

APPENDIX A

Maidstone Borough Council Housing Renewal Policy 2023

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1. Introduction

- 1.1 Maidstone Borough Council's Strategic Plan (2019-2045)¹ identifies our vision as "Maidstone a vibrant, prosperous, urban and rural community at the heart of Kent where everyone can realise their potential". Within the borough, there are 75, 000 dwellings, with 87% of them being privately owned or rented.
- 1.2 Regarding Homes and Communities "We want to have a place that people love and where they can afford to live. This means ensuring that there is a good balance of different types of homes, including affordable housing. We will have safe and desirable homes that enable good health and wellbeing for our communities".
- 1.3 This policy details how the Council intends to use its mandatory & discretionary powers and resources to maintain & improve the condition of housing through providing support, and assistance to homeowners; tenants; and landlords to maximise the supply of high-quality housing within the borough.
- 1.4 This Housing Renewal Policy flows from the Council's Housing Strategy and should be read in conjunction with the Council's Housing Standards Enforcement Policy, the Biodiversity and Climate Change Action Plan, and Delivering Affordable Warmth - a fuel poverty strategy for Kent developed by The Kent Energy Efficiency Partnership (KEEP) and adopted by the Council.

2. Background

- 2.1. The right home environment is critical to our health and wellbeing. Good housing helps people stay healthy and provides a base from which to sustain a job, contribute to the community, and achieve a decent quality of life. Safe and suitable housing also aids recovery from periods of ill-health and enables people to better manage their health and care needs.
- 2.2. Housing is a key determinant of health, and by promoting good quality housing this policy will contribute to reducing health inequalities for Maidstone's residents and contribute to the key action area of safe and desirable homes that enable good health and wellbeing.
- 2.3. Poor housing also has the potential to impact negatively on both the local neighbourhood but also on the wider housing market and by supporting investment in private sector housing the Council will contribute to the key action areas of securing a successful economy and providing a clean and safe environment.

¹ [Maidstone Strategic Plan 2019-2045](#)

- 2.4. Energy efficient homes enable residents to cope better with cost-of-living issues and reduce the amount of energy needed to heat them so will reduce the amount of carbon dioxide released.
- 2.5. The most recent Census (2021) gave Maidstone approximately 71,200 households. The population in Maidstone has increased 13.3% from 2011 levels to 175,800 residents which is higher than the Southeast increase (7.5%). There has also been an increase of 26.3% in people aged 65 years and over, an increase of 9.7% in people aged 15 to 64 years, and an increase of 14.1% in children aged under 15 years².
- 2.6. Deprivation in the Borough is lower than England average; however, between 2020- 2021 12.6% (4,364) of children are living in absolute low-income families. (Kent Analytics, Kent County Council). There is a difference of life expectancy in men and women; 7.4 years lower for men and 4.5 years lower for women in the most deprived areas of Maidstone than in the least deprived areas.

3. Aims and priorities

- 3.1. The Council's new Housing Strategy 2023-28 has three priorities, the second of which is to ensure that "existing homes in the borough are of a high standard, are energy efficient and safe, to enable healthy, independent living". The Housing Renewal Policy sets out how the Council will meet its duties and exercise its discretion to develop schemes having regard to the needs of the borough, the availability of funding and the Council's strategic priorities³.
- 3.2. The overall objectives of the housing assistance detailed in this policy will be to:
 - a) Ensure properties are suitable for the occupier's needs
 - b) Safeguarding the health and wellbeing of vulnerable residents by removing significant hazards under the Housing Act 2004
 - c) Ensure properties are adequately heated and insulated
 - d) Promote the use of renewable energy
 - e) Provide support to bring empty properties back into use
 - f) Increase the supply of decent homes.
- 3.3. In performance of these duties, the Council is largely reactive to the concerns reported to the Council (in the main) by the resident themselves. The Council will seek to identify ways to gather more intelligence about problems affecting housing standards to enable the Housing Service to move towards a more preventative role.

² 2021 Census

³ The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 [SI 2002 No 1860

4. Funding and resources to implement the policy

- 4.1. Funding is through the Better Care Fund which is a program spanning both the NHS and Local Government and seeks more joined up solutions to people's health issues. It has been created to improve the lives of some of the most vulnerable people in our society, placing them at the centre of their care and support, and providing them with 'wraparound' fully integrated health and social care, resulting in an improved experience and better quality of life.
- 4.2. The Council partners with the Home Improvement Agency (HIA) which is part of the Town and Country Housing Association. The HIA can help homeowners to access funding and supports the homeowner in obtaining quotations from reliable contractors and can help them through the works to ensure that the works are carried out to a good standard.

5. Types of assistance that may be considered

- 5.1. Housing assistance may be offered by the Council towards the cost of the improvement, repair or adaptation of living accommodation including mobile homes and houseboats.
- 5.2. The assistance may be in any form including, but not restricted to, advice, grant assistance and loan assistance via an intermediary party, for example the Home Improvement Agency.
- 5.3. The Housing Grants, Construction and Regeneration Act 1996 will be utilised where a means test is required in considering eligibility under the Housing Assistance Grant.
- 5.4. Other housing assistance will be in some cases by reference to whether the applicant is in receipt of an income or disability related benefit. The Council will determine the eligible works.
- 5.5. Funding to bring empty properties back into use will be through accessing the loans available via Kent County Council, on condition the property is sold or rented on completion of refurbishment works.
- 5.6. The Council retains the right at any time to introduce a mechanism for further prioritisation of grant assistance under this policy to reflect budgetary requirements at the time.

6. Work not eligible for grant assistance

- 6.1. Work in dwellings that fall outside the definition of residential premises in accordance with the Housing Act 2004 Chapter 1 paragraph 1 (4) or those that fall outside of the Housing Grants, Construction and Regeneration Act 1996.
- 6.2. Cosmetic repairs such as redecoration or cleaning.

- 6.3. Finishing DIY jobs started by the owner or others unless there are extenuating circumstances.
- 6.4. Works which would normally be covered by a household insurance policy.
- 6.5. Works which have already been completed.

7. Disabled facilities grant

- 7.1. The Council has a statutory obligation to administer mandatory Disabled Facilities Grants (DFGs) to provide aids and adaptations to enable disabled residents to live independently within their own homes.
- 7.2. The eligibility requirements, scope of works, and the general requirements governing mandatory DFGs are prescribed, and the Council is unable to deviate from these requirements.
- 7.3. The Council is required to administer Disabled Facilities Grants to all eligible applicants irrespective of their tenure, and the Council aims to work collaboratively with housing associations to fund aids and adaptations within subsidised housing in accordance with the pan-Kent protocol⁴ for delivering DFGs which shares the cost between the Council and the housing association that owns the property being adapted.
- 7.4. In some cases, the use of Disabled Facilities Grants can assist with reducing the length of stay in hospital and facilitating a quick return to home. This also reduces the demand for residential care placements.
- 7.5. The Council acknowledges that in certain cases such as the rapid onset of a debilitating illness, or an end-of-life condition will require a swift response. This approach will enable discretionary and statutory grants to be prioritised to assist those residents facing those conditions more effectively.
- 7.6. The Council will treat Council Tax Support as a passporting benefit when undertaking a means test.
- 7.7. Assistance in excess of £5,000 must be registered as a local land charge against the property and a maximum of £10,000 to be repaid (disregarding the first £5,000) in the event that the property is sold, transferred, or assigned. Exception can be considered by the Head of Housing & Regulatory Services if the property disposal takes place more than 10 years following the date of the local land charge or if the Council considers that it is unreasonable to require repayment having regard to the relevant regulations⁵.

⁴ Kent Housing Group

⁵ The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grants (Conditions relating to approval or payment of Grant) General Consent 2008.

8. Top-up funding

8.1. In some cases, it is not possible for the works specified under a Disabled Facilities Grant to go ahead for a variety of reasons – for example the cost of the works may exceed the statutory £30,000 grant cap. Therefore, discretionary assistance may be available to top-up the mandatory grant. The maximum assistance of £10,000, will be placed as a land charge and will be repayable in perpetuity, therefore there must be unmortgaged equity in the property. Top-up funding may be available for the following:

- a) To pay for repairs or other work to owner occupied premises which are essential to allow the works specified under a Disabled Facilities Grant to go ahead or be completed.
- b) To pay for up to £1,000 of an applicant's contribution towards the cost of a Disabled Facilities Grant where the funding is not available or cannot reasonably be borrowed elsewhere.
- c) To pay for reasonably incurred top-up costs where the necessary works are in excess of the mandatory limit where the funding is not available or cannot reasonably be borrowed elsewhere.
- d) To pay for additional works that the Occupational Therapist recommends during the Disabled Facilities Grant application which are classed as essential but fall outside the scope of the Grant. Where the funding is not available or cannot reasonably be borrowed elsewhere.
- e) To pay for an applicant's reasonable costs of moving within the Borough to a more suitable property subject to a report from an Occupational Therapist as to why the existing property is not suitable for adaptations and the suitability of the new property is considered to be the most viable and cost-effective option.

Reasonable costs of moving relating to the sale and purchase of a property would include the following: Legal fees, Estate agent's fees, Stamp duty, Land registration fees, Survey fees, Electrical and drainage inspection fees, Removal costs (lowest of at least two quotes), and Redirection of mail if necessary (for a period of 12 weeks maximum).

Funding will be provided to meet any cost difference between the new and existing property price.

- f) To pay for works as specified by an Occupational Therapist or Trusted Assessor which are deemed as 'urgent' and 'simple' as defined by guidance⁶. And where funding is not available or cannot reasonably be borrowed elsewhere. Work to install or repair a

⁶ Disabled Facilities Grant delivery: guidance for Local Authorities in England 2022

stairlift for someone in hospital or in care but is unable to return home without this could be classed as urgent and simple.

9. Home hazard grant

- 9.1. The Council may provide assistance to vulnerable homeowners up to a maximum of £30,000. The assistance is means tested and applicants must own their own property for at least 3 years and be on a means tested benefit. The grant is repayable in perpetuity on sale or transfer of the property.

10. Energy efficiency top-up grant

- 10.1. The Council may provide assistance to vulnerable homeowners up to a maximum of £5,000 for works to top-up other local or nationally funded grants. Applicants must own their own property for at least 3 years and be on a means tested benefit. The grant is repayable in perpetuity on sale or transfer of the property.

11. Applications for grant assistance

- 11.1. Applications for assistance must be on the forms published by the Council.
- 11.2. Estimates and invoices will not be accepted if they come from the applicant or member of their family.
- 11.3. Eligible works are identified by the Council or Home Improvement Agency with reference to the Council's policy.
- 11.4. Financial assistance will be available for applicants in receipt of a means tested benefit or a full financial assessment. Passported benefits include:
- a) Council Tax Support
 - b) Guaranteed Pension Credit
 - c) Housing Benefit
 - d) Income-based Job Seekers Allowance
 - e) Income-related Employment and Support Allowance
 - f) Income Support
 - g) Universal Credit
 - h) Working tax credit with an income of less than £15,050
 - i) Child tax credit with an income of less than £15,050
- 11.5. The contract for the building works is between the applicant and the chosen contractor. The Council's role is only to administer the assistance and provide finance. The Council does not have a contract with the contractor. Although inspections may take place to make sure works are carried out to the specification of works the Council, or its officers, is not

liable for any poor workmanship and does not provide any guarantee. Any faults with the work will be a matter between the applicant and their contractor.

- 11.6. Financial assistance will only be paid if the work is completed within the time period stated in the approval, by a contractor whose estimate accompanied the application, the works have been completed to a satisfactory standard and in accordance with the specification and estimates, and the Council is provided with an acceptable invoice.
- 11.7. Grant payments are normally paid direct to the contractor.

12. Prioritisation for grant assistance

- 12.1. Applications will be prioritised and assessed taking into account the:
 - a) Level of vulnerability of the applicant e.g. a rapid onset illness, or end of life condition;
 - b) Ability of the applicant to seek alternative assistance;
 - c) Level of disrepair and consequent risks to occupiers' health and safety;
 - d) Cost of work, which must be in line with the limits set out under this Policy;
 - e) Long-term sustainability of the property and its occupation.
- 12.2. Where there are more applications than funding available, applications will be prioritised by:
 - a) Most vulnerable applicants;
 - b) Those likely to benefit most from assistance under this Policy;
 - c) Date order of application received.
- 12.3. Where the applicant is a landlord, applications will be prioritised in the following way:
 - a) Bringing long-term empty properties back into use;
 - b) Where the repayable grant will result in nomination rights;
 - c) Where works done under this Policy will address the terms of an Improvement Notice;
 - d) In date order

13. Appeals and complaints

- 13.1. Where housing assistance is refused the applicant can appeal against the decision, in writing, to the relevant Head of Service. Appeals should be received within 28 days of a decision being issued. Appeals will be determined within a further 28 working days.

13.2. Any complaints regarding any aspects of this policy should be made to the Council's formal complaints procedure.