

# EXECUTIVE

Wednesday, 16th March, 2022  
6.30 pm





# EXECUTIVE

## ROOMS 2 & 3, BURNLEY TOWN HALL

Wednesday, 16th March, 2022 at 6.30 pm

This agenda gives notice of items to be considered in private as required by Regulations (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Members are reminded that if they have detailed questions on individual reports, they are advised to contact the report authors in advance of the meeting.

Members of the public may ask a question, make a statement, or present a petition relating to any agenda item or any matter falling within the remit of the committee.

Notice in writing of the subject matter must be given to the Head of Legal & Democracy by 5.00pm on the day before the meeting. Forms can be obtained for this purpose from the reception desk at Burnley Town Hall, Manchester Road or at the Contact Centre, Parker Lane, Burnley or from the web at: <http://burnley.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13234> . You can also register to speak via the online agenda. Requests will be dealt with in the order in which they are received.

There is limited space to accommodate members of the public due to Public Health guidance around social distancing. You are advised to contact [democracy@burnley.gov.uk](mailto:democracy@burnley.gov.uk) in advance of the meeting.

## AGENDA

### 1) *Apologies*

To receive any apologies for absence

### 2) *Minutes*

5 - 14

To approve as a correct record the Minutes of the meeting held on 14<sup>th</sup> February 2022.

### 3) *Additional Items of Business*

To determine whether there are any additional items of business which, by reason of special circumstances, the Chair decides should be considered at the meeting as a matter of urgency.

### 4) *Declaration of Interest*

In accordance with the Regulations, Members are required to declare any

personal or personal and prejudicial interests they may have and the nature of those interests in respect of items on this agenda and/or indicate if S106 of the Local Government Finance Act 1992 applies to them.

**5) *Exclusion of the Public***

To determine during which items, if any, the public are to be excluded from the meeting.

**6) *Right To Speak***

To consider questions, statements or petitions from Members of the Public

**7) *Housing Renewal Assistance Policy 2022***

15 - 48

To consider approval of a revised Housing Renewal Assistance Policy 2022 including new grants such as the Handy Person Service for people in Burnley

**MEMBERSHIP OF COMMITTEE**

Councillor Afrasiab Anwar (Chair)  
Councillor Sue Graham (Vice-Chair)  
Councillor Beatrice Foster

Councillor John Harbour  
Councillor Margaret Lishman  
Councillor Asif Raja

**PUBLISHED**

Tuesday, 8 March 2022

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## EXECUTIVE

BURNLEY TOWN HALL

Monday, 14th February, 2022 at 6.30 pm

### PRESENT

### MEMBERS

Councillors A Anwar (Chair), S Graham (Vice-Chair), B Foster, J Harbour, M Lishman and A Raja

### OFFICERS

Lukman Patel	– Chief Operating Officer
Paul Gatrell	– Head of Housing & Development Control
Howard Hamilton-Smith	– Head of Finance and Property
Amy Johnson	– Finance Manager
Catherine Waudby	– Head of Legal and Democratic Services
Alison McEwan	– Democracy Officer
Megan Eastwood	– Development Officer

#### 81. Minutes

The minutes of the last meeting were approved and signed by the Chair.

#### 82. Right To Speak

Mr Ian Chapman addressed the meeting under the Right to Speak procedure.

#### 83. Omicron Restrictions Grant - Urgent Exec

Members noted the Urgent Executive Decision.

#### 84. Strategic Plan

##### PURPOSE

To seek Executive endorsement of the Strategic Plan

##### REASON FOR DECISION

The Strategic Plan sets out a clear vision for the future: one that is evidence based, shared by all units of the Council, and is in tune with the aspirations of local people.

## DECISION

That the Executive recommend the Strategic Plan to Full Council with the following amendment:

P9 (of the Strategic Plan document) PR2 – We will proactively support the borough's businesses **in the urban and rural areas** to innovate and expand, and make the borough a natural choice for business relocation.

### 85. Climate Change Strategy

#### PURPOSE

To seek approval for a number of initiatives that will support and advance the Council's priority to address the issues of climate change across its work programme and in partnership with stakeholders.

#### REASON FOR DECISION

To ensure that the Council has sufficient resources, skills and knowledge in place to effectively address the issues of climate change through their work programme, and promote and facilitate climate change action through their partnerships and sphere of influence.

#### DECISION

It was RESOLVED to:

1. Approve the Climate Change Strategy 2022 - 2026 (appendix 1).
2. Approve the introduction of a Climate Change Programme Manager subject to Full Council approval of the budget provision.
3. To authorise the Chief Operating Officer to apply for Carbon Literacy Accreditation for the Council.

### 86. EV Charging Strategy

#### PURPOSE

To consider the Council's Electric Vehicle Strategy.

#### REASON FOR DECISION

In line with the Council's emerging climate emergency strategy, and the Government's future ban on the sale of new Petrol & Diesel cars & vans from 2030, there is a clear need to develop and implement an Electric Vehicle Strategy. The Grant criteria requires the

scheme to be completed by no later than the 31st of March 2023. To meet these timescales the appointment of a provider via a framework approach is recommended and in line with the procurement approaches that have been adopted by other local authorities

## DECISION

The Executive RESOLVED:

- i. To approve that further work and consultation is undertaken on the draft Council's Electric Vehicle Strategy and to delegate authority to the Head of Streetscene in consultation with the Executive Member for Community and Environmental Services to finalise the Strategy.
- ii. To approve the development and submission of a funding application to the Government's; '*On Street Residential Chargepoint Grant Scheme*'.
- iii. That the Head of Streetscene be authorised to undertake a compliant procurement exercise through an available framework agreement to appoint a provider to assist with any required services associated with the preparation of the bid submission for electric vehicle charging and the ensuing installation and service operation; and is given delegated authority in consultation with the Executive Member for Community and Environmental Services to award a contract.
- iv. That the Head of Streetscene in consultation with the Head of Legal & Democratic Services is granted delegated authority to execute all documents necessary to give effect to the above decision.

## 87. Q3 Revenue Budget Monitoring

Members noted a revision at recommendation (d). The revised carry forward had increased from £160k to £182k.

## PURPOSE

To report the forecast outturn position for the year as at 31 March 2022 based upon actual spending and income to 31 December 2021, and to note the financial impact of the Coronavirus pandemic. In view of these exceptional times the revenue monitoring position is uncertain.

## REASON FOR DECISION

To give consideration to the level of revenue spending and income in 2021/22 as part of the effective governance of the Council and to ensure that appropriate management action is taken to ensure a balanced financial position.

## DECISION

The Executive RESOLVED to:

- a. Note the projected revenue budget forecast position of a net overspend of £12k, as summarised in Table 1 and detailed in Appendix 1.

And also to seek approval from Full Council for:

- b. The latest revised net budget of **£15.419m** as shown in Table 1, and
- c. The net transfers from earmarked reserves of **£2.166m** as shown in Appendix 2.
- d. The carry forward of forecast unspent budgets as requested by Heads of Service in Appendix 3. These amounts totalling **£182k** are to be transferred into the Carry Forward Reserve. The monies will be transferred back out to create additional revenue budgets in 2022/23 or when required.

## **88. Q3 Capital Budget Monitoring**

### PURPOSE

To provide Members with an update on capital expenditure and the resources position along with highlighting any variances.

### REASON FOR DECISION

To effectively manage the 2021/22 capital programme.

### DECISION

The Executive RESOLVED to:

- a. Recommend to Full Council, approval of net budget changes totalling a decrease of £5,725,705 giving a revised capital budget for 2021/22 totalling £36,670,513 as detailed in Appendix 1.
- b. Recommend to Full Council, approval of the proposed financing of the revised capital budget totalling £36,670,513 as shown in Appendix 2.
- c. Note the latest estimated year end position on capital receipts and contributions showing an assumed balance of £1,840,205 at 31 March 2022 as shown in Appendix 3.

## **89. Medium Term Financial Strategy 23/24 - 26/27**

Members of the Executive wished to place on record their thanks to all members of the finance team who had worked hard to produce a number of clear but detailed reports for consideration.

### PURPOSE

To consider the longer term financial outlook within the context of a Medium-Term Financial Strategy covering the financial years 2023/24 to 2026/27, highlighting uncertainties, underlying risks and make recommendations to Council. The Medium-Term Financial Strategy should be read in conjunction with the Revenue Budget 2022/23 and the associated statutory report of the Chief Finance Officer.

### REASON FOR DECISION



Professional accounting practice recommends that a medium term financial strategy is in place to ensure that resources are aligned to strategic intent and business objectives. It also provides a firm and robust basis on which to prepare the annual budget. Given the current financial climate, the need for consideration of the medium term financial position is pertinent to ensuring sustainable service delivery and for the Council to remain viable as a going concern.

## DECISION

The Executive RESOLVED to recommend to Full Council:

1. Approve the latest Medium-Term Financial Strategy;
2. Approve the Reserves Strategy, as appended to the Medium-Term Financial Strategy; and
3. Note that a refreshed document will be provided when required as an aid to monitoring the continued delivery of an annually balanced budget.

## 90. Treasury Management

### PURPOSE

- a) To comply with the amended Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2011.
- b) To outline a treasury management strategy statement for the financial year 2022/23.
- c) To set out prudential indicators for the financial years 2022/25 in line with the CIPFA's Prudential Code 2017.
- d) To seek approval for the Council's Minimum Revenue Provision (MRP) Policy Statement for the financial year 2022/23 in accordance with Government regulations.

### REASON FOR DECISION

- a) To provide the proper basis required by current Government regulations and guidance to make charges for debt repayment (MRP) to the Council's revenue account.
- b) To fulfil statutory and regulatory requirements and to provide a clear framework for local authority capital finance and treasury management.

### DECISION

It was RESOLVED that the Executive recommend to Full Council approval of;

a).The treasury management strategy statement for 2022/23 as set out in Appendix 1

b.) The prudential and treasury indicators for 2022/23 to 2024/25 per Appendix 2 including the authorised limit for external debt of £95.346m in 2022/23.

c)The list of Counterparties for Deposits outlined within Appendix 3.

d) The Council's MRP Statement for 2022/23 as set out in Appendix 4 of this report.

## **91. Revenue Budget 22-23 including savings proposals**

### PURPOSE

To consider the estimates of revenue income and expenditure for 2022/23 and to make recommendations to Full Council about next year's Revenue Budget.

### REASONS FOR DECISION

To fulfil the Council's statutory obligation to calculate its Council Tax requirement as set out in Section 31A of the Local Government Act 1992 (as amended by section 74 of the Localism Act 2011).

To set a balanced budget for the financial year 2022/23 that ensures the viability of the Council and aligns resources to the Council's strategic priorities.

### DECISION

The Executive RESOLVED to recommend that Full Council:

- i) Endorse the approach that has been adopted in developing budget proposals that reflect the Council's Strategic Objectives for 2022/23;
- ii) Approve the proposals contained in this report;
- iii) Set a Council Tax Requirement of £7,480,375 for the financial year 2022/23;
- iv) Set a Net Budget Requirement of £15,231,941 for 2022/23;
- v) Receive and consider the statutory report issued by the Head of Finance and Property under the Local Government Act, 2003;
- vi) Authorise the Chief Operating Officer/Heads of Service to progress action plans to deliver the 2022/23 budget;
- vii) Approve a Council Tax (Band D) figure of £318.49 for this Council for the year commencing 1st April 2022 and adopt the statutory resolution to set the full Council Tax for the year. This is equivalent to a 1.99% Council tax increase.

## **92. Capital Budget 22-23 and investment programme 22-27**

### PURPOSE

To recommend approval of the capital budget for 2022/23

### REASON FOR DECISION

To establish a capital budget that reflects the Council's overall priorities and provides a framework for capital spending to be undertaken during 2022/23.

## DECISION

The Executive RESOLVED:

a) to recommend that Full Council:

(i) Approve the 2022/23 Capital Budget, totalling £37,805,441, as set out in Appendix 1

(ii) Note the 2022-27 Capital Investment Programme as set out in Appendix 1.

(iii) Note the estimated position on capital resources as set out in Appendix 2.

b) That subject to a)(i) above the Executive approve the release of capital scheme budgets including slippage from 2021/22, subject to compliance with the Financial Procedure Rules and that there will be full compliance with Standing Orders for Contracts.

c) to Approve the Capital Strategy 2022-27, as set out in Appendix 4

### 93. Pay Policy Statement

#### PURPOSE

To seek approval for the Council's Pay Policy Statement which is required to be published prior to the end of March each year.

#### REASON FOR DECISION

The Localism Act 2011 – [Chapter 8 - Pay Accountability], requires all local authorities to set out its position on a range of issues relating to the remuneration of its employees. The Pay Policy Statement must be approved by the Council in open forum, by the end of March each year and then be published on its website

#### DECISION

It was RESOLVED that Full Council be recommended to approve the amended recommendations, as set out below:

- To approve this report and the attached Pay Policy Statement for 2022/23;
- To note the Council's Gender Pay Gap report which is at Appendix H of the Pay Policy Statement.
- To agree a delegation to the Strategic HR Manager to make minor amendments to finalise the Pay Policy Statement following agreement of pay awards for 2021-22.
- To approve, subject to reaching a collective agreement or following consultation with affected employees, an amendment to NJC terms and conditions which will require employees on Grades 7-11 to provide a minimum of 2 months' notice of termination and for employees on Grades 12-14 to provide a minimum of 3 months'.

### 94. Migration of Land Charges

## PURPOSE

To inform the Executive of the ongoing work with Her Majesty's Land Registry (HMLR) in connection with the migration of the Council's Local Land Charges service to HMLR and to seek approval to enter into a Collaboration Agreement and agree a Development Plan with HMLR.

## REASON FOR DECISION

To enable the Council to progress the migration of the Council's Local Land Charges Service to HMLR.

## DECISION

It was RESOLVED that the Executive authorise the Head of Legal and Democratic Services to enter into a Collaboration Agreement and agree a Delivery Plan with HMLR and enter into any other agreements necessary to facilitate the migration of the Council's Local Land Charges service to HMLR.

### **95. Exclusion of the Public**

Members determined to exclude the public from the meeting before discussion took place on the items of business relating to Minute 100 (Item 21 Lower St James Street Heritage Action Zone), and Minute 101 (Item 22 Sale of Land at Holme Road) on the grounds that in view of the nature of the business to be transacted if the public were present there would be a disclosure to them of exempt information within the meaning of Part 3 of Schedule 12A of the Local Government Act 1972.

### **96. Lower St James St Heritage Action Zone**

## PURPOSE

The purpose of the report is to approve proposals to develop a Creative Hub project as part of the Lower St James's Street Historic Action Zone programme.

## REASON FOR DECISION

In April 2020 Burnley Council successfully signed terms with Historic England, securing a grant of circa £1.261m to create a Heritage Action Zone on Lower St James Street. Along with match funding from the private sector, Lancashire County Council, the LEP and from Burnley Council, the total project value is £2,516,775.14. The funding is allocated to complete public realm works, grants for property refurbishments, community engagement with a specific amount ring-fenced for Burnley Council to acquire and transform a property into a hub for creative industries. The recommendations are required to progress the creative hub project.

## DECISION

The Executive RESOLVED to:

- a) Authorise acquisition of the property referred to in paragraph 9 by the end of March 2022, in the HAZ project area for the purpose of renovation/redevelopment under the HAZ scheme.
- b) Authorise the Strategic Head of Economy and Growth in consultation with the Executive Member for Economy and Growth to appoint an operator/leasee for the project following a tender exercise.
- c) Authorise the tendering of any renovation works and delegate power to accept the tender to the Strategic Head of Economy and Growth, in consultation with the Head of Finance and Property and the Executive Member for Economy and Growth.
- d) Delegate authority to the Head of Finance and Property Services in consultation with Strategic Head of Economy and Growth and the Executive Member for Resources and Performance to agree terms for the disposal of the building on completion of the works to the organisation chosen at b) above on the terms set out in paragraph 13.
- e) Delegate authority to the Head of Legal and Democratic Services to execute all documents necessary to give effect to this decision.

<b>97. Knowledge Quarter: Sale of Land at Stoneyholme Recreation Ground, Holme Road, Burnley</b>
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#### PURPOSE

To seek authority to sell Burnley College 2.26 ha (5.57 acres), or thereabouts, of land at Holme Road, Burnley, shown edged red on the plan contained in Appendix 1, to enable the development of an extension to the existing College/UCLan complex at Princess Way, subject to planning permission.

#### REASON FOR DECISION

The sale of the land will facilitate the development of additional educational facilities on a key development site, in accordance with its allocation in the Local Plan and planning permission. It is anticipated that a completed scheme will attract an estimated 2,000 additional students to Burnley from a wide array of subject areas and study routes and create an estimated 150 full time equivalent new jobs.

#### DECISION

The Executive RESOLVED to:

- i. Delegate authority to the Head of Finance & Property to negotiate and agree the terms for sale of land at Holme Road, Burnley, as reported, in accordance with the planning resolution of the Development Control Committee and the associated decision.
- ii. Delegate authority to the Head of Legal & Democratic Services to complete all associated legal documentation to give effect to the decision.

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## Housing Renewal Assistance Policy 2022

### REPORT TO THE EXECUTIVE



<b>DATE</b>	<b>16/03/2022</b>
<b>PORTFOLIO</b>	<b>Housing and Development Control</b>
<b>REPORT AUTHOR</b>	<b>Clare Jackson</b>
<b>TEL NO</b>	<b>01282 477231</b>
<b>EMAIL</b>	<b>cjackson@burnley.gov.uk</b>

### PURPOSE

1. To seek a revision to the Private Sector Housing Renewal Policy to provide a wide range of financial assistance which will improve the condition of homes in the Borough.
2. To introduce a Handyperson service for vulnerable residents in Burnley.

### RECOMMENDATION

3. To approve the Housing Renewal Assistance Policy 2022, attached as appendix 1 to this report.
4. To appoint a Handyperson (Grade 8) and acquire the necessary tools and electric van for implementation of the Burnley Handyperson service.

### REASONS FOR RECOMMENDATION

5. To provide a comprehensive range of financial assistance that will help improve living conditions within the Borough and reduce the number of empty homes.

### SUMMARY OF KEY POINTS

#### Background

6. In February 2019 the Council approved the introduction of an Integrated Health and Wellbeing Team (Burnley's Home Improvement Agency (HIA)) with the appointment of two new members of staff. Due to Covid 19 the appointment of these members of staff was delayed until the summer of 2021. Revision of the Housing Renewal Assistance Policy will enable the HIA to deliver more services to keep people safe and well in their own homes.

7. The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 requires local authorities to develop a policy for providing households with financial assistance to improve their homes. The order removed previous prescriptive legislation and provided authorities with more freedom to develop financial products and innovative forms of assistance.
8. The Private Sector Housing Renewal Policy was last updated in 2012 and requires revision in relation to the forms of assistance it can offer, based on local priorities and the level of resources available.
9. This Policy sets out the range of grants and loans that the Council can make available to improve living conditions in the Borough. The assistance available helps elderly, and vulnerable households as well as encouraging private landlords to bring empty homes back into use. In summary the proposed changes include:

### **New Grants**

10. The Handyperson Service (Non means tested) provides a range of practical support services for older (usually over 60) and disabled people with the aim of helping them maintain independent living. It is chargeable at subsidised rate of £10 per hour. The Service will offer a wide range of jobs, while the list below is not exhaustive, work should be considered as 'small repairs' that can be completed quickly:
  - Small building repairs
  - Minor adaptations
  - Odd jobs such as putting up curtains, shelves, replacing light bulbs.
  - General home safety checks and remedial actions
  - Falls and accident prevention checks and remedial actions such as repairing floor coverings
  - Security checks – installing locks, chains and spyholes
  - Fitting handrails and fitting “key safes”
  - Installing smoke detectors.
11. The Decluttering and Cleaning Grant (Means tested) aims to help residents who have a hoarding disorder, where they have accumulated an excessive number of items and stored them in a chaotic manner which is interfering with their everyday living. The grant can assist residents who have a medical condition/disability that has resulted in the house becoming unhygienic. The grant is a maximum of £5,000 and includes items such as the hiring of skips and contractors to clear the hoarded items, deep cleans and counselling.
12. The Safe and Secure Grant (Means tested) aims to help older and disabled residents to feel safe in their own home. It is a maximum of £4,000 and could include items such as:
  - New window and door locks.
  - New front and rear doors if they are insecure.
  - Secure gates.
  - Security lighting.
  - Home security kits.
13. The Hospital Discharge Grant (Non means tested) aims to speed up hospital discharges and support people with disabilities or vulnerabilities return home. The grant will be a maximum of £2,000 for works such as deep cleaning, clearing properties, repairs needed to free a property of Category 1 Hazards under the Housing Health and Safety Rating System, other urgent repairs, repair of heating systems and the provision of emergency heating. The Hospital Discharge Grant will not be means tested but excludes packages of care funded by the NHS or social care.
14. The Home Displacement Grant (Must be eligible for a disabled facilities grant) is to assist residents with temporary accommodation costs on the very rare occasion when



it is not possible for the applicant and their household to remain in their home whilst the adaptation is being carried out and where temporary residential care would not be appropriate. The maximum Home Displacement Grant payment is £4,500, or £55 per night of displacement, whichever is lowest, and it is not means tested. The Council will not pay more than the actual cost of the alternative accommodation, and the applicant will be responsible for finding suitable alternative accommodation and providing evidence such as invoices, bills or statements, before any grant is paid.

**Increased Grant/Loan Amounts**

15.To remove the requirement of means testing of Disabled Facilities Grants below £10,000. Currently the Council follow the means testing policy set in the Housing Grants Construction and Regeneration Act 1996 and subsequent regulations. The legislation requires any person with a disability aged 19 or over be financially assessed (means tested) to determine whether a contribution is needed based on the household income. The means test is complicated and can add significant delay to the provision of the adaptation. The revised policy proposes the introduction of a £10,000 threshold before the means test is applied. The table below shows the means tested contribution raised in 20/21.

Year	Total Grants Approved	Number of Grants under £10,000	Total approved for Grants under £10,000	Total Contributions received	(+) Number of contributions
20/21	67	55	£210,099	£2605	5

5 of the applicants did not want to proceed with the grant due to the required contribution.

16.To increase the maximum Emergency Works Grant (Means tested) from £10,000 to £15,000. Since Covid 19 building material costs have increased significantly, in some cases by 13%. The Federation of Master Builders reports that there is a building material shortage caused by Covid 19 and Brexit, leading to price increases in key building materials such as timber, steel, cement and roof tiles.

17.To increase the Empty Homes Loan (Non means tested) from £20,000 to £25,000 in the Council’s selective licensing areas to reflect the increase in building materials as detailed in paragraph 16. To extend the empty homes loans to properties that are situated outside selective licensing areas and that have been empty for 2 years or more. The maximum amount for loans outside the selective licensing areas will be £20,000.

18.To increase the heating rebate grant (Non means tested) from £300 to £400 and include renewable energy sources as well as gas boilers. This grant is not means tested and available to all owner occupiers.

19.All grants and loans detailed in the Housing Renewal Assistance Policy are discretionary apart from the mandatory part of the Disabled Facilities Grants. The

policy will be regularly reviewed and all discretionary grants may be withdrawn by the Council at any time should levels of funding decrease.

#### **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

20. It is anticipated that the handyperson service will be launched in May 2022, the additional annual cost of the handyperson post is £32,647. Income received from the hourly charge out rate for the service will go towards this cost. It is estimated that there will be an initial, one-off cost of £35,000 for the electric van and essential tools.
21. In 2021/22 Burnley Council was allocated £2.7 million from the Better Care Fund, the costs associated with the revised policy will be funded through the allocation of the Better Care Fund. Appendix 2 shows an estimated budget and anticipated uptake for each grant/loan.
22. The empty homes loans are funded from the overall empty homes capital programme of £1.3 million. A maximum of £300,000 from this budget will be allocated to the empty homes loans (£200,000 within selective licensing areas and £100,000 outside selective licensing areas).

#### **POLICY IMPLICATIONS**

23. The Council's Strategic Plan has key priorities of making the borough a place of choice and creating flourishing, healthy and confident communities, a central commitment to realising this ambition is to improve housing conditions in the Borough. The revised housing renewal assistance policy details how the Council will support residents financially to do this which in turn supports Aim 4 of the Housing Strategy; to enable residents to access and maintain housing where they feel safe, secure and can enjoy life in a comfortable home of their choice.

#### **DETAILS OF CONSULTATION**

24. None

#### **BACKGROUND PAPERS**

25. None

#### **FURTHER INFORMATION**

**PLEASE CONTACT: Clare Jackson – 01282 477231**

**ALSO: Paul Walker 01282 425011**



Burnley Borough Council

Housing Renewal Assistance Policy  
Policy

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

March 2022

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## **1. Introduction**

1.1 This document sets out Burnley council's policies in relation to home improvements and focusses specifically on the provision of financial assistance and other forms of assistance that the council can offer to improve the standards of housing and the quality of life for qualifying residents.

1.2 The Council must approve mandatory Disabled Facilities Grant (DFG) applications made under section 23(1) of the Housing Grants, Construction and Regeneration Act 1996. In 2002 the government provided opportunities for Local Authorities to provide other forms of financial assistance to address particular housing issues. This was the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 which was further extended in 2008-9 to include use of the DFG money. This enables authorities to use specific DFG funding for wider purposes. The Council has discretionary powers under the legislation to provide assistance

1.3 in any form for the purpose of improving living conditions and specifically for:

- (i) The acquisition of living accommodation, where the council wish to purchase a person's home as an alternative to adapting, improving or repairing it.
- (ii) The adaptation or improvement of living accommodation (including by alteration, conversion or enlargement).
- (iii) The repair of living accommodation.
- (iv) The demolition of buildings comprising or including living accommodation.
- (v) The construction or replacement of living accommodation to replace living accommodation that has been demolished.

1.4 In 2016-17, the Better Care Fund (BCF) was introduced to be used locally on health and social care through pooled budget arrangements between local authorities and Clinical Commissioning Groups (CCGs). Part of the fund must be allocated for DFGs, which is paid to the local authorities. As DFGs are now a component within the Better Care Fund there is greater flexibilities to maximise the benefits for service users.

1.5 This policy will remain in force until such time as it is amended. It is intended that there will be a review of this new policy annually.

## **2. Strategic Context for the Policy**

2.1 The council recognises that its housing strategy and associated home improvements and adaptations policy cannot be developed in isolation but should reflect policies at national and local level.

### **2.2 Nationally**

Multiple studies have consistently shown that there is a correlation between poor housing conditions and ill health. In addition, poor housing can affect resident's mental health, through the stress of coping with cold, damp houses.

Furthermore inadequate housing can adversely affect children and their education.

The Building Research Establishment (BRE), supported by the Chartered Institute of Environmental Health, published a report “The Cost of Poor Housing to the NHS” in 2010. This report estimated that it was costing the NHS £600 million per annum in first year treatment costs to leave people living in the poorest housing in England.

The Public Health Outcomes Framework “Healthy Lives, Healthy People: Improving Outcomes and Supporting Transparency” (Dept of Health 2013, updated 2015) sets out desired outcomes for public health and how they will be measure. Many of the measurements have links to housing including falls and injuries in over 65s, Fuel Poverty and Excess Winter Deaths.

## 2.3 Locally

The Council’s Strategic Plan (Updated Feb 2021) details the vision for the Borough and how that vision can become reality. This policy supports the Council’s strategic objectives of:

“People - creating flourishing, healthy and confident communities” – through financial assistance we will help residents improve the quality of their homes which in turn will improve health inequalities in Burnley.

“Places: making the Borough a place of choice” through financial assistance we will work with partners including health to improve the quality of accommodation and ensure through adaptations that accommodation meets the needs of residents.

### 2.3.1 The Housing Strategy

Two of the priorities contained within the Housing Strategy are to:

- (i) To reduce the proportion of empty homes in the borough and
- (ii) To promote sustainable and secure homes for all - improving energy efficiency and promoting independent living.

The Empty Home Loans detailed in this policy will continue to support “good” landlords to bring empty properties back into use to provide good quality, safe, efficient, and secure homes.

All financial assistance detailed within this policy aims to support residents in their own home so that they can live independently. The range of financial support for energy efficiency improvements will ensure the thermal comfort of homes is improved across the Borough.

### 2.3.2 The Climate Change Strategy

In July 2019 Burnley Council declared a climate emergency. The Council had recognised and sought to address the issue of climate change through several previous plans and strategies, but in declaring a climate emergency the Council sought to highlight the importance and urgency of this issue and ensure it is doing everything practically possible to limit Burnley's contribution to global climate change and adapt to its effects.

This policy works towards objective 2 of the Climate Change Strategy; to achieve higher standards of energy efficiency in new and existing buildings.

### **3. The Burnley Home Improvement Agency (HIA)**

3.1 The Burnley Home Improvement Agency is an in-house agency dedicated to helping vulnerable older and disabled residents live safely and with dignity in their own home's.

3.2 The agency service is available to people who are vulnerable and need help repairing, maintaining, or adapting their home. The HIA deliver a range of financial assistance as well as having trained advisers offering help and advice on a wide range of problems that might affect residents' homes. services include:

- Visiting clients at home.
- Setting out housing options to help clients decide what type of housing is best suited to their changing needs.
- Delivering a wide range of disabled adaptations within residents' homes.
- Assistance with repair work around the home.
- Provision of handyperson services, to carry out small jobs around the home.
- Helping to make homes more energy efficient.

Burnley Borough Council's HIA strives to extend the healthy life expectancy of older people, by reducing the need for intensive emergency services, maximising income by offering advice on benefits. The HIA provides quick and flexible responses to local needs, improving resident's health and wellbeing and make a real difference to the lives of vulnerable residents.

### **4. Summary of the Types of Assistance Available**

In brief, assistance will be provided for the following purposes, details of which are provided later in this document:-

#### **Adaptations to the home**

- ✓ Disabled Facilities Grants (Mandatory)
- ✓ Discretionary Disabled Facilities Grants

- ✓ Relocation Grants
- ✓ The Hospital Discharge Grant
- ✓ The Home Displacement Grant
- ✓ Minor Adaptations
- ✓ Dwelling Dementia Grants

### **Improvements to the home**

- ✓ Handyperson Services
- ✓ Emergency Works Grants
- ✓ Safe and Secure Grant
- ✓ Decluttering and Cleaning Grant
- ✓ Energy Efficiency Measures
- ✓ Empty Homes Loans

## **5. Adaptations to the Home**

### **5.1 Disabled Facilities Grants (Mandatory)**

#### 5.1.1 Introduction

The Council has a statutory obligation to administer mandatory Disabled Facilities Grants (DFGs) to provide adaptations to enable disabled residents to live independently within their own homes.

The provisions governing mandatory disabled facilities grants are contained in the Housing Grants, Construction and Regeneration Act 1996 as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. Advice on delivery of DFG's and the role and responsibility of the council and Social Services is contained in the Department for Education and Skills/Department of Health good practice guides "Delivering Housing Adaptations for Disabled People" and "Home Adaptations for Disabled People, A Detailed Guide to Related legislation, Guidance and Good Practice (Home Adaptations Consortium 2015).

#### 5.1.2 Purpose

This grant is intended to help people with disabilities to live more independently in their home. It includes essential adaptations to enable a disabled person to gain access into their dwelling, to move around it and to access kitchen and bathroom facilities.

Where it is not reasonable and practical to carry out the works, the applicant may be eligible for assistance to relocate to a more suitable property.

#### 5.1.3 Eligibility Criteria

All owner-occupiers, tenants, licensees, or occupiers who can satisfy the criteria in sections 19-22 of the 1996 Act are eligible. Private tenants may apply following



approval by the landlord to the adaptation work. Housing Association tenants are also eligible and are assessed for need and means tested on the same basis as private owners and tenants. The eligible works are set out in section 23(1) of the 1996 Act.

The property must be the person with a disability's main or only residence to be eligible to be adapted, and if that is not currently the case, then the person with a disability must intend to occupy it as their main or only residence, once the work has been completed, for the grant condition period.

The grant condition period is for 5 years and starts when the works have been complete to the satisfaction of both the Council and applicant. If an applicant is proposing to buy a new home, then a DFG can only be awarded once the purchase has been completed and this can be proven. If an applicant is looking to buy a new property, then they will be encouraged to liaise with the OT service and the Council regarding the suitability of the dwelling to meet the needs of the person with a disability, whether it is possible to adapt the property, and the likely timescales, cost and contribution expected to do so.

If an applicant is eligible then the Council has a maximum of six months to 'determine' the application, which means approve or otherwise, however the determination should be carried out as soon as is reasonably practicable.

The Council has the power to recover grants if the dwelling is sold within 10 years, with a maximum recoverable amount of £10,000. Grants below £5,000 are excluded from the recovery powers, and it must be 'reasonable' for the Council to require the repayment given the circumstances.

Works covered under Disabled Facilities Grant include:-

- Access to and from the dwelling or building, e.g.
- Hard standing for pavement vehicles, so far as it provides access to the dwelling;
- Access for children, or adults with children, to a rear garden;
- Fixed ramps to doorways;
- Alteration of double-glazed porches where wheelchair access is difficult;
- Garden rails for access;
- Dustbin housing sited where collection can be made, if occupant lives alone and cannot move bins;
- Outside lighting where required for access facility;
- Bannisters where required for safe access;
- "Up and over" automatic garage doors;
- Automatic door openers.
- Works to facilitate access to a room used or usable as the principal family room.
- Facilitating access to sleeping accommodation, or provision of sleeping accommodation where this would be more appropriate, e.g.
- Garage conversion when made into shower room and bedroom;
- Building an extension onto a property where there is only one principal family room that cannot be divided.

- Facilitating access to essential amenities or the provision of essential amenities or facilitating use by disabled occupant of essential amenities e.g.
- Major kitchen equipment such as cookers, if to be used by disabled occupant (providing existing appliance is not suitable);
- Modified kitchens, if to be used by disabled occupants;
- Extractor fan where window opening not possible by disabled occupant;
- Clos-o-mat toilets;
- Complete bathrooms, where existing facilities are inaccessible or unsuitable;
- Garage conversion when made into shower room and bedroom.
- Adapting controls and/or provision of additional means of control for heating, lighting or power supplies, to make them suitable for use by a disabled occupant, e.g.
- Moving electrical sockets and changing switches.
- Improving an existing heating system, or provision of a new one suited to the needs of the disabled occupant where there is a medical need for a warm environment.
- Facilitating access for a disabled person to parts of their home or if this is needed to enable them to be cared for by someone living with them, upon whom they are dependent for their care.
- Works to the dwelling or building to make it safe for the disabled person and other persons living with them, e.g.
- Provision of specialised lighting;
- Toughened or shatterproof glass;
- Installation of guards around certain facilities such as fires and radiators;
- Reinforcement of walls, floors and ceilings in exceptional cases;
- Cladding of exposed surfaces and corners to prevent self-injury;
- Pad a room with an observation window in the door, for a self-injurious dependent.

Other Eligible works include,

- Fixed hoists, stair-lifts, through floor lifts.
- Window openers;
- Facilitating wheelchair access internally;
- Locks and handles on existing doors;
- Providing separate sleeping accommodation for a dependant who requires attention at night.

Where additional facilities are provided, the Council will generally expect adaptation of the living or dining room rather than the use of a bedroom.

Wherever possible adaptations will be provided within the existing curtilage of the building, with extensions only considered where the adaptation could not fit within the property.

The Council will look at the total occupation and use of the property when making the assessment.

The grant will not be given towards alternative works and cannot be granted retrospectively if works had already started.

#### 5.1.4 Amount and application

The maximum mandatory DFG in England is £30,000 and this amount would be reduced by any contribution determined as payable under the means test.

The grant is means-tested, except if the application is on behalf of a child or young person aged 19 or below. Therefore, the applicant's income and savings are required to be assessed to determine if the applicant has a contribution to make or even pay the whole cost. Applicants who receive certain specified "passport" benefits are exempt for the means-test, however the means-test is set by law and the Council does not have any discretion when applying it.

Referrals for DFGs are received from Lancashire County Council (LCC) who have the social care responsibility for Lancashire, to undertake assessments to determine the needs of disabled adults and children who live in Lancashire. The assessment is normally carried out by LCC's Occupational Therapist (OT) service prior to an application for DFG funding. In some cases, the customer may come direct to the Council, who can employ a private OT to carry out the assessment of need if required.

Referrals can also be made by Trusted Assessor (Level 4) for similar adaptations including level access showers, stairlifts and ramps.

On receipt of a referral from LCC, the Council will deal with each case on a priority basis, regardless of their tenure. Each case will be classified, by the recommendation of the OT, into one of the following categories:

- Urgent Priority
- Non Urgent Priority

Urgent Priority cases will be dealt with first by the Council in periods of high demand, the date a referral is received is also taken into account when determining priorities.

An applicant must be 18 years or older. Parents or guardians are able to apply on behalf of children. Landlords are able to apply on behalf of their tenants.

If the applicant is an owner occupier then an Owner's Certificate must be obtained certifying that the person with a disability intends to live in the property, as their main or only residence for at least 5 years from the date the work was finished.

If the applicant is a tenant, then a Tenant's Certificate must be obtained certifying that the tenant (or the person with the disability), intends to live in the property as their main residence for at least 5 years from the date the work was finished.

As detailed legislation requires a decision from the Council to approve the grant or not within 6 months of receiving the full application (this includes all necessary information e.g. proof of home ownership or landlord consent and received estimates/tenders for the required work). The Council will also aim to complete the installation of all disabled adaptations within 12 months from the date of grant approval.

While the applicant can choose any contractor of their choice, the Council can support the applicant with the appointment of contractors through an 'Advisory List of Building Contractors' who are willing to undertake grant work to the legislative standards and specifications required by the Council.

This is not an 'approved' list in that the Council does not act as a guarantor for the quality and standard of work achieved by these building contractors. However, the list does include contractors who have, in the opinion of the Council, generally carried out satisfactory work in the past, and who are prepared to provide estimates in connection with grant applications.

In most cases two estimates/tenders will be required for the proposed grant work, the successful contractor will be based upon price, availability and customer satisfaction.

In accordance with the legislation set out in the Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008, where the adaptation is carried out to a property which is privately owned and the cost of the work is £10,000, or more, the Council may place a legal charge on the property through the Land Registry. The legal charge will last for 10 years. If the property is sold or otherwise changes ownership within 10 years of the completion date, the Council will normally require repayment of the grant, however each case will be judged on its own merits as detailed on the Repayment Conditions form the owner is required to sign. The maximum repayable amount at the change of ownership is £10,000 for a mandatory DFG up to £30,000, however in some cases where discretion is shown, and a grant is paid by the Council in excess of £30,000 then then a legal charge may be placed on the property for the additional amount for a period of 10 years.

## **5.2 Discretionary Disabled Facilities Grants**

In August 2021 the Council increased the discretionary element of the DFG from £10,000 to £30,000 giving a maximum assistance of £60,000. This was

to account for the demand for more complex adaptations with the requirement for more specialist equipment and the increase in building costs.

From 1<sup>st</sup> April 2022 the Council have removed the financial assessment (means test) for DFGs where the approved grant does not exceed £10,000 inclusive of the Council's fee.

### **5.3 Disability Relocation Assistance**

#### **5.3.1 Purpose**

Where a disabled person needs their home to be adapted to allow them to live independently or to be cared for and the costs of the adaptation are unreasonable, not reasonable and practicable and not cost effective, the Council will consider assistance towards the purchase of an alternative dwelling that is either adapted or has greater potential for suitable adaptation. This will be in the form of Disability Relocation Assistance.

#### **5.3.2 Eligibility Criteria**

The approval of assistance is subject to an option appraisal looking at financial, social and technical aspects to ascertain the best course of action in relation to the disabled person's needs. Persons eligible include:-

- Owner-occupiers, their dependents, mother, father, grandparents regardless of age, who are disabled or registerable as disabled.
- Persons who are eligible and have applied for a mandatory DFG, where it is considered that the proposed adaptation is not reasonable or practicable.
- The applicant lives at the existing property as their sole or main residence.

Owner-occupiers may be assisted to move to a more suitable property (in the following circumstances).

- Where it is more appropriate to assist in the purchase of a fully adapted dwelling or flat that suits the individual's medical needs. The suitability of the new property for adaptation would need to be agreed with both the Occupational Therapist and the Housing and Neighbourhoods Grants Team.
- Where it is more appropriate to assist in the purchase of a dwelling or flat that has greater potential for adaptation.
- Where it is more appropriate to assist in the rehousing of the individual or family into a privately rented property, RSL property, sheltered housing scheme, care home.

#### **5.3.3 Amount and application for the relocation assistance**

The maximum amount of assistance will be £5,000 and can be made up of a number of elements including legal fees, surveyors and estate agents fees and removal costs. The cost of the assistance will be taken out of the £60,000 maximum

individual entitlement for DFG. This amount will be in addition to the grant awarded for the adaptation works to the applicant's new property.

The Relocation Assistance will not be means tested. The applicant's contribution to the DFG, if any, will not affect the amount of assistance available. Where the applicant is transferring from home ownership into a tenancy, there will similarly be no means test. Where the disabled person is a child, the assistance will not be subject to a test of resources (in line with current legislation for DFG's).

An application for assistance must:-

- Be in writing specifying the dwelling the applicant is proposing to move to;
- Be accompanied by a report from the Occupational Therapist confirming the new qualifying dwelling is suitable for the medical needs of the disabled person;
- Be accompanied by a report confirming the new qualifying dwelling to be free from serious Category 1 Hazards under the HHSRS and will be suitable for the applicant and family to occupy. If requested, the council can undertake this inspection. The Council retains the discretion to award an Emergency Work Grant in circumstances where it considers appropriate to do so in order to facilitate the relocation and adaptation works.
- Be accompanied by an undertaking by the applicant where Category 1 Hazards exist, that the dwelling will be repaired prior to occupation and that assistance will not be released until it is. As indicated above, an Emergency Work Grant may be available for this purpose for persons who are eligible under the criteria.
- Be accompanied by an owner's certificate that it is intended that the house be occupied as the applicant's main or sole residence throughout a 5-year grant condition period or shorter if health or other relevant circumstances dictate. If the applicant is required to move to another property, it is at the council's discretion whether further relocation assistance is given. The council will determine on the basis of need and hardship in each case whether the grant or the relocation assistance is reclaimed if the property is sold within the 5-year condition period.
- An application will only be approved if accompanied by a proof of title from the applicant or their solicitor showing the owner's legal interest in the new property.

## **5.4 The Hospital Discharge Grant**

### **5.4.1 Purpose**

The Council will help facilitate hospital discharges by supporting people with disabilities or vulnerabilities to return to a home which is suitable, safe and clean.

### **5.4.2 Eligibility Criteria**

Residents of Burnley living in their own home either in the private rented sector, social rented sector or owner occupiers who are disabled or vulnerable. Eligible works are not restricted to but can include:

- Small emergency repairs
- Removal of trip/falling hazards
- Clearing properties
- Cleaning properties

#### 5.4.3 Amount and application for the relocation assistance

The grants are not means tested and can fund works up to the cost of £2000. The funding will be available where there is no other relevant health or social care funding obtainable, and following a referral from an Occupational Therapist, Clinical Health Practitioner from the Integrated Neighbourhood Team or other health care professional. The grant does not cover packages of care or resettlement funded by the NHS or Social Care.

An application for assistance will be in writing and include either a tenant or owner certificate.

### **5.5 The Home Displacement Grant**

#### 5.5.1 Purpose

In extreme and rare circumstances residents and in some cases their household may have to move to temporary accommodation while major adaptation work through a disabled facilities grants is undertaken. This grant is to support the residents to move temporarily, it is not to cover the social care costs of residents staying in residential care temporarily.

#### 5.5.2 Eligibility Criteria

A disabled facilities grant has been approved for major adaptations work, it has been agreed in writing by the Council that temporary accommodation is required during the grant work being undertaken and residential care is not a suitable form of temporary accommodation for that resident.

#### 5.5.3 Amount and application for the relocation assistance

The grants are not means tested and can fund alternative accommodation up to £4,500 or £55 per night of temporary accommodation, whichever amount is the lowest. While the Council will support the resident they are responsible for finding suitable alternative accommodation and providing evidence such as an invoice of the cost. The Council will not pay more than the actual cost of the temporary accommodation.

An application will be made in writing.

### **5.6 Minor Adaptations**

#### 5.6.1 Purpose

If an adaptation is expected to cost below £1,000 then it will be considered to be a minor adaptation and Lancashire County Council will arrange for those works to be completed without the need for a referral to the Council.

## 5.7 Dwelling Dementia Grants

### 5.7.1 Purpose

Home improvement dementia grants are available for people with dementia or memory loss to help fund a range of adaptations to their home or to provide equipment which may help people to live well at home. This could include buying bespoke products or the use of colour and contrast to aid orientation in the home.

### 5.7.2 Eligibility Criteria

Residents of Burnley living in their own home either in the private rented sector, social rented sector or owner occupiers and who have received a clinical diagnosis of dementia or who are experiencing memory loss. Eligible works are not restricted to but can include:

- High lumens light bulbs
- Coloured sticky covers for light switch plates
- Coloured strips to indicate edges of stairs
- Key locators
- Memo Minder
- Coloured key fobs
- Key safe
- Signage
- Notice board/white board
- Big button telephone
- Dementia Clock
- Magiplug (for all sinks),
- Large or small locks for cupboard doors
- Additional shelving
- Touch bedside light
- Day/night clock
- Bathroom slip mat
- Coloured toilet seat
- Coloured towel rail
- Grab/handrails
- Wet rooms/bathroom adaptations

### 5.7.3 Amount and application for the relocation assistance

The grants are not means tested and can fund aids/equipment up to the cost of £1000. The grants will take the form of adaptations and equipment to the home rather than a monetary award.



Referrals can be made in writing from a range of agencies including Age Concern, GPs, early intervention dementia service, integrated neighbourhood team, Cross Roads Care, social prescribing workers, occupational therapists, social services, careers link and via self-referral and through family members.

## **6. Improvements to the Home**

### **6.1 Handyperson Services**

#### 6.1.1 Purpose

To assist older, disabled and vulnerable people to live independently in their own homes for longer in greater levels of comfort and security by undertaking small jobs that will:

- Prevent falls and accidents;
- Prevent delayed discharges from hospital;
- Improve home security;
- Improve energy efficiency;
- Prevent fire and detection of carbon monoxide

To give residents support from somebody they can trust to provide a wide range of affordable small jobs where it is difficult to find “ordinary” trades people who would be prepared to undertake such work.

#### 6.1.2 Eligibility Criteria

Residents of Burnley living in their own home either in the private rented sector, social rented sector or owner occupiers who are aged 60 or over, disabled or vulnerable. Eligible works and services will include:

- Small building repairs;
- Minor adaptations (such as installation of grab rails or temporary ramps);
- “Odd” jobs (for example, putting up curtain rails and shelves, moving furniture, installing smoke and carbon monoxide alarms, changing light bulbs);
- General home safety checks with remedial action (for example safety checking or repairing/replacing appliances);
- Falls/accident prevention checks with remedial action (for example, securing loose carpets or putting up grab rails);
- Security checks with remedial action (for example, checking and replacing window and door locks);
- Energy efficiency (for example installing low energy light bulbs, draft proofing);
- Signposting clients to other services.

Jobs in private or social rented properties will only be undertaken providing the works are not the responsibility of the landlord and the tenant has the permission of the landlord to carry out the work.

Handyperson jobs will not normally take more than 2 hours to complete. It will sometimes, however, be efficient to combine numerous smaller jobs in one visit.

#### 6.1.3 Amount and Application

This assistance is not means tested and the hourly labour rate is subsidised by the Home Improvement Agency to cost £10. Residents are required to pay for any materials that are needed to carry out the requested work.

Enquires for the handyman service will be made by telephone. Proof of landlord permission for private and social tenants will be required. The Home Improvement Agency can support tenants to obtain this.

## **6.2 Emergency Works Grants**

### **6.2.1 Purpose**

The grant is available to remedy urgent disrepair where there is a danger to the occupants health, safety or welfare. The grant is available where works of repair have been identified as being Category 1 hazards (A to C) or high Category 2 hazards (D to F) under the Housing Health and Safety Rating System that pose a risk to the occupants of a property. The grant is not for larger scale home improvements but to help remove significant hazards to help the resident to stay in their own home.

### **6.2.2 Eligibility Criteria**

To qualify a person must be an owner-occupier (including a Park Home owner) in receipt of income related benefits and aged 60 or over or must be a disabled person in receipt of income related benefits.

For the Council to consider applications for Emergency Work Grant the applicant must occupy the property as their only residence or care for an elderly, disabled or infirm person.

In most cases, private tenants will not be eligible as usually the landlord would be expected to carry out such works as part of their repairing obligations for the property. Housing Association tenants are not eligible as there are systems in place to report and deal with emergency repairs.

All applicants will be asked whether they have an emergency response service contained within an insurance policy. If so, they should approach their insurance company in the first instance.

Eligible works include but are not restricted to:

- Essential repairs to electrical wiring where this has been assessed as dangerous
- Dry and wet rot
- Extensive raining in, damp and mould growth
- Essential repairs to heating or hot water systems
- Rotted windows and or doors that are causing excess cold

### **6.2.3 Amount and Application**

The maximum amount of grant is £10,000 and it is means tested. In cases of Emergency Work Grants where the amount of assistance required to remove a Category One Hazard or high Category 2 hazard or to deal with unforeseen works exceeds £10,000, the grant limit can be raised up to a maximum of £15,000. The additional amount will be reserved for essential major works where an imminent risk exists such as re-roofing, structural works and other works considered essential by the council.

The application will be made in writing and will require an owner certificate.

On completion and payment of the works, further terms and conditions will apply. There will be a condition period, which means the period of 5 years beginning with the certified date in the case of any grant assistance. The certified date is the date the eligible grant works were completed to the satisfaction of the Council.

Within a period of 5 years from the certified date, the property must be occupied by the applicant(s) and/or members of his/her immediate family. This means the property must be occupied by one of the following as their only or main residence:

- The applicant
- The applicant's spouse or partner
- The applicant's son/daughter (including stepson/daughter)
- The applicant's father/mother (including stepfather/mother)

If the property is sold or other relevant disposal made or the council has reason to demand repayment of the financial assistance within the condition period, the Emergency Work Grant must be repaid in full.

The council may waive its demand for immediate repayment of Emergency Work Grant and allow the transfer of conditions to a new or additional owner(s) if there has been an exempt disposal.

In most circumstances, one grant only will be permitted to the property in a period of 5 years. The Council will only permit a successive grant application on the same property within the 5 years period if the application is to remedy a new Category 1 Hazard, which has arisen in the property and which poses a serious risk of injury to the occupier. After the 5 years period, a successive grant application will only be permitted for items of work, which are different to the previous grant or require the same type of work to a different part of the property.

All eligible grant works shall be carried out within 12 months from the date of approval of the application. The Council may extend this period if it is satisfied that the eligible works cannot be carried out without carrying out other works, which could not have reasonably been foreseen when the application was made.

If the eligible works are not completed within 12 months from the date of approval and there is deemed to be unnecessary delay, or the Council has reason to believe that the grant will not be completed, the Council may pay grant on the completed works undertaken and cancel the grant on the remaining works.

## **6.3 Safe and Secure Grant**

### 6.3.1 Purpose

The grant is to help older, disabled or vulnerable residents to feel safe and secure in their own home.

### 6.3.2 Eligibility Criteria

Residents of Burnley living in their own home either in the private rented sector, social rented sector or owner occupiers who are aged 60 or over, disabled or vulnerable.

Eligible works can include but are not restricted to

- New window and door locks.
- New front and rear doors if they are insecure.
- Secure gates.
- Fencing.
- Security lighting.
- Home security kits.

### 6.3.3 Amount and Application

The maximum amount of grant is £4,000 and it is means tested.

The application will be made in writing and will require an owner or tenant certificate.

In most circumstances, one grant only will be permitted to the property in a period of 5 years.

## **6.4 Decluttering and Cleaning Grant**

### 6.4.1 Purpose

The Decluttering and Cleaning Grant aims to help residents who have a hoarding disorder, where they have accumulated an excessive number of items and stored them in a chaotic manner which is interfering with their everyday living.

Without assistance the hoarding could lead to health issues, fire or serious injury and to hospital admissions, accidents and infections in the home. Recognised health conditions associated with hoarding are:

- Living in squalid conditions, infestations and associated diseases
- Limited cooking, bathing, heating, sometimes without connected utilities
- Self-neglect, leading to other medical complications
- Lack of mental capacity leading to unwise decisions making
- Anxiety and depression
- Serious risk to life, for example risk of fire and contamination

The grant is to support the multiagency approach detailed in the Lancashire Adult Safeguarding Hoarding Guidance.

#### 6.4.2 Eligibility Criteria

Residents of Burnley living in their own home either in the private rented sector, or owner occupiers.

Social Housing tenants will need to contact their registered provider in the first instance for support and assistance. The Council will assist social housing tenants but will require the registered providers dedicated officer to take the lead role in supporting their tenant through the process including an action plan of what support will be put in place going forward to ensure the tenancy is sustained and the risk of hoarding again is reduced.

The grant is available for properties that are assessed as moderate to high/critical level in accordance with Lancashire Safeguarding Adults Board Multi Agency Hoarding Guidance:

[www.lancshiresafeguarding.org.uk/media/1457/lsab-hoarding-guidance-final-march-19.pdf](http://www.lancshiresafeguarding.org.uk/media/1457/lsab-hoarding-guidance-final-march-19.pdf)

The service user must agree to work with support agencies or counselling services to help prevent further incidences of hoarding as part of the grant conditions. The grant can cover items such as the hiring of skips and contractors to clear the hoarded items, deep cleans and counselling to help prevent further hoarding.

In the first instance Officers will always work residents to try to resolve hoarding cases. In some cases, there may however be the need for the local authority to use statutory powers to protect the health, safety and welfare of the residents and neighbours.

#### 6.4.3 Amount and Application

The grant is a maximum of £5,000 and is means tested.

The application will be made in writing and will require an owner or tenant certificate.

In most circumstances, one grant only will be permitted to the property in a period of 5 years.

## 6.5 Energy Efficiency Measures

#### 6.5.2 Purpose

To assist residents to improve the energy efficiency of their homes which will reduce fuel poverty. To encourage the use of renewable energies to reduce carbon emissions.

#### 6.5.3 Eligibility Criteria

An owner occupier living in Burnley as their only main residence.

#### 6.5.4 Amount and Application

The grant is not means tested and is a maximum of £400 towards a new “A” rated boiler or another form of renewable energy source. If the property has never had a central heating system or currently has electric storage heaters (economy 7) fitted, there is a grant of £1,000.00 towards the cost of central heating or another form of renewable energy source.

#### 6.5.5 Cosy Homes in Lancashire (CHiL)

CHiL is a Consortium of the Lancashire Local Authorities promoting and delivering a range of energy efficiency measures across the county. In 2014 the Consortium procured a Managing Agent, Rhea Projects Ltd, to manage the schemes. Over the last eight years the scheme has grown and CHiL is now a recognised brand across Lancashire and throughout the Energy sector.

CHiL delivers a wide range of energy efficiency schemes including:

- The Green Homes Grant to install insulation, renewable heating and window/door upgrades to eligible homes and residents across Lancashire.
- Connection of properties to the gas network
- Warm Homes to install first time central heating systems into low income homes
- Warm Homes Fund Emergency Funding to replace broken boilers in the homes of very vulnerable households
- ECO funding since 2018 (ongoing) which has funded boiler replacements

The available support and schemes are constantly evolving to support residents across Lancashire, further and updated information is available at: [Central Heating, Insulation & Boiler Grants Lancashire | CHiL.](#)

Through this policy the Council will continue to support the initiatives of CHiL and where necessary provide shortfalls in funding to qualifying residents of Burnley.

## 6.6 Empty Homes Loans

### 6.6.1 Purpose

The purpose of the empty homes loan is to reduce the number of empty homes in the Borough, concentrating on the selective licensing areas and to provide good quality, well managed private rented properties.

The private rented sector plays a crucial role in bringing empty properties back into use reducing crime and anti-social behaviour. Burnley’s Private Rented Sector Forum (PRSF) is central to this activity and provides a well-established, public and private sector partnership, that:

- Works to improve housing standards and management practices;
- Improve confidence in the housing market and attract private sector investment;
- Support landlord Accreditation, training events, and the sharing of best practice
- Support the implementation of Selective Licensing and enforcing standards when necessary.

The Council as part of its “enabling role” aims to support the private rented sector to tackle empty homes and improve the quality of the accommodation with the private sector. One of the options to fulfil this commitment is to provide loan assistance to responsible landlords within the town with the emphasis being on increasing the level of good quality private sector accommodation and widening housing ‘choice’ for residents in the Borough.

This loan assistance will be available to those landlords who have already demonstrated a commitment to improving housing quality and management by participating in the Council’s Good Landlord and Agent Scheme (GLAS) or who agree to work towards it.

[Good Landlord And Agents Code of Practice 130117 0.pdf \(burnley.gov.uk\)](#)

Where a landlord acquires a property that has been vacant for 6 months or more and renovates it to the Councils GLAS Gold Standard (meeting or exceeding all the point in the Code of Conduct checklist) then the Council will pay the selective licencing fee for that property.

#### 6.6.2 Eligibility Criteria

To ensure that the awarding of loans links into existing regeneration activity, consideration of a loan will only be given to landlords who have demonstrated a commitment to raising standards of property condition and management in the private rented sector of the Borough, and in addition they are achieving the following status:

- Accredited
- Pending Accreditation renewal
- Working toward Accreditation by engaging with Council Officers following a valid application to the scheme

No loan will be awarded to a landlord that has outstanding/unresolved repairs or complaints under the Housing Act 2004 or any outstanding recharge or fees unless an agreement is in place to clear said recharge or fees.

Properties will qualify providing;

- That they are situated in a Selective Licensing Area as approved by the Council’s Executive and ideally have been empty for 6 months or longer
- Properties that are situated outside of the Selective Licensing Areas and have been empty for a minimum of 2 years and



- They are identified as requiring remedial works or requiring works necessary to bring the property up to GLAS and Decent Home standards including the provision of energy efficiency works.
- Loan assistance will only be offered for works confirmed as necessary by the Council's representative to remedy deficiencies identified under the Housing Health and Safety Ratings System (HHSRS).
- The loan cannot fund the conversion of single dwellings to houses in multiple occupation.
- Loan assistance will not be paid on works that have been assisted under a previous loan given in the last 5 years.
- Where the landlord or a relation of the landlord has carried out works on an approved loan, the authority will only reimburse costs for materials.
- The loan is non-transferable and disposal of a property by the landlord prior to or during execution of the works will result in the loan agreement being cancelled.
- The loan will be registered as a charge on the property.

To qualify for Selective Licencing fee payment a qualifying landlord must

- Acquire a property on or after the 1<sup>st</sup> of January 2017 that has been vacant for 6 months or more
- Renovate the property to the GLAS Gold Standard
- Complete the works within 6 months of Council acceptance on the scheme

To qualify for Council Tax Discount

We are adding an extra incentive for owners by awarding a 100% local discount for up to six months, once renovation works have been completed on former uninhabitable or long-term empty properties (vacant 12 months or more), and the works have brought the property up to the Gold Accreditation Standard.

The scheme will operate retrospectively, so the discount is awarded once the works are completed, an inspection has been made and the property is occupied. The Council Tax that has been paid throughout the renovation period will then be refunded to the owner.

Participation in the scheme is conditional upon there being no Council Tax arrears or debt owed to Burnley Council. Where the applicant has multiple properties, all accounts for each property must be paid up to date, not just those affecting the relevant property

To be eligible for this new local Council Tax discount, the property must

- Include significant category 1 Hazards as defined by the Housing Act 2004
- Have been vacant for a minimum period of 12 months (not lived in)
- Be unfurnished
- Be undergoing renovation works that will achieve the Council's Gold Accreditation Standard and be completed with the property occupied within a timeframe of 6 months

As the Council has a statutory obligation to consider various options, the provision of a loan will only be approved once repair of the property has been deemed to be the most appropriate course of action and by approving a loan the property will be brought up to the standard required and subsequently re-let.

Loans are restricted to one per property, landlords may apply for subsequent loans proving that the application does not relate to a property that has already received one. In any financial year subsequent applications from landlords who have already received a loan that financial year will only be considered after priority has been given to applicants who have not received a loan

A second loan in any financial year will only be considered after sign off of the original loan and a history of payments is available

- Applicants must be over the age of 18 to qualify
- A charge will be placed on the Register of Local Land Charges and the payback condition period of the loan will be applicable if the applicant is found to be in breach of the loan conditions.
- The applicant must notify the local authority if they dispose of the property.
- Applicants must achieve full accreditation status within a reasonable timescale (to be agreed with the scheme operator prior to approval).
- Successful applicants for assistance will be required to maintain the improvements and shall not be eligible to receive future assistance for the same improvements
- The Council will reserve its right to amend their policy at any given time including when required to comply with new statutory legislation.

### 6.6.3 Amount and Application

The loan will be interest free and a maximum of £25,000 if the property is located in a selective licensing area and £20,000 for those located outside of the selective licensing areas. The approval of loans will be subject to the funding available from the Council at that time.

Applicants for loan assistance will be required to complete an initial Empty Homes Loan Enquiry Form

Prior to an offer of a loan being made to a landlord or intended owner occupier a Technical Officer will carry out a visit of the property to ascertain the nature of works required and to prepare <sup>1</sup>*particulars of intended works* (schedule) to assist the Council in determining whether the works are eligible for loan assistance and evaluate costs. Following the visit the Council will supply the applicant with the application documentation; the applicant should complete the documentation and return to the Council within 2 weeks

Two schedules of works will be sent to the landlord along with an advisory list of contractors. The schedules should be priced and returned within 6 weeks

When a completed application and estimates have been returned, the Council has a maximum of 3 months from that date to determine application. The Empty Homes Team will determine these applications in 2 weeks providing all the necessary documentation is present. During this period the Empty Homes Team will check estimates against the schedule of works to ensure all items have been included and that they are fair and reasonable

The majority of loans provided require either Planning Permission or Building Regulation Approval. When the Empty Homes Team receive the quotes for the works, evidence of an application for one or both of these must be provided before the loan is approved. In the case of a Building Control application, this would preferably be in the form of a full plan application. Costs for these applications can be covered by the loan

Prior to approval the landlord will be given a Loan Agreement, a Certificate of Ownership and a Certificate of Intended Letting. These documents must be completed before a loan is awarded

Once all checks have been successfully carried out the Empty Homes Team will send out a loan approval and a summary of the loan conditions

Work must not commence until a landlord has received written confirmation that the loan has been formally approved. A loan will not be made available for any works that have commenced prior to approval.

The information provided on the loan approval will include:

- The maximum amount of loan
- The maximum amount of time allowed for start and completion of works
- Final inspection of works before invoices are paid
- Production of bona fide invoices and specified gas, electrical safety certificates and energy performance certificate.
- A satisfaction certificate to state that the applicant is satisfied with the works

The loan monies will only be made direct to the landlord's contractor, unless a prior arrangement has been made, and upon satisfactory inspection and completion of works. Upon completion of the work, the dwelling will be made available for letting for a period of five years to a person (who is not a member of the landlord's family or a relation)

Landlords must ensure that the works are completed within the same financial year that loan approval is given and not more than 6 months from the approval date

Please be aware that the council will inspect to make sure that the works have been carried out. It is the owners' responsibility to inspect to make sure that they are happy with the quality of the completed works.

#### 6.6.4 Loan Repayment

The loan will be repaid over a maximum period of 10 years for a loan that amounts to no more than £20,000 commencing from the date 2 months after the final payment has been made.

For loans amounting to between £20,000 and the maximum £25,000, repayment can be made over a maximum period of 12 years commencing from the date 2 months after the final payment has been made.

Repayments will be made on a monthly basis at the rate stated in the 'loan agreement'. There will be an initial 'repayment holiday' of 2 months from the date the loan amount is paid. Thereafter for a 10 year loan agreement the loan would be repaid over 120 months. A 12 year loan agreement would be repaid over 144 months

Repayments will be accepted by Direct Debit only. The Direct Debits can be paid on the 1<sup>st</sup>, 7<sup>th</sup>, 16<sup>th</sup>, 23<sup>rd</sup> or 30<sup>th</sup> of the month.

The authority will withhold or demand repayment of the loan in various circumstances after an application has been approved, these circumstances are:

- Where the Council ascertains that the determination of loan has been made on the basis of inaccurate or incomplete information and as a consequence a landlord has been awarded more loan than he/she is entitled to.
- Where the works are not completed to the Councils satisfaction or are started before the application was approved.
- The property has been disposed of.
- Where applicants fail to achieve accreditation status within a reasonable timescale, the Authority will reclaim the loan in full
- Whereby for any reason the property is removed from the Accreditation Scheme.
- Loan repayments must be made by direct debit to the Council.
- If the loan agreement is breached legal steps will be taken to recover the loan.

### **7 Grant Application Fees**

The legislation enables the Council to apply a fee for the administration and the management of housing assistance. These charges can be included in the grant approvals. The fees for each financial assistance will be set annually as part of the Council's budget process.

### **8 Fraudulent Applications**

Where fraud or deception is suspected, the matter will be reported to the Police or relevant enforcement agency. In any cases where the Council determines that an applicant has made a fraudulent or wilful deception or omission in their

application for any loan or grant, it will demand full repayment of any amount of assistance obtained, together with compound interest from the date of payment until the repayment.

If following approval of an application for assistance, the Council becomes aware that the applicant (or applicants in the case of a joint application) was not entitled to the assistance on the date on which it was approved, no payments or further payments will be made, and any amount of assistance already paid will be required to be repaid with interest. In the case of an owner's application, the applicant would not have been entitled to assistance if she/he did not have a qualifying owner's interest, or if she/he did not have the intention to fulfil the criteria contained in the owner-occupation certificate that accompanied the application.

## **9 Resources to Support the Policy**

The level of resources available to support the grant and loan element of the policy will be set by the council as part of its annual budget setting programme.

With the exception of the Empty Homes Loans the grants and Home Improvement Agency are funded through the Council's DFG allocation from the Better Care Fund allocation.

Apart from the mandatory Disabled Facilities Grants all other grant and loan assistance detailed in this policy are discretionary and subject to budget availability, this discretionary assistance may be withdrawn by the Council at any time.

## **10 Review of the Policy**

Where it is considered that there are exceptional circumstances, which warrant consideration outside of this policy, an application may be made to the Head of Housing and Development Control for an appropriate decision and each case will be considered with regard given to the council's statutory responsibilities, overall priorities, and the financial resources available.

This Policy will be kept under review and will be subject to progressive amendment. The development of further measures and options for intervention and assistance will continue in line with the Council's priorities and resources.

## **11 Compliments, Complaints and Appeals**

The Council is keen to receive feedback from all applicants for assistance on how it performed. Applicants may include comments on the customer satisfaction questionnaires, which will be sent out following the completion of the individual casework.

All applicants for Council assistance who are dissatisfied with the way the Council performed have the right to make comment to the Council using the formal complaints procedure about any aspect of the service received. A detailed response will be given in all cases.

Any applicant wishing to appeal against a decision on the provision of financial or other assistance may appeal in writing to the Head of Housing and Development Control, setting out the grounds for appeal.

**Appendix 2 – Anticipated required budget and number of grant approved 22/23**

<b>Better Care Fund</b>			
<b>Existing Grants</b>	<b>Max Grant Amount</b>	<b>No. Grants Approved</b>	<b>Annual Estimated Budget</b>
Disability Facilities Grant	£60,000	150	£1,500,000
Emergency Repairs Grant	£15,000	27	£135,000
Heating Rebate Grant	£400 or £1,000	125	£56,000
Dementia Grant	£1,000	60	£24,000
<b>New Grants</b>			
De Clutter and Clean	£5,000	15	£75,000
Safe and Secure Grant	£4,000	20	£50,000
Hospital Discharge Grant	£2,000	5	£10,000
Relocation Grant	£5,000	4	£20,000
Home Displacement Grant	£4,500 or £55 night	2	£10,000
<b>Total Budget</b>			<b>£1,880,000</b>
<b>Empty Homes Capital Programme</b>			
Empty Homes Loans (Selective Licensing Areas)	£25,000	8	£200,000
Empty Homes Loans (Non - Selective Licensing Areas)	£20,000	5	£100,000
<b>Total Budget</b>			<b>£300,000</b>

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