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<b>Report To:</b>	<b>Safe, Sustainable Communities Committee</b>	<b>Date: 27 October 2009</b>
<b>Report By:</b>	<b>Corporate Director, Environment and Community Protection</b>	<b>Report No: ECP/Plann/WR09/031</b>
<b>Contact Officer:</b>	<b>William Rice</b>	<b>Contact No: 01475 712070</b>
<b>Subject:</b>	<b>Housing (Scotland) Act 2006 – Scheme of Assistance (Section 72 Statement)</b>	

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## **1.0 PURPOSE**

- 1.1 To seek Committee approval of the Scheme of Assistance which sets out the Council's approach in providing home owners in Inverclyde with relevant information, advice and assistance in line with the requirements of Section 72 of the Housing (Scotland) Act 2006.

## **2.0 SUMMARY**

- 2.1 The Housing (Scotland) Act 2006 is divided into 10 parts and draft guidance on parts 1 and 2, Housing Standards and Scheme of Assistance, was issued for comment in June 2008. Inverclyde Council provided a written response to the Scottish Government in July 2008 and a report on the 2006 Act and the consultation response was submitted to the 2 September 2008 meeting of the Safe, Sustainable Communities Committee. In February and March 2009 final guidance on parts 1 and 2 of the 2006 Act was issued to Local Authorities to assist preparations for implementation of the Act during the transitional period from April 2009 to March 2010.
- 2.2 The publication of the Section 72 statement on the Scheme of Assistance is seen as being the most appropriate time for the Local Authority to begin using the powers contained in the 2006 Act.
- 2.3 A draft consultative Scheme of Assistance was prepared in June 2009 and consultation with relevant services, agencies, groups and individuals ran until 31<sup>st</sup> July 2009.

## **3.0 RECOMMENDATIONS**

- 3.1 That Committee:
- a) note the requirements of Section 72 of the Housing (Scotland) Act 2006; and
  - b) approve the Scheme of Assistance (Section 72 Statement) set out in Annex 1.

## **4.0 BACKGROUND**

- 4.1 The Housing (Scotland) Act 2006 is based upon the key principle that owners have primary responsibility for the maintenance of their property. However, there will still be a continued role for Inverclyde Council in private sector housing as the Act places an obligation on Local Authorities to provide information, advice and assistance to home owners.
- 4.2 The Scheme of Assistance takes cognisance of the principles of the Act and sets out our priorities in terms of providing advice, information, practical assistance and financial assistance to the home owners of Inverclyde. It is important to note that the Scheme of Assistance defines an approach as opposed to a set of measures and is intended to match assistance to the barriers that owners may experience in exercising their rights and responsibilities as an owner of property.
- 4.3 The Scheme of Assistance is effectively an update and re-stating of the policy and practices of the approach, qualifying criteria and funding of the PSHG funded programme which, in 2010/11, will be paid through the General Capital Grant allocation to Local Authorities.

## **5.0 PROPOSAL**

- 5.1 The Scheme of Assistance has a sequential 3-strand delivery approach;
1. Advice & Information – We will offer general advice and information on a range of repairs, maintenance, improvements and/or adaptations to all home owners in Inverclyde.
  2. Practical Assistance – We will offer services which provide help with practical issues to assist owners in exercising their repair and maintenance rights and responsibilities and effecting repairs to their property.
  3. Financial Assistance – We will make financial assistance available to those owner-occupiers or tenants of private landlords who require adaptations or who require repairs identified in our priority category.
- 5.2 The approach that is relevant to each home owner will be dependant upon their ownership status, factoring arrangements, the repair or improvement that is required to the property and the budget available to the Council.

### **5.3 Ownership Status**

Access to the various elements of the Scheme of Assistance will be based on the ownership status of the applicant and the priority of the proposed works. The relevant ownership categories are noted as follows;

- Owner-Occupiers
- Private Landlords
- Developers
- Owners/Leasees of commercial properties in residential blocks
- Tenants of private landlords

### **5.4 Advice & Information**

Advice and information will be freely available to all home owners in Inverclyde. A range of information sources are currently being developed and investigated, including the use of online technology.

## 5.5 Practical Assistance

Practical assistance will be freely available to all home owners in Inverclyde. Accessing practical assistance will be directed by ownership status, with delivery via;

### Inverclyde Council and Care & Repair

- Property Inspection Service
- Small Repairs Service

### Signposting

- Private Factors
- RSLs acting as factors

## 5.6 Financial Assistance

Financial assistance from Inverclyde Council will be provided for the following priority works, subject to ownership status and in line with current PSHG categories;

- Adaptations
- Houses below the Tolerable Standard
- Houses lacking Standard Amenities
- Scottish Housing Quality Standard Works
- Thermal Insulation
- Central Heating
- Lead Pipe Replacement

5.7 Owners seeking financial assistance for works outwith these categories or to supplement the grant provided by Inverclyde Council will be advised on the use of commercial loan products, the availability and operation of Credit Unions and encouraged to discuss the issue within their wider family unit. The Scottish Government intend to establish a National Lending Unit for owners unable to access commercial products. Further information on this will be incorporated into the Scheme of Assistance as it becomes available.

5.8 To ensure that maximum benefit is derived from the public monies that provide financial assistance from Inverclyde Council it is proposed to supplement the three current grant conditions with a fourth, as noted below. The grant conditions are recorded on the title deeds of the property and remain for a period of 5 years.

1. The property must be maintained in good order of repair,
2. It must be the main home of the owner (exc. private renting tenants),
3. It must be a private dwelling house, although part may be used for home based businesses, and
4. The grant will be repayable in tranches of 20% per year if the owner sells the property within 5 years of the grant being paid\*

\*The fourth grant condition would not be applied to adaptations or sales being completed by an executor on behalf of the deceased owner.

## Delivery

It is proposed to introduce the Scheme of Assistance on the 1<sup>st</sup> April 2010 and use the time until then to develop a range of advice and information sources to ensure that the scheme is as comprehensive as possible. Developments on the National Lending Unit will be factored in during this time if significant developments have been made.

Both Inverclyde Council and the Inverclyde Care & Repair Service hold details of home owners seeking repair grants on a closed waiting list. It is proposed that these owners are contacted individually, upon the approval of the Scheme of Assistance to assess their need, with assistance offered in line with the proposed Scheme of Assistance. This will reduce the waiting list, assess need in line with the new approach and allow us to manage expectations and assist these owners earlier than would have been likely under the existing system.

## 6.0 IMPLICATIONS

- 6.1 **Strategic:** the continued delivery of financial assistance for the identified priority works will ensure that the Council continues to deliver on key objectives of the Local Housing Strategy.
- 6.2 **Financial:** the provision of financial assistance for the priority works and the revenue costs of delivering practical assistance are already embedded in the Private Sector Housing Grant budget for 2009/10 and it is not anticipated that the introduction of the Scheme of Assistance will increase demand for financial assistance. Similarly, the 2009/10 PSHG budget includes provision of £10,000 for the implementation of the Housing (Scotland) Act 2006 and this will provide for the preparation of information sources as noted in para 5.4.
- 6.3 The proposed fourth grant condition, whilst potentially impacting on staff resources in terms of checking for house sales and administrating the recovery of monies due to be repaid, will also allow the Council to recover funding which could be recycled back into the Scheme of Assistance budgets to support further development and delivery.
- 6.4 In 2010/11 the PSHG contribution will be received in the General Capital Grant allocation to Local Authorities and, as such, appropriate budgets will require to be allocated to allow the Council to continue to raise the standard of private sector housing in Inverclyde and deliver the objectives of the Local Housing Strategy.
- 6.5 **Legal:** the introduction of the Scheme of Assistance will ensure that the Council meets the legal obligations as set out in Section 72 of the Housing (Scotland) Act 2006.
- 6.6 **Personnel:** there are no personnel implications arising from this report.
- 6.7 **Equality:** when delivering services to our customers, full cognisance is taken of equality and diversity processes and procedures. Equality measures have been incorporated into the proposed Scheme of Assistance, including:
- The provision of free and easily accessible advice, information and assistance to any home owner who requires it.
  - Ensuring that literature is made available in alternative languages, large print and Braille upon request.
  - Ensuring that awareness of the availability of advice, information and assistance is increased through engagement with a range of community groups.
  - Regularly reviewing our strategies and policies to ensure that they are non-discriminatory.

## 7.0 CONSULTATIONS

7.1 This report has been prepared in consultation with:

- Centre for Independent Living – Team Leader
- Inverclyde Care & Repair

- Chief Financial Officer
- Head of Legal & Administration

## **8.0 CONCLUSION**

8.1 The approval of the proposed Scheme of Assistance will allow Inverclyde Council to deliver advice, information and assistance to home owners in a co-ordinated, consistent and strategic manner in line with the national approach, the legal requirements of the Housing (Scotland) Act 2006 and out Local Housing Strategy.

## **9.0 LIST OF BACKGROUND PAPERS**

- 9.1
- Private Sector Housing Grant - 2004-2006 & 2006-2008  
8 March 2006.
  - Housing (Scotland) Act 2006 – Briefing and Implementation Update  
2 September 2008: ECP/Plann/WR08/026.
  - Private Sector Housing Grant – 2008/09 Update: ECP/Plann/WR09/002.



# **Housing (Scotland) Act 2006**

## **Scheme of Assistance (Section 72 Statement)**

## **Introduction**

### **Vision**

### **Consultation**

### **Equalities**

### **Background**

- National Policy
- Legislative Framework
- Planning Framework
- Local Housing Strategy
- Strategic Housing Services

### **Scheme of Assistance**

- Types of Assistance
- Ownership Status
- Priorities
- Advice & Information
- Practical Assistance
- Financial Assistance from Inverclyde Council
- Equipment and Adaptations Required To Meet The Needs of Disabled People
- Below Tolerable Standard Housing and Provision of Standard Amenities
- Scottish Housing Quality Standard Works
- Thermal Insulation
- Central Heating
- Lead Pipe Replacement
- The Assessment Process
- Non-Council Financial Assistance

### **Enforcement**

- Housing Renewal Areas, Work Notices and Maintenance Orders
- Grant Conditions

### **Comments, Compliments and Complaints**

### **Monitoring, Evaluating, Reporting and Reviewing**

### Appendices

- I Process Map
- II Sources of Information and Advice
- III Glossary

## **INTRODUCTION**

The Housing (Scotland) Act 2006 is based upon the key principle that owners have primary responsibility for the maintenance of their property. However, there will still be a continued role for Inverclyde Council in private sector housing as the Act places an obligation on Local Authorities to provide information, advice and assistance to home owners.

## **VISION**

In response to the Housing (Scotland) Act 2006 Inverclyde Council have developed a Scheme of Assistance which sets out the information, advice and assistance that will be made available to home owners to assist them in maintaining their properties to an appropriate standard. The Scheme of Assistance defines an approach not just a set of specific measures and is intended to match assistance to the barriers that owners may experience in exercising their rights and responsibilities as an owner of property in Inverclyde. This assistance will take the form of information, advice, practical assistance and financial assistance.

It is intended that this approach will allow Inverclyde Council to assist a greater number of home owners in Inverclyde and overall, improve the housing quality in the private housing sector by:

- Raising awareness amongst home owners of their rights and responsibilities;
- Providing a fair and reasonable approach to the provision of advice, information and assistance which will help homeowners repair, improve and adapt their homes;
- Identifying and tackling disrepair in private housing;
- Maximising the impact of the Council's housing budget through PSHG and the owners contributions; and
- Helping older and disabled home owners live independently in their home for as long as they chose to do so.

To deliver this vision, the Scheme of Assistance has three main sequential strands:

1. Advice & Information – We will offer general advice and information on a range of repairs, maintenance, improvements and/or adaptations to all homeowners in Inverclyde.
2. Practical Assistance – We will offer services which provide help with practical issues to assist owners in exercising their repair and maintenance rights and responsibilities and effecting repairs to their property.
3. Financial Assistance – We will make financial assistance available to those qualifying homeowners who require adaptations or who require repairs identified in our priority categories.

## **CONSULTATION**

A draft consultation version of the Scheme of Assistance was issued to relevant services, agencies, organisations and individuals in July 2009 for their comment.



## **EQUALITIES**

When delivering services to our customers, full cognisance is taken of equality and diversity processes and procedures. Equality measures have been incorporated into the proposed Scheme of Assistance, including:

- Providing free and easily accessible advice, information and assistance to any home owner who requires it.
- Ensuring that literature is made available in alternative languages, large print and Braille upon request.
- Ensuring that awareness of the availability of advice, information and assistance is increased through engagement with a range of community groups.
- Regularly reviewing our strategies and policies to ensure that they are non-discriminatory.

## **BACKGROUND**

### **National Policy**

The introduction of the Scottish Government and Local Authority Concordat in 2007 saw Local Authorities commit to delivery of services against fifteen national outcomes which would be set out in the local Authority's Single Outcome Agreement. These national outcomes are that:

- We live longer, healthier lives.
- We have tackled the significant inequalities in Scottish society.
- We live in well-designed, sustainable places where we are able to access the amenities and services we need.
- We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.
- We value and enjoy our built and natural environment and protect it and enhance it for future generations.
- Our public services are high quality, continually improving, efficient and responsive to local people's needs.

### **Legislative Framework**

In March 2003, the Housing Improvement Task Force published its final report '*Stewardship and Responsibility – a policy framework for private housing in Scotland.*' This was followed up in July 2004 by the Scottish Executive's consultation paper '*Maintaining Houses – Preserving Homes,*' which in turn led to the Housing (Scotland) Bill which, upon receiving Royal Assent in January 2006, became the Housing (Scotland) Act 2006.

The Housing (Scotland) Act 2006 has far reaching implications for Local Authorities and homeowners alike and implementation of the Act will see a change in the ethos of assistance to private housing, moving away from a culture of financial assistance and dependency on Local Authorities towards a culture where it is accepted that the owner has primary responsibility for maintaining their home.

Part 2 of the Act replaces the system of improvement and repair grants which were delivered under the 1987 and 2001 Housing (Scotland) Acts. Section 72 of the 2006 Act places a responsibility on Inverclyde Council to publish a Scheme of Assistance which sets

out our priorities and approach to improving house conditions in the private sector including the resourcing of these priorities.

The Scheme of Assistance Regulations (November 2008) set out an approach for the introduction of the new duties and powers during the transitional year from 1st April 2009 to 31st March 2010. This transitional year would give Local Authorities the necessary time required to prepare, consult and introduce their Scheme of Assistance. However the revision of grant assistance for adaptations and the introduction of two new elements to the Tolerable Standard were not considered to be transitional and were introduced on 1st April 2009.

## **Planning Framework**

The Inverclyde Alliance Community Plan '*Inspiring Inverclyde*' sets out the long-term goals for the communities of Inverclyde. The Single Outcome Agreement, agreed with the Scottish Government as part of the Concordat, can be seen as an intermediate delivery plan for the Community Plan. The intermediate outcomes for the Single Outcome Agreement 2008 - 2009 are:

- Tackle poverty and deprivation
- Achieve Social Justice
- Promote Fairness and Equality
- Improve the area's Economic Performance
- Develop Socially Inclusive Communities

In 2007 the Scottish Government indicated that local authorities should work together to assess housing need and demand at a regional, as opposed to local, level and that these assessments should become the basis of local housing strategies and housing requirements in development plans. This change was confirmed by new guidance for LHSs as well as *Scottish Planning Policy 3: Planning for Homes (SPP3, Revised 2008)*, which established the basis for housing and planning to become more closely integrated than in the past.

## **Local Housing Strategy**

The '*Inverclyde Local Housing Strategy 2004-2009*' assessed housing requirements across Inverclyde and guided action towards meeting these. In doing so it set out five strategic aims that were to be pursued by housing-related agencies in the area. These were:

- restructuring tenure balance,
- widening housing choice,
- improving housing quality,
- responding to particular needs and
- improving information and advice

The next Local Housing Strategy (LHS) for Inverclyde will be founded on the findings of the Glasgow and the Clyde Valley Strategic Development Planning Authority Housing Need and Demand Assessment (HNDA), which will not be completed until 2010. The next five year Inverclyde LHS will therefore be published in 2011 to allow for analysis of the HNDA outcomes and the potential impact on new housing supply and the associated release of land.

The LHS Monitoring and Update Report 2009 assesses the achievements of the *LHS 2004-2009*; considers the impact of recent changes in Scottish housing policy; looks

forward to the 2011-2016 LHS and confirms that the five strategic aims listed above will continue to be relevant and valid in the intervening period.

The Scheme of Assistance will contribute to the strategic aims of the LHS by establishing approaches to improving housing quality, providing adaptations and making available advice and information to all homeowners in Inverclyde.

## **Strategic Housing Services**

Preparation, delivery, monitoring and evaluation of the LHS is carried out by the Strategic Housing Team which forms part of the Planning & Housing Service under the management of the Planning Policy & Housing Manager.

## **Scheme of Assistance**

The Inverclyde Council Scheme of Assistance seeks to provide the advice and information, the practical assistance and the financial assistance that owners require to allow them to exercise their rights and responsibilities relative to the maintenance of their property.

## **Types of Assistance**

As previously stated, the Scheme of Assistance has a 3-strand approach to delivery, namely;

- Advice & Information
- Practical Assistance
- Financial Assistance

The approach that is relevant to each homeowner will be dependant upon the their ownership status, the repair or improvement that is required to the property and the budgets available to the Council.

## **Ownership Status**

For the purposes of assessment there are considered to be 5 main groups of ownership that may seek advice, information, practical assistance and/or financial assistance from Inverclyde Council and these are;

- Owner-Occupiers
- Private Landlords
- Developers
- Owners/Leasees of commercial properties in residential blocks
- Tenants of Private Landlords

Owner-Occupiers will be able to access advice & information, practical assistance and financial assistance subject to the repairs or improvements that are required to their property. Owner-Occupiers can be further sub-divided into 2 distinct groups, namely those in former Council or RSL properties that continue to be factored or included in estate management and those in the true private sector. This distinction will influence the level of advice, information and assistance that owners can access. Further details on this are included in the section on Scottish Housing Quality Standard works.

Private landlords will be able to access advice & information and particular elements of practical assistance. Practical assistance for private landlords will be provided subject to availability, with owner-occupiers taking priority. Owners or leasees of commercial properties within predominantly residential buildings will be given the same access to assistance as private landlords. Private Rented Sector tenants will be able to access advice and information, the thermal insulation element of practical assistance and adaptation improvements in partnership with their landlord.

## **Priorities**

To ensure that the Council meets its obligations and delivers on the objectives of the LHS the following categories of repair or improvement will be given priority.

- Houses in significant breach of the Tolerable Standard or lacking Standard Amenities
- Work to meet the needs of a disabled person
- Replacing lead pipe supplying drinking water
- Central heating replacement
- Communal Scottish Housing Quality Standard works
- Improving thermal Insulation

## **Advice & Information**

All home owners in Inverclyde will be able to access free advice and information. This will take the form of online advice and information and access to a range of leaflets as well as front line contact with relevant Council staff and key partners, such as Inverclyde Care & Repair. We have identified a need for the following information requirements:

- Inverclyde Care & Repair Service
- Inverclyde Small Repairs Service
- The Centre for Independent Living
- Ownership & Repair Responsibilities - including legal rights and responsibilities
- Maintaining Your Home
- Repairs in Common Properties – including legal rights and responsibilities
- The Scottish Housing Quality Standard
- Making Your Home Warmer
- Dealing With Home Repair Emergencies
- Choosing An Appropriate Trader
- Planning Permissions & Building Warrants
- The Private Rented Repairing Standard
- Living in an HMO
- Good Landlord Guide
- Enforcement

This information will be available from the launch of the scheme and will involve input from partner services and agencies. The Inverclyde Care & Repair Service will be a key partner in the delivery of a range of advice and information as well as practical assistance.

## **Practical Assistance**

Practical assistance is offered to all homeowners in Inverclyde. The Property Inspection Service offers homeowners practical assistance by way of an on-site inspection with a written report and plan which will identify issues of disrepair and prioritise these to ensure that the owner has a clear annual home maintenance plan with regards to tackling existing disrepair and preventing future disrepair. The Small Repairs Service, operated through Care & Repair, will assist elderly home owners with a range of small repairs that are required around the home and will continue to build on the success of the existing service.

## **Financial Assistance From Inverclyde Council**

To ensure that the Council achieves maximum output for the budgets available for private sector housing in Inverclyde it is proposed to provide financial assistance for the previously noted priority works as set out below.

### Equipment and Adaptations Required To Meet The Needs of Disabled People

Delivery of equipment and adaptations is on a needs-led basis with assessment and identification of priority carried out by the Occupational Therapist prior to any application for financial assistance. After the needs-led assessment has been completed a technical and financial assessment is carried out by the Inverclyde Care & Repair Service to ensure that the works comply with the relevant planning and building regulations.

Works that are eligible for financial assistance are noted below. This is not an exhaustive list, simply a guide to the most common type of works that are eligible for mandatory financial assistance.

- Stairlift
- Level access shower
- Clos-o-mat
- Tracking hoist
- Access ramp
- External stairlift
- Doorway widening
- Through-floor lift
- Overbath shower
- Formation of downstairs bathroom from/in existing room
- Construction of an extension to provide accessible standard amenities such as a bathroom or walk-in shower

All eligible works will receive a minimum grant of 80%. Where the Care & Repair financial assessment suggests that the application of a means test would lead to a higher level of financial assistance this will be applied.

Works for the construction of an extension to provide additional living accommodation are not considered to be eligible works for mandatory financial assistance. However, financial assistance for these Occupational Therapist approved works can be provided at the Council's discretion. Inverclyde Council believe that the construction of an extension to provide additional living accommodation is often an important factor in a persons or family's ability to remain in their own home and within their community with existing family and

friends support networks. It is recognised that there is often a significant cost attached to this as well as a significant saving to other Council budgets. Therefore works of this nature will be considered as discretionary eligible works and applicants will receive financial assistance on a full means tested basis meaning that financial assistance can range from 0% up to 100%.

### Adaptations in Private Sector Tenancies

Since December 2006 tenants of private landlords have had the right to adapt their home with the prior approval of their landlord. Their landlord cannot unreasonably refuse consent to appropriate adaptations being made for the benefit of the tenant but may attach conditions to the approval, such as reinstatement of the property to its original condition. The removal of previously approved adaptations is considered as discretionary eligible works and it is hoped that funding the removal of these adaptations when they are no longer required will encourage landlords to give their consent to the original installation. Financial assistance for the removal of adaptations in the private rented sector will be provided at the same level as the assessed grant level at the time of installation or at the minimum 80% level if the assessed grant level was lower than 80% and assessed prior to 1 April 2009. Where possible the landlord will be encouraged to retain any adaptation for the use of another tenant with similar needs. Consideration will also be given to the adaptation being reused at the applicant's new address if this is required and if this proves to be a cost effective option.

### Houses in significant breach of the Tolerable Standard or lacking Standard Amenities.

A house meets the Tolerable Standard if it:

- Is structurally stable
- Is substantially free from rising or penetrating damp
- Has satisfactory provision for natural and artificial lighting, for ventilation and for heating
- Has satisfactory thermal insulation
- Has an adequate supply of piped wholesome water available within the house
- Has a suitably located toilet available for the sole use of the occupants
- Has a fixed bath or shower and a wash-hand basin each with an adequate supply of hot and cold water
- Has an effective system for the drainage and disposal of foul and surface water
- Has a supply of electricity which is adequate and safe to use
- Has satisfactory facilities for the cooking of food within the house
- Has satisfactory access to all external doors and outbuildings.

The status of each of these elements will require to be assessed and confirmed by appropriate Council Officers

Where an assessment of a property confirms it as being below the Tolerable Standard financial assistance will be provided to incentivise the owner to carry out works and bring the property up to at least the Tolerable Standard. This financial assistance will be at a 50% flat rate of the cost of the works required to meet the Tolerable Standard. Where additional priority works are being carried out e.g. lead pipe replacement, thermal insulation, etc. additional financial assistance will be made available in line with the current policy. Prioritisation of funding will be directed by the 'significance' of the element which has led to failure and the findings of the forthcoming Private Sector House Condition Survey. Applications where it could be considered that the BTS status is as a result of negligence or criminal activity will be assessed on an individual basis and may warrant further investigation. Where financial assistance is provided it will be at the Councils discretion as to whether or not a maintenance plan should be put in place and monitored to

prevent future disrepair. Where a privately rented flat is found to be BTS, consideration will be given to a Closing Order until the property is brought up to the private rented repairing standard. Outwith the current BTS policy there will be no additional funding available for landlords to meet the private rented repairing standard.

### Scottish Housing Quality Standard Works

All Registered Social Landlords (RSLs) in Scotland are obliged to bring the properties they let up to the Scottish Housing Quality Standard (SHQS) by 2015. This means that a range of communal works will be required, to which home owners within common blocks factored by RSLs may have to contribute financially.

Within Inverclyde a distinction is made between the owners within properties factored by River Clyde Homes and owners within properties factored by Cloch Housing Association, Larkfield Housing Association, Link Housing Association and Oak Tree Housing Association. The reason for this distinction is that River Clyde Homes, having inherited a significant proportion of the former Council stock have considerable investment to make to achieve the SHQS. The remaining RSLs have a large proportion of stock which already meets the SHQS and as such, lower levels of investment are required which, in turn means a lower financial impact on the owners in these communal properties compared to those in communal properties factored by River Clyde Homes. In essence there is no difference in level of assistance that is available to owners in communal properties irrespective of the RSL, it is simply that there are different routes to accessing assistance.

Owners within a communal property where SHQS works are being carried out by River Clyde Homes will be eligible for financial assistance from the Support For Owners fund which will be available until 2015/16. River Clyde Homes will contact owners to assist in applying for financial assistance from Inverclyde Council. The financial assistance that is available to homeowners in this situation is a 50% minimum grant with a means tested top-up where it is considered that this would benefit the owner and facilitate participation. The owner will be required to sign a payment mandate which will ensure that any grant that is payable will be made directly to River Clyde Homes on the owners behalf and the owner will be responsible for making arrangements directly with River Clyde Homes to pay any remaining balance. Financial assistance for landlords will be on the basis of a 50% minimum grant with no means tested application.

Owners within a communal property where SHQS works are being carried out by an RSL other than River Clyde Homes then will be eligible for financial assistance directly from Inverclyde Council. The financial assistance that is available to homeowners in this situation is a 50% minimum grant with a means tested top-up where it is considered that this would benefit the owner and facilitate participation. The owner will be required to sign a payment mandate which will ensure that any grant that is payable will be made directly to the relevant RSL on the owners behalf and the owner will be responsible for making arrangements directly with the RSL to pay any remaining balance. Financial assistance for professional landlords in these circumstances will be at the discretion of Inverclyde Council and subject to the availability of funding.

### Thermal Insulation

Inverclyde Council is able to offer all home owners in Inverclyde access to a free home energy report, free independent energy efficiency and billing advice and subsidised rates for the installation of home energy efficiency measures as part of our drive to tackle fuel poverty. Any homeowner wishing to take advantage of this should contact the Councils local energy savings scheme, LESS Inverclyde on 0800 19 82 20.

## Central Heating

In addition to improving thermal insulation levels in the home as one of our approaches to tackling Fuel Poverty, Inverclyde Council will also provide home owners with financial assistance for the installation of central heating systems. This approach will complement the Scottish Governments Energy Assistance Package, which provides free central heating for households eligible for the enhanced measures package. To qualify for financial assistance from Inverclyde Council for the installation of a central heating system the applicant must first have engaged with the Energy Assistance Package and accepted the maximum level of assistance that is available. The Energy Assistance Package can be accessed via the Energy Savings Advice Centre at 0800 512 012 or [www.energysavingtrust.org.uk](http://www.energysavingtrust.org.uk)

If the applicant is not entitled to the enhanced measures package but is in fuel poverty and has a partial, broken beyond economical repair, ineffective or no heating system then they will be offered means tested financial assistance via Inverclyde Care & Repair to install either a replacement system or replacement boiler of an appropriate specification. The replacement system must contribute to lowering fuel consumption for heating to fit with the fuel poverty reduction aim of this budget. Where households have no operational heating system consideration will be given to fuel cost projections to obtain an accurate perception of the households status in terms of fuel poverty.

## Lead Pipe Replacement

Inverclyde Council will continue to provide financial assistance for the replacement of lead pipe which supplies drinking water to households whereby;

- There are children aged 16 or under in residence
- There is a pregnant lady in residence
- There are occupiers aged 60 years of age or over

For each of these eligible persons the property subject to drinking water supplied by lead pipe must be their main residence. Financial assistance will be provided at a flat rate of 50% for all homeowners with an affected supply. Assessment and delivery will be via Inverclyde Care & Repair

## The Assessment Process

Assessment for eligibility and access to levels of assistance and priority works will be carried out by Council Officers and Officers of Inverclyde Care & Repair as necessary in line with the criteria and policy as previously noted, except for the insulation measures provided through LESS Inverclyde. In this instance eligibility and access assessment will be carried out by staff of SOLAS Insulation Ltd who are the Council's installers through the LESS Inverclyde initiative.

A summary flowchart has been included at appendix I to assist applicants in identifying the level of assistance that will be available to them and the most appropriate route to accessing services. Similarly, applicants may find the 'sources of information' appendix to be of use in identifying the parts of the Scheme of Assistance that is most relevant to their circumstances.



## Non-Council Financial Assistance

Outwith the previously noted situations where financial assistance is available from Inverclyde Council, owners have a further 3 sources of finance for house condition works. These are commonly, the owners own financial resources, such as savings and/or investments; loans, which are normally secured against the property; and assistance from within the wider family unit.

In terms of assistance from within the wider family unit, it is often the case that owners view their home as their main asset which will provide for other family members in terms of accommodation or financial security for the future. With this in mind it is not unusual to find situations where other family members, who are perhaps not resident in the property, are willing to make a financial investment in the property to ensure that the lifespan and the value of the property is extended beyond its current terms.

A range of loans may be available to owners to help finance works to their houses, these are normally as follows;

**Commercial loan products** – In many circumstances these may provide a satisfactory solution for owners seeking financial assistance to maintain their home. An owners existing lender will often be prepared to make a further loan against home improvements or repairs, particularly where these improvements or repairs safeguard or increase the value of the property which is security for the original loan.

**Credit Unions** – Credit Unions may be able to provide access to low cost loans. However, this is normally only available to existing customers and you may have to satisfy specific criteria, such as local residence, existing customer status or have savings of a specific level with the Credit Union.

**The National Lending Unit** - The Scottish Government intend to establish a National Lending Unit (NLU) which will provide a range of loan products to assist owners who are unable to access affordable commercial loans. Access to the NLU is likely to be on a referral basis for specific priority group applicants. However, further information on this will not be available until the NLU is established.

**Support For Owners** – The limitations of the Support For Owners fund have been recognised and this is experienced in terms of the reduction in Right-To-Buy sales as a result of the current economic climate. Inverclyde Council, in partnership with RCH, will seek to develop alternative funding packages which may, ultimately, benefit the wider range of home owners in Inverclyde.

## **Enforcement**

The Scheme of Assistance is based on the ethos that owners, who have primary responsibility for their property, may require assistance from the Local Authority to exercise the rights and responsibilities that come with ownership. However, it is recognised that there are owners who are unwilling to maintain their property as opposed to unable. In these cases Inverclyde Council has a range of existing and new powers that can be utilised to ensure owners take on their responsibilities.

## Housing Renewal Areas, Work Notices and Maintenance Orders

The Housing (Scotland) Act 2006 introduces new powers for Local Authorities to make owners maintain their property to an appropriate standard.

The first of these new powers is the creation of Housing Renewal Areas where there are a significant number of sub-standard houses and/or a house, or where housing is adversely affecting the amenity of an area. The improvements under a Housing Renewal Area are enforced by the issuing of work notices or demolition notices which state the extent of the works that the owner must undertake and the timescale in which they must do so. Failure to comply with the terms of the Notice may result in the Council undertaking works and recovering all costs and fees from the owner.

Work Notices can be served on sub-standard housing outwith a Housing Renewal Area on the same basis that they will state the extent of the works that the owner must undertake and the timescale in which they must do so.

Maintenance Orders can also be served on the owners of property and these require the owner to prepare a maintenance plan for the property covering a period of up to 5 years. These can be used where the owner has failed to maintain their property to an appropriate standard or where it is considered that the owner is unlikely to maintain the property to an appropriate standard. Maintenance Orders can also be used to ensure that the raised standard of housing as a result of the serving of a Works Notice is maintained.

Access to assistance as a result of the serving of a Works Notice or Maintenance Order will be on the same basis as access to all other forms of assistance as previously noted except in circumstances where a Works Notice or Maintenance Order is required due to a lack of maintenance since previous public sector investment. In these cases financial assistance will be decided at the discretion of the Local Authority.

The Council will also make use of existing legislation in the form of the undernoted Acts as and when appropriate, all within the aim of improving house conditions in Inverclyde.

- Environmental Protection Act 1990, Section 80
- Building (Scotland) Act 2003, Section 28
- Civic Government (Scotland), Act 1982 Section 87

### Grant Conditions

To ensure that the maximum benefit is derived from the public monies that fund the financial assistance element of the Scheme of Assistance, the following grant conditions will apply for a period of 5 years from grant payment being made:

1. The property must be maintained in good order of repair;
2. It must be the main home of the owner (excl. private renting tenants);
3. It must be used as a private dwelling house, although part may be used for home based businesses; and
4. The grant will be repayable in tranches of 20% per year if the owner sells the property within 5 years of the grant being paid.\*

\* excluding adaptations and sales being completed by an executor on behalf of the deceased owner

## Comments, Compliments and Complaints

If you would like to make a comment about a Council service, if you have a suggestion for improvement or if you would like to compliment one of our services, please contact Corporate Communications and Public Affairs via the following methods.

Write to:

InForm  
Corporate Communications and Public Affairs,  
Inverclyde Council,  
Municipal Buildings,  
Greenock  
PA15 1LY

E-mail - [inform@inverclyde.gov.uk](mailto:inform@inverclyde.gov.uk)

## Complaints

If you are unhappy about the service you have received from the Planning & Housing Service you should in the first instance try to resolve this with the Planning & Housing Service.

Your complaint can be submitted in writing, by e-mail, by telephone or in person at the public reception of the Planning & Housing Service.

If you are not satisfied with the response you receive or find it difficult to complain directly to those involved there are two other ways to make your complaint:

Write to:

InForm  
Communications and Public Affairs,  
Inverclyde Council,  
Municipal Buildings,  
Greenock  
PA15 1LY

E-mail - [inform@inverclyde.gov.uk](mailto:inform@inverclyde.gov.uk)

Your letter or e-mail will then be sent to the relevant service for investigation. If you are unable to submit your complaint in writing or by e-mail you can present yourself in person to any public reception of a Council building or contact us by telephone where a member of staff will be able to take a note of your complaint. When you complain, your complaint will go through a four-stage process, starting at Stage 1.

## **Stage 1**

Your complaint will be acknowledged in writing within 3 working days by the relevant service. An investigation to establish the facts will be undertaken and a response will be sent to you within 10 working days. If, for any reason, your complaint cannot be resolved within 10 working days you will be contacted within this time to explain the reason for the delay and an expected timescale for a response.

If you remain unhappy with the response you receive at the end of this process you will be given the option of writing to the appropriate Head of Service to have the complaint investigated further.

## **Stage 2**

Your complaint will be acknowledged in writing within 3 working days by the relevant Head of Service. An investigation to establish the facts will be undertaken and a response will be sent to you within 10 working days. If, for any reason, your complaint cannot be resolved within 10 working days you will be contacted within this time to explain the reason for the delay and an expected timescale for a response.

If you remain unhappy with the response you receive at the end of this process you will be given the option of writing to the Head of Corporate Communications and Public Affairs to have the complaint investigated further on behalf of the Chief Executive and Corporate Directors of Inverclyde Council.

## **Stage 3**

Your complaint will be acknowledged in writing within 3 working days by the Head of Corporate Communications and Public Affairs. An investigation to establish the facts will be undertaken and a response will be sent to you within 10 working days. If, for any reason, your complaint cannot be resolved within 10 working days you will be contacted within this time to explain the reason for the delay and an expected timescale for a response.

If you remain unhappy with the response you receive at the end of this process you will be given the option of writing to the Scottish Public Services Ombudsman who will take a decision as to whether an independent investigation can be carried out.

## **Stage 4**

Independent investigation by the Scottish Public Services Ombudsman.

## **Monitoring, Evaluating, Reporting and Reviewing**

It is important for Inverclyde Council to have in place robust and reliable monitoring, evaluation, reporting and review arrangements to ensure that the Scheme of Assistance is able to deliver in line with the strategic aims of the Local Housing Strategy.

Over and above the output and outturn information of no. of service users by type of assistance and expenditure by type of assistance we intend to monitor and evaluate outcome based information such as the type of practical assistance sought, common problems and defects within the private sector housing stock, demand for assistance and barriers to carrying out home repair/improvement works.

We will also obtain information from other Council Services and our partners, such as the Occupational Therapists and Inverclyde Care & Repair to enable us to develop an overview of the impact of the Scheme of Assistance.

The outputs, outturns and outcomes of the Scheme of Assistance will be reported to the Safe, Sustainable Communities Committee on at least an annual basis in line with current reporting procedures for Private Sector Housing Grant.

The Scheme of Assistance will be updated annually via the annual review of the Local Housing Strategy. We will identify the progress made to date and set out further developments of the Scheme of Assistance and prepare appropriate Committee reports for the future.



## Sources of Information and Advice

This section of the Scheme of Assistance provides contact details of various services and partners of Inverclyde Council that you may find to be of use.

General information on the Scheme of Assistance can be found on our website at [www.inverclyde.gov.uk](http://www.inverclyde.gov.uk) or by contacting the Planning & Housing Service at:

Planning & Housing Service  
Inverclyde Council  
Cathcart House  
6 Cathcart Square  
Greenock  
Inverclyde  
PA15 1LS

**Tel: 01475 712406**

### Advice, Information and Practical Assistance

The Inverclyde Council Property Inspection Service, which can provide you with advice, information and practical assistance on maintaining your property, can be contacted at the above address, or by telephone at: Tel: **01475 712061**

### Financial Assistance

Owners who qualify for financial assistance should contact the Strategic Housing team at the above address, or by telephone at: Tel: **01475 712067** or **712068**

Elderly owners who require assistance in organising eligible works should contact the Inverclyde Care & Repair Service at:

Inverclyde Care & Repair  
6 Regent Street  
Greenock  
PA15 4PL

Tel: 01475 787975

### Equipment & Adaptations

Elderly and disabled home owners and private tenants who require their home to be adapted to suit their needs should, in the first instance, contact the Centre for Independent Living to arrange a suitable appointment for assessment by an Occupational Therapist. The Centre for Independent Living can be contacted at:

Tel: **01475 714350**

## Energy Efficiency

Home owners and private tenants can access free, independent expert energy efficiency and billing advice via the Councils local energy savings scheme LESS Inverclyde. A free home energy report is also available through LESS Inverclyde and home owners can also arrange for the, sometimes free, installation of insulation measures such as loft insulation and cavity wall insulation. LESS Inverclyde can be accessed by calling the freephone number at:

**Tel: 08000 19 82 20**

## Legal Advice

The Inverclyde Housing Rights Project can advise and assist private tenants in exercising their rights in terms of their tenancy and repair rights and responsibilities. The project, delivered by the Legal Services Agency, can be contacted on: **Tel: 01475 725665** or by e-mail at [greenock@lsa.org.uk](mailto:greenock@lsa.org.uk)

## Easy Reference Guide

The undernoted guide will help home owners identify the most relevant service or agency from which to seek advice, information, practical assistance and/or financial assistance.

Scheme of Assistance: Easy Reference Guide		
Private Tenant	Adaptations	Centre For Independent Living: 714350
	Repairs	Strategic Housing Team: 712067 & 712068
	Legal Advice	Legal Services Agency: 725665
Private Landlord & Commercial Enterprise	Adaptation (for tenants)	Centre For Independent Living: 714350
	Energy Efficiency/EPCs	LESS Inverclyde: 08000 19 82 20
	Advice, Info and Practical Assistance	Property Inspection Service: 712061
Owner-Occupiers	Advice, Info and Practical Assistance	Property Inspection Service: 712061
	Priority Repairs (without assistance)	Strategic Housing Team: 712067 & 712068
	Priority Repairs (inc. elderly assistance)	Inverclyde Care & Repair: 787975
	Small Repairs (elderly owners)	Inverclyde Care & Repair: 787975
	SHQS works by an RSL	Strategic Housing Team: 712067 & 712068
	Thermal Insulation/ Energy Efficiency	LESS Inverclyde: 08000 19 82 20



## Glossary

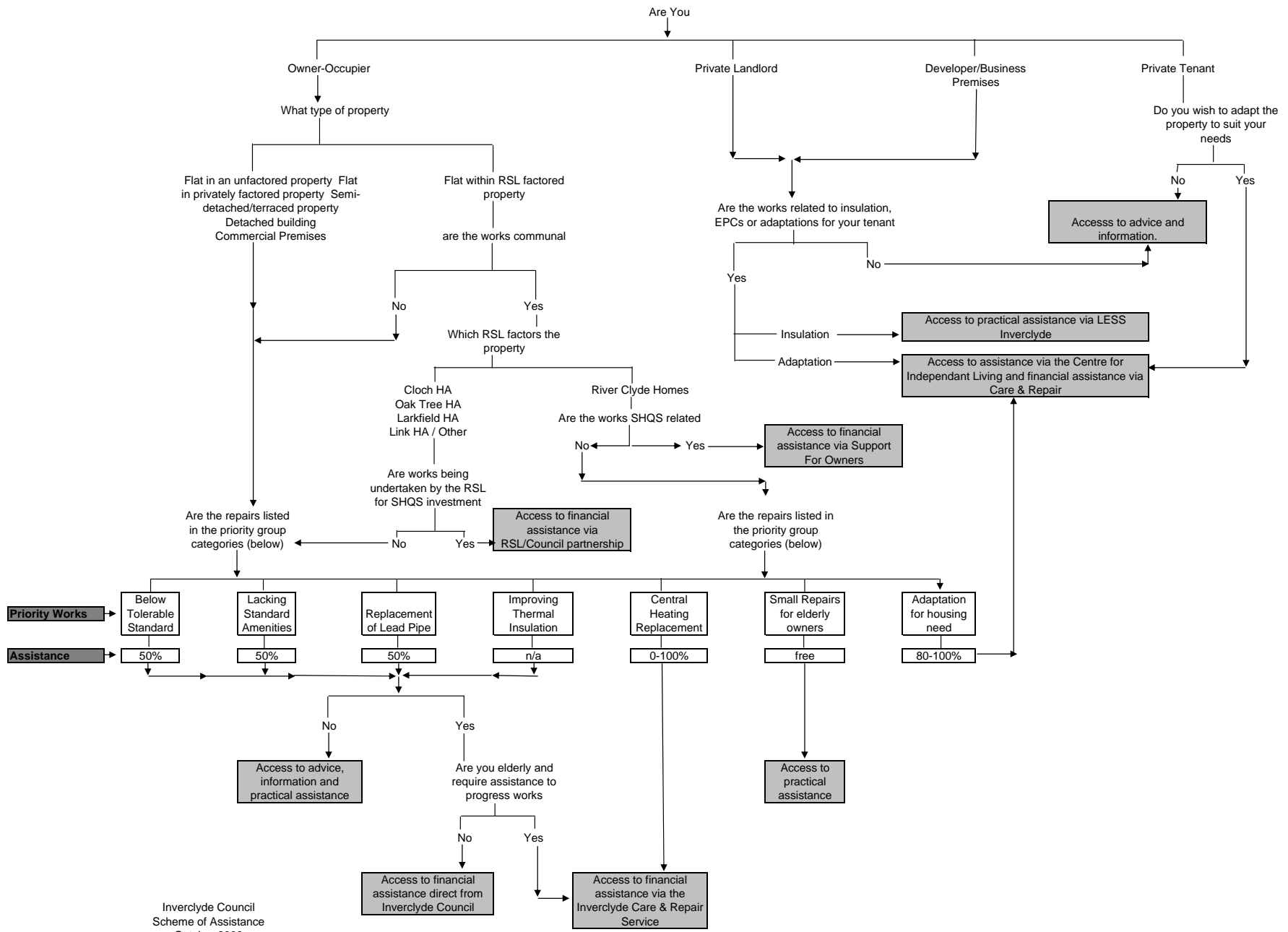
Term	Descriptor
BTS	Below Tolerable Standard: Housing that does not meet the statutory minimum physical quality standard.
Care & Repair	A service that helps older and disabled homeowners to repair and maintain their homes.
Energy Efficiency	A house is energy efficient when it retains a high level of the heat produced by its heating system.
Factoring	A property management system whereby a nominated party organises the repairs of common parts and manages the financial aspects of this. Properties can be self factored or employ a private company to carry out factoring services.
Fuel Poverty	Where a household has to spend 10% or more of its income on heating its home.
Housing Association	A not-for-profit social landlord providing mainstream and/or particular needs housing.
HNDA	Housing Needs and Demands Assessment: An assessment of the current and future housing needs, demands and market activity in a specific area. These are to be carried out by local authorities, usually in partnership within the city regions of Scotland.
HRA	Housing Renewal Areas: A designation that can be given to a particular area of a locality which has high concentrations of substandard housing. Councils should prepare action plans for improving these areas.
Housing (Scotland) Act 2006	Legislation introducing new housing standards and mechanisms for privately owned and rented houses, including housing renewal areas.
LESS Inverclyde	Inverclyde Councils Local Energy Savings Scheme, which offers the installation of energy efficiency measures to all home owners at a subsidised rate.
LHS	Local Housing Strategy: A local authority area's strategy for providing housing of all tenures to meet identified housing need and demand, covering a five-year period.
NLU	National Lending Unit. A lending unit which is being proposed by the Government to provide access to loan products for repairs/improvements for owners who are unable to access commercial loan products
Owner-Occupier	Where the resident of a dwelling is also the owner, either outright or by having a mortgage.
Private Renting	Where a resident is not the owner but rents the dwelling from an individual or business which is not a social landlord. These individuals and businesses are known as private landlords.
Private Sector Housing	Where a resident is not the owner but rents the dwelling from an individual or business which is not a social landlord. These individuals and businesses are known

	as private landlords.
Private Tenant	Someone who rents a property from a private landlord.
RSL	Registered Social Landlord: Housing owned and managed by housing associations and housing co-operatives, and built using public money.
RTB	Right-to-Buy: The right, as stated in law, which allows tenants of social landlords to buy their homes under certain conditions.
Scheme of Assistance	The information and services that a local authority must provide owner occupiers and private landlords to help them improve the quality of housing in the private sector. The local authority decides in which circumstances it will provide assistance.
SHQS	Scottish Housing Quality Standard: A common standard covering the physical quality of houses and the areas around them that should be met by all social landlords by 2015.
Stock Transfer	The transfer of the ownership and management of houses from one landlord, such as a local authority, to another landlord, such as a housing association. Stock transfer can be either in full or in part (sometimes referred to as partial transfer).
Tenure	A description of the basis of occupation of a house, e.g. an owner-occupier, a tenant of a social landlord, or a tenant of a private landlord.

Planning and Housing Service  
Cathcart House  
6 Cathcart Square  
Greenock  
PA15 1LS

Scheme of Assistance

12 October 2009/WR



Inverclyde Council  
Scheme of Assistance  
October 2009