

Private Sector Housing Assistance Policy 2014

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1. Introduction, Aims and Priorities

Introduction

- 1.1. The Salford City Council Private Sector Housing Assistance Policy 2014 (the Policy) is made under Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 Statutory Instrument No. 1860 (the RRO).
- 1.2. The Policy sets out the range of assistance that Salford City Council may make available, together with the eligibility criteria and the conditions that will be applied to each form of assistance. This Policy sets out the Council's Policy for providing financial assistance under the RRO, and applies in addition to the provision of assistance which can be made under alternative statutory powers such as the provision of mandatory Disabled Facilities Grants under the Housing Grants Construction and Regeneration Act 1996 (as amended).
- 1.3. A Private Sector Housing Assistance Policy was first introduced into Salford in 2003 with amendments in 2014, 2011, 2007, 2006 and 2004.
- 1.4. The 2014 amendment to Policy came into force on 1st September 2014 and is to govern all applications made from that date. Fully completed valid applications made by 31st August 2014 will be processed under the terms of the 2011 edition of the Policy.
- 1.5. The Council will publicise the adoption of the Policy widely and in doing so makes a commitment to apply the highest standards of customer care.

Aims & Priorities of the Policy

- 1.6. The Policy will contribute towards achieving the aims and priorities of a range of Council and partner strategies and initiatives.
- 1.7. In particular, the Policy has the following aims;
 - To support continuing improvements in the condition and management of private sector housing in the city;
 - To assist vulnerable residents who live in the private sector to make their homes safe warm and dry and access housing that meets their needs;
 - To assist in creating sustainable housing markets by helping to create attractive neighbourhoods and properties;
 - To achieve a sustainable reduction in the number of long-term empty properties;

- To improve the energy efficiency rating of private sector properties and achieve a reduction in the numbers of private residents suffering from fuel poverty;
- To achieve value for money and the most effective use of public resources through delivering appropriate forms of assistance in partnership with a range of partner agencies.

1.8. And the Policy has a number of key priorities for housing assistance. These are to support;

- Elderly, vulnerable and disadvantaged households in poverty suffering serious health and safety risks or other severe social circumstances;
- The agreed regeneration priorities and strategies of the city;
- The leverage of private investment into the city;
- Community sustainability, increased security and to combat crime and disorder.

2. Provisions of the Policy

- 2.1. The Council may make a number of forms of financial and practical assistance available to assist it to deliver specific schemes or statutory responsibilities. These forms of assistance are provided at the Council's discretion.
- 2.2. The Council will also make assistance available to facilitate delivery of specific initiatives that support particular strategic goals. The form and extent of the assistance will reflect the needs of the initiative being supported and be subject to the approval of the Assistant Mayor for Housing and Environment.
- 2.3. In doing so, the Council will be satisfied that providing such assistance represents value for money and is the best way of delivering such priorities and objectives or meets the requirements of legislation.
- 2.4. The Policy makes provision for a number of types of themed assistance to support the Council's priorities, outlined as follows;
 - Home Improvement Assistance;
 - Relocation Assistance;
 - Adaptations Assistance;
 - Block Improvement Assistance;
 - Affordable Warmth Assistance;
 - Empty Property Assistance;
 - Security Assistance;
 - Environmental Improvement Assistance;
 - Residential Leaseholders Discretionary Assistance;
 - Compulsory Purchase Order Assistance.
- 2.5. And the Policy makes provision for the following financial products to be used to support the themed assistance projects;
 - Repayment Loan;
 - Interest Only Loan;
 - Interest Roll-up Loan;
 - Equity Participation Loan;
 - Secured Interest Free Loan;
 - Direct Financial Assistance.
- 2.6. The amount of assistance to be given to each theme each year will be dependent upon the level of capital resources available through the Housing Capital Programme, which is funded from a number of different sources, and will be determined annually by the Council when it adopts its Housing Capital Programme.
- 2.7. From time to time political approval may be sought to use the Council's resources to pilot new forms of assistance in response to emerging opportunities and challenges, local and national policies. Any such pilot would

be subject to the specific approval powers as set out in the Council's Constitution and Scheme of Delegation and authority to deliver the project delegated as appropriate.

Interpretation of the Policy

2.8. The provisions and conditions contained within sections 3 to 12 of this policy must be read in conjunction with the provisions and conditions contained in section 13, Financial Assistance. To the extent that any terms and conditions contained within sections 3 to 12 of the Policy conflict with any in terms and conditions in section 13, Financial Assistance, the terms and conditions in sections 3 to 12 will prevail.

Working with partners

2.9. In accordance with the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, s22 Housing Act 1996 and Part 1 of the Localism Act 2011, the Council may administer certain forms of assistance in partnership with partner agencies and organisations where it determines it is appropriate to do so.

2.10. Where this applies, the applicant may be required to provide any information specified in this policy to any partner agency in addition to the Council and any legal charge may be registered in favour of the relevant agency instead of the Council. Where this is the case, the terms and conditions of any assistance will apply as though they were registered in favour of the Council, and the applicant will not be in any way disadvantaged as a result and will receive the same protections as though the assistance has come direct from the Council.

2.11. The Council, in conjunction with relevant partner agencies and organisations, will administer assistance with the benefit of a range of funding sources. Regardless of the source of the funding, it will be used to deliver assistance as set out in the Policy, any relevant guidelines and the terms and conditions herein shall apply.

2.12. Where the granting of any form of assistance is unlikely to be achieved in practice without financial assistance to a corporate body, the Council may make such financial assistance as it is satisfied is appropriate in the circumstances available to that corporate body subject to such conditions as may be appropriate (if any).

2.13. Salford City Council Home Improvement Agency will work closely with a contracted partner to administer the financial assessment for the Home Improvement Assistance. At the time of publication this contracted partner is;

Street UK Ltd
12-14 Regent Place
Hockley
Birmingham
B1 3NJ

Applications falling outside the scope of the policy

2.14. Where an application falls outside the scope of the policy, officers will provide support and advice regarding alternative forms of assistance where possible. Where an exception to policy is requested an appropriate report will be submitted for consideration by the Assistant Mayor for Housing and Environment.

Fraudulent applications

2.15. 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 there has been a fraudulent or wilful deception or omission in an application, it will demand full repayment of any amount of assistance so obtained, together with interest from the date of payment until the repayment, and no further amount will be paid.

Making a Complaint about the Policy

2.16. The Council operates a Complaints Procedure for responding to complaints from members of the public in respect of all Council services. The complaints hotline can be accessed by telephone on 0161 909 6540 or through the website at www.salford.gov.uk/complaints.

2.17. Any complaint regarding the performance of one of the City Council's partners in delivering the elements of this policy should be brought to the attention of that organisation in the first instance. Complaints about the performance of a partner will only be dealt with by the City Council where it is satisfied that the partner's complaints procedures have been accessed first.

3. Home Improvement Assistance for Older and Vulnerable People

Purpose

- 3.1. The purpose of Home Improvement Assistance is to provide financial and other types of support to older and vulnerable people who need help to tackle repairs to their home or need help if their home is no longer suitable.
- 3.2. The Regulatory Reform Order 2002 gave authorities a general power to give financial assistance for home repair, improvement and adaptation and the guidance sets out overarching principles such as the need to be fair and to;
 - give priority to the most vulnerable households;
 - ensure that applicants for loans are properly advised; and
 - take realistic account of people's ability to contribute, including to equity release loans.
- 3.3. By the provision of Home Improvement Assistance, the Council aims to protect elderly, vulnerable clients who are at risk from bogus callers, disreputable builders and general exploitation.
- 3.4. Owner occupiers who have the means to pay for their repairs may receive support and advice from the agencies administering Home Improvement Assistance but may not access the related Financial Product.
- 3.5. Social rented sector tenants or private rented sector tenants where the landlord is responsible for carrying out repairs may access some forms of Home Improvement Assistance but are not eligible to apply for assistance for the items covered under their landlord agreement. However, they will be referred to services that can support them in securing appropriate action by their landlord.
- 3.6. This type of assistance is discretionary. There is no automatic entitlement to the maximum or to any award of assistance. Prioritisation of available assistance will be given to the most vulnerable households.
- 3.7. Where the Council is unable to offer any assistance, or where residents merely require advice in home maintenance, they may be able to access an advice service to assist them with matters such as employing a reliable tradesperson and planning and carrying out various repairs and maintenance items.
- 3.8. In addition, residents may be directed to a range of partner agencies including the Council's loan administration partner, and any other relevant sources of information or help for further advice on possible alternative sources of assistance, where it is appropriate to do so.
- 3.9. Some forms of assistance, such as housing options and advice to move home are free and are available across all tenures.

Who administers this Assistance

3.10. The Council will make financial provision for a Handyperson Service for minor works and a Home Improvement Agency for major works. Home Improvement Assistance is delivered through these two services, as follows;

- Handypersons Service
 - For jobs under £500 in value;
 - Contracted to external provider. At the time of publication this contracted partner is;

Helping Hands
Unit 4
Swinton Hall Road
Salford
M27 4AU
- Home Improvement Agency
 - For jobs over £500 in value, or that can only be carried out via the Home Improvement Agency;
 - Delivered by the Urban Renewal Division of the Environment Directorate of the Council.

Handypersons Service

3.11. This service provides advice and practical handyperson assistance to residents who wish to carry out minor repairs and improvements to their homes. They will support persons of any tenure who require small repairs or improvements to be carried out.

Eligibility

3.12. All persons can access the Handyperson Service and the Handyperson Service may make a charge for this.

3.13. The Council may make budget available to fully or partially fund the charge that the Handyperson Service makes for some groups of people prioritised by specific vulnerabilities caused by age or disability.

3.14. The following groups will be dealt with as Priority Clients. Priority Clients will be eligible for a range of works and services at no cost or at a subsidised rate, depending on the range of works and services that the Council are funding at the time.

3.14.1. Over the age of 65 and in receipt of any of the following;

- Income Support;
- Pension Credit;
- Housing Benefit;

- Council Tax Benefit.

3.14.2. If any member of the household;

- Has a physical, sensory or other disability;
Or are in receipt of any of the following;
- Disability Living Allowance;
- Attendance Allowance.

3.14.3. A family with a child or children under the age of 5 and in receipt of any of the following;

- Income Support;
- Income Based Job Seekers Allowance;
- Working Tax Credit.

Type of Works

3.15. The Handypersons Service carries out repair or improvement works covering the following broad areas, although it is not an exhaustive list;

- Small building repairs;
- Minor adaptations (such as installation of grab rails);
- "Odd" jobs (for example, putting up curtain rails and shelves, moving furniture);
- 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.

3.16. The Council will agree a specified list of the Priority Works which will be available to Priority Clients, e.g. changing light bulbs, to ensure their health and safety. No charge will be made to Priority Clients for Priority work.

3.17. Minor electrical work and plumbing, joinery, garden maintenance, painting and decorating may be also made available through the scheme, these may be classed as Non-Priority works and there may be a subsidised or standard charge.

3.18. Discretion can be applied depending on specific circumstances and enquiries should be made of the service in these cases.

Types of Financial Products which Apply

- 3.19. Where the Council makes provision for Priority Works for Priority Clients the Council will pay Direct Financial Assistance for this work direct to the provider.
- 3.20. Where the Council makes provision for Subsidised Works for Priority Clients the Council will pay Direct Financial Assistance for the agreed proportion of the work direct to the provider.

Fees and other costs

- 3.21. No fees or costs apply to Priority Clients receiving Priority Works.
- 3.22. Where the Council makes provision to pay for an agreed proportion of Subsidised Works, the provider may then make a charge direct to the customer for the rest of the cost of the works, where that cost has been agreed beforehand.
- 3.23. The provider may make a charge direct to the customer in any circumstance where customers do not meet the eligibility criteria for Priority Clients as laid out in the policy, where that cost has been agreed beforehand.

Conditions

- 3.24. The provisions set out in the Financial Products section shall apply.

Policy Limits

- 3.25. If the works are more extensive than can reasonably be carried out under the scheme, or exceed £500, the applicant may be declined some or all works and supported to access more appropriate forms of assistance.

Home Improvement Agency

3.26. Salford Home Improvement Agency offers a range of support services to people to tackle major repairs to their homes such as leaking roofs, damp or electrical problems. This includes but is not limited to advice, support and project management of larger jobs, including helping clients to find finance for the work; or helping identify somewhere more suitable to live and help with the practical steps to move. This support can also be provided to applicants who can finance their own works but who require support to, for example, identify a good quality builder or to project manage major works. Two main services are available;

- 3.26.1. The home improvement service is provided where the customer's home is the sustainable option.

3.26.2. The housing options service will be offered in cases where a home improvement has been requested but where sustainability of the current home is assessed as an issue.

Eligibility

3.27. An applicant for home improvement assistance must be an owner-occupier who has lived in that property as their main residence for three years, or a tenant with the responsibility to carry out repairs as part of their lease or rent agreement in agreement with their landlord.

3.28. If the applicant is a tenant, access to assistance will depend on the provisions of the lease, the responsibilities of the tenant and the ability of the Council to adequately secure a financial product.

3.29. Council tenants or private sector tenants where the landlord is responsible for carrying out repairs are NOT eligible to apply for assistance.

3.30. However, all tenants will receive support in securing appropriate action by their landlord.

3.31. Clients will be assessed for eligibility and prioritised for service at the first point of contact against the following set of criteria described fully in the Home Improvement Agency Priority Assessment (see Appendix 4);

- Health;
- Work required to the property;
- Age;
- Income.

3.32. Home Improvement support will normally be prioritised to clients deemed to be vulnerable by the following criteria;

- Clients over 60 and in receipt of a means tested benefit, or;
- Clients suffering an illness or disability and in receipt of a means tested benefit which evidences such an illness or disability, or can provide the evidence of a qualified health professional, or;
- Low income families with a child under 5 years of age;
- And where work is required to render their home safe, warm and dry or remove a condition that poses a direct risk to the health and safety of the occupants.

3.33. This allows the Home Improvement Agency to target the limited Home Improvement Assistance fund to the most vulnerable groups and the most in need.

Type of Works

3.34. The Council will specify which works are eligible for assistance.

3.35. A schedule of works will be issued by the Council specifying these works which will be procured subject to the Council's Contractual Standing Orders and the works that are to be included on this schedule will be entirely at the discretion of the Council. These are known as the eligible works.

3.36. The repair works which may be considered for assistance, in order of priority are those identified within the Home Improvement Agency Priority Assessment (Appendix 4). This list draws on the Housing Health and Safety Rating System (HHSRS) evaluation tool (see Appendix 3) which helps local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. It was introduced under the Housing Act 2004 and applies to residential properties in England and Wales. The list is as follows;

- Property that Contains a Category 1 Hazard according to the HHSRS, lacking basic amenities and affecting the health, safety and well-being of the occupants, e.g. no heating, no hot water, dangerous electrics, concerns with gas;
- Property where the occupant is at risk from doorstep crime, burglary, e.g. defective doors and windows;
- Disrepair, not dangerous but which directly impacts on the health, comfort safety and well-being of the occupants, e.g. rising damp, water ingress, wet rot, structural problems, dry rot/timber infestation;
- Disrepair affecting the health, safety and wellbeing of the occupants, e.g. roof repairs;
- Disrepair to the internal structure of the property, not dangerous, but not directly affecting the occupants health, safety and well-being, e.g. external envelope, gutters flashings, boundary walls;
- Minor disrepair work not directly affecting occupants e.g. repairs to windows/doors, minor electrical repairs, bathroom repairs.

3.37. Applicants must demonstrate that they have attempted to address disrepair or deficiency by claiming on their personal buildings insurance.

3.38. It is a requirement of this policy that following completion of home improvement assistance, the dwelling will be left in a 'safe, warm and dry' condition, where the statutory standards to remove a condition that poses a direct risk to the health and safety of the occupants are met as the minimum condition.

Types of Financial Products which Apply

3.39. All types of financial products provided for within this policy apply. The sequential test shall apply as defined in the Financial Products section.

3.40. Under very exceptional circumstances Direct Financial Assistance may be applied. This will occur after all other financial products have been considered, and where there is a compelling reason to deliver the work that outweighs the cost to the public purse of proceeding without the registering of a charge.

3.41. Self-funding applicants will be required to pay the contractor and other costs directly.

Fees and other costs

3.42. The Home Improvement Agency may charge a fee for their professional service up to 14% of the total cost of the works.

3.43. Applicants will be required to seek independent legal and financial advice as a condition of their application for assistance.

3.44. Other fees and disbursements may apply, depending on the type of financial product and the personal choices and financial circumstances of the individual applicant.

3.45. The reasonable costs of any necessarily incurred ancillary fees and charges, such as building regulations or solicitors fees, may be included in the amount of assistance to be paid. The reasonable cost of any agents fees incurred may also be payable as part of these fees. The Council will determine what level of fees is payable as part of any application for assistance, taking into account all the relevant factors and guidance.

3.46. A summary of the types of fees and disbursements which may apply can be seen in Appendix 1.

3.47. Self-funding applicants will be required to pay the relevant organisation or the Council directly.

Conditions

3.48. An application for assistance must be accompanied by the appropriate and relevant documentation, this includes (for definitions see Financial Products section);

3.48.1. An owner-occupation certificate; OR

3.48.2. A certificate of intended letting;

3.48.3. A form of consent;

3.48.4. A declaration of understanding;

3.48.5. Confirmation that they have sought independent financial and legal advice as a condition of their application.

3.49. In order to be able to make an application for Home Improvement Assistance, the applicant must be able to satisfy the Council that they have met the conditions of the prior qualifying condition in that they have owned and lived in the dwelling as their only or main residence throughout a period of three years ending on the date of the application; or in the case of a tenant's application that

the landlord has a qualifying owners interest in and holds a legal title to the dwelling, and that the dwelling will be let or be available for letting as a residence to a person who is not connected with the owner, throughout any assistance condition period with a market rent payable.

- 3.50. When assessing an application for Home Improvement Assistance, the Council will take into account all of the client's circumstances, the type and scale of works required, and have regard to the applicant's financial and other circumstances which will determine which form of assistance, financial or other, is to be made available to the client.
- 3.51. The Council will assess the income, outgoings and capital assets of each applicant and their household, including non resident members of the extended family who may reasonably be expected to contribute to the financial well being of the applicant.
- 3.52. All applications will be subject to a financial appraisal, which may be carried out by a partner agency and which will form part of the consideration on which form of assistance is to be made available. This appraisal will also assist in the determination of the repayment periods applicable for certain types of loans.
- 3.53. In all cases the Council will carry out a housing options appraisal with applicants which will consider the sustainability of the current residence, taking into account applicants' needs now and expected for the future. In some cases the Council or the applicant may decide that the home improvement service is not appropriate to their circumstances.
- 3.54. Instead, in some cases, the applicant will be asked to consider alternative housing arrangements. The Home Improvement Agency may offer a housing options service to support vulnerable clients to assess their current and future housing needs in these and in all cases where the cost of the repair exceeds the maximum value of the Home Improvement Assistance that can be offered. This service will be prioritised to older and vulnerable clients see Appendix 4.
- 3.55. A full application cannot be made until such time as the Council has issued a schedule of eligible works, where appropriate, and the application form and relevant certificates to enable an applicant to make such an application.
- 3.56. Any application for assistance will only be approved where the Council is satisfied that the carrying out of the eligible works is the most satisfactory course of action.

Exclusions from assistance

- 3.57. No home improvement assistance shall be available for a dwelling that has been constructed or converted within ten years of the date of application, except in support of an application for assistance in respect of an adaptation for the benefit of a disabled person, or an application for Relocation Assistance to support Adaptation Assistance.

- 3.58. Where it can be demonstrated that an applicant has caused the dwelling to be in a condition where it fails to meet the minimum standard for housing condition as a direct result of their actions, the Council may exclude any related remedial works from any relevant works.
- 3.59. No financial assistance will be paid towards any works which are covered by an insurance policy, or which are the subject of litigation proceedings. In any such circumstances where it later comes to light that financial assistance has been obtained in respect of works which are later the subject of an insurance claim, the Council will demand repayment of the amount of the assistance, plus compound interest.
- 3.60. In all circumstances, work which has already been completed at the time of application will not be eligible for financial assistance. Where the relevant works have been started, but not completed, the assisted works will be limited to only those outstanding works which are necessary to bring the property up to the minimum statutory condition standard on the date of the application.
- 3.61. Where an application for assistance has been approved, and the Council later becomes aware that any of the following apply, it may refuse to pay the assistance or any further instalment of assistance which remains to be paid. The Council may also demand repayment by the applicant forthwith of the assistance or any instalment already paid, together with interest from the date of payment until the repayment;
- 3.61.1. Where an application for assistance has been approved, and the Council becomes aware that the amount was determined on the basis of inaccurate or incomplete information provided by the applicant for the financial appraisal and exceeds that to which the applicant was entitled;
 - 3.61.2. Where the Council becomes aware that the eligible works were started without its knowledge, before the application was approved;
 - 3.61.3. Where the Council ascertains that the eligible works were carried out by a contractor who was not one of those who submitted quotations for the works with the application.

Eligible Expense

- 3.62. Approval of the application will only be given when the application is accompanied by a fully priced quotation, from a contractor approved by the Council, for all work detailed on the schedule of works. Where more than one quotation is required according to the Council's Contractual Standing Orders the Council will approve the application based on the quotation representing the best value for money.
- 3.63. The Council shall determine the total amount of assistance to be advanced, taking all relevant factors into consideration. The total of the amounts of the expenses that it considers are likely to be properly incurred, costs of eligible work and relevant fees, are known as the 'eligible expense', and this will be the

basis for determining the amount of assistance subject to any limits set by this policy.

- 3.64. Where the Council ascertains that the aggregate cost of completing the eligible works and the costs incurred with respect to preliminary or ancillary services and charges is, or is likely to be, lower than the estimated expense, it will make a reduction in the amount of the assistance proportionate to the reduction in the estimated expense.

Payment of assistance

- 3.65. Following approval of an application for assistance, the Council will normally pay the amount of the assistance in full following the satisfactory completion of the eligible works. Interim or staged payments may be made, only after taking into account all relevant factors, such as the amount of work completed to a satisfactory standard at the time of the request for payment.
- 3.66. If, following an application for assistance, the Council is satisfied that, owing to circumstances beyond the control of the applicant, the eligible works cannot be carried out on the basis of the eligible expense amounts, or the eligible works cannot be carried out without undertaking additional works which could not have been reasonably foreseen at the time the application was made, the Council may re-determine the eligible expense and, accordingly, the amount of assistance available.
- 3.67. If the applicant requests additional works to be carried out direct to the contractor, without seeking approval of the Council, the applicant will be responsible for all costs incurred as a result of those works being carried out and the Council will not provide additional financial assistance to cover any such works.
- 3.68. The form of additional assistance to be made available as a result of unforeseen costs or works will be decided in line with the conditions of this policy. Such consideration does not imply any guarantee by the Council to grant such a request.
- 3.69. If the Council determines that any of the eligible works are to be carried out in a particular manner or using particular materials, this will be specified on the schedule of eligible works that is issued with the application pack. Where it has made such a specification, payment will only be authorised if this condition has been complied with.
- 3.70. An acceptable invoice, demand or receipt for payment, addressed to the applicant, will be required before the Council will carry out any inspection of the work or release payment. Such an invoice must be an original or certified copy, and in the case of a request for an interim payment where only part of the works have been completed, must itemise and list all works carried out, together with the value of the works completed. Any such invoice cannot be issued by an applicant, member of his family, or any business in which he has an interest.

- 3.71. The works must be carried out by one of the contractors whose estimates accompanied the application.
- 3.72. Where the Council has cause to be dissatisfied with the workmanship or efficiency of a contractor it will make its concerns known to them. The Council may direct that an alternative contractor carry out the eligible works and will advise the applicant on the next best quotation representing value for money.
- 3.73. The Council will inspect the work following a request for payment in order to determine whether the works are to an acceptable standard. If the works have not been completed to a satisfactory standard, payment will not be released and the issue will be subject to the Dispute Resolution clause.

Dispute Resolution

- 3.74. Any disputes, differences or queries relating to the works or the payments shall be discussed with the Home Improvement Agency. If the applicant and the contractor cannot reach agreement within 10 working days the matter shall be passed to the Council who will arrange for an impartial mediation. If no agreement is reached the issue will be submitted to the jurisdiction of the English Courts.

Policy Limits

- 3.75. Home Improvement Assistance accessed through the Home Improvement Agency is capped to a maximum limit of £12,000 excluding VAT, solicitor's costs and other fees, although the value approved for an individual case may be lower than this.
- 3.76. Applications from any one household are limited to this maximum policy limit within a three year period, although applications will be reviewed on a case by case basis and request for exceptions to policy may be made in exceptional circumstances.
- 3.77. This policy limit and other relevant limits contained within this policy apply, except in cases where the applicant has been determined the highest priority, as determined by the Home Improvement Agency Priority Assessment (see Appendix 4) and there is a need to address a Category 1 Hazard in the property, as defined by the Housing Health and Safety Rating System (see Appendix 3). In these circumstances a case can be made to seek approval within the normal limits set by the Council's Discretionary Spend policy.

4. Relocation Assistance

Purpose

4.1. The purpose of Relocation Assistance is to enable the Council to provide discretionary support to private home owners to relocate to new homes in specific circumstances as follows;

- where the Council deems it necessary to acquire an existing occupied property in order to achieve strategic outcomes and statutory responsibilities, for example where their homes are to be acquired and/or demolished by Compulsory Purchase Order under the powers of the Housing Act 1985 Section 17 for the purposes of housing regeneration activity;
- Where relocation is a more cost effective and practical proposal than provision of a Disabled Facilities Grant as described by the Housing Grants, Construction and Regeneration Act 1996.

4.2. With regard to relocation where the Council deems it necessary to acquire an existing occupied property, the rights to statutory forms of compensation, which include entitlement to full market value for the property, home loss payment and disturbance costs where applicable, and methods and procedures for assessing the correct amount of compensation are derived from what is commonly referred to as the “Compensation Code”. This is made up of Acts of Parliament, case law and established practice. The principal Acts are the Land Compensation Acts of 1961 and 1973 and the Compulsory Purchase Act 1965.

4.3. Where homes are to be acquired by the Council, the Regulatory Reform Order 2002 gave authorities a general power to give discretionary assistance to enable the relocation of the occupier. This discretionary support is put in place to complement the statutory provisions of the Compensation Code and will only be made available subject to the availability of the necessary resources.

Who administers this Assistance

4.4. Salford Council’s Urban Renewal Team oversees Relocation Assistance, in partnership with the relevant partners, including Salix Homes and the Pendleton Regeneration Team, supporting regeneration activity in the city.

4.5. The Specialist Housing Team manages access to Relocation Assistance for the purpose of providing alternative accommodation for people seeking Disabled Facilities Grant.

Eligibility

4.6. In order to be eligible for relocation assistance, the applicant must be able to satisfy the Council that they have met the conditions of the prior qualifying period, which are;

- 4.6.1. That the owner-occupation conditions, described in the Financial Products section were satisfied throughout the qualifying period; and
- 4.6.2. That the applicant has lived in the dwelling as their only or main residence throughout that period.
- 4.7. The qualifying period ends on the date of the disposal of the original property, and commences one year prior to one of the following, whichever is the sooner;
- i. the date of declaration of the Clearance Area; or
 - ii. the date of the making of the Compulsory Purchase Order; or
 - iii. the date of adoption of a master plan, Supplementary Planning Guidance document, Supplementary Planning Document or similar, which sets out that the dwelling is recommended to be demolished; or
 - iv. date of submission of a fully completed Disabled Facilities Grant application.
- 4.8. The disposal date means either the completion of the sale of the original property to a third party, or the date of the notice to treat under section 5 of the Compulsory Purchase Act 1965, or the general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981, or the agreement between the Council and the applicant.

Type of Works

- 4.9. Relocation Assistance may be made available to fund the additional equity that will be acquired through the purchase of the qualifying dwelling. The qualifying dwelling means the property that the applicant is proposing to move to.

Types of Financial Products which Apply

- 4.10. For cases where homes are to be acquired by the Council, where the amount of the market value compensation plus Home Loss payment (statutory where applicable) is not sufficient to bridge an affordability gap that exists between the value of the original property to be acquired and the qualifying dwelling, Relocation Assistance may be provided in the form of an Equity Participation Loan.
- 4.11. The loan value will be calculated as a proportion of the agreed value of the qualifying dwelling. Repayment of the loan will be by payment of the same percentage of the open market value of the property at the time the loan becomes payable. However, the minimum amount to be repaid will be the amount originally advanced.
- 4.12. The loan amount will be calculated in accordance with the following formula:

$$L = H - A - P$$

Key:

- H = Cost of replacement home
A = Achieved Disposal Value of original home
P = Home Loss Payment (statutory where applicable)
L = Relocation Assistance Loan
R = Repayment
V = Value of the replacement home at time repayment is due (open market value)

4.13. The repayment will be calculated in accordance with the following formula:

$$R = L \times V/H$$

4.14. The amount to be repaid may therefore be higher than the amount borrowed if the value of the property has increased. However, even if the value of the property decreases you will still be required to repay the amount originally advanced.

4.15. An example of the calculation of these formulas can be found at Appendix 2

4.16. For cases relevant to Disabled Facilities Grant the loan will be calculated in accordance with the following formula:

$$L = H - A$$

4.17. The repayment will be calculated in accordance with the following formula:

$$R = L \times V/H$$

4.18. The amount to be repaid may therefore be higher than the amount borrowed if the value of the property has increased. However, even if the value of the property decreases you will still be required to repay the amount originally advanced.

4.19. In the event of a dispute as to the open market value, the parties will appoint an independent valuer by agreement to ascertain the open market value at the time. If there is still a dispute regarding the agreement of the open market value then the parties will refer the question of valuation to the President of the Royal Institute of Chartered Surveyors whose decision shall be binding on both parties.

Fees and other costs

4.20. Applicants will be required to seek independent legal and financial advice as a condition of their application for assistance.

4.21. Funds will be made available through the loan to cover the cost of legal and other relevant costs, where statutory provision does not exist.

Conditions

- 4.22. An application for assistance must be accompanied by the appropriate and relevant documentation, this includes (for definitions see Financial Products Conditions);
- 4.22.1. An owner-occupation certificate;
 - 4.22.2. A form of consent;
 - 4.22.3. A declaration of understanding;
 - 4.22.4. Confirmation that the applicant has sought independent financial and legal advice as a condition of their application.
- 4.23. In addition, any other owner, adult occupier, or any other person with either a legal or equitable interest in the property (save for any Mortgagee whose interest will cease upon the repayment of the existing loan) will be required to complete a declaration that they give their consent to the application, and that they understand the implications of giving such a consent.
- 4.24. The application for Relocation Assistance must also be accompanied by the following declarations regarding the qualifying dwelling;
- 4.24.1. That the applicant proposes to acquire an owner's interest in the qualifying dwelling to which the application relates, which must be a Freehold interest or a leasehold interest with at least 70 years unexpired term remaining; and
 - 4.24.2. That he will live in the qualifying dwelling as his only or main residence until the loan is repaid. This period will be known as the condition period.
- 4.25. Any application for assistance to move must be in writing and will specify the qualifying dwelling to which it relates, together with various particulars.
- 4.26. The Council must approve the choice of dwelling before any application for assistance can be approved.
- 4.27. The Council will only make assistance to move available in respect of a dwelling that is deemed to be equivalent to the property that is being acquired in terms of property type and size, and is reasonably suitable, having regard to the housing needs of the applicant or member of his family who intends to live in the dwelling, and any other person who might reasonably be expected to reside with the applicant or that member of his family.
- 4.28. Where the applicant has an existing mortgage on their original home, they must be able to obtain a mortgage over the new property which will allow the Council to advance any loan amount without contravening the provisions of any such

mortgage, and which allows the Council to obtain sufficient security of charge on any loan amount advanced under the terms of the Policy.

- 4.29. If the applicant intends to purchase a replacement property at a cost which is in excess of the maximum amount that the Council will make available, they will still be eligible for Relocation Assistance but the Council will not provide any assistance in relation to any amount over the maximum amount that it may determine.
- 4.30. The Council may refuse to offer a Relocation Equity Loan if it is satisfied that there is insufficient equity in the qualifying dwelling to provide a reasonable prospect of repayment of the Relocation Equity Loan or that suitable arrangements cannot be made so as to give sufficient priority to the charge securing the Relocation Equity Loan.
- 4.31. The conditions will be set out in the legal charge entered into between the applicant and the Council or any partner or delivery agent administering the loan.
- 4.32. The conditions of this Policy shall be binding on any person who is for the time being an owner of the qualifying dwelling which is the subject of any assistance made under the terms of the Policy.
- 4.33. Subject to the provisions of paragraph 4.37 there will be no requirement for repayment until sale or transfer of the property or death of the applicant, but the Council may require the applicant to provide information about their means at regular intervals throughout the duration of the loan.
- 4.34. In the event of any breach of conditions, the loan will become repayable immediately.
- 4.35. The applicant can choose to repay the Relocation Assistance Loan at any time before the loan becomes repayable by reason of sale, transfer, death or breach of condition.

Conditions relevant to properties acquired by the Council.

- 4.36. Salford City Council will make a determination at the point at which it is formally decided that any privately owned properties should be demolished or acquired by agreement in advance of making a Compulsory Purchase Order (CPO), whether it is appropriate to make one or more of the forms of Relocation Assistance available to owner-occupiers who will be affected. In making this determination the Council will have regard to the feasibility of offering such assistance in relation to the proposed scheme. The Council may also make such a determination upon confirmation of a CPO where no such earlier determination has been made.
- 4.37. In making such a determination, the Council will be satisfied that, in general, it would not be possible for those residents affected by the proposed activity to

afford to buy another home in their local area without the aid of Relocation Assistance.

- 4.38. Where the Council is satisfied that discretionary assistance should be made available in cases where homes are to be acquired by the Council, it will, following appropriate consultation with the affected stakeholders, specify an area within which qualifying properties may be acquired with assistance. Applications will only be considered in respect of properties in the specified area and as a result of activity which is a direct consequence of the Council's actions.
- 4.39. Applicants will be required to agree to invest all of their market value compensation and, in cases where homes are to be acquired by the Council their home loss payment into the acquisition of the qualifying dwelling as a condition of making an application for relocation assistance.

Conditions relevant to Adaptations Assistance

- 4.40. This section should be read in conjunction with Adaptations Assistance section.
- 4.41. The Council may make Relocation Assistance available for Adaptations Assistance purposes where a referral for a mandatory Disabled Facilities Grant has been provided by the Social Services Authority, and the Housing Authority are satisfied that it is not reasonable and practicable to provide the necessary adaptation at the applicant's current property, or where it represents better value for money for the applicant to relocate to a more suitable property. This will be determined by taking into account relevant Government and other guidance in determining the works to be necessary and appropriate. Any other relevant government guidance will also be considered.
- 4.42. If the assessment of value for money identifies that any of the cost of the purchase of the new property and/or the adaptation of the new property can be met by Disabled Facilities Grant then this will be provided for through Adaptations Assistance, but if it cannot or if the costs exceed the funding available via this form of assistance then Relocation Assistance may then be made available.
- 4.43. Where an application for Relocation Assistance for adaptations purposes is made, the qualifying dwelling must also be suitably adapted, or be capable of being suitably adapted, to meet the needs of the disabled person.
- 4.44. Any application must then be approved by the Council to confirm that all reasonable options have been considered and that this is the most suitable option to meet the needs of the applicant.
- 4.45. It is expected that where relocation assistance is awarded, the alternative property purchased should, as far as possible, meet the needs of the disabled person and minimise the amount of expenditure required in respect of any DFG or other forms of assistance that may be deemed necessary and appropriate.

4.46. Where an applicant is unable to purchase an alternative property, or is not an owner-occupier, the Council may seek to secure alternative accommodation for the applicant through its strategic delivery partners, including its Registered Social Landlord (RSL) partners. In such circumstances, the applicant will not be entitled to but may be eligible for a disturbance payment which will be calculated in accordance with guidance set out in the Land Compensation Act 1973.

Policy Limits

4.47. In determining the amount of assistance that is to be paid, the Council will take advice on the reasonable market value of the qualifying dwelling. If this value is lower than the applicant is paying in respect of the acquisition of the qualifying dwelling, this figure shall be used in determining the amount of assistance that will be made available.

4.48. The 'Maximum Loan' limit section of the Financial Products section shall not apply and an offer of financial assistance may be made up to the total value of the available equity.

4.49. The Council may determine to reduce the amount repayable accordingly where it is satisfied that repayment of the whole amount would cause excessive hardship.

4.50. Where homes are to be acquired by the Council and where the Council is satisfied that Relocation Assistance should be made available, it will determine local maximum amounts of assistance to be given based on factors including the availability and value of replacement property for sale on the open market within the specified qualifying area (as defined at paragraph 4.38). Such local limits will be approved by Assistant Mayor for Housing and Environment and will be reviewed from time to time as appropriate.

4.51. The amount of any assistance to move will not exceed the difference between the cost of acquiring the qualifying dwelling to which the application relates, and the amount that is to be achieved from the disposal of the original property.

4.52. Where this disposal is to a third party the Council will satisfy itself that the value achieved fairly reflects the market value. Where agreement cannot be reached regarding the valuation these cases will be referred to the District Valuer for determination. The Council will only pay up to the value confirmed by the District Valuer.

5. Adaptations Assistance

Purpose

- 5.1. The power to provide mandatory Disabled Facilities Grant (DFG) is set out in the Housing Grants, Construction and Regeneration Act 1996, as amended. This policy will reflect this and any future amendments.
- 5.2. The Regulatory Reform Order 2002 gave authorities a general power to make available additional forms of discretionary assistance. This section will outline those additional forms of assistance which the Council may make available to persons who may be eligible to make an application for mandatory DFG and whose needs may exceed the mandatory assistance available, or who may have recognised needs but are not eligible to receive mandatory DFG assistance.
- 5.3. The purpose of Adaptations Assistance is to provide financial and other types of support for residents requiring essential adaptations or equipment to give them better freedom of movement into and around their home and access essential facilities within it.
- 5.4. The additional forms of assistance are;
- Loans for the cost of adaptations;
 - Discretionary Top Up grant;
 - Recycling of equipment;
 - Relocation Assistance.
- 5.5. Where the relocation of a household is a more cost effective and practical proposal than provision of a Disabled Facilities Grant, see the Relocation Assistance section for more information.
- 5.6. In addition, residents may be directed to a range of partner agencies including the Council's loan administration partner, and any other relevant sources of information or help for further advice on possible alternative sources of assistance, where it is appropriate to do so.
- 5.7. Some forms of assistance such as housing options and advice are available to all through the Council's Salford Home Search and Salford Home Improvement Agency services.

Who administers this Assistance

- 5.8. Salford Specialist Housing Service offer a full agency approach to vulnerable residents to assist in their grant application. This may include the following services;
- Completion of all Grant application forms;
 - Verification of income;
 - Means test calculation;

- Initial site feasibility;
- Surveying all necessary works;
- Preparation of drawing and schedule of works;
- Submission and liaison with any statutory bodies e.g. Planning and Building control;
- Obtaining a estimates from framework contractors only;
- Health and safety management;
- Management of contractor ;
- Ensuring practical completion of the works to agreed standards and quality, time and cost;
- Payment to contractors;
- Liaison with the authorities others partners e.g. Street UK for the suitability of its other forms of discretionary financial assistance.

Eligibility

5.9. Before determining whether to make assistance available the Council must have regard to relevant government legislation and other guidance, in particular considerations as to whether the proposed option and/or adaptation is “necessary and appropriate” in meeting the needs of the disabled person and what is “reasonable and practicable”.

5.9.1. Necessary and Appropriate

5.9.1.1. The authority has agreed an eligibility criteria “Statement of Purpose” that will establish just enough support for applicants and could include other options such as;

- Equipment;
- Rehousing to more suitable accommodation;
- Changes in living arrangements within the household.

5.9.2. Reasonable and Practicable

5.9.2.1. The authority is required to consider if the adaptations are reasonable and practicable taking account the age and present condition of the property, if it is not deemed reasonable or practicable the authority will explore other options including accessing other assistance available within this policy;

- Where the purpose of the financial assistance is for repairs to complement the adaptations then refer to Home Improvement Assistance section;
- Where the purpose of the financial assistance is to support rehousing to more suitable accommodation then refer to Relocation Assistance section.

5.10. After the above consideration has been made all applicants for mandatory Disabled Facilities Grants are subject to a means test which is set nationally and takes into account the relevant persons and partners income and savings.

5.11. Residents that are in receipt of certain state benefits will 'passport' through the financial process and will only need to provide details of entitlement to these benefits¹;

- Housing Benefit;
- Guarantee Pension Credit;
- Income related Job Seekers Allowance;
- Income related Employment and Support Allowance;
- Working Tax Credit / Child Tax Credit based on income less than £15050.00.

5.12. The above examples of passport benefits will result in the applicant receiving the full amount of eligible costs including professional fees covered by Disabled Facilities Grant, up to the maximum grant level.

5.13. In some cases an applicant may have a means tested DFG contribution which would mean they would be expected to pay some or all of the cost of the adaptation.

5.14. In some cases an applicant may be eligible for Discretionary Top Up grant or to access other types of assistance, for example, where an adaptation may cost in excess of the maximum mandatory DFG limit. In these cases the eligibility and conditions relevant to the type of financial product will apply, as set out in the Financial Products section.

Type of Works

5.15. The types of work included for Disabled Facilities Grant are set in statute;

- Access into and out of your home for example widening door and installing ramps;
- Ensuring the safety of the disabled person for example providing a specially adapted room in which it would be safe to leave a disabled person unattended or improve lighting to ensure better visibility;
- Make access easier to the living room;
- Providing or improving access to the bedroom, kitchen, toilet, wash hand basin and bath and or shower facilities, for example installing a stair lift or downstairs bathroom;
- Improve or provide a heating system for a disabled person;
- Adapt heating or lighting controls;
- Improve access and movement around the home to enable the disabled person to care for another person who lives in the property, such as a spouse or child;
- Improve access to and from the garden of your home where feasible.

¹ Correct at time of publishing 2014 - state benefits that 'passport' people through the financial process are subject to change periodically.

5.16. As an alternative to the Disabled Facilities Grant, the Council now owns, as part of the lift maintenance contract, over 1200 lifts. Over a period of time these can be re used and recycled and will therefore become available for the benefit of other residents.

Types of Financial Products which Apply

5.17. Mandatory Disabled Facilities Grant will be paid as Direct Financial Assistance.

5.18. Where an applicant requires an adaptation that costs in excess of the maximum mandatory DFG limit or has a means tested DFG contribution which would cause undue hardship the policy will allow the use of all forms of financial product except Direct Financial Assistance set out in this document and the sequential test shall apply.

5.19. Where a Mandatory Disabled Facilities Grant is being approved and the cost of work exceeds the legal maximum limit, an appropriate financial product cannot be secured and there is compelling reason to deliver the works that outweighs the cost to the public purse; then under very exceptional circumstances a Discretionary Top Up grant may be approved as Direct Financial Assistance.

5.20. For those residents that have fulfilled the necessary and appropriate and reasonable and practicable tests the authority will offer Direct Financial Assistance when recycling equipment.

5.21. Any application can be approved by an officer in line with Council's Discretionary Spend policy.

Fees and other costs

5.22. Specialist Housing Service may charge a percentage fee for their professional service. This can be up to 14% of the total cost of the works.

5.23. The authority recognises that some residents may wish to opt out of the local authority commissioned service (agency approach) and to use contractors that are not on the Council framework. The authority in such circumstances will apply a reduced fee of 5%, this will enable the service to still provide residents with some support at key stages.

Conditions

5.24. Applications for discretionary assistance will be subject to a financial appraisal carried out by a partner agency. This type of appraisal will assess the income, outgoings and capital of each applicant and their household including non-resident members of the extended family who may reasonably be expected to contribute to the financial wellbeing of the applicant.

5.25. To enable the Council to act on their behalf as described above, applicants will be required to sign the agency agreement document in which they give the

Council permission to do so. The Council will liaise with the applicant throughout the process.

5.26. The authority has been given powers to impose conditions under certain circumstances when approving a mandatory Disabled Facilities Grant, under the general consent 2008 order, by means of a Local Land Charge.

5.27. These circumstances are that;

- The grant sum exceeds £5000;
- And the grant applicant is a owner occupier.

5.28. Then the sum becomes repayable;

- If the property is sold, assigned, transferred within 10 years of the grant being certified;
- But the maximum charge will not be greater than £10,000.

5.29. The authority will not look towards applying the charge where the value of the charge would be under £1000.

5.30. Any charge applicable will be based on grant awarded less any fees charged by the authority in the processing of the grant.

5.31. The Principal Manager is authorised to remove such a charge under certain circumstance as outlined in the general consent as the authority is required to satisfy itself that it is reasonable in all the circumstances to require repayments.

5.32. An application for Relocation Assistance may be made where an applicant's existing property cannot be adapted to meet the needs of the person(s) with a disability. The Council will be satisfied that this represents the most satisfactory course of action, taking account all of the relevant factors. The conditions set out in Relocation Assistance will apply.

Policy Limits

5.33. Mandatory Disabled Facilities Grant will be paid as Direct Financial Assistance up to the maximum grant level which is presently set at £30,000 by government through statutory instrument.

5.34. Discretionary Top Up Grant will be paid as Direct Financial Assistance up to a limit of £10,000.

5.35. Where adaptation costs in excess of the maximum mandatory DFG limit or a means tested DFG contribution is required, the policy limit which applies to the relevant forms of financial product is £30,000.

5.36. The 'Maximum Loan' limit section of the Financial Products section shall apply.

6. Block Improvement Assistance

Purpose

- 6.1. The purpose of Block Improvement Assistance is to provide a means by which the Council can make assistance available where it can be demonstrated that a block of properties is detracting from the visual amenity of an area.
- 6.2. The key aim is delivering uplift to the wider area and improving confidence in the local housing market whilst providing a cost-effective means of improving the individual properties.

Who administers this Assistance

- 6.3. The Council's Urban Renewal Team in partnership with the Council's delivery agent administers Block Improvement Assistance.

Eligibility

- 6.4. Blocks to benefit from such schemes are identified through the completion of an assessment of the most satisfactory course of action by the Council with regard to the condition and expected future of the block of properties. This determination will be made in accordance with relevant government legislation and other guidance, and after the consideration of any other relevant information, including Neighbourhood Renewal Assessments and Housing Market Assessments.
- 6.5. Schemes will also be tested against strategic fit with the Council's relevant strategic objectives.
- 6.6. Schemes will only progress where the Council assesses that there is high enough level of take up among households, which will make the scheme viable and practical.

Type of Works

- 6.7. Schedules of works for such schemes will be determined by the Council on a block-by-block basis, in consultation with residents and other organisations who may be able to provide advice. In determining such a specification, the Council will have regard to the condition of the properties, local environmental issues and the likely visual impact of the scheme on the surrounding area and the strategic objectives to be achieved.
- 6.8. Any relevant works will be limited to those items agreed by the Council that will have the greatest positive impact on the perception of the block and the local area. These may include, but will not be limited to brickwork, woodwork and ironmongery, rainwater goods etc.

Types of Financial Products which Apply

6.9. Contribution levels and access to types of financial assistance will be assessed on a scheme by scheme basis, depending on funding route and strategic basis and may vary within schemes, for example depending on whether the owner is an occupier or a landlord.

Fees and other costs

6.10. The Council may determine to attach conditions on repayment linked to any increase in the open market value of the properties that is at a rate over and above the average rate of house price growth in the neighbourhood. This condition would be applied in recognition of the fact that the Council may be making significant investment in the wider neighbourhood that will bring about an improvement in the housing market as a whole.

Conditions

6.11. Each person with an owner's interest in any property to be included in such a scheme would be required to give their consent to the works being carried out, and to confirm that they agree to any conditions that such consent places them under.

6.12. Any person who is a landlord will be required to be accredited under the Council's Landlord Accreditation Scheme and/or comply with the provisions and requirements of any relevant Landlord Licensing Scheme, as appropriate.

6.13. The Council may use its discretion to carry out additional works referred to in 'Type of Works' and it may require contributions from participating owners for works over and above the approved works. Where the Council makes such a determination this will form part of the terms and conditions for taking part in the scheme and will be detailed in the consent form.

Policy Limits

6.14. Policy limits may be set out on a scheme by scheme basis and may vary as property size varies.

7. Affordable Warmth Assistance

Purpose

7.1. The purpose of Affordable Warmth assistance is to enable the Council to make small-scale assistance available to owner-occupiers and private tenants to improve the energy efficiency of their properties;

7.1.1. Assistance will primarily target vulnerable households living in fuel poverty or to prevent households falling into fuel poverty;

7.1.2. Secondly, non-vulnerable households will be offered assistance to remove barriers preventing a larger scheme assisting vulnerable households progressing.

7.2. Affordable Warmth assistance will run alongside other energy company or government funded schemes which may be available from time to time. Affordable Warmth assistance will only be made available when other schemes are not accessible.

7.3. Local authorities are not obligated to offer Affordable Warmth assistance however this provision is made in line with the Home Energy Conservation Act 1995 and The Warm Homes and Energy Conservation Act 2000.

7.4. New local and national schemes and initiatives are continually being developed and Affordable Warmth Assistance can be funded from a combination of the Council's own budget, central government funding and energy company grants.

Who administers this Assistance

7.5. This assistance is administered by the Council's Affordable Warmth Team. Their delivery partners include Greater Manchester Energy Advice Service and the Council's Handyperson Service.

Eligibility

7.6. Eligibility criteria will be determined on a scheme by scheme basis in consultation with relevant partner agencies. Qualifying criteria for schemes, where not set by central government, will be consulted on with partner organisations and publicised.

7.7. Prior to measures being installed households must have an energy efficiency assessment of their home carried out to decide if proposed measures are cost effective.

Type of Works

7.8. The main measures that may be available include;

- Cavity wall insulation;
- Solid wall insulation;
- Loft Insulation (including pipe and cold water tank insulation);
- High efficiency condensing boilers;
- Radiators;
- Draught proofing;
- Boiler checks.

7.9. Other energy efficiency measures such as schemes which enable households to widen their loft hatches or install solar panels become available from time to time.

Types of Financial Products which Apply

7.10. Affordable Warmth Assistance is paid as Direct Financial Assistance.

7.11. However, if additional work is required to ensure that energy efficiency measures can be installed, households will be referred to the Council's Home Improvement Agency where they may be eligible for a loan (and the terms and conditions of Home Improvement Assistance will apply).

Fees and other costs

7.12. Fees and other costs may be set out on a scheme by scheme basis and may vary as property size varies.

Conditions

7.13. Terms and Conditions will be set out on a scheme by scheme basis and will be publicised.

Policy Limits

7.14. Policy limits will be set out on a scheme by scheme basis and will be publicised.

8. Empty Property Assistance

Purpose

8.1. The purpose of Empty Property Assistance is to ensure long term empty properties are refurbished and brought back into sustainable occupation.

8.2. The City Council is not obliged by statute to provide empty property assistance however there are statutory duties to address hazardous housing detailed in the Housing Act 2004.

Who administers this Assistance

8.3. The Empty Property Team based with Housing Market Support Team administers Empty Property Assistance.

Eligibility

8.4. The Council may determine to make Empty Property Assistance available in respect of empty properties where the following applies;

8.4.1. The property has been empty for a period of more than six months;

8.4.2. The property is strategically important due to its location or potential use if it were to be brought back into use;

8.4.3. To do so would be in line with and positively contribute to the Council's Housing Strategies;

8.4.4. To do so would be in line with and positively contribute to the Council's strategic aims, objectives and priorities.

Type of Works

8.5. The Council will specify the types of work which are eligible for assistance.

8.6. Repair and refurbishment works must meet HHSRS standards as a minimum (See Appendix 3).

Types of Financial Products which Apply

8.7. All types of financial products provided for within this policy apply. The sequential test shall apply as defined in the Financial Products section.

8.8. Under very exceptional circumstances Direct Financial Assistance may be applied. This will occur after all other financial products have been considered, and where there is a compelling reason to deliver the work that

outweighs the cost to the public purse of proceeding without the registering of a charge.

Fees and other costs

8.9. The Empty Property Team may charge a fee for their professional service up to 14% of the total cost of the works.

8.10. Applicants will be required to seek independent legal and financial advice as a condition of their application for assistance.

8.11. Other fees and disbursements may apply, depending on the type of financial product and the personal choices and financial circumstances of the individual applicant.

8.12. The reasonable costs of any necessarily incurred ancillary fees and charges, such as building regulations or solicitor's fees, may be included in the amount of assistance to be paid. The reasonable cost of any agents fees incurred may also be payable as part of these fees. The Council will determine what level of fees is payable as part of any application for assistance, taking into account all the relevant factors and guidance.

Conditions

8.13. The provisions set out in the Financial Products section shall apply.

8.14. Where an application is made to facilitate the return of an empty property into use to accommodate tenants, the Council will require tenancy nomination rights. The Council may require the property to be leased under a scheme approved by the Council. Where the property is to be managed by the owner/landlord then it would be required to become accredited under the Council's Landlord Accreditation Scheme and/or any relevant Landlord Licensing Scheme.

Policy Limits

8.15. Where an application for assistance is made, the City Council will determine on a case by case basis whether assistance will apply and the eligible works, if any.

9. Security Assistance

Purpose

- 9.1. Section 17 of the Crime and Disorder Act 1998 places a duty on all Local Authorities to do all they reasonably can to prevent crime and disorder locally.
- 9.2. The purpose of Security Assistance is to make small-scale assistance available to owner-occupiers and private tenants to improve the security of their properties.
- 9.3. The Council may make Security Assistance available to residents on a reactive and a proactive basis.
- 9.4. Reactive work aims to reduce victimisation by offering increased security to victims of crime.
- 9.5. Proactive work utilises problem solving techniques to identify the underlying problems which result in high levels of crime and disorder. Areas identified as suffering from high crime benefit from crime prevention schemes such as fencing and alley gating.

Who administers this Assistance

- 9.6. Referrals for individuals are received from partner agencies such as Greater Manchester Police, City West Housing Trust, Salix Homes and other departments within Salford City Council.
- 9.7. Individual surveys are carried out by Housing Crime Reduction Officers and appropriate works identified and ordered with an approved contractor.
- 9.8. High crime areas are designated at the start of each financial year using crime statistics and funding allocated to each area based on the amount of crime that occurs.
- 9.9. Housing Crime Reduction Officers then analyse the crime in each area and working with Greater Manchester Police's Crime Reduction advisor and in consultation with partner agencies will identify appropriate crime reduction works.

Eligibility

- 9.10. The scheme is available to homeowners or private tenants who have been repeat victims of crime within a 12 month period, which can include, but is not exclusive to burglary, domestic violence, anti social behaviour, criminal damage and hate crime.
- 9.11. The Housing Crime Reduction Team can also offer assistance to residents vulnerable due to age, mental capacity or the area in which they live, for

example a person living in a demolition area where only a small number of properties are still occupied, where it is believed they may become a victim of crime or are at risk of violence.

9.12. Works are also available to those residents living in a crime “hotspot” area, as identified by the Salford Crime & Disorder Partnership.

Type of Works

9.13. The scheme provides additional security measures to the homes of qualifying residents.

9.14. Currently the types of target hardening offered to individuals can include;

- Property ID marker and information;
- Timer switch;
- Door locks;
- Window locks;
- Burglar guards/ grilles;
- Door chains;
- Door viewers security lights;
- Alarm system.

9.15. Area works can include;

- Alley gating;
- Fencing;
- Target hardening schemes;
- Off road bike restrictors;
- Improved lighting;
- Defensive planting;
- No Cold Calling zones.

Types of Financial Products which Apply

9.16. Security Assistance is delivered through Direct Financial Assistance.

Fees and other costs

9.17. In the circumstances described in ‘Eligibility’, the Housing Crime Reduction Team provide the full amount of funding.

9.18. The Council may also offer residents who reside outside the designated crime hotspots 50% towards the cost of alley gating where residents are seeking the scheme for the purposes of reducing crime and anti social behaviour, dependent on funding being available.

Conditions

- 9.19. Such assistance will be made available in line with the priorities of the Council's Crime and Disorder Reduction Strategy, and the Council will work in partnership with relevant partner agencies and organisations to fund and deliver the assistance.
- 9.20. The Housing Crime Reduction Team may refuse referrals where there is insufficient details provided in order to carry out an adequate risk assessment.
- 9.21. The aim of the Housing Crime Reduction Team is to provide a good level of security. If this cannot be achieved due to poor property maintenance residents will be referred to the relevant department or agency for support.

Policy Limits

- 9.22. The amount of assistance made available to residents varies depending upon the risk and dependent upon the needs of the individual. For example, a person who is a repeat victim is much more likely than a first time victim of getting burgled again and therefore are offered more security. The packages are also tailored to the individual, for example an elderly victim of a bogus caller will be offered a package aimed at preventing bogus callers rather than just a house alarm or additional locks.

10. Environmental Improvement Assistance

Purpose

10.1. The purpose of Environmental Improvement Assistance is to make assistance available where it can be demonstrated that small-scale environmental improvements will enhance the visual amenity of an area, and provide a cost-effective means of improving the environment whilst bringing wider benefit to the neighbourhood.

Who administers this Assistance

10.2. Salford City Council Urban Renewal Team administers Environmental Improvement Assistance in partnership with Urban Vision.

Eligibility

10.3. Schemes are developed on a case by case basis with areas of land to be included being selected at the Council's discretion. Owners with an interest in land included in a proposed scheme will be invited to participate and informed of the full details of the relevant scheme.

Type of Works

10.4. Works can be diverse but will typically cover privately owned land that is in a poor state and is having a negative impact on the amenity of the area including footpath, alleyways and areas of open land.

10.5. Schemes will be design to improve the appearance and amenity of such land in order to provide uplift to the area as a whole, to increase confidence in the local housing market, to encourage private investment or to complement investment in publicly owned land.

Types of Financial Assistance which Apply

10.6. Direct Financial Assistance may be made available for this type of scheme but the Council may require a contribution from participating owners towards the costs of the relevant works.

Fees and other costs

10.7. Any professional or statutory fees, for example design fees or Planning fees may be included in the overall costs of the scheme.

Conditions

10.8. Each person with an owner's interest in any land to be included in such a scheme would be required to give their consent to the works being carried out,

make any required contribution to costs and to confirm that they agree to any conditions that such consent places them under.

10.9. Any person who is a landlord will be required to be accredited under the Council's Landlord Accreditation Scheme and/or comply with the provisions and requirements of any relevant Landlord Licensing Scheme, as appropriate.

Policy Limits

10.10. Each Environmental Improvement Scheme will be developed on a case by case basis and subject to individual approval in line with the Council's established Scheme of Delegation.

11. Residential Leaseholders Discretionary Assistance

Purpose

- 11.1. The Landlord and Tenant Act 1985 allows the landlord of a property to recharge the leaseholder for their share of any major capital works that are carried out as part of this duty.
- 11.2. The purpose of Residential Leaseholder Discretionary Assistance is to make provision for residential leaseholders who have a financial responsibility towards the upkeep of the substantial repair and condition of the structure and communal areas of the building in which they have a leasehold, where Salford City Council is the landlord.
- 11.3. It is recognised that in some cases leaseholders will find it hard to meet the cost of major maintenance and repairs works bills, either because of the size of the bill and, or due to their own personal circumstances.
- 11.4. Provision is made in the Housing (Service Charge Loans) Regulations 1992 as amended, for leaseholders who meet certain qualifying criteria, to be eligible for a 'statutory loan'.
- 11.5. Where leaseholders do not meet the criteria for the 'statutory loan' they can be considered for Residential Leaseholders Discretionary Assistance, known as a 'discretionary loan'. Provision is made for the Council to provide these types of loans in the Housing (Service Charge Loans) Regulations 1992 as amended.

Who administers this Assistance

- 11.6. Salix Homes administer this assistance, who act in the capacity of managing agent for Council owned homes, where the Council is the landlord.

Eligibility

- 11.7. Leaseholders may qualify for a discretionary loan if they meet the following criteria;
- The leaseholder must occupy the property as their only or principal home;
 - The loan is in respect of a charge for major capital works, where Salford City Council is the landlord;
 - The leaseholder is unable to secure further lending from a minimum of two high street lenders and documented evidence of the refusals is required by the Council to clearly assess that a High Street loan would be unsuitable.

Type of Works

- 11.8. Major capital works as defined by the Major Capital Works Charging Policy for Residential Leaseholders February 2011.

Types of Financial Products which Apply

11.9. All types of financial products provided for within this policy, with the exception of Direct Financial Assistance. The sequential test shall apply.

Fees and other costs

11.10. An administration fee, currently set at £180 (rate at March 2014) will be charged. The council reserves the right to uplift the administration fee annually by reference to the retail price index.

Conditions

11.11. The provisions set out in the Financial Products section of this policy regarding general conditions, applications and approvals, and conditions of the financial products shall apply.

Policy Limits

11.12. The limit is set by the relevant legislation and the charge made by Salix Homes for the relevant major capital works. Salix Homes will provide this information to eligible Leaseholders.

11.13. While statutory loans are subject to interest rates set out in the relevant legislation, discretionary loans are subject to the terms and conditions set out in the Financial Products section of this policy.

11.14. The 'Maximum Loan' limit section of the Financial Products section shall not apply and an offer of financial assistance may be made whether or not the property is adequate security for the loan.

12. Compulsory Purchase Order Limitation and Discretionary Assistance

Purpose

- 12.1. The purpose of Compulsory Purchase Order Limitation and Discretionary Assistance is to describe the Council's approach to how claims for Compulsory Purchase Order compensation will be managed when the claim is made outside of the 6 years enforcement period.
- 12.2. Owners and / or occupiers of properties, acquired by the Council under Compulsory Purchase Orders may be entitled to statutory compensation for their interest(s) in those properties.
- 12.3. The City Council currently effects its compulsory purchases of land by way of a 'General Vesting Declaration' the effect of which is that upon the 'vesting 'date' the property, the right to occupy and the title to it, 'vests' in the Council. Where land vests in the Council the Council becomes liable to pay compensation for the property that has vested.
- 12.4. Statutory compensation is calculated on an open market valuation basis and is based on an assessment of the valuation of the property at the time the Council takes possession of the property or the property vests in the Council pursuant to a General Vesting Declaration.
- 12.5. Where a property is subject to a Compulsory Purchase the original owner is statutorily entitled to a compensation package made up of;
- The market value of the property, and;
 - Either a Homeloss payment equal to 10% of the market value of the property (subject to statutory minimum and maximum), or;
 - A Basic Loss payment equal to 7.5% of the market value of the property (subject to a maximum of £75000.00, and ;
 - A Disturbance Payment to cover any reasonable costs incurred as a direct result of the acquisition of the property by the local authority.
- 12.6. The City Council will always seek to reach agreement with the original property owner as to the valuation/compensation due. However, if this is not possible the owner is entitled to challenge the Council's valuations by referring the matter / disputed valuation to the Upper Tribunal (Lands Chamber), for determination. Following determination the Council is liable to pay the determined valuation / compensation to the property owner / claimant.
- 12.7. The time within which a question of disputed compensation may be referred to the Upper tribunal is 6 years from the date at which the person claiming compensation first knew or could reasonably be expected to have known of the vesting of the interest.

12.8. This means that outside of the statutory limitation detailed above the original owner is no longer able to challenge the Council's valuation of the land or property. The displaced owner cannot enforce their right to compensation and any payment of compensation by the Council would be discretionary.

12.9. Where claims are received after the 6 years enforcement period, the Council will therefore make discretionary payments available to the original owner / claimant for a period of a further 4 years, i.e. up to 10 years based on the Council's valuation. This approach will be applied consistently on all claims and will be communicated to any claimants who apply for compensation after the 6 years. Prior to that and in the course of any negotiations, the 6 year limitation period detailed above (and the fact that the Council will not waive that limitation) will be communicated to all applicants.

Who administers this Assistance

12.10. Salford City Council Urban Renewal Team administers Compulsory Purchase Order Discretionary Assistance in partnership with Urban Vision.

Eligibility

12.11. Those with a demonstrable legal interest in properties that have been subject to compulsory purchase by the City Council

Type of Works

12.12. Disturbance payments can cover a wide range of costs incurred by the affected homeowner so long as they can be demonstrated to have been a consequence of the Council's actions in acquiring their property and to be reasonable.

12.13. Heads of claims can include professional fees, removal costs, storage costs if applicable and, in some cases, the costs of works to a replacement property to reflect adaptations carried out to the property being purchased by the Council.

Types of Financial Assistance which Apply

12.14. No additional Financial Assistance will be applicable and the amount of compensation that will apply is equivalent to the relevant statutory compensation.

Fees and other costs

12.15. Relevant professional fees incurred by the homeowner, such as legal costs, surveying costs and valuation costs can be included in a claim for Disturbance Payment. Such costs must be shown to be reasonable.

Conditions

- 12.16. Relevant statutory provisions and Government guidance in force at the time the council formally took possession of the land or property will define the conditions under which the statutory compensation is awarded.
- 12.17. The Council in its correspondence will advise claimants of the 6 year limitation and the fact that the Council will not waive the statutory limitation period.
- 12.18. Appeals may be considered by the Assistant Mayor for Housing and Environment.

Policy Limits

- 12.19. The policy limit is equivalent to relevant statutory compensation for each case.

13. Financial Products and Conditions

13.1. Salford Council makes available different types of financial product, depending on the type of assistance that is being requested. This section should be read in conjunction with the relevant section on the type of assistance. The provisions and conditions of the type of assistance will take precedence.

13.2. An example of the general methodology for calculating the different types of loan values and the repayment values can be seen at Appendix 2.

Which Financial Product?

13.3. Financial Assistance will only be made available by the Council where an applicant cannot fund the works themselves. Loan products will only be made available to applicants who cannot access commercially available loan products, except where stated.

13.4. Where more than one type of financial product supports the theme of assistance, an applicant's financial and other circumstances will be assessed to decide which is the best type of financial product, from the range available, to suit their circumstances.

13.5. The forms of assistance will be considered sequentially starting with consideration for;

- Repayment Loan, followed by;
- Interest Only Loan;
- Interest Roll-up Loan;
- Equity Participation Loan;
- Secured Interest Free Loan;
- Direct Financial Assistance.

13.6. The Council may determine to award more than one financial product in respect of any application where it is deemed the most appropriate course of action to provide the applicant with the necessary level of assistance to meet the particular circumstances of the case, whilst ensuring value for money in the use of resources.

13.7. When assessing the appropriateness of offering financial assistance in any individual case the Council will have regard to any previous financial assistance provided.

Repayment Loans

13.8. These are fixed or variable rate interest bearing loans repaid over a fixed term. The term should be the shortest that can be safely managed by the applicant.

13.9. Interest is calculated on the capital advance, which is determined at the point of approval of the loan, and is charged as a loan administration fee. This loan satisfies faith requirements.

13.10. Loans may be secured by a Legal Charge against the property registered with Land Registry; discretion may be applied to smaller amounts and in exceptional cases, to allow an unsecured repayment loan.

Interest Only Loans

13.11. These are loans secured on the homeowner's property at a fixed or variable interest rate.

13.12. The principle sum of the loan is repaid on transfer of title.

13.13. Interest charged will be paid by the applicant each month. The term over which the interest is payable will be capped to ensure reasonable repayment terms. The client is therefore aware of the total cost of the loan from the outset.

13.14. These loans have the benefit for the homeowner of maintaining the debt at the same amount throughout the life of the loan.

13.15. Loans are secured by a Legal Charge against the property registered with Land Registry.

Interest Roll-Up Loans

13.16. These are fixed or variable interest rate loans with interest "rolled up" to the capital account monthly. The whole loan including both the principle sum and the accrued sum is repaid on transfer of title.

13.17. The term over which the interest is payable will be capped to ensure reasonable repayment terms. The client is therefore aware of the total cost of the loan from the outset.

13.18. As a loan not requiring any repayment until the transfer of title, this product can assist the large proportion of owners who cannot afford a commercial loan.

13.19. Loans are secured by a Legal Charge against the property registered with Land Registry.

Equity Participation Loans

13.20. This product allows clients to release part of the equity in their property, which is then used to pay for the required works.

13.21. The cost of works is calculated as a percentage of the value of the property.

- 13.22. The loan is repaid on transfer of title when the percentage share of the valuation of the property becomes payable.
- 13.23. The amount to be repaid may therefore be higher than the amount borrowed if the value of the property has increased. However, even if the value of the property decreases you will still be required to repay the amount originally advanced.
- 13.24. There is a general methodology for understanding the loan values and the repayment values, set out in Appendix 2. This is used in all cases except where a specific theme of assistance provides an alternative calculation, e.g. Relocation Loans.
- 13.25. As a loan not requiring any repayment until the transfer of title, this product can assist the large proportion of owners who cannot afford a commercial loan.
- 13.26. Loans are secured by a Legal Charge against the property registered with Land Registry.

Secured Interest Free Loan

- 13.27. An interest free loan repaid on the transfer of title.
- 13.28. Loans are secured by a Legal Charge against the property registered with Land Registry.

Direct Financial Assistance

- 13.29. In some cases it will not be appropriate to fund all the necessary works through the forms of loan assistance outlined above and it may be necessary for the Council to provide direct funding towards meeting the cost of the works. Such assistance is known as Direct Financial Assistance.

Interest Rates

- 13.30. Where applicable the standard interest rate will be a variable rate of 3.5% over the base rate of the Bank of England. For some loans the rate used will be the published Local Authority Mortgage Interest Rate.
- 13.31. The interest rate to be charged will be reviewed quarterly.
- 13.32. In cases of hardship the Council may recommend reduced interest rates and alternative terms.
- 13.33. The Council's objective for a loan product is to maintain the real value of the loan over time. This means providing credits at an aggregate interest rate at least equivalent to inflation.

Independent Financial Advice

13.34. Clients will be invited to consider seeking Independent Financial Advice whenever a loan is being processed. Clients choosing not to take independent financial advice will be asked to sign a waiver confirming that they were advised to take advice but declined to do so.

Fees and Disbursements

13.35. Eligible fees and disbursements, if payable, will be borne by the client and may be added to the total amount of the loan. A description of the types of eligible fees and disbursements is available at Appendix 1.

Maximum Loan

13.36. This section should be read in conjunction with the Policy Limit sections of the relevant type of assistance.

13.37. Loans will ordinarily be secured against the property that is the subject of the loan and the loan should not be for more than 70% of the available equity except in the cases of Leaseholder or Relocation Loans.

13.38. Eg. A property valued at £100,000 with an outstanding mortgage of £60,000 would have £40,000 equity available to provide security for the loan. The maximum loan amount that would ordinarily agreed would be £40,000 x 70% = £28,000. This results in the property securing lending of £88,000 or 88% loan to value.

13.39. In cases of hardship the Council may consider loans which exceed this limit.

Making an application

13.40. All applications should be made directly to the Council's service or scheme administering the theme of assistance for which the applicant is eligible.

13.41. An application for assistance shall be in writing using the relevant application form that may be administered by the Council or its partner agency.

13.42. An application for assistance must be accompanied by the appropriate and relevant documentation, this includes such further information as the Council or any of its delivery partners reasonably requires in order to progress their application within the time set by the Council or such partners for providing such information.

13.43. Applications can be made by persons able to demonstrate an appropriate legal interest in the property subject to the application conditions applying to the type of assistance being applied, such legal interest being Owner-Occupier, Landlord or Residential Leaseholder, as follows;

13.43.1. Owner occupiers – such a person must be a freeholder or leaseholder with at least 5 years of the lease remaining and the dwelling must be his only or main residence.

13.43.2. Application must be accompanied by;

13.43.2.1. An owner-occupation certificate stating that the applicant has a qualifying owner's interest in and holds a legal title to the relevant dwelling, and that they will occupy the dwelling throughout any assistance condition period as their only or main residence.

13.43.3. Landlords – such a person must be, or will be, a freeholder or leaseholder with at least five years of the lease remaining, and the dwelling must be let on a residential basis with a rent payable. An applicant will be required to join the Council's Landlord Accreditation Scheme, and/or Landlord Licensing Scheme as appropriate, as a condition of making an application, and no application would be approved until this has happened.

13.43.4. Application must be accompanied by;

13.43.4.1. A certificate of intended letting stating that the applicant has a qualifying owners interest in and holds a legal title to the dwelling, and that the dwelling will be let or be available for letting as a residence to a person who is not connected with the owner, throughout any assistance condition period with a market rent payable. It should be noted that such applications, known as a landlord's application, will only be considered in certain specified circumstances which are detailed in the relevant sections of the Policy.

13.43.5. Residential Leaseholders – such a person will be an owner-occupier who is responsible for a service charge to cover the costs of day-to-day non-itemised repairs. This recognises major maintenance and repairs works which may be carried out on a programmed basis and may be invoiced for separately.

13.43.6. Application must be accompanied by;

13.43.6.1. Residential Leaseholders seeking support will need to provide sufficient information to enable assessment and eligibility to access funds.

13.44. In addition, all applications, regardless of legal type must be accompanied, where relevant with;

13.44.1. A form of consent from each owner of the relevant dwelling giving authorisation to the application. The Council may consult Land Registry and other relevant records to confirm that the applicant has the necessary owner's interest. If the applicant's property is not registered

the Council will require the applicant's solicitor to deduce title to the applicant's property;

- 13.44.2. A declaration that the applicant understands and agrees to any obligations that they are placing themselves under. In addition, any other owner of the property will be required to complete a declaration that they give their consent to the works, that they understand the implications of giving such consent, and that they postpone any legal or equitable interests they may have in favour of the Council;
- 13.44.3. Confirmation that they have sought independent financial and legal advice as a condition of their application, or confirmation that they have been advised to seek such advice and have made the decision not to seek this. Where they have sought independent financial and legal advice the reasonable cost of obtaining such advice will be included in the assistance in the fees and charges which are necessarily incurred or as a cost to be reimbursed as a disturbance claim, as appropriate.
- 13.45. The applicant will be given appropriate advice and time to consider any offer of assistance, and must be willing to accept the assistance offered subject to any conditions set by the Council, within the time set by the Council for accepting such an offer.
- 13.46. When assessing the form and extent of assistance to be offered the Council will take into account the financial circumstances of all adults residing at the property as well as all those who have a legal interest in the property.
- 13.47. In the case of a joint application, the application conditions will be deemed to be satisfied if they are met by either applicant, although this applicant must then continue to meet the ongoing conditions of the assistance.
- 13.48. In the case of joint applications where one of the applicants is under 18 years of age, he or she will be disregarded.
- 13.49. Any person who wishes to make an application must be able to understand the implication of the application, and their responsibilities thereunder.
- 13.50. Any application for assistance will be considered by the Council, and will be in accordance with government guidelines concerning the most satisfactory course of action relating to any dwelling and circumstance. If the guidance indicates that a certain type of assistance should not be made available after consideration of all the relevant factors, the decision of the Council will reflect this.
- 13.51. Regard shall always be had to the expected lifespan of any building which is the subject of an application for assistance, taking into account the effect of carrying out any works where appropriate.

Applications for Loan Assistance

- 13.52. The Council will only make a loan available where it is satisfied that the applicant is unable to access any commercially available loan product in order to fund the required improvement or repair works.
- 13.53. The Council may require the applicant to sign an authorisation form giving consent for the Council or any of its relevant partner delivery agencies to contact their existing lender(s) if they have one in order to determine the outstanding debt against their existing property and establish the lender's agreement to the scheme.
- 13.54. The liability that may arise under a condition of a secured product is a charge on the qualifying dwelling, taking effect as if it had been created by deed expressed to be by way of legal mortgage.
- 13.55. The charge has priority immediately after any legal charge securing an amount advanced to the applicant by an approved lending institution for the purpose of enabling him to acquire the dwelling, or further advanced to him by that institution. But the Council may at any time by written notice served on an approved lending institution postpone the charge taking effect by virtue of this section to a legal charge securing an amount advanced or further advanced to the applicant by that institution.
- 13.56. But in any of these cases, such further advance or second charge must be for the benefit and improvement of the property so that the equity share due back to the Council, its partner or delivery agent will not be at risk of being decreased by the agreement to the charge.
- 13.57. Any applicants receiving an amount of financial assistance in the form of a loan may have their circumstances reviewed on a periodic basis as part of the terms and conditions of receiving the assistance. If the review determines that the circumstances of the applicant have changed to such an extent that they could afford to make earlier repayments of their loan, the Council, or any partner delivery agent who may have advanced the loan amount on behalf of the Council, may negotiate a revised repayment schedule with the applicant.
- 13.58. Applicants are required to notify the Council, or any partner delivery agent who may have advanced the loan amount on behalf of the Council, of any significant change in their circumstances which would affect their ability to make repayments of the loan. Details of what constitutes a significant change will be set out in the loan agreement. The Council, or any partner delivery agent who may have advanced the loan amount on behalf of the Council, may negotiate a revised repayment schedule with the applicant if their circumstances have changed in this manner.
- 13.59. The applicant can elect to repay the loan in full at any time and to make part payments against the loan by agreement.

- 13.60. If at any time, the Council believes that the applicant is able to repay the loan in full or in part as a result of a change of personal circumstances and that the repayment will not cause hardship the Council may require repayment of the loan. Such circumstances may include, but are not necessarily limited to, a change of financial circumstances which significantly increases the applicant's ability to repay any loan.
- 13.61. Where part payment is made on an equity product the proportion of the value of the property payable on repayment of the loan will be reduced accordingly by reference to the value of the property at the time of the original offer of the loan.
- 13.62. Where the applicant dies or the property is sold during the life of the loan, the Council will recover the loan from the Estate of the deceased or from the proceeds of the sale. In the cases of joint applications, all of the applicants must cease to be entitled before this requirement would come into effect. The money must be repaid when the property changes hands, without exception.
- 13.63. In order to monitor ongoing compliance with the application conditions attached to loan assistance the City Council may, from time to time, ask recipients of such assistance for information regarding the occupation of the property. Failure to produce this information may be viewed as an indication of a breach of conditions and lead to further action by the Council, ultimately resulting in the assistance being reclaimed in some cases.

Applicants Ceasing To Be Entitled To Financial Assistance

- 13.64. In the event of any breach of conditions, the financial assistance will become repayable immediately.
- 13.65. If an applicant ceases to be entitled to assistance before the certified date (the date the works are completed to the satisfaction of the Council or in the case of Relocation Assistance the date the applicant takes ownership of the qualifying dwelling), the Council will not pay any further instalments or amounts of financial assistance, and may demand that any instalment which has already been paid be repaid forthwith together with interest from the date on which it was paid until the date on which it is repaid.
- 13.66. In the case of an owner's application, an applicant would cease to be entitled if they cease to have a qualifying owner's interest during the condition period, or if they cease to have the intention to fulfil the obligation specified in the owner-occupation certificate or the certificate of intended letting which accompanied the application.
- 13.67. In the case of assistance to a Landlord, should the property not be made available to let for the full period specified in the application conditions associated with the type of assistance, the Council will demand full repayment of any amount of assistance so obtained, together with interest from the date of payment until the repayment, and no further amount will be paid.

- 13.68. In the cases of joint applications, all of the applicants must cease to be entitled before this requirement would come into effect.
- 13.69. The Council may charge a fee in respect of time or costs spent on processing an enquiry or application if it can be demonstrated that a potential applicant has attempted to wilfully mislead or has wilfully misled the Council about their proposed intention to pursue an application.
- 13.70. If the Council is satisfied that a failure to waive repayment in whole or in part, or a failure to remove any legal charge in the case of a loan, will result in unnecessary hardship to the applicant or their household, a report will be submitted to the Assistant Mayor for Housing and Environment seeking authority to take such steps as are necessary to alleviate that hardship.
- 13.71. This can include consideration for a 'management move' within the Choice-Based Letting system, which will be allocated through the Allocations Review Panel and can be put forward for consideration by either Salford Home Search Management or the partner landlord. Provision will also be made for Housing Advice and signposting to appropriate Independent Financial Advice.
- 13.72. In the case of a loan, the application conditions will be set out in the legal charge entered into between the applicant and the Council or any partner or delivery agent administering the loan.

Appendix 1 Disbursements and Fees

The following fees, if payable, will be borne by the client and added to the total amount of the loan.

1. IFA Fees – Cost typically between £250 to £500 plus VAT
Clients wishing to take independent financial advice will be able to add the IFA fees to the loan amount.
2. Valuation Fees – Cost typically between £150.00 to £250 plus VAT
Where valuation fees are incurred in relation to determining a property value prior to drawdown or on exit the fees will be added to client's loan account.
3. Land Registry Fees – Scale Fees – cost currently £40.00 for loans of up to £100,000
Where Land Registry fees are incurred in connection with the perfection of security.
4. Prior Charge Holder Consent Fees – Cost typically between £15 and £100
Where a prior charge holder has created a restriction at Land Registry and requires a fee for consent to register a further charge on the property.
5. Solicitors Fees – At Cost dependent on circumstances
Where there is a conveyance or the loan amount exceeds £50,000 the services of a solicitor will be required.
6. Redemption Fees – Fixed Fee – cost currently £100
An administration charge covering the cost of arranging the release of the Charge at Land Registry, arranging valuations and agreeing a settlement figure with the client.

Appendix 2 Examples of Loan Calculations

Repayment Loan

An example of a repayment loan is as follows;

If the loan value required is £4,000 and the term agreed to repay loan is 6 years, there would be a monthly repayment of £60.70 for 6 years and the total charge for the credit would be £370.40, making a total amount repayable of £4,370.40. This gives an APR of 3.0%.

Interest Only Loan

An example of an interest only loan is as follows;

If the loan value required is £10,000 and the maximum term over which interest will be repaid is 12 years, at APR 3.5% there would be a monthly repayment of £15.30 for 12 years and the total charge for the credit would be £12,203.20.

Interest Roll-up Loan

An example of an interest roll-up loan is as follows;

If the loan value required is £10,000 and the maximum term over which interest will be repaid is 12 years, the monthly repayment would be £0.00 (nil). At APR 3.5%, the total charge for the credit would be £15,210.31.

Equity Participation Loan and Relocation Equity Loan

The Equity Participation Loan repayment is calculated in accordance with the following formula:

$$R = T \times L/V$$

Where:

- R = Repayment amount
- T = Value of the property at the time repayment is due
- L = Amount advanced
- V = Value of the property at the time the loan is advanced, based on the value after the works have been carried out

For example, if the loan is 30% of the value of the property, after relevant works have been carried out, then the applicant must repay 30% of the open market value at the time of sale or transfer.

The amount to be repaid may therefore be higher than the amount borrowed if the value of the property has increased. However, even if the value of the property decreases you will still be required to repay the amount originally advanced.

Calculation:

At the point of the works being carried out, a property is valued at £100,000 (after relevant works have been carried out). The property requires a loan of £10,000 to complete the works and this results in the property securing lending of 10%. A few years later the property is sold, at this point the property is valued at £125,000. The loan value to be repaid at this point is therefore £12,500 (i.e. 10% of £125,000).

OR

Calculation:

At the point of the works being carried out, a property is valued at £100,000 (after relevant works have been carried out). The property requires a loan of £10,000 to complete the works and this results in the property securing lending of 10%. A few years later the property is sold, at this point the property is valued at £90,000 (£10,000 less than the previous valuation). The loan value to be repaid at this point is therefore £10,000 as the minimum amount to be repaid is the amount originally advanced.

The Relocation Equity Loan purchase is calculated in accordance with the following formula:

$$L = H - A - P$$

Key:

- H = Cost of replacement home
- A = Achieved Disposal Value of original home
- P = Home Loss Payment (statutory where applicable)
- L = Relocation Assistance Loan
- R = Repayment
- V = Value of the replacement home at time repayment is due

Calculation:

At the point of relocation, a replacement home is purchased for £150,000 and the disposal value of the original home is £100,000 and the (minimum) statutory Home Loss payment is £4700². The loan value that can be borrowed to purchase the property is £45,300 (30% of the loan).

The Relocation Equity Loan repayment is calculated in accordance with the following formula:

$$R = L \times V/H$$

² Correct at time of publication

For example, if the loan is 30% of the value of the property, after relevant works have been carried out, then the applicant must repay 30% of the open market value at the time of sale or transfer.

The amount to be repaid may therefore be higher than the amount borrowed if the value of the property has increased. However, even if the value of the property decreases you will still be required to repay the amount originally advanced.

Calculation:

A few years later the same property is sold, at the point of sale the home previously purchased for £150,000 is now valued at £170,000. The loan value to be repaid at this point is therefore £51,000 (i.e. 30% of £170,000).

OR

Calculation:

A few years later the same property is sold, at the point of sale the home previously purchased for £150,000 is now valued at £140,000. The loan value to be repaid at this point is therefore £45,300 as the minimum amount to be repaid is the amount originally advanced.

Secured Interest Free Loan

The amount secured as charge is the amount to be repaid.

Calculation:

At the point of the works being carried out, a property is valued at £100,000 (after relevant works have been carried out). The property requires a loan of £10,000 to complete the works and this amount is secured as a charge. A few years later the property is sold, at this point the property is valued at £125,000. The loan value to be repaid at this point is therefore £10,000.

OR

Calculation:

At the point of the works being carried out, a property is valued at £100,000 (after relevant works have been carried out). The property requires a loan of £10,000 to complete the works and this amount is secured as a charge. A few years later the property is sold, at this point the property is valued at £90,000. The loan value to be repaid at this point is therefore £10,000.

Appendix 3 Housing Health and Safety Rating System

The housing health and safety rating system (HHSRS) is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. It was introduced under the Housing Act 2004 and applies to residential properties in England and Wales.

This assessment method focuses on the hazards that are present in housing. Tackling these hazards will make housing healthier and safer to live in.

The HHSRS;

- Is a means of identifying faults in dwellings, and of evaluating the potential effect of any faults on the health and safety of occupants, visitors, neighbours and passers-by;
- Grades the severity of any dangers present in a dwelling;
- Provides means of differentiating between dwellings posing a low risk to health and safety, and those posing a higher risk, e.g. imminent threat of serious injury or death;
- Concentrates on threats to health and safety, and is not concerned with quality, comfort and convenience;
- Can be applied in the assessment of housing design and conditions and to any age of property;

The principle is that a dwelling, including the structure, the means of access, any associated outbuildings and garden, yard and/or other amenity space should provide a safe and healthy environment for the occupants and any visitors;

For more Information visit:

www.gov.uk/government/collections/housing-health-and-safety-rating-system-hhsrs-guidance.

Appendix 4 Home Improvement Agency Prioritisation Criteria

Where the Home Improvement Agency enquiries for assistance are over and above the resources for the Home Improvement Agency to deal with immediately, and to ensure the process is fair and equitable, a waiting list will be established and points allocated against assessment criteria to determine the applicant's position on the list.

The timescale from receiving an enquiry for the service to the first fact finding visit is twelve weeks from first contact with the Home Improvement Agency; this is in line with the Home Improvement Agency Customer Service Standards.

Applicants receiving the highest prioritisation will be visited within one week or as a first priority where demand exceeds capacity to respond to the request immediately. The service will define which applicants fall into the highest prioritisation depending on demand for the service and this may change from time to time.

The Health & Safety, wellbeing and the needs of the enquirer, including any dependents, will be taken into account together with the length of time since the initial enquiry was taken.

Prioritisation may be increased at the discretion of the manager, depending on specific circumstances and will need to be supported by appropriate evidence.

From time to time the assessment criteria will be updated by the service to take account of service development and/or legislative changes, e.g. changes in benefits type and eligibility.

Points will be allocated to determine the enquirer's position from one, more than one, or all of the following criteria for

1. Home Repairs and Improvements
2. Housing Options

1. Home Repairs and Improvements

<u>Work</u> (circle one only)	
<p><u>Property that is unfit for human habitation lacks basic amenities and affects the health, safety and wellbeing of the occupants</u></p> <p>No Heating No Hot Water Dangerous Electrics (report required from NICEIC Electrician) Concerns with Gas Installation (report required from Gas Safe Engineer)</p>	250 points
<p><u>Property where occupant is at risk from doorstep crime, burglary</u></p> <p>Defective doors/windows</p>	150 points
<p><u>Disrepair, not dangerous but directly impacts on the health, comfort, safety & wellbeing of the occupants</u></p> <p>Rising damp, water ingress, wet rot (report required from Timber/Damp Specialists) Structural problems (report required from Structural Engineer) Dry Rot / Timber Infestation (report required from Timber / Damp Specialists)</p>	100 points
<p><u>Disrepair affecting the health, safety and wellbeing of the occupants</u></p> <p>Roof Repairs</p>	100 points
<p><u>Disrepair to the external structure of the property, not dangerous but not directly affecting the occupants health, safety and wellbeing</u></p> <p>External envelope e.g. gutters, flashings (no water ingress) Boundary walls</p>	60 points
<p><u>Minor disrepair work not directly affecting occupants</u></p> <p>Essential repairs to windows/doors Minor electrical repairs Bathroom repairs</p>	20 points
<u>Health</u> (circle one – for client or any dependent permanently living at the home) Client must be able to evidence the condition with a related benefit or health professional support	
<ul style="list-style-type: none"> • Unable to return home from hospital or just been discharged from hospital • Palliative care • Terminal illness 	150 points
<ul style="list-style-type: none"> • Physical disability • Respiratory/Heart condition causing mobility problems • Chronic health condition 	100 points

• Mental health condition – <i>may be in addition to a physical health condition</i>	50 points
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Age (circle **one** only for either adult or child – not both)

Adult		Child	
85+ years of age	100 points	Less than 12 months old	100 points
75-84 years of age	80 points	1-5 years of age	60 points
60-74 years of age	60 points		
50-60 years of age	30 points		

Income (circle **one** only)

Any household member in receipt of any of the following:-	
Pension Credit / DLA / Attendance Allowance	100 points
Income Support / ESA / Tax Credits	50 points

Additional Points Award:

If you feel that due to circumstance, additional points can be awarded please state below your reasons why, attaching appropriate evidence

.....

.....

Please ensure if additional points awarded for exceptional circumstances that you obtain approval for the enquiry to proceed by either:

Signed: Dated:
Principal Officer

Signed: Dated:
Other Manager

2. Housing Options

<u>Housing Need</u>			
Do you have difficulty:			
Getting in or out of the property?	Yes <input type="checkbox"/> No <input type="checkbox"/>	100 points	
With access to Bathroom/WC?	Yes <input type="checkbox"/> No <input type="checkbox"/>		
With use of the staircase?	Yes <input type="checkbox"/> No <input type="checkbox"/>		
Any other areas of the property you have difficulty accessing?	Yes <input type="checkbox"/> No <input type="checkbox"/>		
<u>Property issues (Please circle)</u>			
Property unsustainable due to disrepair, e.g. No heating / No hot water / dangerous electrics / concerns with Gas Installation / Dry Rot or Wet Rot / Timber infestation / Rising Damp/ Water ingress / Structural problems / Lack of basic sanitation		100 points	
At risk of becoming homeless (been served notice of less than 2 months)			
People living in clearance areas that have been formally identified by the Council			
<u>Health</u> (circle one – for client or any dependent permanently living at the home) <i>Client must be able to evidence the condition with a related benefit or health professional support</i>			
<ul style="list-style-type: none"> • Unable to return home from hospital or just been discharged from hospital • Palliative care • Terminal illness 		150 points	
<ul style="list-style-type: none"> • Physical disability • Respiratory/Heart condition causing mobility problems • Chronic health condition 		100 points	
<ul style="list-style-type: none"> • Mental health condition – <i>may be in addition to a physical health condition</i> 		50 points	
Professional Referral e.g. Social worker, Health Care Professional		50 points	
Is there a support package in place?			
Social worker	Yes <input type="checkbox"/> No <input type="checkbox"/>	50 points	
Health Professional	Yes <input type="checkbox"/> No <input type="checkbox"/>		
Care Agency	Yes <input type="checkbox"/> No <input type="checkbox"/>		
<u>Age</u> (circle one only for either adult or child – not both)			
Adult		Child	
85+ years of age	100 points	Less than 12 months old	100 points
75-84 years of age	80 points	1-5 years of age	60 points
60-74 years of age	60 points		

50-60 years of age	30 points		
Income (circle one only)			
Any household member in receipt of any of the following:-			
Pension Credit / DLA / Attendance Allowance			100 points
Income Support / ESA / Tax Credits			50 points
Would you be interested in Sheltered Accommodation?		Yes <input type="checkbox"/> No <input type="checkbox"/>	50 points

Additional Points Award:	<input style="width: 100px; height: 30px;" type="text"/>	
<p>If you feel that due to circumstance, additional points can be awarded please state below your reasons why, attaching appropriate evidence</p> <p>.....</p> <p>.....</p>		
<p>Please ensure if additional points awarded for exceptional circumstances that you obtain approval for the enquiry to proceed by either:</p>		
Signed:	Principal Officer	Dated:
Signed:	Other Manager	Dated: