	Private Housing Manager (Technical)	March 2013	Within existing resources
	Financial Assistance	Change financial assistance procedures and documentation to implement the revised framework of financial assistance	Assistant Director (Private Sector/ Resources) & Private Housing Manager (Grants/C.A.R.E.)	June 2012	Within existing resources
	Financial Assistance	Update Council website to publicise details of new framework for Financial Assistance	Private Housing Manager (Grants/C.A.R.E.)	June 2012	Within existing resources
	Financial Assistance	Consider options for updating Council website to provide facilities for service users to make applications for assistance on-line	Private Housing Manager (Grants/C.A.R.E.)	June 2012	Within existing resources
	Financial Assistance	Keep developments with Green Deal under continuous review with a view to maximising Council involvement	Assistant Director (Private Sector & Resources)	Possible implementation by September 2012	Unknown
	Financial Assistance	Undertake options appraisal on the implementation of equity release/loan arrangements for housing assistance.	Assistant Director (Private Sector & Resources)	March 2013	Within existing resources
	Financial Assistance	Make recommendations to the Housing Scrutiny Panel with regard to the implementation of equity release/loan arrangements	Assistant Director (Private Sector & Resources)	July 2013	Within existing resources

APPENDIX B

DCLG GUIDANCE ON DECENT HOMES STANDARD

1.0 Introduction

- 1.1 The previous Government introduced the “Decent Homes Standard” in order to link increased funding for housing with clear improvements in standards. The first guidance on the decent homes standard was issued in July 2001, with revised guidance in February 2004 and July 2006.
- 1.2 The Decent Homes Standard was originally applied only to homes owned by local authorities and registered social landlords. However, the standard was then applied by the former Government to vulnerable households in the private sector by Target 7 of the Public Services Agreement (PSA7).
- 1.3 “Vulnerable” groups were considered by the Government to be those who may suffer health problems as a result of living on poor housing conditions which they do not have the resources to remedy themselves. Examples include those over 60, people with long term illness or disability or families with young children. In addition they are in receipt of income or disability related benefits.
- 1.4 Measurement of progress against the target was achieved through the annual English House Condition Survey (EHCS). The EHCS measures both property condition and the social circumstances of the household. To measure progress against the decent homes target in the private sector, the Government target referred to analysis of EHCS results in two consecutive years (to give robust figures).
- 1.5 The target applicable to private sector homes was:-
- To secure a year on year increase in the proportion of vulnerable households in decent homes;
 - Proportion of vulnerable households in decent homes to be more than 65% in 2006-07;
 - Proportion of vulnerable households in decent homes to be more than 70% in 2010-11;
 - Proportion of vulnerable households in decent homes to be more than 75% in 2020-21
- 1.6 The requirement to meet the PSA7 target was dropped by the former Government in 2008 but performance against the PSA7 target is still used by many local authorities for benchmarking.

2.0 What is the Decent Homes Standard?

- 2.1 The most recent definition of the decent homes standard was given in guidance from the Office of the Deputy Prime Minister in July 2006. The guidance is based on four main principles:-
- a) It meets the current minimum standard for housing;
 - b) It is in a reasonable state of repair;
 - c) It has reasonably modern facilities and services;
 - d) It provides a reasonable degree of thermal comfort.
- 2.2 The standard is a *minimum* standard. The Government expects both social landlords and local authorities responsible for securing standards in the private

sector to aim for the best standards attainable. The meaning of the individual criteria are explained in more detail below:-

a) It Meets The Current Statutory Minimum Standard For Housing

2.3 Previously the minimum standard for housing was the “fitness standard” set by the Housing Act 1985. The Act listed nine factors to take into account when a local Council is deciding whether a home is “reasonably suitable for occupation” and so “fit for human habitation”. (The factors included freedom from damp, structural stability, lighting, ventilation and amenities.)

2.4 2.4 The fitness standard has now been replaced by the Housing Health and Safety Rating System, prescribed method of assessment which applied risk assessments to hazards to health and safety found in the home. The system is described in detail at Appendix C.

b) It Is In A Reasonable State Of Repair

2.5 A home is in a reasonable state of repair unless:

- One or more key building components are old **and** because of their condition need replacing or major repair; **or**
- Two or more other building components are old **and** because of their condition need replacing or major repair.

What are “key” and “other” building components?

2.6 Building components are the

- Structural parts of a dwelling (eg wall structure, roof structure),
- Other external elements (eg roof covering, chimneys) and
- Internal services and amenities (eg kitchens, heating systems).

2.7 **Key building components** are those which, if in poor condition, could have an immediate impact on building integrity and cause further deterioration in other components. They are the external components plus internal components that have potential safety implications and include external walls, roof structure and covering, chimneys, windows/doors, chimneys, fixed heating appliances and electrics.

2.8 If any of these components are old and because of their condition need replacing, or require immediate major repair, then the dwelling is not in a reasonable state of repair and remedial action is required.

2.9 **Other building components** are those that have a less immediate impact on the integrity of the dwelling. The standard takes into account their combined effect - a dwelling is not in a reasonable state of repair if 2 or more are old and need replacing or require immediate major repair.

What is old and in poor condition?

2.10 A building component is treated as 'old' if it is older than its expected or standard life. The Government lists the lifetimes that may typically be expected for individual building components eg 50 years for a roof structure.

2.11 Components are in poor condition if they need major work, either full replacement or major repair. Again the Government sets out definitions for different components. For example, with a wall structure this would mean replacing 10% or more or repairing 30% or more, and with a wall finish replacing or repointing more than 50%.

2.12 One or more key components, or two or more other components, must be both old and in poor condition to render the dwelling non-decent on grounds of

disrepair. Components that are old but in good condition or in poor condition but not old would not, in themselves, cause the dwelling to fail the standard eg a roof structure that was less than 50 years old but which had failed because of a fault.

c) *It Has Reasonably Modern Facilities And Services*

2.13 A dwelling is considered non decent under this heading if it lacks three or more of the following facilities:

- A kitchen which is 20 years old or less
- A kitchen with adequate space and layout
- A bathroom which is 30 years old or less
- A bathroom and WC located in an appropriate place
- Adequate noise insulation
- Adequate size and layout of common entrance areas for blocks of flats

2.15 These standards have been measured in the English House Condition Survey (EHCS) for many years. Examples in practice would be:-

- A kitchen with adequate space and layout would be too small to contain all the required items (sink, cupboards cooker space, worktops etc) appropriate to the size of the dwelling.
- A main bathroom or WC located in a bedroom or accessed through a bedroom (unless the bedroom is not used or the dwelling is for a single person).
- A dwelling would also fail if the main WC is outside or located on a different floor to the nearest wash hand basin - or if a WC without a wash hand basin opens onto the food preparation area.

d) *It provides a reasonable degree of thermal comfort*

2.16 The revised definition requires a dwelling to have both **efficient heating** and **effective insulation**.

2.17 Efficient heating is defined as any gas or oil programmable central heating or electric storage heaters or programmable LPG/solid fuel central heating. Heating sources which provide less energy efficient options fail the decent home standard.

2.18 Because of the differences in efficiency between gas/oil heating systems and the other types of system, the level of insulation considered appropriate also differs:

- For dwellings with **gas/oil programmable heating**, at least 50mm loft insulation (if there is loft space) and cavity wall insulation (if there are cavity walls that can be insulated effectively)
- For dwellings with the less efficient **electric storage heaters/LPG/programmable solid fuel central heating**, at least 200mm of loft insulation (if there is a loft) and cavity wall insulation (if there are cavity walls that can be insulated effectively). Loft insulation thickness of 50mm is an absolute minimum which will trigger action.

APPENDIX C

THE HOUSING HEALTH AND SAFETY AND RATING SYSTEM

1.0 Introduction

- 1.1 Part 1 of the Housing Act 2004 replaced the former Housing Fitness Standard with an evidence-based risk assessment process, carried out using the Housing Health and Safety Rating System (HHSRS). Local authorities now base enforcement decisions in respect of all residential premises on the basis of assessments under HHSRS. This allows local authorities to address more effectively the hazards to health and safety found in dwellings.
- 1.2 Action by authorities is based on a three-stage consideration:
- (a) the hazard rating determined under HHSRS;
 - (b) whether the authority has a duty or power to act, determined by the presence of a hazard above or below a threshold prescribed by Regulations (Category 1 and Category 2 hazards); and
 - (c) the authority's judgement as to the most appropriate course of action to deal with the hazard.
- 1.3 The Act contains a range of enforcement options which are available to local authorities. The choice of the most appropriate course of action is for the authority to decide, having regard to statutory enforcement guidance.

2.0 The Assessment System

- 2.1 The purpose of the HHSRS assessment is not to set a standard but to generate objective information in order to determine and inform enforcement decisions. Technical guidance is given by DCLG in the February 2006 document "Housing Health and Safety Rating System: Operating Guidance.
- 2.2 HHSRS assesses twenty nine categories of housing hazard, including many factors which were not covered or covered inadequately by the housing fitness standard. It provides a rating for each hazard. It does *not* provide a single rating for the dwelling as a whole or, in the case of multiply occupied dwellings, for the building as a whole.
- 2.3 The HHSRS scoring system combines the probability that a harmful occurrence (e.g. an accident or illness) will occur as a consequence of a deficiency (ie a fault in a dwelling (whether due to disrepair or a design fault). If a harmful occurrence is very likely to occur and the outcome is likely to be extreme or severe (e.g. death or a major injury) then the score will be very high.
- 2.4 The hazard rating is expressed through a numerical score which falls within one of ten bands. Scores in Bands A to C (score 1,000 or above) are Category 1 hazards. Scores in Bands D to J (score below 1,000) are Category 2 hazards. The 29 hazard types are as follows:

A. Physiological Requirements

- Damp and mould growth etc
- Excessive cold
- Excessive heat
- Asbestos (and MMF)
- Biocides
- CO & Fuel combustion products
- Lead
- Radiation

- Uncombusted fuel gas
- Volatile organic compounds

B. Psychological Requirements

- Crowding and space
- Entry by intruders
- Lighting
- Noise

C. Protection Against Infection

- Domestic hygiene, pests & refuse
- Food safety
- Personal hygiene sanitation & drainage
- Water supply

D. Protection Against Accidents

- Falls associated with baths etc
- Falls on the level
- Falls associated with stairs and steps
- Falls between levels (e.g. from windows),
- Electrical hazards
- Fire
- Hot surfaces and materials
- Collision and entrapment
- Explosions
- Poor ergonomics
- Structural collapse and falling elements

2.4 The HHSRS assessment is based on the risk to the *potential occupant who is most vulnerable to that hazard*. For example, stairs constitute a greater risk to the elderly, so for assessing hazards relating to stairs persons aged 60 years or over are the most vulnerable group. In contrast, the most vulnerable group for falling between levels are children under 5 years. The very young as well as the elderly are susceptible to low temperatures. A dwelling that is safe for those most vulnerable to a particular hazard is safe for all.

3.0 The Enforcement Framework

3.1 Local authorities have a duty to act when Category 1 type hazards are found. They have a discretionary power to act in respect of a Category 2 hazard. The courses of action available to authorities where they have either a duty or a power to act are to:

- Serve an improvement notice requiring remedial works;
- Make a prohibition order, which closes the whole or part of a dwelling or restricts the number or class of permitted occupants;
- Suspend the above
- Serve a Hazard Awareness Notice
- Take Emergency Remedial Action*
- Serve an Emergency Prohibition Order*
- Make a demolition order*
- Declare a clearance area*

* Only in respect of Category 1 hazards

3.2 While the HHSRS hazard rating is based on the most vulnerable potential occupant, authorities will be able to take account of the circumstances of the actual occupant in deciding the most appropriate course of action. Where an authority takes action and the property owner does not comply, the Act retains

the powers available to authorities to act in default (ie carry out the work themselves and recover the cost from the owner of the property) and/or to prosecute. It also enables them to charge and recover charges for enforcement action.

4.0 Use of Discretionary Power: Decision Rules

4.1 *The Housing Health and Safety Rating System: Enforcement Guidance*, statutory guidance made under section 9 of the Housing Act 2004 gives advice on how local housing authorities should use their discretionary powers.

4.2 An authority must take appropriate action in respect of a Category 1 hazard and may do so in respect of a Category 2 hazard. In deciding what is the most appropriate course of action, the statutory guidance states that they should have regard to a number of factors. It is important to note that in both cases an authority is obliged to give a formal statement of reasons for the action it intends to take.

4.3 It is also important to stress that for the purposes of assessing the hazard, it is assumed that the dwelling is occupied by the most vulnerable household (irrespective of what household is actually in occupation or indeed if it is empty). However, for the purposes of deciding the most appropriate course of action, regard is had to the actual household in occupation.

4.4 An authority has to take account of factors such as:

- Extent, severity and location of hazard
- Proportionality – cost and practicability of remedial works
- Multiple hazards
- The extent of control an occupier has over works to the dwelling
- Vulnerability of current occupiers
- Likelihood of occupancy changing
- Social exclusion
- The views of the current occupiers

4.5 Having regard to the statutory guidance and to the provisions of the Enforcement Concordat which Epping Forest District Council has adopted, in addition to the Council's duty to take action where a Category 1 hazard exists, the Council will generally exercise its discretion to take the most appropriate course of action where a Category 2 hazard exists in the following situations:

The Most Appropriate Course of Action – Category 2 Hazards

A. Band D Hazards

There will be a general presumption that where a Band D hazard exists, Officers will consider action under the Housing Act 2004 unless that would not be the most appropriate course of action

B. Multiple Hazards

Where a number of hazards at Band D or below appear, when looked at together, to create a more serious situation, or where a property appears to be in a dilapidated condition, the Manager of the Technical Team or the Assistant Director (Housing) may authorise the most appropriate course of action to be taken.

C. Exceptional Circumstances

In exceptional circumstances where A and B above are not applicable, the Manager of the Technical Team or the Assistant Director (Housing) may authorise the most appropriate course of action to be taken.

Level To Which Hazards Are To Be Improved

The Housing Act 2004 requires only that the works specified when taking the most appropriate course reduce a Category 1 hazard to Category 2 hazard. For example Band C and Band A hazards need only be reduced to Band D. The Council will generally seek to specify works which, whilst not necessarily achieving the ideal, which achieve a significant reduction in the hazard level and in particular will be to a standard that should ensure that no further intervention should be required for a minimum period of twelve months.

Tenure

In considering the most appropriate course of action, the Council will have regard to the extent of control that an occupier has over works required to be dwelling. In normal circumstances, this will mean taking the most appropriate course of action against a private landlord (including a Housing Associations) and in most cases this will involve requiring works to be carried out. With owner occupiers, in most cases they will not be required to carry out works to their own home and the requirement to take the most appropriate course of action will be satisfied by the service of an Hazard Awareness Notice.

However, the Council may in certain circumstances require works to be carried out, or to use Emergency Remedial Action or serve an Emergency Prohibition Order, in respect of an owner occupied dwelling. This is likely to be where there is an imminent risk of serious harm to the occupiers themselves or to others outside the household, or where the condition of the dwelling is such that it may adversely affect the health and safety of others outside the household. This may be because of a serious, dangerous deficiency at the property. Another example is a requirement to carry out fire precaution works to a flat on a long leasehold in a block in multiple occupation.

Enforcement Concordat

The Council has adopted the Enforcement Concordat and observes its principles. With specific regard to Part 1 of the Housing Act 2004, the principles of the Enforcement Concordat mean that the Council will take an informal approach to the Act. However, this will not be appropriate where:

- A. there is a risk to health and safety from a hazard of a nature which requires prompt formal action, or
- B. there is evidence of previous non compliance with statutory provisions made under the Housing Acts or other housing related legislation

Charging for Notices

In accordance with Sections 49 and 50 of the Housing Act 2004, the Council reserves the right to charge and recover the reasonable costs incurred in taking the most appropriate course of action.

The Council is likely to charge only where:

- A. A formal notice is required to remove a serious threat to health and safety unless the threat arose because of circumstances outside the control of the person receiving the notice, order or action, and/or
- B. There is evidence of previous non compliance with statutory provisions made under the Housing Acts or other housing related legislation, and/or
- C. No adequate action has been taken in response to informal requests from the Council to take action or do works.

APPENDIX B

CONSULTATION

To be inserted after completion of the Consultation process.

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Report to Housing Scrutiny Panel

Date of meeting: 5th March 2012

Portfolio: Housing – Cllr M. McEwen

Subject: Housing Improvements and Service Enhancements – HRA Financial Plan

Officer contact for further information:

Alan Hall – Director of Housing (01992 564004)

Committee Secretary: Mark Jenkins (01992 56 4607)



Recommendations/Decisions Required:

- (1) That, subject to the views of the Tenants and Leaseholders Federation (to be reported orally), the Scrutiny Panel reports to the Cabinet and recommends the list of Housing Improvements and Service Enhancements set-out in Appendix 1 attached, funded from the £770,000 per annum budget included within the 30-Year HRA Financial Plan as a result of the HRA self-financing arrangements;**
- (2) That, if agreed, the Cabinet be asked to record the detailed recommendations in bold within Appendix 1 in the Cabinet minutes;**
- (3) That a further recommendation be made to the Cabinet that, at its meeting in January 2013, the Housing Scrutiny Panel considers and recommends to the Cabinet the use of both the remaining and any additional funding available within the HRA Financial Plan for housing improvements and service enhancements in 2013/14 and future years, after consultation with the Tenants and Leaseholders Federation;**
- (4) That the Scrutiny Panel's report to the Cabinet be based on the content and approach adopted for this report to the Scrutiny Panel; and**
- (5) That the Chairman of the Scrutiny Panel presents the Scrutiny Panel's report to the Cabinet on the 23rd April 2012.**

Report:

1. At its meeting on 5th December 2011, the Cabinet approved the strategic approach to the new 30-Year HRA Financial Plan. The approach agreed was to plan the repayment of the required loan(s) to fund the CLG's debt settlement over a 30-year period. This enables the Council to not only maintain the Council's housing stock to a full, modern standard; implement a new Council Housebuilding Programme; and allow a lower rent increase in April 2012 (6%) than assumed by the Government; but to also fund an additional £770,000 per annum of housing improvements and service improvements.

2. The Cabinet asked the Housing Scrutiny Panel to consider and recommend a proposed list of housing improvements and service enhancements to the Cabinet, utilising the additional funding, after taking account of the views of the Tenants and Leaseholders

Federation.

3. Since the Cabinet's decision, the Housing Management Team has been formulating and refining a proposed list of improvements and enhancements for consideration, in consultation with all Housing Managers. The approach taken to this exercise has been to focus on proposals that would provide a direct and demonstrable benefit to the Council's tenants, rather than to "make officers' lives easier".

4. The proposed list of improvements comprises a mix of capital and revenue projects, requiring both one-off expenditure over 1-2 years and ongoing annual expenditure. The inclusion of one-off projects enables the funding allocated to these projects to be utilised for other one-off or ongoing projects in future years, from the overall £770,000 annual budget.

5. The proposed list of 14 housing improvements and service enhancements are detailed at Appendix 1. For each proposal, a description is provided, together with details of the one-off and/or ongoing annual funding required, and whether the expenditure is capital and/or revenue. At the end of each proposal, the formal recommendation(s) relating to the proposal is provided in bold.

6. Appendix 2 provides a spreadsheet with each of the proposals listed, showing the one-off and ongoing expenditure for each of the next three financial years. Where the full annual cost is not expected to be incurred within the first financial year (which will have already commenced when the proposals are considered by the Cabinet), the pro-rata cost for 2012/13 is shown.

7. As can be seen, although the full £770,000 budget has been earmarked for 2012/13, the full budget has not been earmarked for the following two years, due to most of the one-off expenditure proposed for 2012/13 not being continued into the following two years. This will enable the Scrutiny Panel to consider the use of the remaining budget in future years, prior to 2013/14, which from Appendix 2 can be seen to be around £0.5million per annum.

8. The Tenants and Leaseholders Federation are due to consider the proposals in this report at its meeting to be held on 1st March 2012, and their comments will be reported orally at the meeting.

9. Subject to the views of the Tenants and Leaseholders Federation, it is suggested that the Scrutiny Panel recommends the list of Housing Improvements and Service Enhancements set-out in Appendix 1 to the Cabinet.

10. It should be noted that the budget of £770,000 per annum was approved by the Cabinet on the basis of the best assumptions and the financial situation as at November 2011. Since that time, the CLG has announced the Council's final HRA debt settlement figure of £185.456million, which is around £750,000 less than the CLG's draft settlement figure. Furthermore, and more significantly, the Council's treasury advisors, Arlingclose, have been advising the Director of Finance & ICT and the Finance & Economic Development Portfolio Holder on the options for funding the required loan(s), and the estimated PWLB interest rates for the loan(s) - most of which are likely to be fixed - which are less than those assumed when the Cabinet agreed the strategic approach to the HRA Financial Plan in December 2011.

11. As a result, even using a conservative estimate for PWLB interest rates, and subject to the Cabinet approving the proposed final version of the HRA Financial Plan at its meeting on the 12th March 2012, it is currently estimated that the following **additional** funding could be made available within the Financial Plan for further housing improvements and service enhancements in future years:

- An additional £750,000 per annum from April 2013;

- A further £250,000 per annum from April 2017;
- The bringing forward of the previously-planned £4.7million increase by one year in April 2019; and
- An additional £250,000 per annum in April 2019.

12. It is therefore proposed that a further recommendation be made to the Cabinet that, at its meeting in January 2013, the Housing Scrutiny Panel considers and recommends to the Cabinet the use of both the remaining and any additional funding available within the HRA Financial Plan for housing improvements and service enhancements in 2013/14 and future years, after consultation with the Tenants and Leaseholders Federation.

13. It is also suggested that the Scrutiny Panel's report to the Cabinet be based on the content and approach adopted for this report, and that the Chairman of the Scrutiny Panel presents the Scrutiny Panel's report to the Cabinet on the 23rd April 2012.

Proposed List of Housing Improvements and Service Enhancements

2012/13

(1) Acceleration of the Programme to install mains-powered smoke detectors in every Council property within 4/5 years

One-off cost(s): £325,000 (2012/13)
Annual cost: Nil
Form of expenditure: Capital

1. At its meeting in January 2012, the Scrutiny Panel supported in principle the installation of mains-powered smoke detectors in all Council-owned properties, subject to funding being available, and agreed to add this proposal to the list of housing improvements for consideration.

2. The IEE Wiring Regulations have recently been amended, such that it is now a requirement that when an electrical installation is upgraded or rewired, mains-powered smoke detectors must be installed. In the past, the supply and installation of smoke detectors (battery or mains-powered) has been the responsibility of tenants.

3. The Council, as part of adopting the full (modern) maintenance standard for all of its properties, is already planning to visit all properties that have not been surveyed since the Decent Homes Standard was introduced in 2001. As a result, mains-powered smoke detectors will be installed as part of any electrical testing and upgrade works to these properties over the next 4/5 years, which will now be funded from the additional resources made available for the full maintenance of the Council's housing stock. This will be much cheaper than attending a property just to install a smoke detector.

4. However, there remains some 2,400 properties which have already been surveyed and electrically-tested, where it is not planned or required to return in the foreseeable future. Therefore, if the Council wishes to install mains-powered smoke detectors in all of its properties within the next 4/5 years, it will be necessary for an electrician to visit each of these properties to undertake the installations and accelerate the Programme, funded from the Housing Improvements and Service Enhancements Budget. It is proposed that all of these installations are undertaken in 2012/13.

5. The cost of installing a smoke detector at a property, connected to the electric mains without undertaking any other electrical work, is currently around £100 for a single storey building (i.e. flat or bungalow). As a minimum, there needs to be one detector installed on each level of a property. Therefore, two detectors would be required for houses and maisonettes, hard-wire inter-linked. The cost of installation over two floors is dependant on the construction of the property but, on average, it is estimated to cost around £175 per property, again, if no other electrical work is required.

6. If installations can be undertaken as part of other electrical works, the costs reduce to around £55 and around £130 for one and two stories respectively.

Recommendation:

That mains-powered smoke detectors be installed in 2012/13 in all Council properties that will not have other planned electrical work undertaken within the next 4/5 years, in order to accelerate the Installation Programme.

(2) Provision of a free Handyperson Scheme for older and disabled tenants living in sheltered and other Council accommodation

One-off cost(s):	£13,000 (2012/13)
Annual cost:	£77,500 p/a
Form of expenditure:	Capital (Van) / Revenue

1. Currently, the Council only operates a Handyperson Scheme for non-Council tenants over 60 years of age and in receipt of one or more of the following benefits: Council Tax Benefit, Pension Guaranteed Credit or Housing Benefit. The scheme is provided by the Council's Caring and Repairing in Epping Forest (CARE) Scheme, funded at a cost of a £10,000 per annum to the General Fund, with the administration costs funded by Essex County Council through the Supporting People regime and the works undertaken by private contractors.

2. It is proposed that a free Handyperson Scheme be introduced at the Council's nine sheltered housing schemes for all tenants (irrespective of their means), through the employment (externally if necessary) of a multi-skilled operative by the Council's Housing Repairs Service. The operative would be employed to attend each scheme on a scheduled rota basis for around half a day each week to undertake a number of small repairs and odd jobs for the older tenants, which would normally be their responsibility, some of which could lead to them injuring themselves if they undertook them themselves and fell. The jobs would be pre-booked through the Scheme Manager. This would include replacing light bulbs, WC chains and tap washers, fixing curtain rails, erecting shelving, connecting washing machines, and other eligible jobs that take less than a maximum attendance period per job. The Handyperson would also be able to undertake any small non-urgent responsive repairs and odd jobs while is/she is at the sheltered scheme that are the Council's responsibility, particularly in communal areas, which would avoid the need for a tradesman to make a special visit, providing a more cost effective Housing Repairs Service and saving money.

3. The estimated costs of employing such a Handyperson would be as follows:

Van purchase	- £13,000 (one off cost)
Van running costs	- £4,500 p/a
Staff costs	- £32,000 p/a
Materials	- £5,000 p/a
Total cost	- £13,000 + £41,500 p/a

4. However, this Handyperson Scheme would only cater for tenants in sheltered accommodation and could not be extended to older and disabled tenants in older people's grouped accommodation and other Council accommodation. Since it is considered that this would be inequitable, since such tenants face the same difficulties with undertaking odd jobs that are their responsibility, it is further proposed that arrangements should be made to provide a similar service to older Council tenants in both older-people's grouped housing schemes and in general needs housing (who have nobody of working-age living with them) and to Council tenants with defined physical disabilities, who have nobody without defined physical disabilities living with them.

5. The Council currently funds Voluntary Action Epping Forest (VAEF) to provide preventative advice and undertake minor works in the homes of older and disabled non-Council tenants, to avoid them falling and injuring themselves in their homes. The current funding supports around 5-hours a week in total.

6. Following discussions with VAEF, it is proposed that an annual grant of £36,000 per annum be made available to VAEF, initially for three years, funded from the HRA's Housing Improvement and Service Enhancements Budget, to fund one Handyman to assist tenants with physical disabilities and non-sheltered older housing tenants for, effectively, around 4.6 days per week (making the existing part-time (5 hour) VAEF post full-time) - with appointments booked through VAEF - to undertake the same odd jobs for Council disabled and older tenants over 60 years of age, as proposed for sheltered housing tenants.

Recommendations:

(a) That a free Handyman Scheme be introduced at the Council's sheltered housing schemes for all tenants (irrespective of their means), through the employment of a multi-skilled operative by the Council's Housing Repairs Service;

(b) That, if necessary, authority be given to recruit the post externally; and

(c) That an annual grant of £36,000 per annum be made available to Voluntary Action Epping Forest (VAEF), initially for a three year period, to fund a Handyman Scheme for an additional 4.6 days per week for:

(i) Council tenants with defined physical disabilities, who have nobody without any defined physical disabilities living with them; and

(ii) Council tenants over 60 years of age, who have nobody of working-age living with them;

to provide a similar free service as that proposed for sheltered housing schemes.

(3) Increasing the Disabled Adaptations Budget for one year

One-off cost(s): £75,000 (2012/13)
Annual cost: Nil
Form of expenditure: Capital

1. The Council currently spends around £400,000 per annum on major adaptations to the Council's own properties, to enable disabled tenants to remain in their home and improve their quality of life. Each adaptation is undertaken following an assessment of need and a recommendation by Essex County Council Social Care Occupational Therapists (OTs).

2. The majority of the recommendations received from OTs are for bathroom adaptations, stairlifts, ramps etc. However, the Council has received (or is awaiting) a number of recommendations that will require the Council to construct extensions to the properties, which will be quite expensive and cost an estimated £75,000 in total. This will have the effect of reducing the amount of budget available for other tenants in need of other adaptations.

Recommendation:

That the Disabled Adaptations Budget be increased by a one-off sum of £75,000 in 2012/13, to replenish the cost of undertaking large adaptations required in that year and to enable the same number of non-major adaptations to be undertaken as usual.

(4) Conversion of existing toilet facilities in communal areas of sheltered housing schemes and community halls into disabled toilets

One-off cost(s): £40,000 (2012/13)
Annual cost: Nil
Form of expenditure: Capital

1. Although most sheltered housing schemes and community halls have toilets in communal areas that are accessible for disabled people in wheelchairs, there are 8 sites where the communal toilet facilities do not cater for wheelchair users, and do not comply with current Building Regulations and, possibly, the Equalities Act.

Recommendation:

That the existing toilet facilities in the communal areas of the following sheltered housing schemes and community halls be converted into disabled toilets:

- (a) Frank Bretton House, Ongar;**
- (b) Jubilee Court, Waltham Abbey;**
- (c) Hedgers Close, Loughton;**
- (d) Barrington Hall, Loughton;**
- (e) Oakwood Hill Hall, Loughton;**
- (f) Pelly Court Hall, Epping;**
- (g) Brookways Hall, Waltham Abbey; and**
- (h) Grove Court, Waltham Abbey.**

(5) Refurbishment of the Common Room and Kitchen Area at Jessopp Court, Waltham Abbey

One-off cost(s): £35,000 (2012/13)
Annual cost: Nil
Form of expenditure: Capital

1. At its meeting on 12 September 2011, the Cabinet agreed that since the Council's "very sheltered housing scheme" at Jessopp Court, Waltham Abbey no longer met with Essex County Council's extra care standards, it be re-modelled to a conventional sheltered housing scheme. The Cabinet further agreed the appointment of a full-time Scheme Manager (since the scheme would no longer be staffed by Essex CC staff), and that the well-attended Day Centre - which operates at the scheme 5 days each week, managed by Essex County Council - be allowed to continue. It was agreed that the Council enters into an Agreement with Essex County Council for the use of the communal lounge at the front of the building, with the County Council being charged an annual fee. These arrangements were put in place from 12 December 2011 accordingly.

2. There is a second common room at Jessopp Court, which was previously used as a

dining room, with an adjacent kitchen area that was used many years ago as a “meals on wheels” kitchen. The residents have requested that the common room and kitchen area be refurbished as a second lounge to provide a more homely environment where they can meet, enjoy some company and hold social activities - particularly at times when the Day Centre is in operation in the front lounge. The Council has two other sheltered housing schemes which have two communal lounges and adjacent kitchens.

3. Arrangements are already being made for the common room to be re-decorated and for new floor coverings and curtains to be provided from existing resources. The cost of the proposed further improvements would be £35,000.

Recommendation:

That the common room and kitchen area at Jessopp Court, Waltham Abbey be refurbished as a second lounge, following their return from Essex County Council’s use and the remodeling of Jessopp Court from a very sheltered housing scheme to a conventional sheltered housing scheme.

(6) Expansion and refurbishment of the Council’s Play Area on the Princesfield Estate, Waltham Abbey

One-off cost(s): £30,000 (2012/13)
Annual cost: £2,000 p/a
Form of expenditure: Capital and Revenue

1. The Council is responsible for maintaining seven play areas on Council housing estates, funded by the HRA, at the following locations across the District:

- Pancroft, Abridge
- Limes Farm Estate, Chigwell
- Hoe Lane, Nazeing
- Princesfield Estate, Waltham Abbey
- Poplar Shaw, Waltham Abbey
- Harold Crescent, Waltham Abbey
- Pynest Green, High Beech

2. The existing annual budget for replacing equipment and undertaking general improvements and enhancements to all seven play areas is £15,000 per annum. Although all of the play areas are regularly maintained by the Council’s Environment and Street Scene Directorate on behalf of the Housing Directorate, and considered to be in good order, the available budget does not allow for any substantial improvements to be undertaken in order to enable these important facilities for the local community to be improved. Indeed, improvements are only able to be undertaken to just one play area each year, due to the high cost of the equipment.

3. The Environment and Street Scene Directorate has advised that, if additional funding was to be made available, the Council’s play area at Princesfield, Waltham Abbey would benefit from much-needed improvements. Due to its current limited space, this play area is not considered to be well-equipped with facilities for a range of age groups (as other play areas generally are). It is therefore proposed to extend the footprint of the play area at Princesfield to enable more equipment to be installed. A consultation exercise will be undertaken with local residents in order to seek their views on the available options. The one-off cost of the work would be around £30,000, and it would be necessary to increase the

annual Play Area Maintenance Budget by £2,000 per annum to meet the additional cost of repairs and inspections.

Recommendation:

That the existing Council play area on the Princesfield Estate, Waltham Abbey be increased in size, with additional and improved play equipment provided.

(7) Making the existing temporary Part-Time Housing Officer (Social Housing Fraud) post permanent and full time (already recommended to the Cabinet)

One-off cost(s):	Nil
Annual cost:	£8,000 p/a
Form of expenditure:	Revenue

1. The Cabinet previously agreed that a new part-time post of Housing Officer (Social Housing Fraud) be appointed on a temporary part-time basis (22.5 hours per week) for a Social Housing Fraud Pilot Scheme for a 12-month period. The post has been partly-funded by the CLG as part of the Government's national initiative to tackle social housing fraud. The Cabinet asked that, after around 10 months of the commencement of the project, a formal evaluation be undertaken.

2. The Housing Scrutiny Panel received a presentation on the Pilot Scheme and undertook an evaluation at its meeting on 31 January 2012. The Scrutiny Panel considered the progress made, which included the potential recovery of 6 properties, the prevention of two fraudulent Right to Buy applications (avoiding the Council giving discounts of around £68,000) and a further property not being allocated to a housing applicant since they were found to be providing false information on their housing application form. This enabled the recovered properties to be let to legitimate applicants on the Council's Housing Register, and recovering overpaid housing benefit in a number of cases.

3. Two further cases were also close to being resolved, which were expected to result in two further properties being recovered due to non-occupation or sub-letting and, again, re-let to legitimate Housing Register applicants, with Housing Benefit Fraud Investigators also investigating associated housing benefit fraud.

4. The Scrutiny Panel considered that the amount of progress made with the Pilot Scheme, which had only been operating for around 8 months from a standing start, was a good achievement. In view of this success, the Scrutiny Panel recommended to the Cabinet that the existing part-time post of Housing Officer (Social Housing Fraud) be made both permanent and full-time, with an increase in hours from 22.5 hours to 36 hours per week.

5. The Cabinet will be considering the Scrutiny Panel's report and recommendation at its meeting on 12th March 2012. If agreed, the additional cost will need to be funded from this budget.

Recommendation:

That, if the previous recommendation of the Housing Scrutiny Panel is agreed by the Cabinet, the additional costs of making the existing Housing Officer (Social Housing Fraud) full-time and permanent be funded from the Housing Improvements and Service Enhancements Budget.

(8) Creation of a Senior Housing Officer (Social Housing Fraud) Post

One-off cost(s):	Nil
Annual cost:	£28,500 p/a
Form of expenditure:	Revenue

1. Background information on the Social Housing Fraud Pilot Scheme is given in (7) above. In view of the success of the Pilot Scheme, at its meeting on 31st January 2012, the Panel also agreed that the creation of a second permanent post of Senior Housing Officer (Social Housing Fraud) be included in the list of possible housing improvements and service enhancements, for consideration at this meeting.

2. This additional post would enable a public awareness campaign (including the promotion of a Social Housing Fraud Hotline) and more “tenancy audits” on targeted housing estates to be undertaken. This is not currently possible, due to the one existing Housing Fraud Officer post being unable to respond to the anticipated number of leads and meet/manage informants’ expectations. It would also enable additional leads to be followed-up, which it is expected would result in further social housing and housing benefit fraud being uncovered, more properties being brought back into proper use, and further savings made to the Council. It would also enable the Council to be in a better position to respond to the Government’s proposals to criminalise social housing fraud, if/when they are introduced, which brings with it a higher test of evidence and associated workload, but with better results and a greater deterrence.

3. Since around 75% of all cases either investigated or under investigation involve housing benefit claimants, the appointment of a second post would enable the important links with the Housing Benefit Fraud Investigation Team to continue and for more housing benefit fraud to be detected.

4. The appointment of a second fraud post would enable one officer to be located in each of the two Area Housing Offices, reporting to the relevant Area Housing Manger. Having a Senior Housing Officer (Social Housing Fraud), with an appropriate investigative background, would enable the senior post to take lead on the technical aspects of social housing fraud and provide guidance and support to the more junior post.

5. The ongoing costs are based on an indicative Grade 6 post (including on-costs), which would need to be properly evaluated under the Council’s Job Evaluation Scheme. The costs in Appendix 2 for 2012/13 assume an appointment in July 2012.

Recommendations:

- (a) That a new post of Senior Housing Officer (Social Housing Fraud) be created with immediate effect; and**
- (b) That, if necessary, authority be given to recruit the post externally.**

(9) Installation of Key Safes at sheltered housing schemes

One-off cost(s):	£25,000 (2012/13)
Annual cost:	Nil
Form of expenditure:	Revenue

1. All of the Council's sheltered and grouped housing schemes benefit from a suited key system. This system allows the relevant Scheme Manager to hold a master key, enabling access to any property in the event of an emergency.
2. At present, "nominated tenants" within the Scheme also hold a master key on a voluntary basis, so they can be called upon by Epping Forest Careline to open a tenant's flat for the emergency services if an emergency arises and the Scheme Manager is off-duty.
3. This procedure has generally worked well over the years, but there are some schemes where tenants are, understandably, unwilling to take on this responsibility. This is because they do not want to be called upon at unsociable hours, or to be accused of entering a resident's property without their consent. Moreover, it is known that some sheltered housing tenants are unhappy with another resident holding a key to their home, even if the majority of residents have no objections.
4. This matter was recently raised with the Sheltered Housing Forum (which has resident representatives from all of the sheltered and grouped housing schemes) and the majority agreed that older residents should not have the burden and responsibility of holding a master key. As an alternative, the Forum felt that all residents living in the 13 sheltered and grouped housing schemes should have a Key Safe supplied and installed by the Council outside their front door. The Key Safe would hold a duplicate key for the tenant's property, and could only be accessed using a code set by the resident, only known by those trusted by the tenant (e.g. a carer) and the Council's Careline Service on a confidential basis. The code would only be provided by Careline to the emergency services and doctors, after which the code could be changed by the resident for future use.
5. All of the Council's Scheme Managers were consulted, who also supported the proposal.
6. Following a consultation exercise with residents, a Pilot Scheme of installing Key Safes outside each property was undertaken at Parsonage Court Sheltered Housing Scheme, Loughton, which has been very successful. The Council's Housing Repairs Service supplied and installed the Key Safes and the Scheme Manager assisted residents to set their code,
7. Residents at Parsonage Court have already noticed the benefits of having their own Key Safe, which include them no longer being locked out of their property; neighbours no longer having to hold keys for each other; the peace of mind that no one else holds a key to their flat; the one duplicate key only being accessible by people trusted by them; and that emergency personnel can access their property quickly in the event of an emergency. Residents also no longer have to worry about being charged, or actually incurring a charge, for any damage caused as a result of a forced entry.
8. The cost to the Council of extending the scheme to the remaining 12 sheltered and grouped housing schemes would be £25,000, including the supply of the Key Safes and installation.

Recommendation

In light of the successful Pilot Scheme, the installation and use of Key Safes be extended free of charge for all residents living in the Council's remaining sheltered and grouped housing schemes.

(10) Creation of a new post of Housing Under-occupation Officer

One-off cost(s):	Nil
Annual cost:	£24,500 p/a
Form of expenditure:	Revenue

1. It is known that many Council properties are under-occupied, mainly following children moving out of their family home and leaving their parent(s) in occupation. Not only does this not make the best use of the Council's housing stock, with so many housing applicants and other tenants in need of family-sized accommodation, it often results in older and vulnerable tenants incurring greater household running costs than required.
2. Under the Welfare Reform Bill currently passing through Parliament, the Government also proposes that working-age tenants on low incomes and in receipt of housing benefit, who under-occupy their property by one or more bedrooms, will have their housing benefit reduced. This will mean that such tenants will have to either move to smaller accommodation or meet the shortfall between the rent and the lower housing benefit themselves (sometimes referred to as a "bedroom tax") from the remainder of their Universal Credit. The Government currently proposes that the more a property is under-occupied, the greater the housing benefit reduction will be.
3. Under the Council's Housing Allocations Scheme, under-occupying tenants who agree to move to smaller Council accommodation receive financial support from the Council of £500 plus £500 for each room "released" (up to a maximum payment of £2,000), to assist with the costs of moving. In order to encourage such tenants to move to smaller accommodation and free up their family-sized accommodation for families on the Housing Register, they also receive priority under the Allocations Scheme - and therefore greater choice - by being placed in Band 1.
4. Although the Housing Options Team endeavours to assist and encourage under-occupying tenants to transfer to smaller accommodation, they do not have the time or resources to dedicate the time to publicise and promote the benefits of downsizing.
5. A particular problem is that it is known many older and vulnerable Council tenants would like to transfer to smaller accommodation, but do not have the confidence, knowledge or ability to co-ordinate and effect a move themselves – which is generally accepted to be a very stressful experience - and do not have any family or friends willing or able to assist.
6. Moreover, many such tenants would be happy to move to sheltered accommodation, for which there is generally not as high demand as for family-sized accommodation, and often has to be allocated to housing applicants from outside the District.
7. It is therefore proposed that a new post of Housing Under-occupation Officer be created within the Older People's Housing Team, externally appointed if necessary. The proposed attachment to this Team is because it is anticipated that most of the work will involve assisting vulnerable older people to transfer, which is the Team's area of expertise. The other main benefits are that the post can be "backed-up" if necessary by the two existing Housing Assistant (Older People) posts, and there is sufficient office space available at the Careline Centre to accommodate the new post. The ongoing costs are based on an indicative Grade 5 post (including on-costs), which would need to be properly evaluated under the Council's Job Evaluation Scheme. The costs for 2012/13 shown in Appendix 2 assume an appointment in July 2012.

Recommendations:

(a) That a new post of Housing Under-occupation Officer be created with immediate effect, to provide practical assistance to vulnerable under-occupying Council tenants who have insufficient family support, to transfer to smaller Council accommodation, and to generally seek to reduce under-occupation in the Council's housing stock; and

(b) That, if necessary, authority be given to recruit the post externally.

(11) Increasing the existing budget for Estate Improvements and Enhancements

One-off cost(s): Nil
Annual cost: £20,000 p/a
Form of expenditure: Revenue

1. The HRA currently has a small budget of £20,000 p/a for Estate Improvements and Enhancements across the District. These include:

- Enhancement of estate lighting (e.g in dark garage areas or outside flat blocks);
- Preventative parking measures around housing greens e.g. the installation of jockey rails/bollards;
- The creation of new bin compounds for flat blocks, including the ability to comply with EU recycling regulations and to allow tenants within flat blocks to recycle, for which there is great demand;
- New and/or enhanced landscaping (e.g shrub beds and other planting); and
- Anti-social behaviour preventative measures (e.g. fencing, railings, signage, lighting and the extension of power sources in certain locations to enable mobile CCTV cameras to be used to catch fly-tippers and record ant-social behaviour).

Recommendation:

That the Estate Improvements and Enhancements Budget be doubled to £40,000 per annum, to enable additional estate improvements and enhancements to be provided across the District.

(12) Expansion of the VAEF Garden Maintenance Scheme for Older and Disabled Tenants

One-off cost(s): £20,000 (2012/13) + £20,000 (2013/14)
Annual cost: Nil
Form of expenditure: Revenue

1. The existing Garden Maintenance Scheme provided by Voluntary Action Epping Forest (VAEF) has delivered an important and much-appreciated service to older and disabled Council tenants over the last eight years, and is reviewed by the Housing Portfolio Holder every two years. The Housing Portfolio Holder has agreed that the current scheme continues until the end of 2013/2014, and that £20,000 per annum be provided to VAEF - funded from the Housing Revenue Account (HRA).

2. During 2009/10 and 2010/2011, around 410 visits were made to 116 Council tenants

to undertake garden clearances at a cost of around £100 per visit. Bearing in mind that the work is often undertaken by more than one volunteer, usually takes around 5 hours to clear one garden and is well received by tenants, the Scheme is considered to represent good value for money. However, the demand for the service is far greater than the Scheme can meet with the current resources, and there is a waiting list for the Scheme.

3. VAEF has confirmed that, if it was provided with an additional £20,000 per annum until the scheme is reviewed again in 2013/14, it would be able to undertake work for around an additional 60 older and disabled tenants each year, maintaining their gardens 3 or 4 times each year, which would effectively double the number of tenants receiving the service.

Recommendations:

(a) That the funding provided to Voluntary Action Epping Forest (VAEF) for the Garden Maintenance Scheme for Older and Disabled Tenants be increased by £20,000 per annum for two years from 2012/13, in order to increase the number of vulnerable Council tenants benefitting from the Service; and

(b) That the Housing Portfolio Holder reviews the success and future funding of the Scheme during 2013/14.

(13) Provision of additional dog waste bins on housing estates

One-off cost(s): £7,500 (2012/13)
Annual cost: £7,000 p/a
Form of expenditure: Revenue

1. Currently, there are around 100 dog waste bins throughout the District, which are emptied at a cost of £27,000 - £30,000 per year to the General Fund. Bins are emptied 3 times a week.

2. Historically, the provision of the bins has been funded from the Animal Warden Budget. However, there is insufficient budget to fund the provision and emptying of additional bins on Council housing estates. The bins cost around £250-£350 each to supply and install. However, the main cost is the emptying; each bin costs around £315 per annum to empty.

3. The presence of dog waste on housing estates is not only a potential health hazard, but is also a source of complaints from local residents. A number of locations have been identified, where there are particular problems and the provision of additional bins would enhance the local environment.

Recommendation:

That 21 additional dog waste bins be provided and regularly emptied on Council housing estates across the District.

(14) In-Year Housing Improvements and Enhancements Fund

One-off cost(s): Nil
Annual cost: £50,000
Form of expenditure: Capital / Revenue

1. The Housing Directorate has endeavoured to come up with (in the short period time between the Cabinet's decision on the 5th December 2011 and the dispatch of the Housing Scrutiny Panel agenda) a number of useful and effective housing improvements and enhancements from the additional resources made available through HRA self-financing, that would have a direct and demonstrable benefit to the Council's tenants and could be commenced near the beginning of the 2012/13.

2. However, it is likely that small additional improvements and enhancements to benefit tenants will be identified during the course of the year by members and officers, for which it would help if they could be undertaken quickly, rather than having to wait until the commencement of the following financial year, when further funding will become available.

Recommendations:

(a) That an In-Year Housing Improvements and Enhancements Fund be set aside and used to undertake small additional housing improvements and enhancements identified during the course of the year by members and officers that benefit tenants; and

(b) That the Director of Housing be authorised to determine the use of the Fund for such housing improvements and enhancements, subject to any individual one-off projects above £10,000, or any additional schemes requiring ongoing annual funding, being authorised by Housing Portfolio Holder.

Housing Improvements and Service Enhancements Budget Programme Costs (One-off and Ongoing)								
No.	Proposal	£000's						Capital or Revenue
		2012/13		2013/14		2014/15		
		One-off	Ongoing	One-off	Ongoing	One-off	Ongoing	
1	Acceleration of Mains-Powered Smoke Detector Installation Programme	325						C
2	Handyperson Scheme for older and disabled tenants	13	78		78		78	C / R
3	Increased Disabled Adaptations Budget	75						C
4	Conversion of communal toilets for disabled use	40						C
5	Refurbishment of Jessopp Court common room and kitchen	35						C
6	Expansion/refurbishment of Princesfield Estate play area	30	2		2		2	C / R
7	Making existing Housing Fraud Officer post permanent and full time		8		8		8	R
8	Creation of Senior Housing Officer (Social Housing Fraud) post		18		29		29	R
9	Installation of Key Safes at sheltered housing schemes	25						R
10	Creation of Housing Underoccupation Officer post		16		25		25	R
11	Increased Estate Improvements and Enhancements Budget		20		20		20	R
12	Expansion of the VAEF's Garden Maintenance Scheme for Older and Disabled Tenants	20		20				R
13	Provision of additional dog waste bins on housing estates	8	7		7		7	R
14	In-Year Housing Improvements and Enhancements Fund		50		50		50	C / R
	TOTALS	571	199	20	219	0	219	
		770		239		219		
	Inflation for future years (2% p/a)			5		9		
	Available to allocate to other improvements & enhancements in future years			526		542		

Report to Housing Scrutiny Panel

Date of meeting: 5th March 2012

Portfolio: Housing – Cllr M. McEwen

**Subject: Housing Strategy: 6-Month Progress
Report on Key Action Plan 2011/12 &
production of new Strategy**



Officer contact for further information: Alan Hall – Director of Housing (01992 564004)

Committee Secretary: Mark Jenkins (01992 56 4607)

Recommendations/Decisions Required:

- (1) That the 6-Month Progress Report on the Housing Strategy Key Action Plan 2011/12, attached as an Appendix, be considered, with any comments passed to the Housing Portfolio Holder and Director of Housing accordingly; and**
- (2) That a recommendation be made to the Housing Portfolio Holder that;

(a) The production of the next Housing Strategy be deferred for one year, and produced in 2013/14, due to the number of important issues that are expected to be concluded over the next year that will have a significant impact on the Housing Strategy; and

(b) That, in the meantime, a further Housing Strategy Key Action Plan for 2012/13 be considered by the Housing Scrutiny Panel in July 2012 for recommendation to the Cabinet, with progress subsequently monitored on a six-monthly basis by the Scrutiny Panel in the normal way.**

Report:

1. At its meeting in September 2009, the Council's Cabinet adopted the Housing Strategy 2009-2012. The Housing Strategy assesses the District's current and future housing needs and sets out the Council's approach to meeting those needs.
2. The Strategy also included a Key Action Plan, which set out the proposed actions that would be taken by the Council to contribute towards the achievement of the housing objectives over the first year of the Housing Strategy.
3. When adopting the Housing Strategy, the Cabinet also agreed that Key Action Plans for the Housing Strategy should be produced and updated on an annual basis for approval by the Cabinet. To date, therefore, three annual Key Action Plans have been produced, with the last one agreed by the Cabinet, on the recommendation of the Housing Scrutiny Panel, in September 2011.
4. The Cabinet has agreed that progress with the Key Action Plans should be monitored on a 6-monthly basis by the Housing Scrutiny Panel, in accordance with its Terms of Reference. Therefore, the 6-Month Progress Report for the Key Action Plan adopted in September 2011 is attached as an Appendix, which the Scrutiny Panel is asked to consider

and to provide any comments to the Housing Portfolio Holder and Director of Housing.

5. It was originally anticipated that the Housing Strategy would cover the three-year period 2009-2012, and would therefore be updated during 2012 to cover the following three years. However, there are a number of important issues that are expected to be concluded by the Council over the next year, which will have a significant impact on the Housing Strategy. These include:

- A refresh of the Council's Strategic Housing Market Assessment (SHMA);
- The production of the Council's Strategic Housing Land Assessment (SHLA), which will evaluate all of the proposed development sites in the District put forward by landowners and developers, through the "Call for Sites" Exercise;
- The production of the Council's Draft Local Plan, which will set out the Council's proposed plans on the number and proposed location of new homes in the District; and
- The Council's decisions on housing issues relating to the Localism Act, including a revised eligibility criteria for the Council's Housing Register and the possibility of the introduction of fixed term flexible tenancies by the Council, instead of "lifetime" secure tenancies.

6. Under these circumstances, it is not considered possible to formulate a robust and sustainable Housing Strategy for the next three years – that would then not be updated again until 2015 - until these issues have been concluded.

7. Therefore, it is suggested that consideration be given to advising the Housing Portfolio Holder that the production of the next Housing Strategy be deferred for one year, and produced in 2013/14. In the meantime, it is further suggested that an updated Housing Strategy Key Action Plan for 2012/13 be considered by the Housing Scrutiny Panel in July 2012, and that progress with the Action Plan is then monitored on a six-monthly basis by the Scrutiny Panel in the normal way.

Housing Strategy Key Action Plan 2011-12
(as at February 2012)

No	Category	Action	Responsibility	Timescale	Progress Report as at February 2012
1	Housing Market	Produce a Strategic Housing Land Assessment (SHLA), to provide an assessment of the potential capacity for new house-building in the District	Principal Planning Officer (Forward Planning)	July 2012	On Target – Consultants have been appointed to undertake the SHLA. Their draft report is expected around April 2012.
2	Housing Market	Review the target for the number of new homes to be provided within the District between 2011-2031, and the proposed locations, following the proposed revocation of the East of England Plan	Principal Planning Officer (Forward Planning)	July 2012	In Progress – The Localism Act states that the East of England Plan will be revoked. However, the required secondary legislation has not yet been passed. Essex County Council is currently working on behalf of all local authorities in Essex to provide revised household and population estimates for each district, up until 2031. This will include different scenarios for the Epping Forest District. When this information is received, the Council will translate the population and household figures into an assessment of the number of new homes required in the District. A potential range of new home figures will be included within the Issues and Options Paper.
3	Housing Market	Progress the Local Development Framework's Core Strategy to the Issues and Options Stage	Principal Planning Officer (Forward Planning)	July 2012	In Progress - The LDF Core Strategy has now been replaced with the proposed Local Plan. The Issues and Options Paper is due to be published for consultation in August/September 2012.
4	Regeneration	Undertake a public consultation on a proposed Development and Design Brief for the St Johns Area of Epping, including market and affordable housing	Director of Corporate Support Services	December 2011	In Progress – The public consultation exercise is due to commence on 24 th February 2012 for around 4 weeks, seeking views on four options.

					The aim is to publish the final version of the Brief by 30 th April 2012
5	Affordable Housing	<p>Work with housing associations and developers to provide 98 new affordable homes for rent and shared ownership in 2011/12 and around a further 120 new affordable homes by March 2014, at the following sites with detailed planning permission:</p> <p>(a) Sewardstone Road, Waltham Abbey (b) Station Approach, Ongar (c) Jennikings Nursery, Chigwell (d) Zinc (Gt. Stony), Ongar (e) Manor Road Garden Centre, Chigwell (f) 12-30 Church Hill, Loughton (g) St Johns School, Epping</p>	Director of Housing	March 2012	<p>Unlikely to Achieve – The target of 98 homes included the anticipated completion of the final phase of 29 affordable homes at Sewardstone Rd, Waltham Abbey. However, these have been delayed until 2012/13, due to problems with the provision of utility services. However, it is anticipated that 81 new affordable homes will be completed in the District in 2012/13, as follows:</p> <p>Zinc, Ongar - 9 Station Approach, Ongar - 6 Sewardstone Rd, W/A - 66</p> <p style="text-align: right;">Total - 81</p> <p>The completion of further developments at the other stated locations are planned for future years.</p>
6	Affordable Housing	Review the possible re-introduction of the Home Ownership Grant Scheme (enabling existing Council tenants to purchase in the private sector) in 2012/13.	Housing Resources Manager	Sept 2011	<p>Achieved – The Cabinet reviewed, in September 2011, whether to not to reintroduce the Scheme, and agreed to suspend the scheme for a further year.</p> <p>A further review will be undertaken by the Cabinet in September 2012.</p>
7	Affordable Housing	Complete Phase 1 of the Open Market Home Ownership Scheme with Broxbourne Housing Association (BHA) - to enable first time buyers in the District to purchase a property of their choice from the open market through shared ownership, funded jointly by the Council, BHA and the applicant – and consider whether to undertake Phase 2	Director of Housing	March 2012	<p>In Progress – All the bespoke legal agreements have been drafted and signed.</p> <p>BHA has undertaken a marketing campaign amongst all of the Council's housing applicants and tenants, as well as those registered with the Essex Homebuy Agent. A number of applicants have been accepted onto the scheme as a result, with many sourcing properties and awaiting exchange of contracts.</p>

					It is anticipated that the Cabinet will review the success of Phase 1, and consider whether to proceed to Phase 2, around June 2012.
8	Affordable Housing	Investigate the feasibility and viability of the Council building social housing for rent itself, on Council-owned sites, including difficult-to-let garage sites	Director of Housing	March 2012	Achieved – In December 2011, the Cabinet agreed to undertake a Council Housebuilding Programme and also agreed the approach. A Development Agent is currently being appointed.
9	Affordable Housing	Implement the proposals of the Development and Design Brief for The Broadway, Loughton relating to the Council's land-holdings, to provide significant levels of affordable housing	Director of Housing	July 2012	In Progress – At the request of the Council's Management Board, the Director of Housing has established and chairs a Broadway Redevelopment Working Party, which has drafted an Action Plan to implement the proposals within the Development and Design Brief that are controlled by the Council, and to monitor progress by third parties.
10	Affordable Housing	Undertake a "Planning for Real Exercise" to consider the options for the development/conversion of Council-owned Leader Lodge, North Weald and, if development is agreed, select one of the Council's Preferred Housing Association Partners through a competitive process to implement the agreed option	Director of Housing	February 2012	In Progress – The Exercise has been completed and the Cabinet is due to consider the future use of the site at its meeting on 12 th March 2012.
11	Affordable Housing	Work in partnership with one of the Council's Preferred Housing Association Partners to convert 20 unpopular bedsits for older people at Marden Close, Chigwell Row into 10 self-contained rented flats for families	Director of Housing	July 2012	In Progress – Following a decision by Trust for London (the charity that owns the freehold of Marden Close) not to provide a sufficient period of lease to a housing association to convert the properties, discussions have been held between the Director of Housing, Trust for London and Chigwell Parish Council on an alternative approach. As a result, a new way forward has emerged, which will be reported to the Cabinet in the Spring 2012 for approval.

12	Affordable Housing	Formulate a specific District-wide Nominations Agreements for shared ownership properties, with each of the Council's Preferred Housing Association Partners, following consultation with the Partners	Director of Housing	Dec 2011	No Progress – Due to workload and other commitments
13	Affordable Housing	Following the enactment of the Localism and Decentralisation Bill, formulate a Strategic Tenancy, possibly in partnership with the other West Essex Councils	Director of Housing	July 2012	In Progress – The three West Essex local authorities have agreed to work together to produce one Tenancy Strategy for West Essex. Following a competitive exercise, an experienced housing consultant has been appointed to produce the strategy.
14	Affordable Housing	Following a competitive exercise, work with one of the Council's Preferred Housing Association Partners to develop the Council-owned site at Roundhills, Waltham Abbey for an affordable rented housing scheme	Director of Housing	July 2012	Action updated – In January 2012, the Cabinet agreed that the Council should develop the site at Roundhills itself, as part of its Council Housebuilding Programme, rather than it be developed by a housing association. Once the Development Agent for the Housebuilding Programme has been appointed, it will undertake a detailed development appraisal of the site.
15	Affordable Housing	Following the enactment of the Localism and Decentralisation Bill, consider the possible introduction of "flexible secure" Council tenancies for fixed periods	Asst. Director of Housing (Operations)	Sept 2012	In Progress – A planned Information Session for Members has had to be re-arranged due to low numbers registering. Following the Information Session, Cabinet members will consider the general approach to be taken and the Housing Scrutiny Panel will then be asked to consider and recommend the detailed Tenancy Policy for adoption by the Cabinet.
16	Affordable Housing	Complete and review the Council's Pilot Social Housing Fraud Scheme, and determine whether or not the scheme should continue permanently	Asst. Director of Housing (Operations)	March 2012	Achieved – The Housing Scrutiny Panel reviewed the success of the Scheme in January 2012, and has recommended to the Cabinet that the Scheme continues on a permanent basis, with additional officer hours provided. The Cabinet is due to consider the

					<p>Scrutiny Panel's report and recommendations at its meeting on 12th March 2012.</p> <p>The Housing Scrutiny Panel also agreed to consider whether a Senior Housing Officer (Social Housing Fraud) should also be appointed, when it considers the list of proposed housing improvements and service enhancements at its meeting on 5th March 2012.</p>
17	Affordable Housing	Introduce an on-line housing registration system	Asst. Director of Housing (Operations)	March 2012	In Progress – The Council's Housing IT Team have developed a bespoke on-line Housing Application Form that is currently being tested. It is envisaged that the on-line Application Form will go live around April 2012.
18	Homelessness	Review and revise the Homelessness Strategy for a further three-year period	Asst. Director of Housing (Operations)	August 2012	In Progress – The Homelessness Strategy is currently being updated by officers, and is due to be considered by the Housing Scrutiny Panel at its meeting on 13 th March 2012.
19	Diversity	Compare the ethnicity of applicants provided with Council accommodation with the ethnicity of Housing Register applicants	Housing Options Manager	July 2012	Not yet required – The annual report will be considered by the Housing Scrutiny Panel in July 2012.
20	Diversity	Review and update the Customer (Equality) Impact Assessments of the Housing Strategy & Development, HomeOption Scheme, Homelessness, and Private Sector Housing functions	Director of Housing	July 2012	Not yet required.
21	Supported Housing – Older and Other Vulnerable People	Through the LDF Core Strategy, seek to introduce a requirement that all new housing developments in the District should meet the Lifetime Homes Standard	Principal Planning Officer (Forward Planning)	July 2012	In Progress – The LDF Core Strategy has now been replaced with the proposed Local Plan. It is still intended to include such a requirement in the Issues and Options Paper to be published for consultation in August/September 2012.

22	Supported Housing – Older and Other Vulnerable People	Following Essex County Council's decision to withdraw 24-hour staffing for the scheme at Jessopp Court, Waltham Abbey for frail older people, work with Essex Adult Social Care to remodel the scheme to a sheltered housing scheme	Asst. Director of Housing (Operations)	Dec 2011	Achieved – Following the decision by Cabinet, the scheme was remodelled to a conventional sheltered housing scheme in December 2011, and a new Scheme Manager has been appointed.
23	Supported Housing – Older and Other Vulnerable People	Following consultation with the CARE Advisory Group, safeguard the future viability of the Caring And Repairing in Epping Forest (CARE) Service, by increasing project management fees for disabled facilities and other grants to 15%	Private Housing Manager (Grants & CARE)	October 2011	Achieved – The CARE Advisory Group agreed to increase project management fees by 15%, which has now been implemented.
24	Empty Homes	Bring at least 20 long-term empty properties back into use by Council intervention, including the continued use of the PLACE Scheme	Private Housing Manager (Technical)	March 2012	On Target – Despite the Empty Property Officer post being vacant for a number of months, 16 empty homes were brought back into use by the Council in the first three quarters of 2011/12.
25	Empty Homes	Enter into an agreement with Pathmeads Housing Association to manage vacant properties in the District served with an Empty Dwelling Management Order (EDMO)	Private Housing Manager (Technical)	October 2011	In Progress – The legal process to implement the Council's first EDMO is in progress. If the EDMO is approved by the Court, an agreement will be entered into with Pathmeads Housing Association to manage the property on behalf of the Council.
26	Rural Housing	Continue to work with Hastoe Housing Association and Parish Councils to investigate the development potential for rural housing schemes in villages, through the Council's Rural Planning Exceptions Policy	Director of Housing	July 2012	No Progress – Since the last rural housing scheme was completed in Summer 2011, no further opportunities for new rural schemes have arisen. However, Hastoe HA remains prepared and ready to work with any Parish Council wishing to support a scheme in their village.

27	Decent Homes – Public Sector	Undertake programmes of work to ensure that all the Council's homes continue to meet the Decent Homes Standard	Housing Assets Manager	July 2012	In Progress – In December 2011, the Cabinet agreed to increase the amount of resources invested in the Council's housing stock by around 50%, to enable properties to be maintained to a full, modern standard – a much higher standard than the Decent Homes Standard.
28	Decent Homes – Private Sector	Complete the Private Sector House Condition Survey, to provide information on the most up-to-date estimate of the number and location of non-decent homes in the private sector.	Assistant Director of Housing (Private Sector and Resources)	Sept 2011	Achieved – The Private Sector House Condition Survey has been completed, and the results will be presented to the Housing Scrutiny Panel on 5 th March 2012.
29	Decent Homes – Private Sector	After completion of the Private Sector Stock Condition Survey, produce a new Private Sector Housing Strategy	Assistant Director of Housing (Private Sector and Resources)	January 2012	Achieved – The Private Sector Housing Strategy has been drafted, and will be considered by the Housing Scrutiny Panel on 5 th March 2012, with a proposal that its adoption be recommended to the Cabinet in April 2012.
30	Decent Homes – Private Sector	Introduce new licences for existing residential park home sites in the District and report progress on implementation to the Council's Housing Scrutiny Panel	Private Housing Manager (Technical)	October 2011	Delayed – All sites have now been comprehensively surveyed, ready for licences to be issued. However a number of issues have arisen that require consideration and determination by members before the licences can be issued. The Housing Scrutiny Panel was due to consider a report on all the issues at its meeting in January 2012. However, the meeting was postponed to enable the Fire Authority to provide more comprehensive written guidance. This is expected by the end of February 2012, following which a special meeting of the Housing Scrutiny Panel will be arranged to consider the issues.

31	Decent Homes – Private Sector	Introduce new licence conditions for existing and new holiday park home sites in the District, following consultation with site owners, park home residents association and statutory agencies	Private Housing Manager (Technical)	July 2012	Not yet required – This will follow-on, once the licences for the permanent residential sites have been issued.
32	Decent Homes – Private Sector	Establish and support a Park Homes Consultative Group to consult and brief representatives of park home residents on issues of interest	Private Housing Manager (Technical)	March 2012	Achieved – A useful meeting of site owners and representatives from residents associations was held in December 2012, to discuss issues relating to site licences. It is envisaged that future meetings will be held as required.
33	Decent Homes – Private Sector	Introduce and support a Landlord Accreditation Scheme within the District	Private Housing Manager (Technical)	March 2012	In progress – A Scheme has been agreed by the Housing Portfolio Holder. However, delays are currently being experienced with the University of Essex, which will assist with the administration of the Scheme.
34	Energy Efficiency	Work with Hastoe Housing Association to obtain planning permission and commence the first affordable housing development by a housing association in the country constructed from straw bales at Millfield, High Ongar, significantly improving energy efficiency	Director of Housing	June 2012	In Progress – Hastoe has submitted the detailed planning application for the proposed development. This was due to be determined by the Area Plans Sub-Committee in February 2012. However, the matter was deferred to allow a site meeting to take place. The planning application is now expected to be determined on 7 th March 2012.
35	Energy Efficiency	Investigate the use of the Government's Feed-in Tariff Scheme to fund the installation of photo-voltaic (solar) panels on the roofs of Council properties, in order to reduce energy costs for tenants and to produce an income stream for the Council	Asst. Director of Housing (Property)	March 2012	In Progress – The Housing Scrutiny Panel considered a detailed report on this issue in October 2011, and agreed in principle to recommend the installation of PV panels on the roofs of sheltered housing schemes. However, in the meantime, the Government decided to reduce the tariff by over 50%. A further report on this issue will be presented to the Housing Scrutiny Panel on the 13 th March 2012 for further consideration.