
Report to: Clackmannanshire Council

Date of Meeting: 13 August 2015

Subject: Private Sector Housing Assistance Scheme

Report by: Head of Housing and Community Safety

1.0 Purpose

- 1.1. The purpose of this report is to review the Council's Private Sector Housing Assistance scheme, presenting a revised policy document which takes into account recent legislative changes and the current economic climate.
- 1.2. The report also aims to clarify the Council's policy on the use of public monies to renovate or enhance private landlord or commercial property, where no known hardship exists.

2.0 Recommendations

- 2.1. It is recommended that Council:
 - 2.1.1. approves the amended Private Sector Housing Assistance Scheme, as detailed in the report and attached at appendix 1;and notes the remainder of the report, commenting and challenging as appropriate.

3.0 Background

- 3.1. The Council, as the strategic housing authority, is expected to ensure that house conditions in the private sector are reasonable. The main legislation which covers these obligations is the Housing (Scotland) Act 2006, which has been updated by the Housing (Scotland) Act 2014. The 'Scheme of Assistance' required under section 72 of the 2006 Act, sets out the range and type of assistance available to homeowners and private tenants and landlords in Clackmannanshire to adapt, repair and maintain their homes.
- 3.2. The Council's current Private Sector Housing Assistance Scheme was first approved in January 2010, and amendments made to the policy document in March 2013 and August 2014, in line with developing practice and reviewed budget provision. The policy sets out the priorities for particular types of work and geographical areas which will receive targeted assistance.

4.0 Private Sector Housing Budget Priorities

Disabled Adaptations

- 4.1. The budget for private sector disabled adaptations covers the statutory requirement to provide mandatory disabled adaptations to privately owned homes, and is demand led. When the policy was first approved in 2010 the budget was £497k. This was reduced to £323,500 in 2014/15 and to £181k for 2015/16, allowing funding for mandatory works. The actual spend was less than budget in 13-14 (£140K) and 14-15 (£144K).
- 4.2. Housing and Social Services colleagues work together to ensure priority needs are met in a way that best meets the clients' essential needs. The Housing (Scotland) Act 2006 sets out the rules for giving disabled grants to private households, and this includes grants to private sector tenants. Private landlords are expected to give permission for alterations to be made to their properties, unless there is are reasonable grounds not to.
- 4.3. Disabled adaptations falls within the scope of the Integrated Health and Social Service framework, and it is expected that adaptations will be incorporated into the new joint service. For this year, however, the housing service continues to administer private sector disabled grants.

Other Housing priorities

- 4.4. In addition to the mandatory adaptations, the priorities for private housing remain those set following the Budget Challenge process last year i.e. issues reflecting council priorities such as Making Clackmannanshire Better, the Village and Small Town Centre Initiatives, the requirement to meet the Scottish Housing Quality Standard (SHQS) and home energy improvements. Within the Private Sector Housing budget, the only funding available for non mandatory projects is £141,000 for secure door entry systems, a sum carried forward in earmarked reserves. As reported to Council in February there are 32 blocks where the Council is not in majority ownership and these currently do not meet the "Health, Safe and Secure" requirement for SHQS. This budget was carried forward to assist private owners to finance their required contribution to the project. The Housing, Health and Care Committee in June also approved the transfer of £45,000 from the private sector housing budget for area improvements at Tron Court in Tullibody, discussed more fully below.
- 4.5. Priority for financial assistance is given to blocks in common ownership, where it can be difficult to reach agreement among owners, and particularly to owners in mixed tenure blocks where the Council is carrying out Scottish Housing Quality Standard works or major investment projects such as roof and render works. Properties which are Below Tolerable Standard (BTS), or likely to become so within 12 months if not addressed, will be prioritised within this budget, to help address those properties in poorest condition.
- 4.6. Approval was given by the Housing, Health and Care Committee in August 2014 to utilise the budget released by a vacant part-time surveyor post in the Private Sector Housing Team to buy in the services of an independent surveyor. This provides owners with the assurance of independence when enforcement issues are being considered.

- 4.7. In accordance with previous Council decisions the 'supported owners service', the 'private landlord forum' and the 'empty homes initiative', were removed from the Scheme of Assistance.

5.0 Financial assistance

- 5.1. The rules for private sector adaptations are set out in the 2006 Act, and grant is available for homeowners and private tenants. Grants are given at the statutory minimum of 80% of qualifying costs, which are limited to personal care and accessibility works. The remaining 20% is means tested.
- 5.2. For priority works set out in the policy, such as Door Entry Systems in mixed tenure blocks, home owners will get an individual grant of a minimum of 50%, and up to 100% based on each household's financial circumstances. The amount of grant will be determined based on the standard means test used for Council Tax benefit, as detailed on page 17 of the Private Sector Housing Assistance Scheme.
- 5.3. Private landlords who are registered and who let only one property (which must meet the legal standard) may receive a 25% incentive grant towards the cost of the works, with discretion for officers to allow grants of up to 50% in cases of particular hardship, based on individual circumstances.
- 5.4. The 2006 Act allows for budget to be made available for amenity improvements on an area basis. Although the priority is to address residential issues it should be noted that commercial properties can be included within mainly residential areas.

6.0 Other Works Involving Private Owners

- 6.1. In March 2013 the Housing, Health and Care Committee approved an amendment to the Scheme of Assistance to replace the previous priority areas with a more general policy to allow the Council to, from time to time, designate certain areas for targeted funding. This could include a corporate improvement initiative involving the co-ordination of various Council services. Council area improvement schemes, such as the 'Town Centre Improvement' initiative, are undertaken in line with this policy.
- 6.2. At that time the policy was also amended to allow financial assistance to be by way of a contribution to an area based project being organised by the Council or a partner organisation, rather than a grant to an individual (1.4 of Appendix 1). There were three main reasons for this:
 - 6.2.1. Resistance from one owner can jeopardise an entire project (improvement projects are more difficult to use enforcement powers on because they typically involve aesthetic improvements rather than essential repairs).
 - 6.2.2. Owner participation and contributions to works, particularly in areas of low income owner occupation, is likely to be poor, making the building refurbishment work difficult to implement without private sector housing funding;
 - 6.2.3. It is resource intensive, and not cost effective, to consult with owners individually.

- 6.3. The Town Centre Initiative carried out in Sauchie received an area contribution of £32,210 from the Private Sector Housing budget to cover private owner contributions. Approval was given by the Housing, Health and Care Committee on 4 June to transfer £45,000 from Private Sector Housing budget earmarked reserves to area works at Tron Court, Tullibody. Members should note however that there is no current scope to fund future town centre works in this way, due to the budget having been re-aligned.

7.0 2006 Act Housing Enforcement Works

- 7.1. It is very likely that there will be an increased need for enforcement action to deal with sub standard private sector properties over the next few years. In particular, roof renewals will be required to many mixed tenure blocks. The costs involved make it difficult to obtain owners' approval of works.
- 7.2. A Works Notice can be served where essential repairs need to be carried out by the owners. The Council can carry out the works in default, and recharge the owners. Although the 2006 Act allows for a charge to be placed against the property ensuring the Council will receive payment for the works eventually, this could take up to 30 years (the length of time allowed for in the Act). There will therefore be an up-front cost to the Council's General Fund. Costs associated with a Notice can be recovered eventually, including administrative costs and interest. In June 2013 the cost of works to supplement the work of the Council in mixed tenure situations was estimated at £12m over the life of the housing financial business plan.

8.0 Future considerations for mixed tenure blocks within Council stock

- 8.1. The Council's Landlord service has been facing challenges in recent years with private sector engagement to complete essential works and improvements in mixed tenure situations. This includes improvements to communal blocks which couldn't have been resolved by the serving of a statutory notice.
- 8.2. The serving of such notices could have financial implications for the Council's General Fund (as noted at 7.2 above) in terms of borrowing for the payment of works carried out by the Council by default. In many cases this is a legacy of the Right to Buy legislation, which allowed flats to be sold in communal blocks without full consideration to future repairs and maintenance.
- 8.3. In addition the serving of works notices can't be done by the Council's landlord function due to a potential conflict of interest as the Council as an owner also needs to be served a notice by the strategic function.
- 8.4. A potential solution could be provide a more proactive and comprehensive factoring service. This is being investigated and any recommendations arising from this will be reported to the service committee.

9.0 Sustainability Implications

- 9.1. Assistance given to owner occupiers and in some cases enforcement, to improve house conditions will result in a community environment which is more attractive and safer. In addition, energy efficiency improvements will help

reduce fuel poverty and carbon emissions, helping the Council to achieve its carbon reduction targets.

- 9.2. Disabled adaptations are important to reducing hospital admissions through trips and falls and help older people to stay longer in their own homes.

90 Resource Implications

9.1 Financial Details

- 9.2 The full financial implications of the recommendations are set out in the report.

Yes

- 9.3 Finance have been consulted and have agreed the financial implications as set out in the report.

Yes

- 9.4 There are no additional financial implications.

9.5 Staffing

There are no additional staffing implications arising from this report.

10.0 Exempt Reports

- 10.1 Is this report exempt?

No

11.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

- (1) **Our Priorities** (Please double click on the check box)

- | | |
|--|-------------------------------------|
| The area has a positive image and attracts people and businesses | <input checked="" type="checkbox"/> |
| Our communities are more cohesive and inclusive | <input checked="" type="checkbox"/> |
| People are better skilled, trained and ready for learning and employment | <input type="checkbox"/> |
| Our communities are safer | <input checked="" type="checkbox"/> |
| Vulnerable people and families are supported | <input checked="" type="checkbox"/> |
| Substance misuse and its effects are reduced | <input type="checkbox"/> |
| Health is improving and health inequalities are reducing | <input checked="" type="checkbox"/> |
| The environment is protected and enhanced for all | <input checked="" type="checkbox"/> |
| The Council is effective, efficient and recognised for excellence | <input type="checkbox"/> |

- (2) **Council Policies** (Please detail)

Making Clackmannanshire Better
Local Housing Strategy 2012 - 2017

12.0 Equalities Impact

12.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes No

13.0 Legality

13.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

14.0 Appendices

14.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1 - Private Sector Housing Assistance Scheme August 2015

Appendix 2 - Summary of proposed changes August 2015

15.0 Background Papers


15.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes (please list the documents below) No

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**Clackmannanshire
Council**

www.clacksweb.org.uk

**PRIVATE SECTOR HOUSING
ASSISTANCE SCHEME**

**Housing (Scotland) Act 2006
Section 72 Statement of Assistance**

August 2015

Contents

Part 1	Background	
1.1	Purpose of this Statement	4
1.2	Vision and Strategy	4
1.3	Assistance available	5
1.4	Priorities for financial assistance	6
1.5	Accessing services	7
1.6	Partners	8
1.7	Equal Opportunities and Service Standards	8
Part 2	Adaptations for People with a Disability	
2.1	Information and advice for homeowners and tenants	9
2.2	Practical assistance	9
2.3	Assessment of circumstances and needs	9
2.4	Timescales for assessment	10
2.5	Criteria for Financial Assistance	10
2.6	Mandatory works	11
2.7	Discretionary works	12
2.8	Maintenance of Equipment Installed	12
2.9	Financial assistance	12
2.10	Appeals process	13
2.11	When Assistance might be withdrawn	13
2.12	Assistance with Reinstatement	14
Part 3	Works to Improve House Condition	
3.1	Condition standards	15
3.2	Information and advice	15
3.3	Practical assistance	15
3.4	Financial Assistance	17
3.5	Empty Homes	18
3.6	Door Entry Programme	18
3.7	Appeals process	18
3.8	Enforcement Action	18
3.8	Notices	19
3.10	Repayment charges	20
3.11	Appeals process	20
Part 4	Energy Efficiency	
4.1	Information and advice	21
4.2	Practical assistance	21
4.3	Financial assistance	22
Part 5	Private Tenants and Landlords	
5.1	Private Tenants and Landlords	23
5.2	Repairing Standard	23
5.3	Financial Assistance for Private Landlords	23
5.4	Disabled Adaptations for Private Tenants	24
Appendices		
Appendix 1: Definitions		
Appendix 2: Housing Strategy - Relevant priorities and key actions		
Appendix 3: Useful contact details		
Appendix 4: Qualifying Criteria for Adaptations		
Appendix 5: Procedure for major adaptation works		

Part 1 Background

1.1 Purpose of this Statement

1.1.1 This statement sets out the Council's Private Housing Assistance Scheme which explains:

- how the Council will provide advice, information and assistance to help homeowners **improve the quality** of private housing throughout Clackmannanshire
- the assistance available for homeowners and private tenants to **adapt** their homes
- the Council's **priorities** for assistance.

1.1.2 This statement of assistance will be revised periodically, at least every three years. Updates on specific changes regarding the range and scope of advice and assistance available occurring before a major review is carried out will be reported on the Council's website. A list of abbreviations and definitions is included in appendix 1.

1.2 Vision and Strategy

1.2.1 The Clackmannanshire¹ housing strategy highlights that **every household in the area should have access to a good quality and affordable home, with advice and support services that meets their needs.**

The Scheme of Assistance, sets out that the Council will focus on **improving the standard, accessibility and energy efficiency of houses in the private sector.**

The Clackmannanshire Housing Strategy approved by the Council in December 2012 sets out the priorities for the Housing Service and partners for the next 5 years. The improvement of conditions and accessibility in the private sector relates directly to 5 out of the 8 overarching priorities stated in the Strategy. These priorities, along with what we are seeking to achieve, are listed below:

Best Use of Existing Housing: *The housing we already have is optimised and effective in providing choice and meeting need.*

Support for Independent Living: *Those requiring assistance to live independently at home have access to effective housing support.*

Specialist Housing: *People have access to specialist or adapted accommodation where there is an assessed need.*

¹ <http://www.clacksweb.org.uk/housing/localhousingstrategy/>

Energy Efficiency and Fuel Poverty: *Energy efficiency is improved and fuel poverty and carbon emissions are reduced across all tenures.*

Improving Neighbourhoods and Communities: *Organisations and partnerships working with communities will improve the quality of life for all households.*

A number of key actions have been identified within the Strategy, and these will be added to as the action plan is developed throughout the life of the Strategy. A list of relevant key actions are included in appendix 2.

1.2.2 We aim through the 'Scheme of Assistance' to:

- **promote greater responsibility among homeowners for the repair and maintenance** of their property and sets out a range of ways in which the Council will encourage this
- help homeowners and private tenants remain in their homes through provision of **advice and assistance to carry out adaptations.**

1.2.3 The purpose of the scheme is specifically to:

- improve the condition of private sector housing
- eradicate housing which is below the minimum 'Tolerable Standard'
- encourage owners to recognise that they are responsible for maintaining their homes
- provide advice and assistance to help homeowners improve, repair and adapt their homes
- help older and disabled residents in private properties live independently in their home for as long as they choose to do so
- improve energy efficiency in private housing

1.3 Assistance Available

1.3.1 There are three main types of assistance available to homeowners and private tenants:

- **Advice and Information**
To help owners fulfil their duty to properly maintain or adapt their homes. The Council will provide general advice and information on a range of property condition issues and adaptations, including how to find reliable contractors and arrange to have works carried out. Specific advice and information will be given to help homeowners and private tenants maximise the energy efficiency of their homes

and reduce carbon emissions, as well as prevent fuel poverty and advise on renewable energy. Customers will be signposted to other agencies which may be able to help with raising funds for work needed.

- **Practical Assistance**

To help owners to fulfil their repair and maintenance responsibilities, particularly where common ownership presents more complicated issues. This might be, for example, property inspections or details for work specifications. To help with home energy and fuel poverty issues, the Council may assist with Energy Performance Certificates, Green Deal Assessments and specialised advice and assistance to help those in fuel debt.

- **Financial Assistance**

The Council will make grants available to homeowners and private tenants who meet the criteria for eligible adaptations. There may be limited financial assistance to homeowners for some specific works to improve house conditions and energy efficiency.

See appendix 1 for more detail on how assistance will be delivered.

1.4 Priorities for Financial Assistance

1.4.1 There is limited funding available to assist homeowners to bring their properties up to the required standard. Although information and advice will be available to all households, financial assistance will be prioritised by type of works and, in some cases, by geographical area, depending on whether there are priority area initiatives in place. Any financial assistance depends on the availability of funding and is at the discretion of the Council, with the exception of mandatory disabled adaptations, which are a statutory requirement (see section 2.6.1). Priority will be given to works which will address tolerable standard issues, particularly structural and wind and watertight works. Financial assistance may be by way of a contribution to an area based project being organised by the Council or a partner organisation, rather than a grant to an individual.

1.4.2 The priority works for financial assistance are:

Mandatory

- Essential adaptations for people with disabilities

Where Resources Permit

- Properties which are substandard, including those which are below the tolerable standard (BTS) or at risk of becoming BTS within 12 months, and particularly for clients eligible for supported owners' services

- Common repairs and some improvement works, where a number of owners are required to come together to contribute to works, such as a new roof or door entry system for a block of flats. Priority will be given to blocks with Council properties where proposed works are needed to allow the Council to meet the required Scottish Housing Quality Standard (SHQS)
- Contributions to Energy Efficiency improvements, such as wall insulation, hard to treat and non traditional properties, roof repairs required before loft insulation can be fitted and replacement heating for failed systems that cannot be funded through existing Government grants and support
- The Council may, from time to time, designate certain areas for targeted funding, such as the Village and Small Town Centre Initiatives focusing on areas such as Alloa, Sauchie and Tullibody. This could include designation of formal Housing Renewal Areas or a corporate improvement initiative, such as Making Clackmannanshire Better, involving the co-ordination of various Council services

1.4.3 Exceptional Circumstances

In some exceptional circumstances, there may be a case for funding to be made available, for example where a project falls within a wider corporate priority of the Council, or if exceptional hardship can be demonstrated. Any funding will be subject to availability of resources and must be approved in line with the Council's Scheme of Delegation, depending on the level of funding required.

1.5 Accessing Services

- 1.5.1 The Council's Customer Services team will be the first point of contact for telephone enquiries from people who require information or advice regarding the repair, maintenance or improvement of their home. Customers may be signposted to the appropriate service or partner agency, depending on their enquiry.
- 1.5.2 The Private Sector Housing Team will be the initial point of contact for homeowners requiring general information or advice who are visiting the Council Offices or enquiring via the Clackmannanshire Council website www.clacksweb.org.uk
- 1.5.3 Initial enquiries relating to disabled adaptations will be referred to Social Services if an assessment of needs has not been carried out.
- 1.5.4 Requests for information relating to energy efficiency, fuel poverty and renewable energy will be dealt with by our Home Energy Strategy team.

1.6 Partners

- 1.6.1 In order to provide a fully responsive service to its customers, the Private Sector Housing Team works with a number of services and partners. Useful contact details for can be found in appendix 3.

1.7 Equal Opportunities and Service Standards

- 1.7.1 The Council's Customer Charter sets out the service standard any customer contacting the organisation should expect. Its key commitments towards excellent customer care and equal opportunities are detailed. A copy of the Customer Charter can be found on the Council's Website at www.clacksweb.org.uk or in any Council office.

Part 2 Adaptations for People with a Disability

2.1 Information and advice for homeowners and private tenants

2.1.1 When someone feels that they need an adaptation or equipment to help them to remain as safe and independent as possible in their home, they should contact Social Services in the first instance. A community care assessment of the person's circumstances and needs will be carried out to ensure they are provided with tailored advice and services that meet their long-term needs, in the most cost-effective way. For those who do not have an essential need for an adaptation, advice and general assistance will be given, and people will be signposted to other services who might be able to assist, such as voluntary sector agencies or such other service provision as may be approved by Council.

2.2 Practical Assistance

2.2.1 If a person is assessed as having an essential need for a large (known as 'major') adaptation, such as a bathroom adaptation or stair lift, an application for a Disabled Adaptation Grant should be submitted. The steps involved in this process are outlined at appendices 4 and 5. The Private Sector Grants team will help co-ordinate the process, along with the Community Care Worker, and monitor the project and standard of works on behalf of the customer.

2.2.2 If a person is assessed as requiring a minor adaptation, such as a grabrail or keysafe, this will be organised and paid for by the Council. The Social Services team will arrange for a contractor to carry out the necessary work and liaise with customers during this process.

2.3 Assessment of Circumstances and Needs

2.3.1 Anyone can contact the Social Services Community Care Assessment Team to request advice, information or an assessment of a particular need for adaptations. Contact details are shown in appendix 3.

2.3.2 Information provided by the customer (or their representative) at this stage will help decide how quickly an assessment is carried out. This is based on a risk assessment using criteria to help us manage the high demand for services and to ensure that the people who are most in need are seen first.

2.4 Timescales for Assessment

2.4.1 Priorities for carrying out the initial community care assessment are as follows:-

Priority 1 Critical risk	There are <u>major</u> risks to an individual's independent living or health and well-being. Likely to call for immediate or imminent provision of social care services
Priority 2 Substantial risk	There are <u>significant</u> risks to an individual's independence or health and well-being. Likely to call for the immediate or imminent provision of social care services
Priority 3 Moderate risk	There are <u>some</u> risks to an individual's independence or health and well being. These may call for the provision of some social care services managed and prioritised on an ongoing basis or they may simply be manageable over the foreseeable future without service provision with appropriate arrangements for review
Priority 4 Low risk	There may be some quality of life issues but few risks to independence or health and wellbeing. Limited requirement, if any, for social care services. Likely to be some needs for alternative support or advice, and appropriate arrangements for review over the foreseeable future or long term. Dependant on available financial resources

2.4.2 A community care worker, who may also be an occupational therapist, will visit the person at home to carry out the assessment and will let the customer know the outcome. Consent is sought for sharing information with partner agencies.

2.5 Criteria for Financial Assistance

2.5.1 The assessment of need is carried out in line with the Council's criteria for the provision of equipment and adaptations, detailed in appendix 4. Works are split between major and minor adaptations, depending on the size and cost of the job. Depending on individual needs and how these can be met, adaptations are either classed as **mandatory** (where the Council must give financial assistance) or **discretionary** (where the Council may give financial assistance, but does not have to).

2.5.2 Following the assessment, a referral for funding is submitted to the Private Sector Adaptation Review Panel, which includes officers from Social Services and Housing and meets on a monthly basis, who make a decision on whether an adaptation is mandatory or discretionary. Grant funding will only be considered for medically essential adaptations which are provided to a person's only, or main, home.

2.5.3 If a person is in privately rented accommodation they can apply for a grant but they must obtain written permission from the landlord allowing the adaptation to go ahead. Landlords cannot withhold consent unreasonably.

2.5.4 Grant assistance cannot be given for the same works within a 10 year period.

2.6 Mandatory works

2.6.1 Works which fall into the 'mandatory' category must be given a grant by the Council and will take priority for funding. Adaptations covered by mandatory grant centre around the provision of personal care facilities (toileting and bathing) and improved access (e.g. ramps and door widening). The works eligible for mandatory grant are:

- WC
- wash hand basin
- shower (over bath/walk in/level access/wet floor)
- height adjustable bath/showering table
- specific, specialised toilet installations
- ceiling tracking hoists
- bathroom extension, including integral garage conversion
- kitchen sink unit and safe cooking/working area where essential to make accessible for a wheelchair user
- widen door openings or sliding door conversion for wheelchair access
- permanent external ramps and handrails to one entrance of the home (*not necessarily the front door*)
- internal curved stair-lift or through-floor lifts to access amenities such as bathroom, bedroom or kitchen not on the same floor as the main living accommodation
- provision of permanent external step lifts to provide access to one entrance to the home (*not necessarily the front door*)

2.6.2 Extensions to provide living accommodation (other than for essential personal care) are not included within the scope of mandatory grant.

2.6.3 Extensions will only be considered once all other options have been explored, including moving to more suitable accommodation. Cases are required to be supplied with supporting information to confirm an extension is the most suitable way to assist the disabled person, including if the proposed adaptation is cost effective for the Council.

2.6.4 Bathroom adaptations and extensions must be provided with drawings which highlight the proposed adaptation will meet the minimum space standards as detailed in publication, Housing for Varying Needs: A Design Guide.

2.6.5 Above ground floor bathroom adaptations can only be considered once all other options have been explored. An adaptation of this kind will only be allowed if the property can be fitted with a stairlift and have

ramped access to one entrance to ensure the disabled person does not become knowingly housebound.

2.7 Discretionary works

2.7.1 The Council will consider giving grant for some works on a discretionary basis, subject to available funding. These include:

- adaptation to kitchen units to make them accessible from a wheelchair or for non wheelchair user
- secure enclosures to garden
- installation/adaptation of door opening and/or phone entry systems
- raising or lowering of power points and switches
- alterations to widen existing paths and steps
- change of heating type where sleeping in room with gas fire

2.8 Maintenance of Equipment Installed

2.8.1 For any equipment installed as part of the adaptation, such as a stair lift, ceiling track hoist or specialist toilet, the owner will be responsible for arranging and paying for the maintenance contract or any repairs required after the warranty period expires. Details of any warranty provided will be passed to the client, where relevant.

2.9 Financial Assistance

2.9.1 If an assessment by the Council determines a need for essential equipment or adaptations that cost less than £1,500, these costs will be met by the Council.

2.9.2 If it is assessed that adaptations over £1,500 are necessary and are eligible for (mandatory) grant assistance, a Disabled Adaptation Grant will be awarded. The grant will cover a minimum of 80% of the cost of the eligible work. The remaining 20% will depend on the person's income. The Council has a Test of Resources (see appendix 1) which will work out how much, if anything, the client will have to contribute to the works.

2.9.3 It is a legal requirement that the Council has to register all grants given on the title deeds of the owner's property. There is a £60 charge, set by the Registers of Scotland, to make this amendment which must be paid by the homeowner. This payment is initially made by the Council and the cost is recovered from the final grant payment.

2.9.4 For adaptations assessed as discretionary, the Council may give a grant (if funding is available) but the Test of Resources will be applied to the full cost of the eligible works to calculate the amount of grant payable, if relevant.

- 2.9.5 Where people are required to make a contribution to the works, they may be signposted to agencies which may be able to help with paperwork for financial institutions, where a loan is being sought, and with advice and assistance on any charitable donations which may be available.
- 2.9.6 Where a client does not qualify for 100% financial assistance, the Council may consider a top-up award in some exceptional circumstances, where there is evidence of extreme financial hardship. This will be considered by the Private Sector Adaptations Review Panel on an individual case basis. Clients will need to provide detailed financial information to evidence their situation and may require to be assessed by the Council's Money Advice Team to explore any available options to maximise their income.
- 2.9.7 Where it has been agreed that it is more cost effective or appropriate for the homeowner to move because, for example, their existing house is not suitable for the necessary mandatory adaptation, it is considered that it will cost too much for the works, the Council may provide financial assistance with the legal and removal costs of purchase and/or sale of a property. The Private Sector Adaptation Review Panel will consider assistance of this type after all alternatives have been explored. In the case of a private tenant, assistance may also be given to find alternative rented accommodation.

2.10 Appeals process

- 2.10.1 If a person is not satisfied with the outcome of the community care assessment, a resolution will be sought through negotiation. If this cannot be achieved, the Social Services complaints procedure should be followed.
- 2.10.2 Customers have the right to appeal if they do not agree with the value of grant offered. They can contact the Private Sector Housing Co-ordinator and ask for a re-assessment to be carried out. If the customer is still dissatisfied with the outcome, they can follow the Council complaints procedure.

2.11 When assistance might be withdrawn

- 2.11.1 If an applicant withdraws their application after incurring costs, such as architect fees, they will be liable for full payment of those costs.
- 2.11.2 If an applicant moves or sells the property while work is being carried out, a grant would not be payable and the applicant will be responsible for any costs incurred to that point. Any payments already made by the Council must be paid back by the applicant.

2.11.3 If any of the conditions detailed in section 83 of the Housing (Scotland) Act 2006 are breached the local authority may demand repayment².

2.12 Assistance with reinstatement

2.12.1 If a homeowner requires assistance with the reinstatement of a property after adaptation, the Private Sector Housing Team can provide advice and signposting regarding how to organise and pay for this work. However, no grant will be given.

2.12.2 If the adaptation works were carried out within a property owned by a private landlord, assistance may be available for reinstatement, but not for structural works such as permanent ramps and door widening.

² as specified in sections 86 and 87 of the Act.

Part 3 Works to Improve House Condition

3.1 Condition Standards

- 3.1.1 The minimum standard all housing has to meet is defined by the Tolerable Standard, which is detailed in appendix 1. Properties considered to be 'Below Tolerable Standard' (BTS), or in a serious state of disrepair and likely to become BTS within 12 months if no work is done, will be targeted for assistance. This will start with advice and information but the Council will take enforcement action where necessary to ensure standards are improved.
- 3.1.2 Social housing (Council and Housing Association) has a higher standard to meet; the Scottish Housing Quality Standard (SHQS). The Council, as a landlord and owner of properties in the block, may take enforcement action against owners who have bought ex-Council flats to ensure necessary works are carried out.

3.2 Information and Advice

- 3.2.1 Homeowners can contact the Private Sector Housing Team if they require information or advice regarding the repair, maintenance and improvement of their property, as well as energy efficiency and fuel poverty. The Private Sector Housing Team may also refer and signpost customers to relevant agencies, bodies or Council services for more specialised advice and assistance.
- 3.2.2 Customers can request advice by e-mail, letter, telephone or by appointment at the Council Offices. A variety of sources of information are available in the form of leaflets, booklets and on the Council's website and the Private Sector Housing team will work to raise awareness of these.

3.3 Practical Assistance

- 3.3.1 The Council is keen to encourage homeowners to take a proactive approach towards properly maintaining and repairing their homes. A range of practical assistance will be available to all private sector customers, where resources permit. As well as improving home energy and reducing fuel poverty, which is covered in part 4, priority will be given to:
- households in common ownership properties, particularly flats, where owners need to work together to carry out shared works
 - older and more vulnerable people
 - those with a disability
 - people living in priority areas (see Part 1)
 - households living in non-traditional type housing

3.3.2 A range of information and advice leaflets will be available on www.clacksweb.org.uk for homeowners to access.

3.3.3 Practical assistance covers a wide range but can include property inspection to assess specific repairs works, advice on preventative maintenance, meeting with residents' groups, practical advice on specifying works needed and on appointing contractors.

3.3.4 In common blocks of flats, resource permitting, the Council can work with owners to establish an Owners' Association. This would involve assisting owners to work together to establish the overall condition of their block, how to arrange works and how costs should be distributed between owners.

3.3.5 Maintenance Plans & Accounts

The Council may also, resource permitting, assist owners in setting up a Maintenance Plan for properties in a common block. The plan would cover a period up to 5 years and detail the works required to keep the block to reasonable standard of repair. Advice could also be given on how to set up a communal maintenance account to save collectively for shared works.

3.3.6 Missing Share

Where common repair works are being organised by a group of owners and progress is hampered because there is an owner who cannot be found (absent owner), an owner is unable to pay (or it seems unreasonable for them to pay), the Council may choose to pay the missing share into an existing maintenance account. If the share is paid by the Council this will be recovered from the missing owner by placing a repayment charge on the title deeds of their property.

3.3.7 Housing Renewal Areas

Specific areas of interest across Clackmannanshire, such as town centres, may be designated as Housing Renewal Areas (HRAs). This will enable the Council to target poor property conditions and overall amenity of the area with potential for demolition if necessary. This will be considered where property conditions are significantly substandard and alternative options to encourage owners to take responsibility for their properties have failed, or are considered to be unlikely to succeed.

3.3.8 Lead Water Pipes

The Private Sector Housing team can give information and advice to owners who are replacing lead water pipes but no financial assistance is available.

3.3.9 Private Water Supplies

Specific regulations relate to houses served by private water supplies. Advice on this can be sought from the Council's Environmental Health team.

3.4 Financial Assistance

3.4.1 Funding available to provide financial assistance to homeowners is very limited, and must be targeted to where it is most needed to help the Council achieve the priority objectives.

3.4.2 Owners have options available to them to fund repair and improvement works. These include:

- Personal savings
- Commercial loan products (often secured on the property, such as extending mortgages and equity release schemes)
- Grants from the Council or other agencies, such as Historic Scotland, Energy Companies and charitable organisations
- Green Deal and other Government energy efficiency initiatives.

3.4.3 Homeowners who are having difficulty meeting the cost of repairs, maintenance or improvements to their home can obtain advice and information from the Private Sector Housing Team. Whilst the Council cannot provide legal or financial advice, it can give general information and signpost people to where this type of advice can be found.

Owners should always seek independent financial advice before agreeing to any loan.

3.4.4 Although there is no requirement for the Council to give owners financial assistance with the cost of repairs works, the Council may issue grant to particular priority cases, depending on the availability of resources. The priority works for assistance are outlined in section 1.4.

3.4.5 For works deemed as a priority, that have been approved for grant funding, 50% of the eligible works costs may be covered by grant. The Council's Test of Resources, detailed in appendix 1, may apply to the remaining 50%. The maximum grant which can be received will be £5,000. No further grant can be allocated to the property within a 10 year period. When a grant is issued, a notice of repairs grant will be registered against the title of the property, this incurs a £60 charge for amended a property's title deeds which must be paid by the owner of the property.

3.4.6 Any financial assistance for repair or renewal of a roof will also require loft insulation to be renewed or upgraded and adequate roof ventilation is provided in accordance with current Building Standards technical

guidance³. The Council's Home Energy Strategy Officer can advise on possible funding available for insulation.

3.5 Empty Homes

3.5.1 Shelter Scotland, in partnership with the Scottish Government, operate the Scottish Empty Homes Partnership. This Partnership provides information and advice to owners of privately owned, long term empty homes to bring these properties back into use. Empty homes are defined as having been unoccupied for a minimum of 6 months.

3.6 Door Entry Programme

3.6.1 As highlighted in 1.4 priority for financial assistance is given to common repairs and some improvement works to blocks with Council properties where proposed works are needed to allow the Council to meet the required Scottish Housing Quality Standard (SHQS).

3.6.2 In these circumstances owners will be offered the same level of grant as detailed in 3.4.5, with the exception of private landlords. Registered private landlords who own and let 1 property, with a current gas safety certificate where applicable and working smoke alarms, will be offered a flat rate grant of 25% towards the cost of a door entry system installation. Registered private landlords owning more than one property are not eligible for any financial assistance.

3.7 Appeals Process

3.7.1 Owners who do not agree with the outcome of an application for financial assistance can make an appeal to the Head of Housing and Community Safety, who will review the decision. This may be delegated to an appropriate senior officer.

3.7.2 The applicant will be notified of the outcome and, if they are not satisfied, the appeal can be pursued further through the Council's complaints procedure.

3.8 Enforcement Action

3.8.1 The aim of the Assistance Scheme is to promote owner responsibility, with minimal statutory intervention. The Council will encourage owners to be responsible with regard to property repairs and maintenance. However, there may be situations where enforcement action is necessary, for example, to enable the Council to deal with emergency/urgent works or address issues of public safety, or to assist

³ As specified in Section 6 (Energy) and Section 3 (Environment) of the Domestic Technical Handbook providing guidance on achieving the standards set in the Building (Scotland) Regulations 2004

owners in dealing with common repairs where they have been unable to obtain the agreement of their neighbours.

- 3.8.2 In instances where enforcement becomes the only option, the type and level of action will be determined by both the severity of the problem and the commitment made by the owner(s) to addressing the problem.
- 3.8.3 Where the Council has to carry out works to meet the minimum Scottish Housing Quality Standard (SHQS) and this work is blocked by owners not participating then enforcement action will be considered.
- 3.8.4 If initial attempts to engage with owners to undertake works prove unsuccessful, the Council may need to consider issuing a Work Notice on owners to ensure repairs are carried out. To support any potential need for a Work Notice an independent survey will be instructed to establish the full extent of the works required.
- 3.8.5 Where the properties are found to be below the tolerable standard or in a state of serious disrepair, a Work Notice will be issued to owners and all interested parties detailing the works necessary to bring the properties back up to a reasonable standard, at least the tolerable standard, and a timescale by which the work is required.
- 3.8.6 If the owners fail to comply with the Notice, the Council may arrange to carry out the work on their behalf and recover all relevant costs, including an administrative fee and VAT.

3.9 Notices

- 3.9.1 The Council may take enforcement action by issuing a Work Notice⁴ where necessary to ensure that BTS failures and serious disrepair issues are addressed. In certain cases, the Council may instead use different pieces of legislation, such as the Tenements (Scotland) Act 2004 and the Title Conditions Act 2003.
- 3.9.2 The Council may issue a Maintenance Order⁵ to ensure the property is kept in a reasonable state of repair. This requires owners to submit a Maintenance Plan and, if one is not submitted, the Council may issue such a Plan on behalf of an owner and recover all necessary costs.
- 3.9.3 If a problem has been identified within common parts of a building, owners should first attempt to contact their co-owners. If they share responsibility for upkeep of the property, they should try to discuss and agree how repairs can be carried out. If they require advice regarding how to arrange or pay for this repair, they should contact the Private Sector Housing Team.
- 3.9.4 If agreement cannot be reached with the owner, the Private Sector Housing Team may take enforcement action to ensure works are

⁴ as per section 30 of the Housing (Scotland) Act 2006

⁵ as per section 42 of the Housing (Scotland) Act 2006

carried out. All necessary costs incurred will then be recovered from the owner, this may involve placing a repayment charge on the title deeds of a property to ensure the costs are recovered by the Council, even if the property is sold.

3.9.5 The Council may carry out necessary works where owners are reluctant to do so, and will recover costs from the owners. The Council may also cover the proportion of costs attributed to a 'missing' owner (where an owner cannot be identified or contacted)⁶. Assistance may also be provided by the Council to help common owners set up a maintenance account for future common repairs.

3.10 Repayment Charges

3.10.1 If a Work Notice is served on a property instructing owners to take action to deal with BTS failures or serious disrepair issues a repayment charge is placed on the title deeds of a property to ensure the Council recovers its costs, which include an administration fee to cover expenses incurred and interest rates.

3.10.2 A repayment charge enables the Council to determine a reasonable repayment period, as amended by the Housing (Scotland) Act 2014, of between 5 and 30 years. A repayment period will be agreed with the owner, if the repayment plan is not kept too, the outstanding costs will be recovered when the property is sold. In terms of financial ranking against a property, a repayment charge ranks higher than a mortgage, therefore the amount will be repaid prior to any other outstanding debt.

3.10.3 If there is any remaining balance of cost unmet by an owner, or if an owner will not participate in the works, the Council will recover the unpaid share of costs through a charge on the property⁷. This will include an administration fee to cover expenses incurred and interest charges.

3.11 Appeals Process

3.11.1 Details of the appeals process are outlined on each enforcement notice. Any appeal must be made within 21 days from the date the notice was served. Enforcement action will be suspended until the outcome of the appeal is known.

3.11.2 If a Work Notice suggests a repayment period of less than 30 years, the owner has the right to appeal this decision.

⁶ as per sections 50 and 51 of the Housing (Scotland) 2006 Act.

⁷ as per section 172 of the Housing (Scotland) Act 2006

Part 4 Energy Efficiency

still to be updated

4.1 Information and Advice

4.1.1 The Council is committed to ensuring all residents are able to heat their home to a comfortable level at an affordable cost. The Council is also committed to reducing greenhouse gas emissions from domestic properties. Council's, through their Local Housing Strategies and other associated policies, have been tasked with developing a range of ways to ensure, so far as reasonably practicable, that people do not live in fuel poverty. The Scottish Government's target to achieve this is by 2016. As part of this work, Clackmannanshire Council has a dedicated Home Energy Strategy Officer.

4.1.2 Fuel poverty is an area of major concern for the Council. A person, or household, is said to be in fuel poverty if they spend more than 10% of their income to maintain a satisfactory heating regime.

4.1.3 The Council's Home Energy Strategy Officer delivers a range of information and advice on energy efficiency to all Clackmannanshire residents. This includes:-

- Fuel bills, fuel debt and behavioural change
- Thermal insulation
- Central heating efficiency
- Renewable energy
- Green Deal Occupancy Assessments
- Energy Performance Certification
- Grants and loans associated with energy efficiency and improvement

4.1.4 The Home Energy Strategy Officer can provide signposting to various local and national energy efficiency schemes, as well as more specialised agencies and services where required. The Council may target particular areas for a targeted approach to advice and assistance.

4.1.5 A wide range of information and advice is available both on the Council's website and in leaflet form. A referral may be made to partner agencies, such as the Energy Saving Scotland advice centre.

4.2 Practical Assistance

4.2.1 The Home Energy Strategy Officer may carry out home visits to give personalised advice and support. This may include a tailored energy efficiency survey of the property to establish how individual households

can make best use of their heating systems and encourage a positive change of behaviour towards home energy.

4.3 Financial Assistance

- 4.3.1 The Home Energy Strategy Officer can provide signposting and assistance with accessing various external grants and other sources of funding.
- 4.3.2 Private tenants may be able to access grants for central heating and insulation through Government initiatives, if they meet the eligibility criteria and have their landlord's permission to have the work carried out. The Council's Home Energy Strategy Officer can provide further advice in relation to this.
- 4.3.3 The Council may, subject to funding being available, issue specific grants or loans to homeowners to help improve energy efficiency in their homes. Additional guidance will cover any schemes in operation and details can be obtained from the Home Energy Strategy Officer.
- 4.3.4 Grants from the Council for energy works are generally not available for private landlords although they may benefit from particular area based initiatives being undertaken by the Council. Private Landlords have access to the Landlord's Energy Saving Allowance (LESA), an income tax allowance for capital expenditure on improvements to property insulation. There may also be funding opportunities from the Government.

Part 5 Private Tenants and Landlords

5.1 Private Landlord Registration

- 5.1.1 Almost all landlords who let property are required to be registered with the national landlord register, set up by Scottish Government. The aim of registration is to ensure all landlords have passed a fit and property person test, best practice information is shared amongst landlords and that the worst landlords in the sector are tackled by ensuring they deal with antisocial behaviour and property conditions.
- 5.1.2 Registration lasts for 3 years, after which it must be renewed if landlords still let property, and each individual property you let must also be registered. Registration costs £55 per landlord and £11 for each property registered. Further information is available on www.landlordregistrationscotland.gov.uk.
- 5.1.3 It is against the law to let a house without being registered. Landlords who operate and are not registered risk a maximum fine of up to £50,000. The Council will take action against landlords who are found to be letting property and are unregistered.

5.2 Repairing Standard

- 5.2.1 Landlords have a duty to ensure that any house they rent meets the basic standard of repair; the 'repairing standard'. Details of the Repairing Standard are listed in appendix 1.
- 5.2.2 If a tenant believes that their rented house does not meet that standard, they can contact the Private Rented Housing Panel. After investigation, the landlord may be required to carry out the necessary repairs. Various penalties apply if the landlord then does not do so. Contact details can be found in appendix 2.

5.3 Financial Assistance for Private Landlords

- 5.3.1 Priorities for financial assistance are highlighted in 1.4 and level of grant offered, resource permitting, is detailed in 3.4.5. The only exception to this, as confirmed in 3.6.2, is in relation to the installation of door entry system works to allow the Council to meet the required Scottish Housing Quality Standard (SHQS), whereby registered private landlords who own and let 1 property, with a current gas safety certificate where applicable and working smoke alarms, will be offered a flat rate grant of 25% towards the cost of a door entry system installation. In exceptional circumstances this may be increased to 50% where particular hardship can be evidenced. Registered private landlords owning more than one property are not eligible for any financial assistance.

5.4 Disabled Adaptations for Private Tenants

- 5.4.1 Private landlords have a duty, under the Disability Discrimination Act 1995, to take reasonable steps to help disabled tenants. This could involve helping with small adaptations or equipment such as taps, door handles or grab rails.
- 5.4.2 Private tenants can apply for a grant for larger adaptations based on their needs where they have been assessed by Social Services (see Part 2 Adaptations for People with a Disability).
- 5.4.3 Under the Housing (Scotland) Act 2006, landlords cannot unreasonably refuse permission for an adaptation to be made for a disabled occupant who has applied for consent to do so. However, tenants must obtain the consent of their landlord before they apply for a grant.

Definitions

Below Tolerable Standard (BTS)

The 'tolerable standard' is the measure of housing quality used to determine whether a property meets a minimum acceptable living standard. A property 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 piped supply of wholesome water available within the house;
- has a sink provided with a satisfactory supply of both hot and cold water within the house;
- has a water closet or waterless closet available for the exclusive use of the occupants of the house and suitably located within the house;
- has a fixed bath or shower and a wash-hand basin, each provided with a satisfactory supply of both hot and cold water and suitably located within the house;
- has an effective system for the drainage and disposal of foul and surface water;
- in the case of a house having a supply of electricity, complies with the relevant requirements in relation to the electrical installations for the purposes of that supply;
 - 'the electrical installation' is the electrical wiring and associated components and fittings, but excludes equipment and appliances;
 - 'the relevant requirements' are that the electrical installation is adequate and safe to use
- has satisfactory facilities for the cooking of food within the house; and
- has satisfactory access to all external doors and outbuildings.

Financial Assistance

Details of the various types of financial assistance for homeowners and tenants, available from the Council are given in the Statement. The Council cannot give financial advice but will signpost customers to agencies which can.

Maintenance Orders/Plans

Where there is evidence that the longer term maintenance of the property is absent, the Council will consider serving a Maintenance Order (section 42). This requires the owner(s) to prepare a maintenance plan to ensure the property is kept in a reasonable state of repair for a period up to 5 years. The plan will set out the work to be undertaken over the specified period of time, when it will be taken, and the costs of implementing the plan. The Council will offer appropriate advice and assistance at this point.

Where a Maintenance Order applies to 2 or more properties, there will be a requirement of all owners to prepare a joint maintenance plan in respect of any common parts with costs apportioned to each owner.

The Council may approve, reject, vary or revoke the maintenance plan. Where no plan has been submitted by the owner(s) within the specified timescale, the Council may devise one.

Practical Assistance

Will normally be offered after a client request or if enforcement action is taken and may include:

- organising stair meetings to facilitate common repairs
- assistance to prepare maintenance plans
- site inspection of a particular repair issues
- involvement by the Council's Care & Repair Service

Repairing Standard

A house meets the repairing standard if:-

- it is wind and watertight and in all other respects reasonably fit for human habitation,
- the structure and exterior of the house (including drains, gutters and external pipes) are in a reasonable state of repair and in proper working order,
- the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in proper working order,
- any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order,
- any furnishings provided by the landlord under the tenancy are capable of being used safely for the purpose for which they are designed, and
- the house has satisfactory provision for detecting fires and for giving warning in the event of fire or suspected fire.

Test of Resources

This is the method applied to determine a person's ability to pay where a grant may be given by the Council. The Test used in Clackmannanshire is directly linked to the Council Tax Reduction Scheme. For mandatory disabled adaptations, clients in receipt of passported benefits specified in the legislation will be entitled to 100% grant towards eligible costs. This is subject to change (see below).

Anyone wishing to be considered for a grant must sign a mandate to allow the Council Tax benefit records to be used for this purpose. The percentage of Council Tax Reduction given at the time of application is applied to eligible works costs, to calculate the level of grant awarded. Application for Private Sector Housing Grant can be made directly to the Private Sector Housing Team.

The Council Tax Reduction Scheme is a national means test which, as part of its calculation, compares net income with nationally set applicable amounts and premiums, that take into account family and other financial circumstances such as age, disability etc. Changes to the test which may have to be made as a result of the move to Universal Credit which will be introduced from October 2013 will be publicised on the Council's website or will be available from the Council's offices.

Advice

This will normally be given after a client contacts the office either by telephone or in person, but will also be made available should enforcement action be taken. Relevant information will also be made available on the Council's website and in various leaflets. This may include information on:

- dealing with various technical issues
- referral to a specific service or partner
information on accessing various forms of funding for repairs and/or adaptations
- ongoing press articles

Work Notices

Enables remedial action in instances of short term, one off disrepair problems will be enforced by a Work Notice. This will specify the reason for issuing it, the work required, the standard the property must meet on completion and the period of time for completion (section 30).

The Council may suspend, extend the time limit of, or revoke a Work Notice. When works are complete, the owner(s) may apply to the Council for a completion certificate. This will be granted when the Authority is satisfied works have been complete and any expenses incurred are fully paid (section 59).

Empty Homes

Homes which are unoccupied and are likely to remain unoccupied. Long term empty homes are those which have been unoccupied for at least 6 months.

Factoring

Where a property factor (private business, local authority or housing association) manage or maintains land, including building, owned by 2 or more persons for residential purposes

Housing Renewal Areas (HRAs)

Housing Renewal Area can be designated where the following criteria have been identified and require to be addressed;

- housing is sub-standard,
- to bring it into and keep it in a reasonable state of repair (which must at least meet the tolerable standard); or
- the appearance or state of repair of houses is adversely affecting the amenity of the area, to enhance it.

Appendix 2

Housing Strategy for Clackmannanshire 2012-17: Priorities and key actions relating to Scheme of Assistance*

Best Use of Existing Housing

- Maintain a programme to bring private sector empty homes back into use
- Improve quality across the private rented sector, encouraging training and accreditation

Support for Independent Living

- Launch a redesigned care and repair service

Specialist

- Define the need for specialist housing within first year and agree best way to supply gaps in provision
- Review the adaptations service across all tenures

Energy Efficiency and Fuel Poverty

- Implement the Affordable Warmth and Home Energy Action Plan
- Continue to maximise funding from Government and utility company initiatives to help households improve the energy efficiency of their home
- Continue to provide match funding where possible, to maximise income

Improving Neighbourhoods

- Implement area plans with partners, targeting resources to the Council's priority areas
- Develop action plans for Alloa, Sauchie and Alva town centres and prioritising areas where housing management initiatives are established
- Enforce responsibilities of tenants and owners
- Review the private sector Scheme of Assistance and target funds to tackle disrepair
- Work with Clacks Third Sector Interface to consider services that may be better provided by voluntary sector
- Explore the role of the social enterprise approach to improve the look of neighbourhoods and improve employment and skills opportunities

***As March 2013**

Useful Contact Details

Clackmannanshire Council

Kilncraigs
Greenside Street
Alloa FK10 1EB
Tel: 01259 450000
website: www.clacksweb.org.uk

Other Agencies

AgeScotland

Causewayside House
160 Causewayside
Edinburgh EH9 1PR
Tel: 0333 32 32 400

C-Mee

Room 81
Alloa Business Centre
Whins Road
Alloa FK10 3SA
Tel: 01259 726686

Historic Scotland

Investment and Projects Team
Room 2.6, Longmore House
Salisbury Place
Edinburgh EH9 1SH
Tel: 0131 668 8801

Scottish Association of Landlords (SAL)

Hopetoun Gate
8b McDonald Road
Edinburgh EH7 4LZ
Tel: 0131 564 0100
website: www.scottishlandlords.com

Landlord Accreditation Scotland (LAS)

25 Maritime Street
Edinburgh EH6 6SE
Tel: 0131 553 2211
website: www.landlordaccreditationscotland.com

Private Rented Housing Panel

Europa Building
450 Argyle Street
Glasgow G2 8LH
Tel: 0141 242 0142
website: www.prhpscotland.gov.uk

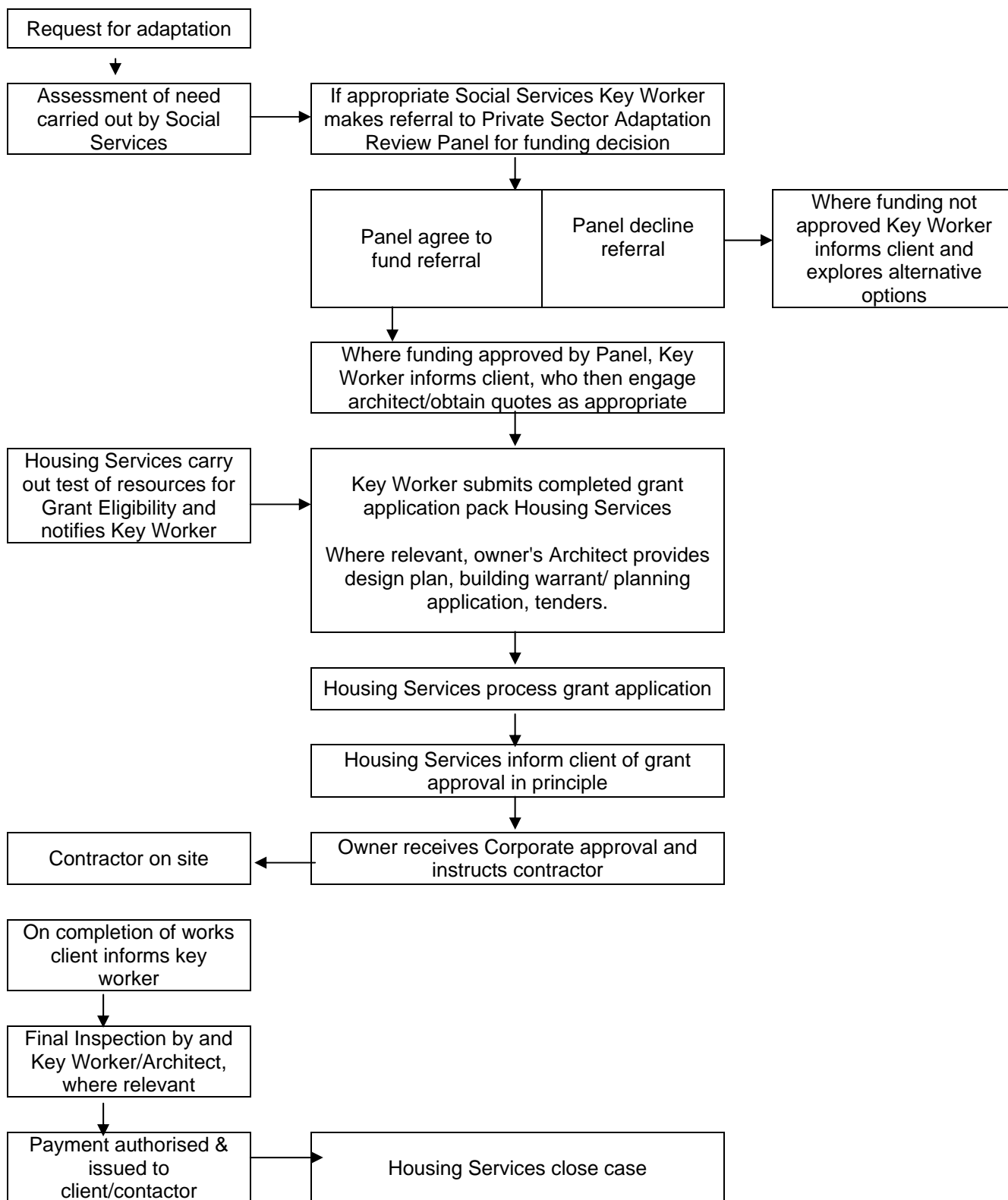
Qualifying criteria for adaptations

- 1 The person for whom the adaptation is being considered must be a disabled person, as defined in legislation (Disabled Discrimination Act 1996).

Circumstances may occasionally occur where provision of equipment/adaptation is necessary to overcome temporary disability.

- 2 The assessor concludes that the equipment/adaptation is necessary i.e. where appropriate; the first choice is for the disabled person to receive rehabilitation or training in alternative techniques to carry out a daily living activity, rather than rely on equipment/adaptations. Through assessment process, the needs of carers will also be considered.
- 3 The purpose of providing the equipment/adaptation is to increase or maintain the functional independence of a person with substantial or long term disabilities. The form of provision will be dependent on the service user's needs in relation to the disability and the technical feasibility of the site.
- 4 Account will be taken of preferences expressed by a service user, and the assessor should seek agreement about the type of provision with the service user, carer, other members of the household and, if appropriate, other agencies. the GP or District Nurse.
- 5 Equipment and adaptations are provided in the most cost effective way. Where an individual wishes a more expensive solution they, or a third party, would be expected to fund the difference.
- 6 Equipment and adaptation are within the scope of Self Directed Support. From the assessment of need for equipment or adaptations, people who are considered eligible for self-directed support can choose to request the funding and purchase the item or service themselves.
- 7 Written instructions/manufacturers instructions for equipment will be left with the service user, including advice on what to do if something goes wrong. All equipment issued will be demonstrated to the person.
- 8 Equal opportunities: ethnic and cultural aspects of the household will be considered. As part of the assessment process, the usual practices of the person with disabilities and their household will be taken into account

Procedure for Major Adaptation Works



Appendix 2 - Summary of proposed changes August 2015

Scheme of Assistance Approved March 2013/August 2014	Scheme of Assistance Proposals August 2015
1.3.2 Provision of Supported Owners' Service	Delete. Funding not available.
1.4.2 Initiatives to bring empty properties into residential use	Delete. Funding not available
1.4.3 The Council will develop supplementary guidance on such cases, as they arise.	Delete
	General amendment throughout to change exception decisions to be taken by Head of Service to decision to be approved in line with the Scheme of Delegation, depending on level of funding required.
2.5.2 Following the assessment, the decision on whether an adaptation is mandatory or discretionary is made by the Private Sector Adaptation Review Panel, which includes officers from Social Services and Housing and meets on a monthly basis.	More detail to aid clarity 2.5.2 Following the assessment, a referral for funding is submitted to the Private Sector Adaptation Review Panel, which includes officers from Social Services and Housing and meets on a monthly basis, who make a decision on whether an adaptation is mandatory or discretionary. Grant funding will only be considered for medically essential adaptations which are provided to a person's only, or main, home.

