

Public Document Pack

Mid Devon District Council

Homes Policy Development Group

Tuesday, 17 January 2023 at 2.15 pm
Phoenix Chambers, Phoenix House, Tiverton

Next ordinary meeting
Tuesday, 21 March 2023 at 2.15 pm

Please Note: this meeting will take place at Phoenix House and members of the Public and Press are able to attend via Zoom. If you are intending to attend in person please contact the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms

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Membership

Cllr G Barnell
Cllr J Bartlett
Cllr J Cairney
Cllr S J Clist
Cllr D R Coren
Cllr R J Dolley
Cllr R Evans
Cllr P J Heal
Cllr R F Radford

A G E N D A

Members are reminded of the need to make declarations of interest prior to any discussion which may take place

- 1 **Apologies and Substitute Members**
To receive any apologies for absence and notice of appointment of substitutes.
- 2 **Public Question Time**
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
- 3 **Declaration of Interests under the Code of Conduct**
To record any interests on agenda matters.
- 4 **Minutes** (*Pages 5 - 8*)
To consider whether to approve the minutes as a correct record of the meeting held on 15 November 2022.
- 5 **Chairman's Announcements**
To receive any announcements that the Chairman may wish to make.
- 6 **2023/24 Budget Update** (*Pages 9 - 32*)
To receive a report from the Deputy Chief Executive (S151). The Local Government Finance Act 1992 places a legal requirement on the Council to approve a balanced budget. The first draft of the General Fund budget for 2023/24 indicated a deficit of £960k. This report updates that deficit to the current position of £905k and proposes options to consider to achieve the statutorily required neutrality.
- 7 **Tenant Involvement and Empowerment update** (*Pages 33 - 42*)
To receive a report from the Corporate Manager for Public Health, Regulation and Housing providing an update to Members on the work relating to tenant involvement and empowerment and how this supports

statutory and regulatory obligations including important changes to the social housing regulatory regime.

8 **Damp & Mould Review**

A receive a presentation from the Corporate Manager for Public Health, Regulation & Housing.

9 **Private Sector Housing Assistance Policy** (*Pages 43 - 94*)

To receive a report from the Corporate Manager for Public Health, Regulation and Housing presenting a revised Housing Assistance Policy under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, following a review of the current Housing Assistance Policy 2019-22.

10 **Void Management Policy** (*Pages 95 - 122*)

To receive a report from the Corporate Manager for Public Health, Regulation and Housing. An updated, draft policy on the management of void properties within the Council's housing stock is presented to Members. This has been developed following an in-depth review of voids management and with an aim to ensure that properties which become void continue to be re-let as quickly and efficiently as possible. The policy also seeks to balance this approach with the needs of tenants and the requirement to maintain our properties to an appropriate, safe lettings standard whilst retaining a sustainable stock and Housing Revenue Account.

11 **Identification of items for the next meeting**

Members are asked to note that the following items are already identified in the work programme for the next meeting (please note some of these items have yet to be confirmed):

- Chairman's Annual Report for 22/23
- Briefing on Tenure
- Housing Strategy update and annual review
- The Home Standard Policy
- The Tenancy Standard Policy
- Asbestos Management Plan
- Mid Devon Housing Service Delivery Report

Note: This item is limited to 10 minutes. There should be no discussion on the items raised.

Stephen Walford
Chief Executive
Monday, 9 January 2023

Meeting Information

From 7 May 2021, the law requires all councils to hold formal meetings in person. The Council will enable all people to continue to participate in meetings via Zoom.

If you want to ask a question or speak, email your full name to Committee@middevon.gov.uk by no later than 4pm on the day before the meeting. This will ensure that your name is on the list to speak and will help us ensure that you are not missed. Notification in this way will ensure the meeting runs as smoothly as possible.

Please note that a reasonable amount of hardcopies at the meeting will be available, however this is a limited number. If you are attending the meeting and would like a hardcopy of the agenda we encourage that you notify Member Services in advance of the meeting to ensure that a hardcopy is available. Otherwise, copies of the agenda can be found on our website.

If you would like a copy of the Agenda in another format (for example in large print) please contact Sarah Lees on: slees@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **HOMES POLICY DEVELOPMENT GROUP** held on 15 November 2022 at 2.15 pm

Present

Councillors

R J Dolley (Chairman)
J Cairney, S J Clist, D R Coren, R Evans,
P J Heal and R F Radford

Apologies

Councillor(s)

J Bartlett

Also Present

Councillor(s)

G Barnell

Also Present

Officer(s):

Jill May (Director of Business Improvement and Operations), Paul Deal (Corporate Manager for Finance), Simon Newcombe (Corporate Manager for Public Health, Regulation and Housing), Claire Fry (Housing Services Operations Manager), Mike Lowman (Building Services Operations Manager), Andrew Seaman (Member Services Manager) and Jessica Rowe (Member Services Apprentice)

36 APOLOGIES AND SUBSTITUTE MEMBERS (0.04.14)

Apologies were received from Cllr J Bartlett.

Cllr G Barnell attended via ZOOM.

37 DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT (0.04.32)

Members were reminded of the need to make declarations where appropriate

38 PUBLIC QUESTION TIME (0.04.45)

There were no members of the public present

39 MINUTES (0.05.11)

The minutes of the meeting held on 28th September 2022 were agreed as a true record and duly **SIGNED** by the Chairman

40 CHAIRMAN'S ANNOUNCEMENTS (0.05.29)

The Chairman had no announcements to make

41 MEDIUM TERM FINANCIAL PLAN - OPTIONS (0.05.45)

The Group had before it, and **NOTED**, a *report from the Deputy Chief Executive (S151) presenting the updated Medium Term Financial Plan.

The Corporate Manager for Finance outlined the contents of the report and stated that the report was a slimmed down version that was presented to the Cabinet and contained significant budget gaps.

Consideration was given to:

- There was no specific service budget for Homes PDG
- Fees and Charges would be presented in agenda items 7 & 8
- Action had been taken on a reduction in voids
- The purchase of two properties (HMO's) had been approved by Cabinet assist with homelessness in the District
- The Council has to be a responsible landlord
- An update on the Housing Strategy would be brought forward in January 2023
- Two modular builds were being undertaken on redundant garage plots
- The provision of temporary pods for homeless people should be investigated

Note: *report previously circulated and attached to the minutes

42 **PRIVATE SECTOR HOUSING FEES AND CHARGES 2022/23 AND 2023/24 (0.41.32)**

The Group had before it a *report from the Corporate Manager for Public Health, Regulation and Housing providing revised fees and charges for locally set Private Sector Housing statutory functions.

The officer outlined the contents of the report and stated that it presented an update to private sector housing fees and charges both for in year and 2023/2024 onwards. There was no budget for the fees and charges as they related to enforcement action in relation to transgressions from legislation.

Consideration was given to:

- There was provision in legislation which allowed charges for enforcement action and to set financial penalties
- Fees must reflect the true cost of providing the service and not provide a profit
- Financial penalties cannot be set locally and are set out in legislation
- The numbers of notices issued due to damp in properties would be provided after the meeting

It was therefore **RECOMMENDED** that:

1. The Cabinet approve the revised locally set fees and charges as set out in annexes 1 and 2
2. That Cabinet approve the revised Policy on the Use of Financial penalties as set out in Annex 4

(Proposed by Cllr S J Clist and seconded by Cllr B Evans)

Reason for the decision: To ensure fees are set within the scope of legislation and the Enforcement Policy.

Note: *report previously circulated and attached to the minutes

43 **HOUSING REVENUE ACCOUNT (HRA) FEES AND CHARGES 2022/23 (1.03.06)**

The Group had before it a *report from the Corporate Manager for Public Health, Regulation and Housing providing revised fees and charges for discretionary functions provided under the Housing Revenue Account (HRA)

The officer outlined the contents of the report and stated the HRA had a modest budget and 99% came from rents with the levels set by the Government. The remaining fees were discretionary. The scope to set fees was quite limited.

Consideration was given to:

- Fees had not been renewed for a number of years

It was therefore **RECOMMENDED** that:

1. The Cabinet approve the revised discretionary fees and charges for 2022/2023 as set out in annexes 1, 2 and 3
2. The Cabinet approve the Consumer Price Index (CPI) inflation adjustment (within range 2 – 10%) for discretionary fees and charges to be applied on the 1st April every year (in addition to the in year recommendations set out in annexes 1, 2 and 3)

(Proposed by S J Clist and seconded by Cllr J Cairney)

Reason for the decision: The Council had not increased the fees and charges for these services for some years and they require updating

Notes:

- *Report previously circulated and attached to the minutes
- Cllr R Dolley made a personal declaration as he was a trustee of Old Heathcote's Community Centre

44 **MID DEVON HOUSING DRAFT POLICY RELATING TO TENANT USE OF CLOSED CIRCUIT TV (CCTV) & CAMERA DOORBELLS (1.14.12)**

The Group had before it a *report from the Corporate Manager for Public Health, Regulation and Housing providing the MDDC Housing draft policy relating to tenant use of closed circuit TV (CCTV) and camera doorbells.

The officer outlined the contents of the report and stated that the new policy was required due to the increasing number of requests from tenants.

Consideration was given to:

- Concerns from neighbours on the use of CCTV and them being intrusive
- Legislation on the use of such camera's must be adhered to
- Legal duty towards vulnerable tenants

It was therefore **RECOMMENDED**:

1. That Cabinet recommends to Council the adoption of the Tenant CCTV and Camera Doorbell Policy as set out in annex 1

(Proposed by Cllr S J Clist and seconded by Cllr P J Heal)

Reason for the decision: To provide greater clarity to stakeholders and ensure that those tenants fitting such systems were doing so lawfully

Note: *Report previously circulated and attached to the minutes

45 **MID DEVON HOUSING SERVICE DELIVERY REPORT (1.30.08)**

The Group had before it, and **NOTED**, a *report from the Corporate Manager for Public Health, Regulation and Housing providing the regular quarterly update on enforcement and other activity undertaken by Mid Devon Housing.

The officer outlined the contents of the report and stated that it contained the regular service delivery report for Q2 and covered tenancy housing management and building repairs.

Consideration was given to:

- From April 2024 the Government were setting a new set of measures for all housing providers who would be required to report on tenant satisfaction measures
- How best to approach debt, work across different departments managing multiple debt and applying early detection
- Concerns regarding the increase in possession orders and if this was attributed to tenants in financial need
- The Housing service worked alongside the corporate debt team to identify households in multiple debt
- There was earlier informal engagement with tenants to understand the nature of their debt issues
- The financial reasons why voids were kept empty for a period of time instead of being re let
- The small number of frauds

Note: *report previously circulated and attached to the minutes

46 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (1.52.36)**

Members **NOTED** the items listed in the work programme for the next meeting.

(The meeting ended at 4.10 pm)

CHAIRMAN

Homes Policy Development Group 17 JANUARY 2023

2023/24 Budget Update

Cabinet Member Cllr Bob Deed, Leader and Cabinet Member for Finance
Responsible Officer Andrew Jarrett – Deputy Chief Executive (S151)

Reason for Report: This report updates the General Fund deficit to the current position of £905k and proposes options to consider to achieve the statutorily required neutrality. The HRA Budget position shows a balanced position for 2023/24 and a reduced shortfall across the remainder of the MTFP.

RECOMMENDATION: That PDG Members review the General Fund options included within the Appendices and recommend to Cabinet the way forwards, noting that if the committee doesn't support any options, alternative suggestions should be made. In addition, to review the specific HRA related Appendices (4 -6) and make any suggestions/recommendations to Cabinet.

Relationship to Corporate Plan: To deliver the Council's ongoing Corporate Plan priorities within financial resources.

Financial Implications: The current budget for the General Fund shows a deficit of £905k. This highlights the need to take steps to plan for further reductions to our ongoing expenditure levels. The HRA Budget position shows a balanced position for 2023/24 and a reduced shortfall across the remainder of the MTFP.

Budget and Policy Framework: The Council has an annual legal requirement to set a balanced budget.

Legal Implications: None directly arising from this report, although there is a legal obligation to balance the budget. There are legal implications arising from any future consequential decisions to change service provision, but these would be assessed at the time.

Risk Assessment: In order to comply with the requirement to set a balanced budget, management must ensure that the proposed savings are robust and achievable. We must also ensure that the assumptions we have used are realistic and prudent. Failure to set a robust deliverable budget puts the Council at risk of not being able to meet its commitments and casts doubt on its "going concern" and VFM status.

Equality Impact Assessment: No implications arising from this report.

Climate Change Assessment: The allocation of resources will impact upon the Council's ability to implement/fund new activities linked to climate change. Some provision has already been included in the Capital Programme and General Fund base budget in order to work towards the Council's Carbon Reduction Pledge.

1 Background and Introduction

- 1.1 Update reports have previously been taken through Cabinet on 1 November and 29 November 2022. The latest update report is scheduled for 3 January 2023 showing the current shortfall position. Members are asked to refer to those reports for the background.
- 1.2 This report provides an updated position across the General Fund and Capital Programme following a detailed budgetary review. However, the budget position is a moving feast as more information becomes available. One such aspect is the outcome of the “Provisional Local Government Finance Settlement: England, 2023 to 2024” published (19 December 2022). A summary document will be shared with the Committee prior to the meeting.
- 1.3 A summary of the results of the budget section within the Residents Survey recently undertaken will also be shared with the Committee prior to the meeting. Members should consider this feedback when reviewing the movements in the budget and when reviewing and identifying new budget options to propose to Cabinet. All of the other feedback from the survey will be reviewed (including any associated action plans) in a Cabinet report in February 2023.

2 2023/24 General Fund Budget Update – Revised Position

- 2.1 Following identification of the proposed options shown in the last Cabinet update report, and updates to reflect known changes and assumptions, the draft budget deficit for 2023/24 is £905k. **Appendix 1** shows the movement at a granular service level relevant to this committee.
- 2.2 The main reasons for the movement from the previously reported £960k shortfall are:
 - Significantly higher than expected rise in Energy costs covering the period October 2022 to March 2024;
 - Likely increase in Business Rates income following the national revaluation – this is subject to further guidance and clarification from Government, part of which forms part of the Local Government Funding Settlement which will be published on 21 December 2022 (an update paper will be provided prior to the meeting);
 - Likely increase in the treasury returns – subject to finalisation of the Capital Programme and borrowing/lending levels and approval of the 3 Rivers Developments Ltd Business Plan;
 - Increased staffing FTE to combat the need for expensive short term agency cover;
 - Updated recharges to and from the HRA based upon updated Salary Estimates; and
 - Updates to the assumed savings and pressures previously included.
- 2.3 There is still a way to go to balance the 2023/24 budget. **Appendix 2** shows further budget options for the Cabinet and the January Policy Development Groups to consider.

2.4 Following consideration of the updated forecast position, and the feedback from the Residents Survey, the committee is asked the following question in respect of the services it is responsible for:

- **Which services do you most want to protect from any budget or service provision reductions, and which do you accept could be reduced?**

2.5 Officers have considered further savings options (collectively included within Row C with Appendix 2). This can be used as a guide to where officers believe further savings could be identified with least impact – note this does not mean they have no impact, but could be considered the “least-worst” options. The relevant service areas are:

Responsible Committee	Service Area	
Environment	SPS09	Property Services Staff Unit
Environment	SGM01	Grounds Maintenance
Economy	SPR06	Economic Development
Community	SES16	ES Staff Units/Recharges
Community	SRS01	Recreation And Sport
Community	SPR03	Development Control
Community	SCS22	Customer First
Cabinet	SFP01	Accountancy Services
Cabinet	SFP04 / 05	Purchase / Sales Ledger
Cabinet	SRB03 /04 / 06	Housing Benefit Admin & Fraud Housing Benefit Subsidy Debt Recovery
Cabinet	SIT03	IT Information Technology
Cabinet	SCM02	Corporate Functions
Cabinet	SHR01	Human Resources

2.6 The request for you to indicate the areas that you wish to be most protected and those where you feel a reduction could be achieved will be used to inform the Vacancy Freeze: not filling vacancies arising in these services areas will be considered as the first port of call against a targeted saving.

2.7 This committee has limited General Fund budgets, and those it does have responsibility for are largely funded via external ring-fenced grant funding. Therefore in reality there is little scope for this committee to make meaningful cost savings. However, there is a budget shortfall and savings need to be made somewhere. Therefore the committee is asked to identify any options from across the Council where it feels savings should be considered.

3 Capital Programme

3.1 The revised Capital Programme is included in **Appendix 3**. The overall Capital Programme for 2023/24 is forecast at £98,375k, with the deliverable budget for the year of £30,034k. The level of borrowing required in 2023/24 stands at

£20,304k, split £12,695k for the General Fund and £7,609k for the HRA. It continues to include assumptions of significant 1-4-1 receipts and grant funding to support the ambitious Housing Development programme within the HRA.

- 3.2 This includes the financial implications of the 3 Rivers Developments Ltd Business Plan considered by the recent Scrutiny and Audit Committees. Once the final Business Plan is approved, this will be updated as necessary.
- 3.3 The delivery of housing development will continue to be refined following further work and the latest survey assessments, as will all projects.
- 3.4 The committee is encouraged to review the detailed investment proposals and provide any comments / suggestions for Cabinet to consider.

4 Housing Revenue Account

- 4.1 The overall HRA budget has been constructed on a detailed line-by-line examination of expenditure and income, having regard to last year's outturn, this year's forecast position and the on-going improvement of the housing service.
- 4.2 The recent updated to Cabinet have shown it is possible to balance the HRA budget for 2023/24 based on some key assumptions, including:

Expenditure:

- An update to the base budget to reflect the additional cost of the higher than expected pay award for 2022/23;
- An assumed 3% pay award for 2023/24;
- An Increase in the Pension Contribution rate of 2.4% to 19.0%;
- Increased energy costs of c180% and fuel costs of c40%, along with a significant increase in waste disposal costs;
- The increase financing costs associated with the ambitious development programme.

Income:

- An increase on existing rents of 7% is proposed – based on government guidance;
 - Garage rents and Garage plot ground rents to be frozen, remaining unchanged at £10.71 per week and £275 per annum respectively.
 - Increased interest yields on balances held.
- 4.3 Normally the increase in rents is restricted to CPI +1%, but given that inflation has been higher than 10% for the last six months and is forecast to remain high for the next year or so, the Government have capped the increased to 7%. It is assumed the Council will apply this maximum increase at it is less than inflation.
 - 4.4 In line with regulatory requirements and good practice, Mid Devon Housing (MDH) publicised the Government's consultation on the rent cap using social media on 27 September and again on 4 October 2022; and by providing a link to this in the consultation hub on the housing-related pages on the Council's

website. In the latest edition of our tenant newsletter, dated October 2022, which was sent to all tenants and published online on our web pages, reference was made to the rent increase with a note that discussions were starting about this. The article said: “In order to inform our decision, we would like to hear from you about the challenges you face and what may impact your ability to pay your rent”. Very limited feedback was received.

- 4.5 Voids and Right-to-buys have left largely at current levels although the bad debt provision has been increased to reflect the risks associated with the cost of living crisis. This equates to a similar reduction in collectable income to that applied to the Council Tax income within the General Fund.
- 4.6 The current forecast allows for a contribution of £141k to be made to the Housing Maintenance reserve. It has been deemed as prudent to maintain the HRA reserve balance at £2,000k and it is expected to remain so throughout 2023/24.
- 4.7 The draft budget summary for the 2023/24 HRA is shown in Appendix 4. The calculations supporting the income are included within Appendices 5 and 6 for consideration. In respect of the Lifeline Community Alarm increases, this is a carefully balanced increase for a vulnerable customer group which is possible without additional delivery resource. The increase has been benchmarked against local LA and Age UK competitors and remains closely competitive with an incentive of 13-months for 12 for new customers.
- 4.8 Overall, this budget will continue to provide for an enhanced housing service which will allow for more capital investment and additions to our existing stock.

5 Conclusion

- 5.1 Like all councils, Mid Devon is facing an ongoing and very challenging financial future. The PDGs will continue to play a pro-active role in both reducing ongoing service costs and exploring new possibilities to raise additional income. The committee’s recommendations will be taken forward for consideration by Cabinet in setting the 2023/24 budget in February 2023.

Contact for more information: Andrew Jarrett
Deputy Chief Executive (S151)
01884 234242
ajarrett@middevon.gov.uk

Paul Deal
Corporate Manager for Financial Services
pdeal@middevon.gov.uk

Circulation of the Report: Cabinet, Leadership Team

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Appendix 1 - Detailed Budget Movements by Service - Round 1

Service Unit	Direct Costs Detail	2022/23 Annual Budget £	MTFP Adjustment £	Round 1 Detailed Update £	Provisional 2023/24 Budget £	Increase / (Decrease) £	Increase / (Decrease) %	Explanation of Round 1 Key Movements
SES15	Homes PDG Private Sector Housing Grants	(1,490)	-	(1,670)	(3,160)	(1,670)	112.1%	£150k additional B&B costs, additional staffing, £102k additional ROI Grant
SHG03	Homelessness Accommodation	269,192	6,917	61,271	337,380	68,188	25.3%	
TOTAL HOMES PDG		267,702	6,917	59,601	334,220	66,518	24.8%	

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Description	2023/24 £
Annual Budget Shortfall - 3 January 2023 Cabinet	904,945

Options to reduce the remaining Budget Shortfall

Description	PDG committee	2023/24 £	Notes
a Apply a Vacancy Factor across Services	Cabinet	(300,000)	This will be notionally split £150k Leisure, and £150k across all other services.
b Finance Settlement - increased grant funding	Cabinet	(50,000)	Based on the Government's recent Policy Statement, this could be between £50k - £300k.
c Further Service Savings	Cabinet	(600,000)	Each member of CMT has identified a further c.£100k of savings options.
d Review of Earmarked Reserves	Cabinet	(100,000)	Working assumption - a full review of options / priorities is underway.
e Unachievable Assumptions – Town/Parish Councils Contributions - assumed £150k of savings will be made instead	Cabinet	150,000	Originally £210k was assumed, this is currently reduced to £150k. If no additional funding, or devolvement is achieved, reductions in service provision may be required
Service Budget Options Sub-total		(900,000)	
Potential Cumulative MTFP Position		4,945	

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AreaSub AreaProject Title			Total Project Costs for Approval						Spend Profile						
			2023/24	2024/25	2025/26	2026/27	2027/28	Total	2023/24	2024/25	2025/26	2026/27	2027/28	Beyond	Total
			£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
General Fund															
Leisure	Exe Valley Leisure Centre	Spin bikes	32	-	-	-	-	32	32	-	-	-	-	-	32
Leisure	Exe Valley Leisure Centre	Leisure - Improved Disabled Toilet facilities	51	-	-	-	-	51	51	-	-	-	-	-	51
Leisure	Lords Meadow Leisure Centre	Fitness Studio renewal of equipment	125	-	-	-	-	125	125	-	-	-	-	-	125
Leisure	Lords Meadow Leisure Centre	Reception infrastructure	40	-	-	-	-	40	40	-	-	-	-	-	40
Leisure	Lords Meadow Leisure Centre	Spin bikes including environment improvements	32	-	-	-	-	32	32	-	-	-	-	-	32
Leisure	Lords Meadow Leisure Centre	Leisure - Improved Disabled Toilet facilities	46	-	-	-	-	46	46	-	-	-	-	-	46
Leisure	Culm Valley Sports Centre	Spin Bikes	40	-	-	-	-	40	40	-	-	-	-	-	40
Leisure	Culm Valley Sports Centre	Leisure - Improved Disabled Toilet facilities	56	-	-	-	-	56	56	-	-	-	-	-	56
Leisure	Leisure - Other	All leisure sites replacement management/site access system (Hardware Element)	200	-	-	-	-	200	200	-	-	-	-	-	200
Leisure	Leisure - Climate Change/Net Zero	CVSC -Phase 3B Salix funding energy saving	396	-	-	-	-	396	396	-	-	-	-	-	396
Other MDDC Buildings	Phoenix House	Etarmis - Security Swipe - (linked to security project)	30	-	-	-	-	30	30	-	-	-	-	-	30
Other MDDC Buildings	Phoenix House	Building Mgmt System for Heating Control	103	-	-	-	-	103	103	-	-	-	-	-	103
HIF	HIF Schemes	CA719 Cullompton Town Centre Relief Road (HIF)	18,030	-	-	-	-	18,030	1,489	15,041	1,500	-	-	-	18,030
Private Sector Housing	Private Sector Housing	DFG and other private sector grants	525	550	575	600	625	2,875	525	550	575	600	625	-	2,875
Other	ICT Projects	Server hardware/software Citrix Replacement	50	-	-	-	60	110	50	-	-	-	60	-	110
Other	ICT Projects	VM/Storage Area Network	120	-	-	-	140	260	120	-	-	-	140	-	260
Other	ICT Projects	UPS Replacements	20	-	25	-	30	75	20	-	25	-	30	-	75
Other	ICT Projects	Laptop/Desktop Refresh	150	150	160	160	170	790	150	150	160	160	170	-	790
Other	ICT Projects	Audio/Video replacement for Phoenix House	120	-	-	-	140	260	120	-	-	-	140	-	260
Other GF Development Projects	Other General Fund Development Projects	3 Rivers Scheme - Future Projects	250	250	250	250	250	1,250	250	250	250	250	250	-	1,250
Other GF Development Projects	Other General Fund Development Projects	3 Rivers Scheme - Park Road Cullopmton	100	-	-	-	-	100	100	-	-	-	-	-	100
Other GF Development Projects	Other General Fund Development Projects	3 Rivers - New Start & schemes TBC	11,846	10,912	13,888	9,054	7,703	53,403	11,846	10,912	13,888	9,054	7,703	-	53,403
Leisure	Exe Valley Leisure Centre	ATP replacement (50% share with DCC)	-	220	-	-	-	220	-	220	-	-	-	-	220
Leisure	Exe Valley Leisure Centre	CHP -Replacement future energy saving project	-	30	-	-	-	30	-	30	-	-	-	-	30
Leisure	Culm Valley Sports Centre	ATP replacement (50% share with DCC)	-	210	-	-	-	210	-	210	-	-	-	-	210
Leisure	Culm Valley Sports Centre	Fitness Studio renewal of equipment	-	150	-	-	-	150	-	150	-	-	-	-	150
Other MDDC Buildings	Other - Climate Change/Net Zero	All Fleet - Vehicle live monitoring for CO2 emissions	-	115	-	-	-	115	-	115	-	-	-	-	115
Other MDDC Buildings	Other - Climate Change/Net Zero	Phoenix House - Air Source Heat pumps & ducting	-	450	-	-	-	450	-	450	-	-	-	-	450
Other MDDC Buildings	Other - Climate Change/Net Zero	MSCP -Solar carport and additional security	-	170	-	-	-	170	-	170	-	-	-	-	170
Other MDDC Buildings	Other - Climate Change/Net Zero	MSCP Additional electric car charging points	-	80	-	-	-	80	-	80	-	-	-	-	80
Other MDDC Buildings	MDDC Depots	Depot Build - Waste & Recycling	-	3,500	-	-	-	3,500	-	3,500	-	-	-	-	3,500
Other MDDC Buildings	Public Conveniences	Phoenix Lane Toilets - new construction in fresh position - funding options to be pursued	-	125	-	-	-	125	-	50	75	-	-	-	125
Other MDDC Buildings	Public Conveniences	Westexe Rec Toilets - Replacement	-	160	-	-	-	160	-	50	110	-	-	-	160
Other	Other Projects	Tiverton Market Paving - Permanent Solution	-	200	-	-	-	200	-	200	-	-	-	-	200
Other	Other Projects	Baler	-	480	-	-	-	480	-	480	-	-	-	-	480
Other	Other Projects	PDA's for cabs	-	150	-	-	-	150	-	150	-	-	-	-	150
Leisure	Leisure - Climate Change/Net Zero	EVLC - Building Fabric - Insulation improvements	-	-	260	-	-	260	-	-	260	-	-	-	260
Other MDDC Buildings	Phoenix House	Cooling options Air Handling Unit	-	-	150	-	-	150	-	-	150	-	-	-	150
Leisure	Lords Meadow Leisure Centre	ATP replacement (no dual use)	-	-	-	200	-	200	-	-	-	200	-	-	200
Leisure	Leisure - Climate Change/Net Zero	LMLC -Building Fabric -Insulation improvements	-	-	-	200	-	200	-	-	-	200	-	-	200
Leisure	Leisure - Climate Change/Net Zero	CVSC-Building Fabric -Insulation improvements	-	-	-	200	-	200	-	-	-	200	-	-	200
Other MDDC Buildings	Other - Climate Change/Net Zero	MDDC commercial property building fabric	-	-	-	240	-	240	-	-	-	240	-	-	240
General Fund Subtotals			32,362	17,902	15,308	10,904	9,118	85,594	15,821	32,758	16,993	10,904	9,118	-	85,594

Area	Sub Area	Project Title	Total Project Costs for Approval						Spend Profile						
			2023/24	2024/25	2025/26	2026/27	2027/28	Total	2023/24	2024/25	2025/26	2026/27	2027/28	Beyond 2028/29	Total
			£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
HRA															
HRA Projects	Existing Housing Stock	Garage Mods	150	150	150	150	-	600	150	150	150	150	-	-	600
HRA Projects	Existing Housing Stock	Roofing	600	600	600	600	600	3,000	600	600	600	600	600	-	3,000
HRA Projects	Existing Housing Stock	Decent Homes	860	905	730	755	780	4,030	860	905	730	755	780	-	4,030
HRA Projects	Existing Housing Stock	Fire Safety	50	40	30	20	20	160	50	40	30	20	20	-	160
HRA Projects	Existing Housing Stock	Window/Doors	400	400	400	400	400	2,000	400	400	400	400	400	-	2,000
HRA Projects	Existing Housing Stock	Heating	375	380	385	390	395	1,925	375	380	385	390	395	-	1,925
HRA Projects	Existing Housing Stock	Renewables	250	250	250	250	250	1,250	250	250	250	250	250	-	1,250
HRA Projects	Existing Housing Stock	Adaptations	305	310	315	320	325	1,575	305	310	315	320	325	-	1,575
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 4	189	-	-	-	-	189	189	-	-	-	-	-	189
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 1	10	-	-	-	-	10	10	-	-	-	-	-	10
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 3	1,387	-	-	-	-	1,387	1,387	-	-	-	-	-	1,387
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 7	220	-	-	-	-	220	220	-	-	-	-	-	220
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 41	140	-	-	-	-	140	140	-	-	-	-	-	140
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 29	950	-	-	-	-	950	-	950	-	-	-	-	950
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 28	1,100	-	-	-	-	1,100	110	990	-	-	-	-	1,100
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 51	400	-	-	-	-	400	40	360	-	-	-	-	400
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 52	220	-	-	-	-	220	22	198	-	-	-	-	220
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 53	230	-	-	-	-	230	23	207	-	-	-	-	230
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 5	220	-	-	-	-	220	22	198	-	-	-	-	220
HRA Projects	Housing Development Schemes (HE)	Project 15	4,210	-	-	-	-	4,210	4,210	-	-	-	-	-	4,210
HRA Projects	Housing Development Schemes (HE)	Project 18	200	-	-	-	-	200	200	-	-	-	-	-	200
HRA Projects	Housing Development Schemes (HE)	Project 10	1,505	-	-	-	-	1,505	1,505	-	-	-	-	-	1,505
HRA Projects	Housing Development Schemes (HE)	Project 14	200	-	-	-	-	200	200	-	-	-	-	-	200
HRA Projects	Housing Development Schemes (HE)	Project 9	1,105	-	-	-	-	1,105	1,105	-	-	-	-	-	1,105
HRA Projects	Housing Development Schemes (HE)	Project 11	400	-	-	-	-	400	400	-	-	-	-	-	400
HRA Projects	Housing Development Schemes (HE)	Project 25	2,600	-	-	-	-	2,600	260	2,340	-	-	-	-	2,600
HRA Projects	Housing Development Schemes (HE)	Project 8	2,240	-	-	-	-	2,240	-	2,240	-	-	-	-	2,240
HRA Projects	Housing Development Schemes (HE)	Project 37	1,800	-	-	-	-	1,800	180	1,620	-	-	-	-	1,800
HRA Projects	Housing Development Schemes (HE)	Project 33	1,300	-	-	-	-	1,300	130	1,170	-	-	-	-	1,300
HRA Projects	Housing Development Schemes (HE)	Project 36	1,700	-	-	-	-	1,700	170	1,530	-	-	-	-	1,700
HRA Projects	Housing Development Schemes (HE)	Project 20	24,940	-	-	-	-	24,940	700	8,080	8,080	8,080	-	-	24,940
HRA Projects	Other HRA Projects	Post Hill, Tiverton	15,757	-	-	-	-	15,757	-	6,802	8,955	-	-	-	15,757
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 27	-	1,700	-	-	-	1,700	-	170	1,530	-	-	-	1,700
HRA Projects	Housing Development Schemes (HE)	Project 26	-	1,200	-	-	-	1,200	-	120	1,080	-	-	-	1,200
HRA Projects	Housing Development Schemes (HE)	Project 22	-	2,800	-	-	-	2,800	-	280	2,520	-	-	-	2,800
HRA Projects	Housing Development Schemes (HE)	Project 54	-	200	-	-	-	200	-	20	180	-	-	-	200
HRA Projects	Housing Development Schemes (HE)	Project 55	-	200	-	-	-	200	-	20	180	-	-	-	200
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 16	-	-	1,000	-	-	1,000	-	-	100	900	-	-	1,000
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 56	-	-	200	-	-	200	-	-	20	180	-	-	200
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 57	-	-	200	-	-	200	-	-	20	180	-	-	200
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 30	-	-	1,100	-	-	1,100	-	-	110	990	-	-	1,100
HRA Projects	Housing Development Schemes (HE)	Project 23	-	-	4,100	-	-	4,100	-	-	410	3,690	-	-	4,100
HRA Projects	Housing Development Schemes (HE)	Project 24	-	-	1,100	-	-	1,100	-	-	110	990	-	-	1,100
HRA Projects	Housing Development Schemes (HE)	Project 12	-	-	1,600	-	-	1,600	-	-	160	1,440	-	-	1,600
HRA Projects	Housing Development Schemes (HE)	Project 35	-	-	1,700	-	-	1,700	-	-	170	1,530	-	-	1,700
HRA Projects	Housing Development Schemes (HE)	Project 31	-	-	1,100	-	-	1,100	-	-	110	990	-	-	1,100
HRA Projects	Housing Development Schemes (HE)	Project 13	-	-	1,100	-	-	1,100	-	-	110	990	-	-	1,100
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 58	-	-	-	200	-	200	-	-	-	20	180	-	200
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 59	-	-	-	200	-	200	-	-	-	20	180	-	200
HRA Subtotals			66,013	9,135	16,060	3,285	2,770	97,263	14,213	30,330	26,705	22,885	3,130	-	97,263
Grand Totals			98,375	27,037	31,368	14,189	11,888	182,857	30,034	63,088	43,698	33,789	12,248	-	182,857

Housing Revenue Account - by service

Code	Service Unit	Base Budget 2022/2023	Movement	Draft Budget 2023/2024
		£	£	£
	Income			
SHO01	Dwelling Rents Income	(12,673,660)	(885,738)	(13,559,398)
SHO04	Non Dwelling Rents Income	(488,360)	(315)	(488,675)
SHO07	Leaseholders' Charges For Services	(29,000)	0	(29,000)
SHO08	Contributions Towards Expenditure	(80,920)	(82,580)	(163,500)
SHO10	H.R.A. Investment Income	(25,000)	(375,000)	(400,000)
SHO11	Miscellaneous Income	(7,000)	1,000	(6,000)
	Services			
SHO13A	Repairs & Maintenance	3,825,733	519,698	4,345,431
SHO17A	Housing & Tenancy Services	1,730,707	385,973	2,116,680
	Accounting entries 'below the line'			
SHO29	Bad Debt Provision	150,000	150,000	300,000
SHO30	Share Of Corp And Dem	173,900	(12,730)	161,170
SHO32	H.R.A. Interest Payable	1,077,320	154,960	1,232,280
SHO34	H.R.A. Trf To/From Emr	1,311,720	42,736	1,354,456
SHO37	Capital Receipts Reserve Adjustment	(20,800)	0	(20,800)
SHO38	Major Repairs Allowance	2,465,000	(30,000)	2,435,000
SHO45	Renewable Energy Transactions	(105,000)	(55,000)	(160,000)
	Total	(2,695,360)	(186,996)	(2,882,356)

Assumptions/significant variances

SHO01	Income assumption is a 7% increase for 2023/24. The increase is not 7% in real terms as the assumed Void and RTBs impact this, this budget may be adjusted slightly to reflect the latest stock position when the final budget is produced
SHO08	Forecast increase in rechargeable works by Building Services
SHO10	Returns on invested cash balances forecast to rise based on increased interest rates Salary inflation assumed at 3% for 2023/24, additionally the pay award for 2022/23 was above the original forecast of 2%. Net of increased DLO works (a reduction to the salary base) £278k has been built on to the base salary budget
SHO13A	Waste/disposal charges anticipated to increase significantly next year therefore have provided an additional £111k to fund this Contractor/materials spend-provided an additional £70k to the budget, this may need to be revised further Vehicle costs-fuel inflation and a slight increase in the fleet lease charge £30k additional requirement Salary inflation assumed at 3% for 2023/24, additionally the pay award for 2022/23 was above the original forecast of 2% therefore £171k has been built into the 2023/24 budget
SHO17A	Utilities spend-due to the uncertainty around energy costs an additional £52k has been provided for Development Programme provision has been made for decant costs that may arise from in-year projects, £100k, additionally an increased budget for council tax charges on Housing properties that are temporarily void or held as part of the build programme, £85k

SHO29	As per the MTFP an additional £150k has been budgeted for in terms of bad/doubtful debts this is a provision to take account of the current cost of living pressures and to ensure the HRA is in a position to cope with any potential impact
SHO32	Forecast interest on future build programme (see Capital MTFP for details)
SHO34	Contributions to reserves: £50k towards vehicle cost sinking fund, £854k to the Loan deficit reserve, £160k to the Renewables reserve, £149k to the Affordable Rent Surplus reserve Based on the current budget forecast, a contribution to the Housing Maintenance reserve of £141k would be allowable
SHO38	This expenditure is budgeted in line with the planned Works Programme for the next year, due to timings this number will be updated for the final budget position
SHO45	Expenditure forecast has been refined for 2023/24 therefore an increased contribution to the Renewable Energy reserve will be possible

Appendix 5

HRA: Proposed Fees and Charges 2023/24

	<u>2022/23</u>	<u>Increase</u>	<u>Increase %</u>	<u>2023/24</u>
Garage rents per week (52 week basis) <i>It should be noted that council tenants receive a discount of £1.85 per week on any garage rent</i>	£10.71	£0.00	0.00%	£10.71
Garage ground rents (Annual charge)	£275	£0	0.00%	£275
(charges shown exclude any applicable vat)				
<u>N.B</u>				
MDDC Formula Rent on average (52 weeks)	£83.99			£89.86

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HRA Rent Budget 2023/24 (Draft)

Appendix 6

Description	Average rent (52 week basis) £	Average properties 2023/24	Annual rent total £	Void level	Annual rent total (less voids)	Budget (rounded) £
Social rent (in use)	89.81	2,863	13,368,997	2.45%	13,042,088	13,042,090
Affordable rent properties	129.60	91	613,267	4.40%	586,310	586,310
Rent written off					(70,000)	(70,000)
Write-offs recovered					1,000	1,000
HO budget					13,559,399	13,559,400
TOTAL		2,954				

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1.0 Resident's Survey – Budget Results Summary

- 1.1 For six weeks during November/December 2022, the Council undertook a Resident's Survey. The feedback from which will be reviewed (including any associated action plans) in a Cabinet report in February 2023.
- 1.2 The online survey was publicised as widely as possible including local press, social media and through Parish Councils. It received over 1,000 responses, but caution is advised in terms of this being statistically representative.
- 1.3 Part of that survey included specific consultation on the 2023/24 budget. The budget feedback will be considered at the next round of Cabinet and PDG meetings in January. A summary of the budget related responses is included below along with a comparison, where applicable, to last year's results and those received from the Local Government Association resident satisfaction telephone survey, conducted in June 2022:
- 46% of responses indicated they agreed that the Council's services provide value for money (41% in 2021, 45% LG Inform);
 - 42% said the most important priority when making spending decisions was providing basic statutory services (38% in 2021), 16% seeking to support and develop the economy, 15% tackling climate change (21% in 2021), and 14% said providing affordable housing (19% in 2021);
 - 50% said when making spending plans the council should protect services even if it means it will need to increase council tax and fees and charges (46% in 2021). 26% said the Council should share services with other organisations (29% in 2021).
 - 63% think this should come from planning and building control (49% in 2021).
 - Of the discretionary services provided by MDDC there was a fairly even balance about which services should be protected. 52% public toilets (63% in 2021), 51% favoured parks and open spaces (67% in 2021), 46% town centre regeneration (52% in 2021).
 - Of our statutory services 92% felt waste and recycling service was most important service (93% in 2021) followed by food and water sampling with 69% (68% in 2021), and homelessness at 56% (60% in 2021).
- 1.4 The results generally show a desire to protect basic service provision, even if it means it will need to increase council tax and fees and charges. Specific service areas results show a downward trend with many 2022 results being lower than the prior year equivalent.
- 1.5 The current proposed budget reflects much of this, through:
- Protecting services – no service reductions are currently included, although there clearly remains a significant deficit to offset;
 - Significant investment in decarbonisation of our estate and additional housing;
 - Income generation has been prioritised with a full review of Fees and Charges and inflationary price increases applied. In some cases, above

inflation increases have been applied to discretionary services to ensure full cost recovery is achieved.

- 1.6 Income from Planning Development is largely controlled by Government as planning fees are set nationally. However, all discretionary fees have been increased to minimise the difference between the cost of operating this service and the income it generates.
- 1.7 It has long been the view that all development service activity, including enforcement, should be funded by the fees paid by those who benefit from development proposals. In light of the residents' survey, we will write again to our MPs to seek support for allowing local authorities the ability to charge a variable rate for planning matters in order that local Council Tax payers don't have to subsidise development activity.
- 1.8 In this year's survey, we asked for what else should be considered a priority when setting the budget. The comments received suggest:
 - Protecting/supporting those who are vulnerable,
 - Climate change,
 - Council value for money/efficiency

Local Government Finance Settlement

Introduction

The Provisional Local Government Finance Settlement: England, 2023 to 2024 was published on Monday 19 December 2022 by the Rt Hon Michael Gove MP (Secretary of State for Levelling Up, Housing and Communities). This was actually ahead of the previously indicated date.

Disappointingly, it only covers one financial year again, 2023/24; a fifth one-year settlement in a row. Although a number of commitments and statements are made about 2024/25, no detail is included leaving councils continuing to struggle with long term financial planning and financial sustainability.

The announcement launches a short consultation on the published details before being finalised in Late January / early February, although there is rarely any material movement.

National Headlines

In his covering statement, the Minister declared the settlement “provides a 9% increase in national level Core Spending Power, making available almost £5 billion in additional resources, demonstrating how Government stands behind councils up and down the country.”

The national control totals announced show this:

	Core Spending Power
2022/23	£54.541bn
2023/24	£59,544bn
Movement £	£5.003bn
Movement %	9.17%

It must be noted however that much of the additional funding is directed towards social care as outlined within the Chancellor’s Autumn Statement. **Therefore, Mid Devon District Council does not see an increase of this scale.**

However, within the overall figures is a commitment that “every council sees at least a 3% increase in Core Spending Power next year before any local decisions on council tax rates.” **Mid Devon District Council will benefit from this commitment although this is well below the current level of inflation.** Instead, local authorities are asked to “consider how they can use their reserves to maintain services in the face of immediate inflationary pressures”.

The previously indicated Council Tax Referendum limits were confirmed for both 2023/24 and 2024/25, as follows:

- Up to 3% for Shire County Councils, Shire Unitary Authorities, Metropolitan Districts and London Boroughs;
- **The greater of 3% or £5 for District Councils;**
- A further 2% allowance for Social Care Authorities;
- Up to £5 for Fire and Rescue Authorities;

- Up to £15 for Police Authorities

Although for Mid Devon District Council this reflects an increase on recent years, District and Fire Authorities continue to have lower allowable increases compared to other categories of Authority. Lobbying continues to increase the allowable increase to be £10 (less than 20p per week).

The settlement also confirmed that the long awaited reforms to funding and the Business Rates system will not be implemented during this parliament.

Detail

Although the Council is much less reliant upon Government Grant than it previously was, it remains a critical event for Council funding as it also outlines key aspects surrounding Council Tax and Business Rates income including the ability for Devon authorities to continue to pool its Business Rates – which is beneficial for the Council.

The headline announcements centre on the government's Core Spending Power Index. This is included in the table within Appendix 1, with both national control totals and Mid Devon specific detail.

However, it is important to remember that we have made assumptions about funding levels. Therefore it is more appropriate to compare our assumptions to the settlement to understand whether the council is truly better off. The table below shows the previous assumptions, updated to the settlement announcements where relevant:

Funding Source	2022/23	2023/24 Assumption (19 Dec 2022)	Settlement Update 2023/24	Movement from Assumption	
	£k	£k	£k	£k	%
Business Rates	3,532	3,882	4,182	300	7.2%
Council Tax	6,524	6,724	6,724	0	0
New Homes Bonus	719	719	397	(322)	-44.8%
Rural Services Delivery Grant	490	490	490	0	0
Lower Tier Services Grant	101	101	0	(101)	-100.0%
Services Grant	153	153	86	(67)	-77.9%
Grants Rolled In	98	98	0	(98)	-100.0%
Funding Guarantee	N/a	N/a	469	469	-
Total	11,617	12,167	12,348	181	1.50%

Therefore, overall it indicates that the Council is £181k better off than expected.

It must be noted, that the above numbers are provisional and are subject to final confirmation. In particular the increase in Business Rates should be viewed with a degree of caution as clarity around the national Revaluation and Reliefs is still being received.

Further Information

For further information on the content of this briefing please contact:

Paul Deal – Corporate Manager for Financial Services

Direct dial: 01884 234254 | Email: pdeal@middevon.gov.uk

Appendix 1 – Core Spending Power

Core Spending Power		National Control Total				Mid Devon District Council			
		2022/23	2023/24	Movement		2022/23	2023/24	Movement	
	Notes	£m	£m	£m	%	£m	£m	£m	%
Settlement Funding Assessment (SFA)	1	14,882	15,671	789	5.3%	2.213	2.394	0.181	8.2%
Compensation for under-indexing the business rates multiplier	2	1,275	2,205	930	72.9%	0.226	0.391	0.165	72.9%
Council Tax Requirement excluding parish precepts ¹	3	31,922	33,838	1,916	6.0%	6.524	6.808	0.284	4.3%
Improved Better Care Fund	4	2,140	2,140	-	0.0%	-	-	-	
New Homes Bonus	5	556	291	(265)	-47.7%	0.719	0.395	(0.324)	-45.1%
Rural Services Delivery Grant	6	85	85	-	0.0%	0.490	0.490	-	0.0%
Social Care Grant ³	7	2,346	3,852	1,506	64.2%	-	-	-	
ASC Market Sustainability and Improvement Fund ⁴	8	-	562	562		-	-	-	
Lower Tier Services Grant	9	111	-	(111)	-100.0%	0.101	-	(0.101)	-100.0%
ASC Discharge Fund	10	-	300	300		-	-	-	
Services Grant	11	822	464	(358)	-43.5%	0.153	0.086	(0.067)	-43.7%
Grants rolled in	12	239	-	(239)	-100.0%	0.098	-	(0.098)	-100.0%
Funding Guarantee	13	-	136	136		-	0.471	0.471	
Total				5,003	9.2%	10.524	11.035	0.511	4.9%

Notes:

1. This is the Governments assessment of the baseline funding required to deliver services. It is formed from Revenue Support Grant and Business Rates. Mid Devon District Council no longer receive RSG, for us this is purely Business Rates.
2. This is where the Government compensation councils for decisions taken centrally that reduce our funding – i.e. freezing the Business Rates instead of adding inflation. Within this index this is a purely notional figure and does not reflect the locally calculated figure which we receive in S31 Grant.
3. This is the expected Council Tax yield, based upon a National Average Band D charge, not MDDC's actual charge. It assumes that Council's increase to their maximum allowable within the referendum limit. This will place a significant financial burden on households in a year of economic uncertainty and increased costs, including energy costs.
4. This is only for Social Care Authorities.

5. This grant is based upon the number of empty homes brought back into use. It is being phased out, but no clarity will be available about any future replacement grant until 2024/25. The calculation methodology remains the same as before, but this allocation is one-off whereas previously this grant received multi-year legacy payments. Those legacy payments have been “repurposed” to help fund the new 3% funding guarantee (note 13).
6. This grant is to recognise the additional costs of delivering services in rural areas. It is disappointing that it is the only funding stream frozen at prior year levels.
7. This is only for Social Care Authorities.
8. This is only for Social Care Authorities.
9. This grant was originally announced in 2019/20 as one-off to recognise that district council services were important. This has been “repurposed” to help fund the new 3% funding guarantee (note 13).
10. This is only for Social Care Authorities.
11. This grant was originally announced in 2022/23 as one-off to partly recognise that the changes to National Insurance (NI) would affect our paybill and that district council services were important. 2023/24 removed the NI element but also redirects elements of this funding into other funding streams that MDDC do not receive. This is therefore a cut in funding.
12. Every year, the government merge grants into the Settlement Funding Assessment (SFA – note 1). For Mid Devon District Council this represented the Family Annexe Council Tax Discount grant (£34k) and Local Council Tax Support Administration Subsidy grant (£64k).
13. A grant to ensure that all councils have an increase of 3 per cent in core spending power before any changes in council tax levels are taken into account. The value of the guarantee will be based on the difference between a 3 per cent increase in their 2022/23 Core Spending Power adjusted for actual council tax requirement in 2022/23, compared to their increase in Core Spending Power (excluding rolled in grants) before any assumed increases to council tax Band D levels in 2023/24.

HOMES POLICY DEVELOPMENT GROUP 17 JANUARY 2023

TENANT INVOLVEMENT & EMPOWERMENT BRIEFING REPORT

Cabinet Member(s): Councillor Stuart Penny, Cabinet Member for Housing

Responsible Officer: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Reason for Report: To provide an update to Members on the work relating to tenant involvement and empowerment and how this supports statutory and regulatory obligations including important changes to the social housing regulatory regime.

Recommendation: That Members note the report

Financial Implications: The activity of the landlord service, known as Mid Devon Housing (MDH) is accounted for with the Housing Revenue Account (HRA). The HRA is ring fenced and subject to specific financial controls.

Budget and Policy Framework: Policies agreed by the Homes Policy Development Group and ultimately Cabinet or Council govern the work of the landlord service. Existing policies are being reviewed to ensure that they are more closely aligned with the regulatory framework for social housing. There is a budget set aside for activity associated with tenant engagement.

Legal Implications: The Housing Act 1985 applies with regard to the management of Council housing. The relationship with tenants is set out in our Tenancy Agreement. This details the rights and responsibilities of both parties including those obligations relating to repairs and safety.

Following publication of the Social Housing White Paper in late 2020, the Social Housing Regulation Bill is currently on its way through Parliament and, once implemented, this will impact the regulatory framework for social housing with the aim of giving tenants a greater say in service delivery. This Bill is expected to go into statute during 2023.

Risk Assessment: Failure to offer opportunities for tenants to get involved in the work of MDH could result in non-compliance with the legislative and regulatory framework.

Equality Impact Assessment: MDH needs to tailor the service to meet the needs of tenants in line with the provisions of the Tenant Involvement and Empowerment Standard. Our approach to understanding these needs is being reviewed to ensure that all relevant information is collected and acted upon. Failure to do so could result in negative feedback and action from the Regulator for Social Housing (RSH) and/ or the Housing Ombudsman Service (HOS), which investigates complaints made by tenants.

Relationship to Corporate Plan: Homes and the environment are a priority for the Council and this includes increasing the supply of affordable homes in the District and also supporting and growing active tenant engagement

Impact on Climate Change: We recognise that the provision of sustainable communities is important. As part of our commitment to meeting the provisions of the Tenant Involvement and Empowerment Standard within the Regulatory Framework, the Council offers a menu of involvement which provides opportunities for tenants to get involved in Service delivery. We will be reviewing our offer to tenants with regard to their involvement in the running of the Housing Service and as part of this we will be looking at ways to allow people to get involved which limits their carbon footprint and that of MDH. We use social media to promote sustainability and publish information relating to a variety of topics including fuel efficiency, cost of living and healthy living.

1. Introduction: Regulatory Requirements

- 1.1 The existing Tenant Involvement and Empowerment Standard within the regulatory framework for social housing states that registered providers (RPs) such as the Council are required to provide choices, information and communication that is appropriate to the diverse needs of their tenants in the delivery of all standards.
- 1.2 There are some specific requirements relating to the involvement and empowerment of tenants which include offering opportunities to tenants to enable them to influence and be involved in: the formulation of their landlord's housing-related policies and strategic priorities; decision making about service delivery; the scrutiny of the performance of MDH and the making of recommendations about how performance might be improved; the management of their homes, where applicable; the management of repair and maintenance services; and agreeing local offers for service delivery.
- 1.3 There are also a number of specific expectations contained within the Standard. These include requirements relating to consultation with tenants, supporting tenants to build their capacity to be more effectively involved and supporting tenants to exercise their Right to Manage or otherwise exercise housing management functions, where appropriate.
- 1.4 RPs are also expected to provide performance information to tenants to enable them to undertake effective activity relating to scrutiny, and to consult on the scope of local offers for service delivery.

2. Tenant Satisfaction Measures

- 2.1 As members will have seen from a several recent PDG papers and a briefing by Kate Dodsworth (Director of Consumer Regulation at the RSH) provided to members, tenants and staff on 9 December, the new social housing proactive consumer regulation regime firmly places tenants at the heart of our decision-making. The new regime includes some key regulatory changes to our tenant involvement approach and as a result our work to engage and empower those that live in a Council home is more vital and necessary than ever.
- 2.2 Changes to the regulatory framework will introduce a new standard, the TSM Standard, which will create a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services.

This will involve a set of tenant satisfaction measures (TSMs) that social housing landlords will be required to report on.

- 2.3 These changes have resulted in a series of some twenty-two TSM metrics which are a mix of core management and performance data alongside information obtained from tenant perception surveys.
- 2.4 The TSMs are listed in full in Annex A and there are nine TSMs prefixed by a TP (01-09) which the regulator has introduced specifically to capture tenant satisfaction information. These satisfaction measurements are applicable to our overall performance as well as being specific to repairs, maintenance, home safety, listening to tenant views, the engagement with tenants and our handling of complaints.
- 2.5 We must start capturing and recording data against all of the TSMs from 1 April 2023 on an annual basis with the first reported data return to the RSH due from April 2024.
- 2.6 Rather than wait until we have collected the first full (mandated) year of data, MDH are running a pilot project relating to the collection of data during late 2022/23 with a view to understanding the current position in terms of tenant satisfaction. A survey has been commissioned and all tenants were asked to feedback in relation to the TSM questions. The aim is to assess the results once they are available to review our service from the tenant perspective and to gain a greater understanding of where service improvement may be required. Members will be provided with feedback in due course.
- 2.7 MDH is also currently working with two other local authority landlords locally to procure a contractor to undertake the required formal tenant participation survey data relevant to the TSMs during 2023/24. Best practice dictates that the collection of data is undertaken by a third party in the interests of openness and transparency. By working in partnership, hopefully, efficiencies can be realised alongside opportunities to undertake early local benchmarking.

3. Customer Engagement Team

- 3.1 The Customer Engagement team has responsibility for delivering outcomes required by the RSH as they relate to tenant involvement and empowerment. The Customer Engagement Co-ordinator is the Team Leader, and this role supervises a 1 FTE (full time equivalent) Housing Policy Officer and two 0.5 FTE Tenant Involvement Officer posts. It is a relatively new team that has been pulled together as part of the wider service restructure and formation of MDH as a unified housing service and builds up previous tenant involvement resource.
- 3.2 The team is currently in a state of flux due to two members having obtained alternative employment elsewhere in an effort to further develop their careers in housing. Recruitment is ongoing in relation to both the roles left vacant as a result. This recruitment will build on some key work we have already started is an opportunity for us to consider how key members of the team understand and will embrace the regulatory changes in front of us, bringing new ideas and approaches forward.

4. Development of the MDH approach to tenant engagement

- 4.1 During the year since the team was first set up, a great deal has been achieved and this includes work to support the bringing together both sides of the business associated with delivering services to Council tenants, and the creation of the combined MDH housing provider.
- 4.2 MDH's social media presence was refreshed and the team is building customer engagement by the means of interesting and informative posts on relevant platforms.
- 4.3 The new Director of Consumer Regulation at the RSH met with members, staff and tenants of MDH in December 2022 and delivered a well-received and timely briefing concluding with an open question and answer session. She was invited to speak to these stakeholders about the new regulatory regime, the requirements of her organisation as they relate to local authority landlords; and also about the implications of the new regime of inspections which are due to commence once the Social Housing Regulation Bill is implemented. It was evident from the briefing how much the RSH welcomed a proactive approach and recognised the work we have commenced together with our open engagement with the regulator which were cited an example that will be shared with others.
- 4.4 The regulatory framework requires RPs to issue an Annual Report and the latest edition which relates to performance during 2021/22 will be published online and on paper before the end of December 2022. This publication was created in partnership with a tenant who volunteered to assist with this project.
- 4.5 The team has also set up a template to be used when publishing periodic newsletters to tenants. The first few editions issued following the end of the pandemic are available to view online on the MDH pages on the Council website.

5. Peer Challenge

- 5.1 The Local Governmental Association (LGA) has developed a new peer challenge specifically to help stock-holding councils to improve their management of social housing, in the context of the expectations outlined in the charter for social housing residents: social housing white paper.
- 5.2 MDH have held early meetings with the LGA with a view to preparing for and scheduling a social housing peer review at Mid Devon during 2023.
- 5.3 The peer review or challenge is intended to support us to:
 - Reflect on, receive feedback on and learn how to improve the service provided to social housing residents
 - Assess readiness and plans for the new consumer regulation regime which includes embedding accountability to residents
 - Identify and share best practice

- 5.4 The scope of the peer challenge can be modified to meet the specific needs of each Council, and includes:
- Corporate strategy, governance and leadership
 - Finance and capacity to deliver
 - Safety in the home
 - Performance and response to complaints
 - Resident voice and engagement
 - Housing and neighbourhood quality
- 5.5 Resident voice and engagement is clearly a specific theme within the peer review that will contribute to our wider understanding of tenant involvement. Nonetheless, many, if not all, of the other themes will have some relevance and will work across the wider TSMs.
- 5.6 The peer challenge has been co-designed with the sector and will be delivered by a team of dynamic and experienced housing officers and member peers. The peers will act as critical friends to assess the strengths of MDH and our partners and identify areas for improvement for the future. There will be built-in opportunities for members to be involved in the challenge and are a key part of the process.

6. Policy Review Work

- 6.1 Work has commenced to align housing-related policy and procedure more closely to the regulatory framework. During the course of the review of documents previously adopted, policies and procedures have been streamlined and updated to adequately reflect new legislative and regulatory requirements and good practice. Going forward, in an effort to support work to help tenants who may be experiencing financial distress, the fuel poverty strategy will be refreshed.
- 6.2 As part of the review of policy, the new tenant involvement and empowerment standard policy was adopted to support compliance with the Tenant Involvement and Empowerment Standard within the regulatory framework for social housing.
- 6.3 There was a tenant focus group which was set up to discuss the review of the MDH Anti-Social Behaviour (ASB) policy. This is still very much a work in progress because the Housing Ombudsman Service (HOS) has recently issued guidance on noise nuisance. This states that noise arising from washing machines and other routine household noise should no longer be treated as anti-social behaviour. Therefore, the draft policy will be amended to reflect the new guidance and this revised policy. Subsequently, together with other policies which relate to work undertaken to deliver compliance with the Neighbourhood and Community Standard, it will be put out to consultation with stakeholders including tenants and other agencies such as the Police.
- 6.4 Furthermore, working with colleagues in the Building Service, the team will support a tenant focus group to look at issues associated with damp and mould.

7. Awareness Raising

- 7.1 In an effort to showcase the good work relating to community engagement, articles relating to work undertaken during Neighbourhood Walkabouts and during ASB Awareness Week were sent to organisations promoting good practice and published in Housing Quality magazine issued by Housing Quality Network (HQN) and in the magazine published by Resolve, an organisation for RPs which is dedicated to sharing good practice with regard to the management of anti-social behaviour.
- 7.2 The team also made a nomination in relation to the Resolve awards to showcase work undertaken during ASB Awareness Week which involved events in the three main towns in the District. These were set up by the Customer Engagement team and were also attended by the Police. BBC Radio Devon reported on these events.
- 7.3 In addition, the team is working towards achieving the Illegal Money Lending Team (IMLT) Partner recognition, with the application being due to be submitted in February 2023.

8. Understanding the needs of tenants and information

- 8.1 The regulatory framework requires RPs to tailor their services to meet the needs of their tenants. The collection of data and data retention regarding our tenants is therefore of key importance and the MDH approach to this is currently under review.

9. Consultations

- 9.1 The Customer Engagement team has also supported work to consult tenants, as required by housing legislation, and will continue to do so. These consultations usually relate to issues which impact specific estates, such as in cases where one person wishes to buy a piece of land from the Housing Revenue Account (HRA). However, consultation is also required when there are proposed changes to communal pieces of land, or in relation to decisions being considered by the Council, for example, in relation to the rent increase.
- 9.2 There is a consultation hub on the MDH pages of the Council's website where tenants and other stakeholders are given an opportunity to feedback on draft policies which have been reviewed.

10. Tenant Champion Roles

- 10.1 In an effort to offer more opportunities to tenants to get involved with the work of MDH a number of new voluntary roles have been created:
- Complaints Champion
 - The Estates Champion
 - Publications Champion
 - Zero Carbon Champion

- 10.2 These have been advertised and, in addition, the tenant expenses scheme has been reviewed and updated. Training and support will be provided to anyone interested in getting involved in this way.
- 10.2 These informal but important job roles are available to view on the MDH pages of the Council website.

11. Tenants' Meeting Place

- 11.1 During the pandemic, the Council stopped using the tenant's common room in Tiverton in the interest of minimising the spread of infection. The team has used the opportunity to review relevant policies and procedures and work is ongoing to develop more robust arrangements associated with the letting of the facility to external agencies, ensuring that all relevant health and safety considerations have been taken into account.
- 11.2 In recognition of the impact of the ongoing cost of living increase, the team now runs a weekly Winter Warm Club at the Westfield Road common room. Tenants and family members are invited to attend and are offered a chance to chat with members of the MDH team whilst enjoying refreshments in a warm, safe space.
- 11.3 Other agencies including South West Water and the Community Champion at Morrisons supermarket have accepted invitations to attend to meet with our tenants and to talk to them about how they can make savings and access additional help with the cost of living. Neighbourhood Officers also attend from time to time and the aim is to roll out this initiative to other geographical areas across the District once staffing levels are more stable.
- 11.4 Furthermore, working with colleagues in the Building Service, the team will support a tenant focus group to look at issues associated with damp and mould.

12. Recommendation

- 12.1 That Members note the report

Contact for more Information: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing snewcombe@middevon.gov.uk

Circulation of the Report:

Members of the Housing PDG
Cllr Stuart Penny, Cabinet Member for Housing and Property Services
Leadership Team
Corporate Management Team
Service/Operations Managers

Further information:

Regulator of Social Housing website
<https://www.gov.uk/government/organisations/regulator-of-social-housing>

Housing Ombudsman Service website
<https://www.housing-ombudsman.org.uk/>

England Illegal Money Lending Team website
<https://www.stoploansharks.co.uk/who-we-are/>

Annex A – Regulator of Social Housing Tenant Satisfaction Measures

Overall satisfaction

TP01: Overall satisfaction

Keeping properties in good repair

TP02: Satisfaction with repairs

TP03: Satisfaction with time taken to complete most recent repair

TP04: Satisfaction that the home is well maintained

RP01: Homes that do not meet the Decent Homes Standard

RP02: Repairs completed within target timescale

Maintaining building safety

TP05: Satisfaction that the home is safe

BS01: Gas safety checks

BS02: Fire safety checks

BS03: Asbestos safety checks

BS04: Water safety checks

BS05: Lift safety checks

Respectful and helpful engagement

TP06: Satisfaction that the landlord listens to tenant views and acts upon them

TP07: Satisfaction that the landlord keeps tenants informed about things that matter to them

TP08: Agreement that the landlord treats tenants fairly and with respect

Effective handling of complaints

TP09: Satisfaction with the landlord's approach to handling complaints

CH01: Complaints relative to the size of the landlord

CH02: Complaints responded to within Complaint Handling Code timescales

Responsible neighbourhood management

TP10: Satisfaction that the landlord keeps communal areas clean and well maintained

TP11: Satisfaction that the landlord makes a positive contribution to neighbourhoods

TP12: Satisfaction with the landlord's approach to handling anti-social behaviour

NM01: Anti-social behaviour cases relative to the size of the landlord

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HOMES POLICY DEVELOPMENT GROUP 17 JANUARY 2023

PRIVATE SECTOR HOUSING ASSISTANCE POLICY UPDATE

Cabinet Member(s): Councillor Stuart Penny, Cabinet Member for Housing

Responsible Officer: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Reason for Report: To present a revised Housing Assistance Policy under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, following a review of the current Housing Assistance Policy 2019-22.

Recommendation:

1. That Cabinet approve the revised Housing Assistance Policy 2022-2025 attached in Annex A.
2. That delegated authority is given to the Corporate Manager for Public Health, Regulation and Housing, in consultation with the Cabinet Member for Housing, to make minor adjustments to the policy based on demand and local priorities.
3. That delegated authority is given to the Corporate Manager for Public Health, Regulation and Housing, in consultation with the Cabinet Member for Housing, to suspend some or all non-mandatory parts of the revised Housing Assistance Policy attached in Annex A (all elements of the Policy other than Section 4 Mandatory Disabled Facilities Grants) if adequate funding is not available.

Financial Implications: **Part One** of the revised policy relates to the mandatory and discretionary assistance to be provided utilising the Better Care Fund (BCF). The Better Care Fund is an annual allocation from Government that is awarded to Devon County Council (DCC). DCC are then responsible for allocating funding to the District Council to deliver the mandatory disabled facilities grant programme. Government publish the DFG allocation for each Local Housing Authority and DCC are required to transfer that funding to the district by 30th June. In Devon a local agreement is in place that allocates the overall BCF pot on a needs basis. In 2022/23 the Government allocation for Mid Devon was £817,853 but under the local agreement our share of the Devon pot was £1,173,079. The Government allocation of BCF is expected to remain stable for the next three years.

Part Two of the revised policy relates to local assistance that utilises the Council's available Rough Sleeping Initiative (RSI) funding and the Homelessness Prevention Grant. For the first time we have put in policy the types of assistance we will provide – subject to funding – to prevent homelessness and rough sleeping. The RSI allocation of £345,076 is for three years until 2025. Financial assistance was identified as part of the bid with an award of £17,000 per year towards this. The Homelessness Prevention Grant is an annual allocation from Government to assist with the delivery of our services to tackle homelessness and in 2022/23 this was £197,431. There is no specified amount that should be used on grants but the funding is to be used to deliver

homelessness prevention activities, including staff time, accommodation costs and the assistance in this policy. By providing these small grants the aim is to reduce the need for Bed and Breakfast (B&B) accommodation and the burden this places on the Council's budgets.

In addition to directly funding the grants and loans set out in the policy, the Council applies provision under both BCF and RSI to use these (locally held) funds to cover staff delivery costs. Consequently, all parts of the policy and its delivery are funded through external and ring-fenced mechanisms with the control to suspend discretionary grant elements if budget funding comes under pressure as set out in Recommendation 3.

Budget and Policy Framework: As detailed above all the discretionary assistance in the policy is subject to external funding being available. The policy makes it clear throughout that assistance is only available whilst funding is in place. In terms of policy framework, the policy seeks to deliver some of the ambitions and priorities set out in the Housing Strategy 2021-25, in particular Chapter 3 (Making the most of our existing homes) and Objectives 36-38. In addition, there are legal reasons for having a policy in place as set out below.

Legal Implications: The Council must have an up to date and relevant Housing Assistance Policy under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 in order to provide different types of discretionary housing assistance other than the mandatory disabled facilities grant (DFG).

Risk Assessment: Not having a relevant policy means that the Council would be unable to utilise the BCF for anything other than the mandatory DFG. This would have an impact on the Council's ability to meet housing priorities and help vulnerable households across the district. This could lead to increased homelessness; a greater number of accidents in the home; an increase in admissions to hospital and care; and bed blocking in local hospitals.

Equality Impact Assessment: An updated equality impact assessment has been undertaken in respect of the revised policy. No equality issues have been identified within the policy and none have arisen to date as a result of its previous implementation. The Public Sector Equality Duty will apply to decisions made under this policy. The assessment can be seen in Annex B.

Relationship to Corporate Plan: The Housing Assistance Policy has a direct relationship with all four priorities in the Corporate Plan 2020-24.

Under the Homes priority the policy contributes towards the improvement of existing housing stock and reducing homelessness, as well as working with private landlords. Under the Environment priority the policy aims to improve energy efficiency of homes through supporting retrofit schemes. In respect of Economy the policy aims to help people remain in their own homes and reduce the impact on local services. For Community, the policy promotes integrated approaches to health and wellbeing, addresses disparities in the community, and aims to prevent unnecessary hospital admissions due to accidents in the home.

Impact on Climate Change: Although not directly relevant to climate change the policy does aim to help improve the energy efficiency of homes through retrofitting measures where appropriate to do so.

1. Introduction/Background

- 1.1 In 2015 the Government introduced the Better Care Fund (BCF) with an aim to bring health and social care together in an integrated way. The fund is a combination of government funding from the Department of Health and the Department for Levelling Up, Housing and Communities and includes the grant allocation for Disabled Facilities Grants (DFG).
- 1.2 The change in funding has allowed Devon District Councils in partnership with Devon County Council to deliver more innovative approaches to meet the needs of local residents beyond the DFG.
- 1.3 In 2018, the first Devon Wide Housing Assistance Policy was adopted and following a review of the first year was expanded to provide more flexible assistance. The current policy was adopted in 2019-2022 and following a more detailed review this year has resulted in the policy being enhanced further.
- 1.4 The review has been undertaken in consultation with the other District Councils and Devon County Council. As part of the process the group has considered a range of criteria including:
 - Local demand;
 - Frequently requested types of work;
 - Use of the Exceptions to the policy section;
 - The increase in the cost of materials and labour;
 - Affordability in respect of the cost of living crisis;
 - Grant maximums;
 - Local priorities;
 - Issues that have fallen outside of the policy that we would like to address
- 1.5 In addition to the county wide review relating to the BCF it was agreed that the Policy would be split into two parts to allow for locally funded assistance that falls outside of the BCF.
- 1.6 For Mid Devon this means that Part Two of the policy focusses on assistance to prevent homelessness and rough sleeping by utilising external funding such as the Rough Sleeper Initiative fund and the Homelessness Prevention Grant.

2. Scope of the Policy

- 2.1 The Policy is presented as two parts; Part One covers the Devon wide assistance covered by the BCF, whilst Part Two focusses on local assistance that falls outside the scope of the BCF.
- 2.2 All the discretionary assistance in this policy is subject to available funding, and could be withdrawn at any time. However, the Council has a mandatory duty to provide Disabled Facilities grants (DFG) and therefore, in the event that there

is an issue with funding, priority must be given to the delivery of the DFG programme.

3. Summary of Part One of the Policy

Mandatory Disabled Facilities Grant (DFG)

- 3.1 The delivery of the Disabled Facilities Grant programme is mandatory and a statutory function of the local housing authority. The delivery of this function is governed by the Housing Grants, Construction and Regeneration Act 1996.

Stair Lift Grant

- 3.2 This grant provides internal and external straight track or curved track stair lifts, step lifts and through-floor lifts without a means test for the applicant.
- 3.3 The review of the policy has shown that providing a lift can prevent accidents in the home and often is the only adaptation needed. By removing the means test, the grant can be processed quickly and the lift installed within a few weeks.
- 3.4 Over 50% of lifts are installed within 8 weeks of the customer being referred to us. Where this has taken longer, it is likely that a bespoke lift has had to be manufactured or there are complexities in the case that mean it is not straight forward.
- 3.5 Compared to the time frame to complete a DFG application and associated works this is a much more efficient approach for the customer and allows to help more people in the community.

Bathroom Adaptation Grant

- 3.6 This is a new grant that has been added to the policy as a result of the review.
- 3.7 The grant provides level access showers, automatic wash-dry WCs and other bathroom adaptations and/or equipment without a means test for the applicant.
- 3.8 As with the stair lift grant experience shows that straight forward bathroom adaptations can have a positive impact on the disabled person, providing them with a safe method of washing and maintaining dignity.
- 3.9 Removal of the means test will make these applications quicker to process and we envisage a similar result to the stair lift grants in terms of ease of application and efficiency.

Accessible Homes Grant – General

- 3.10 The existing policy has the Accessible Homes Grant (AHG) in One section outlining that it can be used for a variety of purposes.
- 3.11 The review has found that the approach in the current policy is confusing for customers and has been open to interpretation by the different Councils.

3.12 In the new policy the AHG has been split into three separate grants. The General Accessible Homes Grant can be used in the following circumstances:

- To provide a top up to the DFG where the cost of the works exceeds the DFG maximum;
- For works that are not covered by the DFG but are needed in relation to adapting the home and making it safe;
- To cover fees associated with feasibility surveys to determine if the adaptation can proceed.

Accessible Homes Grant – Contribution

3.13 The Accessible Homes Contribution Grant is available where the DFG means test identifies that a contribution is required.

3.14 There are regulations in place that prescribe the method by which the disabled person must be assessed financially. This is called a test of resources or means test and takes account of all income and savings.

3.15 The methodology has not been updated since it was introduced and does not take account of the outgoings of the disabled person. This can result in the disabled person being assessed as having a contribution with no means to pay it.

3.16 This part of the policy has been in place since the original policy in 2018 and has been invaluable in making sure essential adaptations can go ahead. Prior to this grant a number of applicants would withdraw from the process as they could not afford the contribution.

3.17 In order to try and make this straight forward originally the contribution element was allocated where the contribution towards the DFG was more than One third of their savings. This has been interpreted differently across the Councils and for some people resulted in a situation where they may only miss out on the grant by a small margin.

3.18 The new policy allows for an assessment of the savings against the contribution using a calculator that has been developed by Exeter City Council. This ensures that the contribution grant is provided on a sliding scale to help more people.

Accessible Homes grant – Moving application

3.19 This grant may be available to assist a disabled person to move to more suitable accommodation where the current home cannot be adapted.

3.20 This grant already exists in the current policy and is unchanged.

3.21 The only addition to be considered is that the policy places a £40,000 limit for the combined applications under an AHG for general, contribution and moving purposes.

Healthy Homes Grant

- 3.22 The Healthy Homes grant is a flexible grant to provide repairs and other works to the home to ensure the health, safety and welfare of the occupier(s).
- 3.23 Other works include:
- Assisting an occupier with infestations and accumulations (hoarding) where the condition of the dwelling will lead to a delayed transfer of care (hospital discharge) or potential avoidable hospital admission;
 - Repairs to existing disabled adaptations.
 - Some heating and energy efficiency works in conjunction with the Warm Up Grant and as determined necessary by the Council.
- 3.24 The Healthy Homes Grant is in the current policy but has been expanded to include the works detailed above. In particular the repair to an existing adaptation is essential to avoid the customer having to go through the whole DFG process again and has been identified as a welcome revision to this grant.
- 3.25 The grant maximum has also been increased from £5,000 to £10,000 to take account of the increases in materials and labour.

Home Improvement Loans

- 3.26 These remain unchanged but the policy now provides clarity over the types of loan that can be funded using the BCF.

Warm Up Grants

- 3.27 This grant replaces the ECO Top grant in the current policy. Up to a maximum of £3,000 per property may be available to provide top up funding where energy providers and installers are part funding energy efficiency measures under their Energy Company Obligation (ECO) or other energy efficiency funding.
- 3.28 Because this grant is being offered under the BCF part of the policy it is only available to those households that meet the requirement of the BCF in terms of health and vulnerability.

4. Summary of Part Two of the Policy

- 4.1 All the assistance under this section is new to the policy.

Home Start Grant

- 4.2 This is a One off grant to help those that are moving out of an unsustainable housing situation into the private rented sector. The grant can only be applied for once and if further similar assistance is required the applicant should apply for the Home Start Loan.
- 4.3 The grant is designed to prevent the need for the Council to place people in B&B accommodation by providing a deposit and rent in advance as well as an initial rent top up while benefits or wages are being organised.

- 4.4 Conditions have been added to this grant to encourage tenants to be responsible and help them to maintain a tenancy in the private rented sector.

Home Start Loan

- 4.5 This loan replaces the current DARS loan scheme (Deposit and Advanced Rent Scheme) and places the delivery of the loan with Lendology CIC.
- 4.6 Each year the Council will write off bad debt for non-payment of DARS so by moving this to a formal loan administered by Lendology CIC the aim is to ensure tenants take repayment of the loan seriously and increase collection rates.
- 4.7 Recovery of the loan is managed by Lendology CIC with the aim of recycling funds for future loans.
- 4.8 An interest rate of 4.2% APR will be charged to help cover the management costs for Lendology, this only adds a small additional amount to the loan.

Rent Arrears Grant

- 4.9 The aim is to help those households on low incomes avoid eviction from their homes by using the grant to pay their rent arrears and prevent homelessness.
- 4.10 If a private tenant has accrued rent arrears as a result of circumstances beyond their control then they may be eligible to apply for this grant.
- 4.11 By providing a grant in these circumstances we can prevent a household being evicted for rent arrears. Agreement will be required from the landlord that the only reason eviction is being considered is for this reason.
- 4.12 As part of the grant we ask the landlord to extend the tenancy by 6 months. This is to allow time for the tenants to show that the rent is affordable and that they do not fall into arrears again.
- 4.13 As part of the grant the tenant is expected to adhere to the terms of the tenancy agreement and the landlord is expected to engage with the Council if issues with the tenancy begin to arise.
- 4.14 The grant may be reclaimed if either party breach the grant conditions detailed in the policy. This is to ensure that the tenancy is sustained preventing the need for B&B accommodation.

Landlord Incentive Grant

- 4.15 As part of our Housing Duty we are able to encourage households to find accommodation in the private sector. This has not been easy as the landlord is required to give a 12 month tenancy and is likely to be taking a tenant that has complex needs or no references.
- 4.16 In order to build the relationship with private landlords the policy introduces an incentive for landlords that work with the housing options team.

- 4.17 By accepting a tenant that is nominated by the Council the landlord will receive the equivalent of two-month's rent as an incentive. In return, the landlord is expected to engage with the Council, raising any issues with the tenant at an early stage, to allow quick intervention to prevent homelessness through eviction.

5. Recommendations

- 5.1 That Cabinet approves the revised Housing Assistance Policy 2022-2025 in Annex A.
- 5.2 That delegated authority is given to the Corporate Manager for Public Health, Regulation and Housing, in consultation with the Cabinet Member for Housing, to make minor adjustments to the policy based on demand and local priorities.
- 5.3 That delegated authority is given to the Corporate Manager for Public Health, Regulation and Housing, in consultation with the Cabinet Member for Housing, to suspend some or all non-mandatory parts of the revised Housing Assistance Policy attached in Annex A (all elements of the Policy other than Section 4 Mandatory Disabled Facilities Grants) if adequate funding is not available.

Contact for more Information: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing snewcombe@middevon.gov.uk or Tanya Wenham, Operations Manager for Public Health & Housing Options twenham@middevon.gov.uk

Circulation of the Report:

Cllr Stuart Penny, Cabinet Member for Housing
Members of the Homes PDG
Leadership Team
Corporate Management Team
Service/Operations Managers
Legal Services

List of Background Papers:

Mid Devon District Council Housing Strategy 2021-25
<https://www.middevon.gov.uk/media/353400/housing-strategy-2021-25.pdf>

Further information:

Department for Levelling Up, Housing and Communities. Guidance on Disabled Facilities Grant Delivery: Guidance for local authorities in England (March 2022)
<https://www.gov.uk/government/publications/disabled-facilities-grant-dfg-delivery-guidance-for-local-authorities-in-england/disabled-facilities-grant-dfg-delivery-guidance-for-local-authorities-in-england>

Lendology Community Interest Company (CIC) Social Enterprise Lender
<https://www.lendology.org.uk/>



Housing Assistance Policy

2022-2025

Date adopted: xxx 2023

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1 Introduction

1.1 Purpose

- 1.1.1 This policy is required under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. The Order provides councils with the discretion to develop schemes to provide financial assistance to deal with a range of housing issues.
- 1.1.2 This policy is set out in two parts. Part One of the Policy identifies the areas on which the Devon Councils will focus Better Care Funding (BCF) in order to improve housing conditions across the districts. The funding will be targeted to those areas that contribute to the delivery of the Better Care Fund and Health and Wellbeing Board (HWB) priorities.
- 1.1.3 Part Two of the Policy provides details of assistance specific to the Councils local priorities outside the scope of the Better Care Fund. These schemes will be delivered using the Councils own funding subject to availability.
- 1.1.4 The policy covers a period of three-financial years from 22/23 to 24/25
- 1.1.5 This policy provides the Devon Councils with the flexibility and discretion to provide appropriate assistance to meet the aims and priorities set out in section 3 below.
- 1.1.6 This policy has been agreed by the following Councils:
- Devon County Council
 - East Devon District Council
 - Exeter City Council
 - Mid Devon District Council
 - North Devon District Council
 - South Hams District Council
 - Teignbridge District Council
 - Torridge District Council
 - West Devon District Council

1.2 Review

- 1.2.1 The Devon Wide policy has been reviewed twice, the latest being in 2019. Having worked with the policy for the last four years a more detailed review has been undertaken in consultation with stakeholders to identify any gaps or enhancements required to the policy. This policy incorporates the agreed

changes suggested by stakeholders and will be reviewed on a regular basis to ensure it continues to meet local needs.

1.3 Funding

- 1.3.1 The assistance contained within this policy subject to the availability of funding. Where funding is limited, priority for spend will be given to the provision of the Mandatory Disabled Facilities Grant programme across the County.

2 Context

2.1 Housing and Health

- 2.1.1 Housing is a key determinant of health, and by promoting good quality housing this policy can contribute to reducing health inequalities for the residents of Devon.
- 2.1.2 In 2008, flexibilities were introduced enabling councils to use government funding that has been allocated for disabled facilities grants more intelligently to deliver adaptations for disabled people outside of the mandatory grant regime.
- 2.1.3 Research has shown that there is a direct impact on the health and well-being of residents resulting from the homes in which they live; therefore, poor housing can contribute to poor health.
- 2.1.4 Each year hazards in the home result in unnecessary injuries, episodes of ill-health, and harm to mental health; in many cases the occupiers do not link the poor condition of their homes with a potential negative impact on their health. The poorest housing stock can be found in the private sector, and in some cases residents who own their own home are not able to maintain them resulting in the development of hazards.
- 2.1.5 This policy aims to address the link between housing conditions and health through the provision of adaptations that allow disabled people to remain safely and independently in their home; along with works to reduce serious hazards in the home that have the potential to cause accidents and ill health.
- 2.1.6 The Policy also aims to provide discretionary funding to help prevent homelessness and promote sustainable renting in the private sector.

2.2 Better Care Fund (BCF) and Metrics

- 2.2.1 In 2015 the government introduced the Better Care Fund (BCF) in an attempt to bring health and social care together in an integrated way. The fund is a combination of government funding from the Department of Health and the Department for Levelling Up, Housing and Communities and includes the grant allocation for disabled facilities grants (DFG).

- 2.2.2 Each year, in June, the government publishes the Better Care Fund Policy Framework, which lists the conditions that the better care fund must be used to address and these have remained largely unchanged.
- The conditions are:
- 2.2.3 **Condition 1:** *a jointly agreed plan between local health and social care commissioners, signed off by the HWB* – The local authority and Clinical Commissioning Groups (CCGs) must agree a plan for their local authority area that includes agreement on use of mandatory BCF funding streams. The plan must be signed off by the Health & Wellbeing Board (HWB).
- 2.2.4 BCF plans should set out a joined-up approach to integrated, person-centred services across local health, care, housing and wider public services. They should include arrangements for joint commissioning, and an agreed approach for embedding the current discharge policy in relation to how BCF funding will support this.
- 2.2.5 **Condition 2:** *NHS contribution to adult social care to be maintained in line with the uplift to CCG minimum contribution* - The funding must be used to contribute to the maintenance of adult social care services in each local authority.
- 2.2.6 The minimum expectation of spending for each HWB area is derived by applying the percentage increase in the CCG contribution to the BCF for the area to the 2020 to 2021 minimum social care maintenance figure for the HWB.
- 2.2.7 **Condition 3:** *invest in NHS commissioned out of hospital services* - BCF narrative plans should set out the approach to delivering this aim locally, and how health and local authority partners will work together to deliver it.
- 2.2.8 **Condition 4:** *a plan for improving outcomes for people being discharged from hospital* - This national condition requires areas to agree a joint plan to deliver health and social care services that support improvement in outcomes for people being discharged from hospital, including the implementation of the hospital discharge policy.
- 2.2.9 Having regard to the national conditions, areas have flexibility in how the fund is spent across health, care and housing schemes or services. Ambitions need to be agreed on how this spending will improve performance against the BCF metrics detailed below.
- 2.2.10 The metrics are as follows:
- [Discharge Indicator Set](#) - reducing length of stay in hospital, measured through the percentage of hospital inpatients who have been in hospital for longer than 14 and 21 days; and improving the proportion of people discharged home using data on discharge to their usual place of residence
 - Avoidable admissions to hospital
 - Admissions to residential and care homes
 - Effectiveness of re-ablement

- 2.2.11 Plans under national condition 4 (discharge) should describe how HWB partners will work with providers to improve outcomes for a range of discharge measures, covering both reductions in the time someone remains in hospital, effective decision making and integrated community services to maximise a person's independence once they leave hospital.
- 2.2.12 This policy forms part of the suite of options to achieve these conditions. Devon County Council and the District Councils have identified an opportunity to provide additional grant and loan products to meet these conditions and deliver against the Health and Wellbeing Board priorities.

3 Priorities

3.1 Devon BCF Priorities

- 3.1.1 In Devon, the Better Care Fund priorities aim to achieve the following outcomes:
- Reduced admissions to residential and nursing care homes
 - Reduce delayed transfers of care
 - Reduce avoidable emergency admissions
 - Increase dementia diagnosis rates

3.2 Health and Wellbeing Board Priorities

- 3.2.1 In addition to the above, the 'Healthy and Happy Communities' Devon Joint Health and Wellbeing Strategy 2020–25 also contains a series of priorities that this policy can contribute to.
- 3.2.2 The priorities are detailed below and those that this policy has a direct impact on are highlighted in bold.

<p>1. Create opportunities for all-inclusive economic growth, education and social mobility</p> <ul style="list-style-type: none"> a. Narrow gaps in educational attainment and adult skills b. Reduce levels of child poverty c. Support economic growth in more disadvantaged areas d. Increase social mobility 	<p>2. Healthy, safe, strong and sustainable communities creating conditions for good health and wellbeing where we live, work and learn</p> <ul style="list-style-type: none"> a. Improve housing conditions, reduce homelessness, and increase supply of appropriate, high-quality housing b. Create conditions for good health, physical activity and social interaction c. Support healthy workplaces and schools d. Help keep communities and individuals safe
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<p>3. Focus on mental health building good emotional health and wellbeing, happiness and resilience</p> <ol style="list-style-type: none"> Reduce loneliness in all age groups Identify people at risk and intervene to improve poor mental health as soon as possible Proactively address the mental health consequences of trauma and adverse childhood experiences Promote a positive approach to mental health and wellbeing 	<p>4. Maintain good health for all, supporting people to stay as healthy as possible for as long as possible</p> <ol style="list-style-type: none"> Prevent ill health by enabling people to live healthier lives Detect disease in the early stages to reduce impact on health Support those with long-term conditions to maintain a good quality of life Support carers to improve and maintain their own health & wellbeing
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3.3 Local District Priorities

3.3.1 Each Devon local authority has its own agreed priorities detailed within its Corporate/Strategic Plans that are specific to their areas. There are however some goals that are common across the county. These include:

- Providing quality housing
- Housing that is safe and meets the communities needs
- Promoting health and wellbeing

3.4 Objectives of this Policy

3.4.1 This policy aims to utilise the BCF funding to provide financial assistance to residents that helps realise the combined priorities detailed above.

3.4.2 In order to achieve this, the policy will focus on the following objectives:

- **Objective 1** - Assist disabled residents to remain in their own homes through supporting the provision of adaptations (so far as this is necessary, appropriate and reasonably practicable). To prevent admissions to care, to assist with delayed transfers where possible and to ensure a safe home that supports health and wellbeing.
- **Objective 2** – Safeguard the health and well-being of vulnerable residents by removing unnecessary hazards to health and safety in the home to reduce avoidable emergency admissions
- **Objective 3** – Provide adaptations that are suitable for the future by ensuring the scheme of works is dementia aware.
- **Objective 4** – Assist vulnerable people to afford to heat their homes through appropriate energy efficiency and heating measures.

- **Objective 5** – Assist vulnerable people impacted by hoarding and the cleanliness of their home environment.
- **Objective 6** – Assist people to move to more appropriate accommodation that meets their needs.
- **Objective 7** – Reduce and prevent homelessness and rough sleeping.

PART ONE – Better Care Fund Assistance

4 Mandatory Disabled Facilities Grants

4.1 Background

- 4.1.1 The delivery of the disabled facilities grant programme is mandatory and a statutory function of the local housing authority. The delivery of this function is governed by the Housing Grants, Construction and Regeneration Act 1996.

4.2 Eligibility

- 4.2.1 Any disabled resident seeking financial assistance with the cost of adaptations to their home must be assessed by an Occupational Therapist (OT) working on behalf of, in consultation with, or otherwise approved by Devon County Council.
- 4.2.2 For the purposes of the Disabled Facilities Grant a person is considered disabled if they meet any of the following criteria:
- their sight, hearing or speech is substantially impaired,
 - they have a mental disorder or impairment of any kind, or
 - they are physically substantially disabled by illness, injury, impairment present since birth, or otherwise.
- 4.2.3 A person under the age of eighteen shall be considered disabled if:
- they are on a register of disabled children maintained under paragraph 2 of Schedule 2 to the Children Act 1989, or
 - they are in the opinion of the social services authority a disabled child as defined for the purposes of Part III of the Children Act 1989 (local authority support for children and their families).
- 4.2.4 All owners, tenants, licensees or occupiers who meet the above criteria are eligible to apply for a Disabled Facilities Grant to provide adaptations for a disabled person residing at the property.

4.3 Conditions

- 4.3.1 All grants other than those for children are subject to a test of financial resources, which is prescribed by The Housing Renewal Grants Regulations 1996.
- 4.3.2 At the time of writing, the grant maximum in England is £30,000. This is set by Government and is subject to occasional review. If the grant maximum is

reviewed, this policy will adopt the new grant maximum for England, as stated here: <https://www.gov.uk/disabled-facilities-grants/what-youll-get>, or other official UK Government source.

- 4.3.3 The disabled person must intend to occupy the property as their only or main residence for a period of five years after the works are complete (or such shorter period as the person's health or other relevant circumstances permit).
- 4.3.4 In order to make an application the applicant must supply the following:
- A completed and signed application form
 - Evidence of financial situation
 - Evidence of ownership of the property or the right to reside at the property
 - Permission for the works to be carried out (if applicable)
 - For more complex works; a detailed schedule of works and plans that must be agreed by the council and OT as appropriate.
 - Any planning or building regulation approvals
 - Tenders for the works unless using an agreed procurement framework.
- 4.3.5 The applicant must have permission from the owner of the property for the work to be carried out. The council will require an owner's certificate if the property is rented.
- 4.3.6 Only the works agreed by the council will be covered by the grant.
- 4.3.7 If the grant is approved there are 12 months to complete the works from the date of approval.
- 4.3.8 The works must be completed by the contractor stated on the approval document.
- 4.3.9 No grant works should proceed until the grant application has been approved and all relevant Planning, Building Regulation or landlord approvals have been obtained.
- 4.3.10 If the applicant has a financial contribution towards the cost of adaptations they must ensure they have funds in place to cover their share of the costs before the work begins on site.
- 4.3.11 Subject to conditions, a loan from Lendology Community Interest Company may be available to cover an assessed financial contribution to a grant.
- 4.3.12 Unforeseen and additional costs will only be paid for where they are necessary in order to complete the adaptation and must be agreed by the council before they are undertaken.
- 4.3.13 In some cases a local charge may be applied (refer to 4.3.18) when the grant is complete. Any increase in the grant amount awarded may have an impact on the level of charge placed against the property.

- 4.3.14 Applicants who are successful in their application for assistance will be required to maintain the adaptation. The Council is not responsible for any maintenance or repair once the grant is complete.
- 4.3.15 The contract for the works is the responsibility of the applicant.
- 4.3.16 In all but the most exceptional cases, the council will seek to pay any approved grant funds directly to contractors on satisfactory completion of works.
- 4.3.17 No grant will be paid until a satisfactory invoice has been received and the works have been carried out to the satisfaction of the Council.
- 4.3.18 Only works falling within the mandatory elements, as specified in Appendix A, will be covered by the grant.
- 4.3.19 For owner occupiers, where the grant is in excess of £5,000 a local land charge will be placed on the property for the amount over £5,000 up to a maximum of £10,000. This charge will remain on the property for a period of 10 years from the date the grant is certified as complete.
- 4.3.20 Repayment of the charge is only applicable if the property is sold, assigned or transferred within the 10 year condition period.
- 4.3.21 If the property is to be transferred, assigned or sold within that period then the council must have regard to the following before repayment is requested:
- the extent to which the recipient of the grant would suffer financial hardship were they to be required to repay all or any of the grant;
 - whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of their employment;
 - whether the disposal is made for reasons connected with the physical or mental health or wellbeing of the recipient of the grant or of a disabled occupant of the premises; and
 - whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity.
- 4.3.22 Where the cost of the work exceeds the mandatory grant limit the applicant may be eligible to apply for an Accessible Homes Grant, subject to available funds.

5 Stair Lift Grant

5.1 Background

- 5.1.1 The Stair Lift Grant is subject to available funding.

- 5.1.2 This grant provides internal and external straight track or curved track stair lifts, step lifts and through-floor lifts without a means test for the applicant.
- 5.1.3 This grant also covers relevant preparatory and other works necessary for installation of the lift.
- 5.1.4 This grant includes provision of rented stair lifts for end of life care, or any other reason, as specified by the Occupational Therapist.

5.2 Eligibility

- 5.2.1 To be eligible for this grant the following must be in place:
- Any disabled resident seeking financial assistance with the cost of adaptations to their home must be assessed by an Occupational Therapist (OT) working on behalf of, in consultation with, or otherwise approved by Devon County Council.
 - Where additional works are required to install the stair lift or other relevant lift, these will be covered as part of this grant.
 - Where an applicant/disabled person requires multiple adaptations, the stair lift (or other eligible lift) will be provided through this grant and other adaptations will be provided through the DFG or accessible homes grant where the applicant is eligible.
 - All owners, tenants, licensees or occupiers who meet the above criteria are eligible to apply for this grant to provide adaptations for a disabled person residing at the property.

5.3 Conditions

- 5.3.1 The applicant must have permission from the owner of the property for the work to be carried out. The council will require an owner's certificate if the property is rented.
- 5.3.2 The applicant intends to live in the property as their only or main residence for the period of 5 years or for a shorter period as health or other relevant circumstances permit.
- 5.3.3 The final approved sum will be based on competitive contracting through the council's procurement system, or other process.
- 5.3.4 Only the works agreed by the council will be covered by the grant.
- 5.3.5 The works must be completed by the contractor stated on the approval document, unless otherwise agreed with the council.
- 5.3.6 No grant works should proceed until the grant application has been approved and all relevant Planning, Building Regulation or landlord approvals have been obtained.

- 5.3.7 Unforeseen and additional costs will only be paid for where they are necessary to complete the adaptation and must be agreed by the council before they are undertaken.
- 5.3.8 Applicants who are successful in their application for assistance will be required to maintain the equipment and any associated works. This includes adhering to the terms of any guarantee or warranty and ensuring the equipment is regularly serviced at the applicants cost.
- 5.3.9 The contract for the works is the responsibility of the applicant.
- 5.3.10 In all but the most exceptional cases, the council will seek to pay any approved grant funds directly to contractors on satisfactory completion of works.
- 5.3.11 No grant will be paid until a satisfactory invoice has been received and the works have been carried out to the satisfaction of the applicant and Council.
- 5.3.12 Lifts (stair lifts, step lifts and through floor lifts) and other equipment funded through the grant process will belong to the applicant. Servicing, upkeep and disposal is the responsibility of the applicant. The Council only usually remove lifts or other equipment if they are able to be economically refurbished and reused, or in the case of a moving grant, equipment may be removed to be re-used in the 'new' property if considered an effective use of resources.
- 5.3.13 No local land charge will be placed against the property for this grant.
- 5.3.14 The council reserves the right to reclaim this grant from a social housing provider or private landlord in the following circumstances:
- a. if the tenant for whom the grant was originally approved is unreasonably required to leave the property within the grant condition period (5 years), or
 - b. if the property is not let to a household that will benefit from the adaptation upon any re-let within the grant condition period (5 years).

6 Bathroom Adaptation Grant

6.1 Background

- 6.1.1 The Bathroom Adaptation Grant is subject to available funding.
- 6.1.2 This grant provides level access showers, automatic wash-dry WCs and other bathroom adaptations and/or equipment without a means test for the applicant.
- 6.1.3 This grant also covers relevant preparatory and other works necessary for safe installation but does not cover substantial works such as extensions.

6.2 Eligibility

- 6.2.1 To be eligible for this grant the following must be in place:
- Any disabled resident seeking financial assistance with the cost of adaptations to their home must be assessed by an Occupational Therapist (OT) working on behalf of, in consultation with, or otherwise approved by Devon County Council.
 - Where additional works are required to provide accessible washing/hygiene facilities these will be covered as part of this grant.
 - Where an applicant/disabled person requires multiple adaptations, the bathroom adaptations (or other eligible works) will be provided through this grant and other adaptations will be provided through the DFG or accessible homes grant where the applicant is eligible.
 - All owners, tenants, licensees or occupiers who meet the above criteria are eligible to apply for this grant to provide adaptations for a disabled person residing at the property.
- 6.2.2 This grant is not available to fund the building of an extension, or other major building alteration to provide a bathroom. Substantive building work would be funded by DFG, or other means, depending on eligibility. In such cases, this grant can be used to fit out the bathroom.

6.3 Conditions

- 6.3.1 The applicant must have permission from the owner of the property for the work to be carried out. The council will require an owner's certificate if the property is rented.
- 6.3.2 The applicant intends to live in the property as their only or main residence for the period of 5 years or for a shorter period as health or other relevant circumstances permit.
- 6.3.3 The final approved sum will be based on competitive contracting through the council's procurement system, or other process.
- 6.3.4 Only the works agreed by the council will be covered by the grant.
- 6.3.5 The works must be completed by the contractor stated on the approval document, unless otherwise agreed with the council.
- 6.3.6 No grant works should proceed until the grant application has been processed and all relevant planning, Building Regulation or landlord approval has been obtained.
- 6.3.7 Unforeseen and additional costs will only be paid for where they are necessary to complete the adaptation and must be agreed by the council before they are undertaken.
- 6.3.8 Applicants who are successful in their application for assistance will be required to maintain the equipment and any associated works and have it regularly serviced at their cost.

- 6.3.9 The contract for the works is the responsibility of the applicant.
- 6.3.10 In all but the most exceptional cases, the council will seek to pay any approved grant funds directly to contractors on satisfactory completion of works.
- 6.3.11 No grant will be paid until a satisfactory invoice has been received and the works have been carried out to the satisfaction of the applicant and Council.
- 6.3.12 No local land charge will be placed against the property for this grant.
- 6.3.13 The council reserves the right to reclaim this grant from a social housing provider or private landlord in the following circumstances:
- a. if the tenant for whom the grant was originally approved is unreasonably required to leave the property within the grant condition period (5 years), or
 - b. if the property is not let to a household that will benefit from the adaptation upon any re-let within the grant condition period (5 years).

7 Accessible Homes Grant - General

7.1 Background

- 7.1.1 The Accessible Homes Grant is subject to available funding.
- 7.1.2 Grant funding may be available in the following circumstances:
- Where a mandatory grant has been approved but the cost of the work exceeds the mandatory grant maximum.
 - Where there are works that may not be covered by the Disabled Facility Grant in relation to adapting the home and making it safe.
 - To pay fees associated with feasibility surveys etc. to determine if an eligible adaptation can proceed.

7.2 Eligibility

- 7.2.1 To be eligible for this grant the applicant must either:
- be eligible to apply for a mandatory Disabled Facilities Grant, or
 - require other works or equipment deemed as reasonable and practicable by the council to adapt the home or make it safe for the disabled occupant, or their carer(s).
 - All owners, tenants, licensees or occupiers who meet the above criteria are eligible to apply for this grant to provide adaptations for a disabled person residing at the property.

- 7.2.2 Applications for a disabled adult are subject to the DFG means test, it is likely that this will have been completed as part of the formal Disabled Facility Grant application and therefore will not need to be repeated
- 7.2.3 There will be no means test of parents and/or guardians of a disabled child in line with the requirements of the mandatory DFG.

7.3 Conditions

- 7.3.1 Where the applicant has a combination of Accessible Homes Grants (including Contribution grants and Moving grants) to deliver the agreed adaptations the maximum amount that can be applied for is £40,000. Any costs required that are over a combined total of £40,000 will not attract any further Accessible Homes Grant funding and alternative sources such as a loan will need to be considered. This does not preclude further applications for an AHG if additional adaptations are required in the future.
- 7.3.2 Evidence supplied by the Disabled Facility Grant application will be used to support the application for the Accessible Home Grant.
- 7.3.3 For owner applications a local land charge will be placed on the property for the full value of the awarded Accessible Homes Grant. The full charge(s) will be repayable if the property is sold, assigned or transferred within 10 years of the grant being completed. This is in addition to any land charge placed on the property under other sections of this policy.
- 7.3.4 As this is a discretionary grant, the Accessible Homes Grant will be recovered in all circumstances of the property being sold, assigned or transferred unless there are exceptional circumstances. These circumstances will be considered on a case by case basis.
- 7.3.5 Only the works agreed by the council will be covered by the grant
- 7.3.6 Eligible works must be completed within 12 months of the grant being approved.
- 7.3.7 The works must be completed by the contractor stated on the approval document, unless otherwise agreed with the council.
- 7.3.8 No grant works should proceed until the grant application has been processed and all relevant planning, Building Regulation or landlord approval has been obtained.
- 7.3.9 Unforeseen and additional costs will only be paid for where they are necessary to complete the adaptation and must be agreed by the council before they are undertaken.
- 7.3.10 Any increase in the grant may have an impact on the charge placed against the property.
- 7.3.11 Applicants who are successful in their application for assistance will be responsible for maintaining the adaptation.
- 7.3.12 The contract for the works is the responsibility of the applicant.

- 7.3.13 The grant will normally be paid direct to contractors in all but the most exceptional cases.
- 7.3.14 The council will only offer grant funding for those works that are considered appropriate, reasonable and practicable to meet the needs of the disabled person.
- 7.3.15 No grant will be paid until a satisfactory invoice has been received and the works have been carried out to the satisfaction of the council.
- 7.3.16 In addition to the above, this grant is subject to the conditions of the primary DFG grant to which it is contributing.

8 Accessible Homes Grant – Contribution

8.1 Background

- 8.1.1 The Accessible Homes Contribution Grant is available where the DFG means test identifies that a contribution is required.
- 8.1.2 The Accessible Homes Contribution Grant is subject to available funding.

8.2 Eligibility

- 8.2.1 To be eligible for this grant the applicant/disabled person must meet the following:
- eligible to apply for a mandatory Disabled Facilities Grant, or
 - eligible for the 'Accessible Homes Grant – General'
- 8.2.2 An applicant/disabled person will only be eligible for grant funding to cover an identified contribution following an assessment of their available savings to cover the contribution.
- 8.2.3 As a rule of thumb where the contribution represents a third or more of the person savings then a grant may be available. However, this will be applied on a sliding scale to allow those with some savings to benefit from a partial grant to cover some of the contribution. For example:
- a) An applicant has a means tested contribution of £1500.00. If the applicant has savings of £4500 or less, they will be able to access additional grant to cover the contribution; subject to grant limits and finance availability.*
 - b) An applicant has a means tested contribution of £1500.00. If the applicant has savings of £6000, they will be able to access £1000 of additional grant to cover the contribution; but they would be expected to pay £500.*

8.3 Conditions

- 8.3.1 The grant maximum for combined Accessible Homes Grants (including general and moving grants) is £40,000. Anything over £40,000 will not attract any further Accessible Homes Grant funding.
- 8.3.2 Evidence supplied by the Disabled Facility Grant application will be used to support the application for the Accessible Home Contribution Grant.
- 8.3.3 For owner applications a local land charge will be placed on the property for the full value of the awarded Accessible Homes Contribution Grant. The full charge(s) will be repayable if the property is sold, assigned or transferred within 10 years of the grant being completed. This is in addition to any land charge placed on the property under other sections of this policy.
- 8.3.4 As this is a discretionary grant, the Accessible Homes Contribution Grant will be recovered in all circumstances of the property being sold, assigned or transferred unless there are exceptional circumstances. These circumstances will be considered on a case by case basis.
- 8.3.5 In addition to the above, this grant is subject to the conditions of the primary DFG grant to which it is contributing.

9 Accessible Home Grants: Moving Application

9.1 Background

- 9.1.1 This grant may be available to assist a disabled person to move to more suitable accommodation subject to available funding.

9.2 Eligibility

- 9.2.2 An applicant will be eligible for this grant:
- Where the Occupational Therapist and/or the Council consider re-housing to be more appropriate than adapting the existing accommodation.
 - Where the landlord has refused permission for any adaptation works to be carried out and therefore it is no longer feasible for the occupier to remain in the property safely.
 - Where it is possible to carry out works at the existing property but a move is preferred, the total cost incurred in the eligible 'moving' expenses plus any estimated eligible adaptation costs at the 'new' property should not be greater than the cost of adapting the applicant's current home.
 - Where the 'new' property, in the opinion of the Council, provides a long term, sustainable home for the person for whose benefit the works are required.

- Adaptations at the 'new' property will be subject to the Statement of Need and a new DFG application. Adaptations may exceed the mandatory DFG grant and any top-up assistance available, so any likely contribution by the applicant/disabled person should be considered prior to moving.
- If the 'new' property is within a neighbouring authority covered by this policy then the receiving authority will need to ensure the new property is suitable. This should also be agreed with the Occupational Therapist. The applicant must ensure that the relevant council's officers and Occupational Therapist have been consulted and any subsequent DFG application is made to the receiving authority.
- To qualify for this grant the applicant must have been resident in the existing property for at least 2 years prior to making an application to move.

9.2.2 In determining the 'reasonable expenses' regard shall be given to the following criteria:

- The cost of the eligible works at the applicant's existing property are not deemed reasonable, or;
- The eligible works at the applicant's existing home are not technically feasible, or;
- The adaptation of the applicant's existing property does not provide a sustainable, long term solution for their housing needs, or;
- The landlord of the property refuses to give permission for the necessary works to be carried out.

9.3 Eligible Expenses – owner occupier

9.3.1 Expenses that can attract grant under this section may include the cost of:

- Any arrangement fee charged by a lender to cover the formation of a mortgage.
- Conveyancing fees.
- Land Registry Fee
- Local Authority Searches
- Stamp Duty
- Valuation, Homebuyers or Full Structural Survey
- Professional or other removal costs
- Estate Agent Commission.

9.3.2 The maximum grant payable for eligible expenses under this heading for an owner occupier is £10,000.

9.4 Eligible expenses – tenant

9.4.1 For a tenant the expenses that can attract grant under this section may include the cost of:

- Letting agent fees
- Rent deposit
- Professional or other removal fees

9.4.2 The maximum grant payable for eligible expenses under this heading for a tenant is £5,000.

9.5 Conditions

9.5.1 The grant maximum for combined Accessible Homes Grants (including General and Contribution grants) is £40,000. Anything over £40,000 will not attract any further Accessible Homes Grant funding.

9.5.2 Grant assistance is only payable to an owner occupier upon the successful completion of the purchase of the 'new' property and the disabled person then occupying that property as their only and main residence.

9.5.3 When moving to rented accommodation the applicant must obtain permission from the landlord for any adaptations to be carried out before the grant will be paid.

9.5.4 The applicant must intend to live in the new property as their only or main residence for a period of 5 years (or such shorter period as the person's health or other relevant circumstances permit).

10 Healthy Homes Grants

10.1 Background

10.1.1 The Healthy Homes grant is a flexible grant to provide repairs and other works to the home to ensure the health, safety and welfare of the occupier(s); subject to available funding.

10.1.2 This includes assisting an occupier with infestations and accumulations (hoarding) where the condition of the dwelling will lead to a delayed transfer of care (hospital discharge) or potential avoidable hospital admission.

10.1.3 It also includes repairs to existing disabled adaptations and some heating and energy efficiency works as determined necessary by the council

10.2 Eligibility

10.2.1 To qualify for this grant the applicant must meet at least one of the following:

- a) have been declined by Lendology CIC for a Home Improvement Loan
- b) be in receipt of one of the following benefits:

- Housing Benefit
- Disability Living Allowance
- Personal Independent Payment with the daily living component
- Attendance Allowance
- Pension Credit
- Income Support
- Council tax benefit (not the single person discount)
- Universal Credit

(Universal Credit replaces the following means tested benefits: Housing Benefit, Income Related Employment Support Allowance, Income Based Job Seekers Allowance, Child Tax Credit, Working Tax Credit and Income Support)

- c) otherwise be in financial hardship following an assessment by:

- Lendology CIC
- The council's Housing Options, Benefits or other relevant team
- Citizens Advice Bureau, or
- Other third party commissioned by the council to work in a community support role.

10.2.2 A grant can be awarded in addition to a loan from Lendology CIC if the amount of loan available is not enough to cover the cost of addressing the eligible works.

10.2.3 Healthy Homes Grant can be used to fund repairs to disabled adaptations where the equipment or other works are out of warranty or guarantee.

10.2.4 This grant can be used to fund temporary measures or items that can be removed, to allow the occupier to return home as part of end of life care, or otherwise to expedite hospital discharge. Eligible works may be funded by DFG or Accessible Homes in the first instance, depending on the most expedient route.

10.2.5 This grant can also be used for home repairs that are likely to have a significant impact on the health and safety of the person residing in the property (category 1 hazard under the Housing Act 2004). Where the person residing is a tenant then only those works that are not the responsibility of the landlord may be covered.

- 10.2.6 It can also be used to prevent unnecessary hospital admissions, or to expedite hospital discharge, as a result of a hoarding disorder. In practice this can include the following:
- a) Help with cleansing a property to expedite hospital discharge, to enable someone to receive care, or to enable other eligible works under this policy to take place.
 - b) Practical support with hoarding behaviour to alleviate impacts on the health of the occupier, as assessed by an officer of the council, or other social care professional.
 - c) Clearance of the dwelling to ensure the safety of the occupier following an assessment by an officer of the council

10.3 Conditions

- 10.3.1 Households are able to apply for a 'Healthy Homes Grant' on multiple occasions. The maximum grant available is £10,000 in any two year rolling period.
- 10.3.2 For owner applications a local land charge will be placed on the property for the full value of each Healthy Homes Grant that is awarded unless the grant is for one of the reasons stated in 10.3.4 below. The full charge(s) will be repayable if the property is sold, assigned or transferred within 5 years of the grant being completed. This is in addition to any land charge placed on the property under other sections of this policy.
- 10.3.3 As this is a discretionary grant, the Healthy Homes Grant will be recovered in all circumstances of the property being sold, assigned or transferred unless there are exceptional circumstances. These circumstances will be considered on a case by case basis.
- 10.3.4 A local land charge will not be placed against the property if the purpose of the grant is to:
- a. Repair disabled adaptations already subject to a charge. This will apply to the cost of those repairs only, if the grant is being used for multiple reasons;
 - b. Provide equipment or works to help with end of life care;
 - c. Help with hoarding or the cleansing of a property.
- 10.3.5 For tenants the grant will only be available where the landlord is not responsible for the works required. As such, the grant will be limited to providing assistance with infestations and accumulations (hoarding) where the condition of the dwelling will lead to a delayed transfer of care (hospital discharge) or potential avoidable hospital admission, or where the landlord is not responsible for the works.
- 10.3.6 An applicant should apply for a loan for any substantial work beyond removing the immediate health and safety risk.

11 Home Improvement Loans

11.1 Background

11.1.1 Lendology CIC (Community Interest Company) is a not-for-profit company contracted by the council to deliver loans to residents in the district.

11.1.2 Lendology CIC administer loans within the requirements of this policy. Home Improvement Loans are flexible and can be used for the following purposes (with specific reference to the Better Care Fund):

- Home repairs and improvements;
- Adaptation works where grant is not available;
- To cover an applicant contribution to a grant;
- To cover the cost of the work over the Disabled Facilities Grant and/or Accessible Homes Grant maximum.

11.1.3 In addition, loans may be available for the following purposes **subject to available funding outside of the Better Care Fund**:

- To bring empty homes back into use
- For renewable energy enhancements and energy efficiency improvements
- For landlords to carry out repairs or improvements to rented accommodation.

11.2 Eligibility

11.2.1 This will vary and is based on the individual circumstances of each applicant. Case managers from Lendology CIC will carry out an assessment and provide independent advice on ethical and responsible lending and the most appropriate product to suit the needs of the applicant.

11.3 Conditions

11.3.1 Conditions may vary depending on the loan product selected and the individual circumstances of each applicant.

11.3.2 Typical 4.2% APR, loans are subject to status. Lendology may insist on loans being protected at the Land Registry by a Title Restriction. Missing payments could affect your credit rating and ability to obtain credit in the future.

12 Warm Up Grants

12.1 Background

- 12.1.1 The Warm Up grant is a flexible grant to provide top-up funding for energy efficiency measures considered by an officer of the council as essential to ensure the health, safety and welfare of the occupier(s) of a property; subject to available funding.
- 12.1.2 These grants, up to a maximum £3,000 per property, provide top up funding where energy providers and installers are part funding energy efficiency measures under their Energy Company Obligation (ECO) or other energy efficiency funding.
- 12.1.3 Warm Up funding can also be used in conjunction with Healthy Homes Grants (based on eligibility for Healthy Homes), where the hazard(s) being rectified requires upgrading of the heating/hot water provision or improved insulation.
- 12.1.4 Eligible works include:
- Insulation measures (e.g. loft, cavity wall, solid wall, flat roof & room in roof)
 - Heating and hot water repairs or upgrade

12.2 Eligibility

- 12.2.1 Applicants must have been identified through an assessment by an officer of the council under the Healthy Homes Grant criteria or - subject to the Council adopting this process - through the council's Energy Company Obligation Flexible Eligibility Statement of Intent (SOI).
- 12.2.2 Applicants can only apply for this grant if they meet the health criteria of the SOI in their respective council areas or the Healthy Homes Grant criteria.
- 12.2.3 To qualify for the top-up a survey must be carried out by the energy provider, an officer of the council, a local installer, or their agent and qualifying works identified.
- 12.2.4 All owners, tenants, licensees or occupiers who meet the criteria are eligible to apply for this grant.
- 12.2.4 For owner occupiers a maximum of up to £3,000 is available.
- 12.2.5 If more than £3,000 is needed then the applicant should apply for a Lendology CIC loan, subject to availability and eligibility

12.3 Conditions

- 12.3.1 The maximum grant available is £3,000.

- 12.3.2 The grant can be applied for by the owner of the property where the person occupying the property meets the healthy homes grant criteria or SOI health criteria.
- 12.3.3 Once a 'Warm up grant' has been awarded for works to a property, no further 'Warm up grant' will be available for the same property for a period of 5 years from the date the grant is certified as complete.
- 12.3.4 A local land charge will be placed on the property for the full value of the Warm Up grant and will be repayable if the property is sold, assigned or transferred within 5 years of the grant being completed. This is in addition to any land charge placed on the property under other sections of this policy.
- 12.3.5 As this is a discretionary grant, the Warm Up Grant will be recovered in all circumstances of the property being sold, assigned or transferred unless there are exceptional circumstances. These circumstances will be considered on a case by case basis.
- 12.3.6 In all but the most exceptional cases, the council will seek to pay any approved grant funds directly to contractors on satisfactory completion of works.
- 12.3.7 No grant will be paid until a satisfactory invoice has been received and the works have been carried out to the satisfaction of the applicant and Council.

PART TWO – Local Initiatives

13 Other types of assistance

13.1 Introduction

- 13.1.1 In addition to the Better Care Fund the Council has other sources of funding that can be used to provide financial assistance.
- 13.1.2 This section of the policy sets out the types of assistance that are available to prevent homelessness and rough sleeping and can help people to remain in their homes.
- 13.1.3 All of the grants mentioned in this section are subject to funding being available.

14 Home Start Grant

14.1 Background

- 14.1.1 The Home start grant is a one off grant to help those that are moving out of an unsustainable housing situation into the private rented sector. The grant can only be applied for once and if further similar assistance is required the applicant should apply for the Home Start Loan
- 14.1.2 This grant can be used to cover the following elements:
- The deposit for the applicants first suitable private rented home
 - Rent in advance as required
 - Top up to initial rent shortfall while benefits or wages are being organised

14.2 Eligibility Criteria

- 14.2.1 To qualify for this grant the applicant must meet the following criteria:
- Be owed a housing duty under the Homelessness Reduction Act 2017;
 - Be over the age of 18,
 - Be a 16/17 year old supported by Devon County Council into a young person's housing project;
 - Be entering into a first tenancy in the UK, at a property within the Mid Devon area.

14.3 Grant Limit

- 14.3.1 The maximum amount of grant available is £2,500
- 14.3.2 The amount of grant award is dependent on the circumstances of each case.
- 14.3.3 A financial assessment of the income and expenditure of the household, along with the affordability of the proposed rent and other expenses will be undertaken to determine the suitability of the accommodation.
- 14.3.4 Basic furniture and household items to set up the new home may be available via a referral to an external company or charity.
- 14.3.5 The grant is only available once per household/tenancy.

14.4 Conditions relevant to the application

- 14.4.1 The person applying for the grant must be named on the tenancy agreement.
- 14.4.2 For the application to be considered, all sections of the application must be completed and the declaration signed by the applicant. All supporting evidence must be provided with the application.
- 14.4.3 Once the application has been received the Council will assess whether a grant is available.
- 14.4.4 The Council, or an organisation acting on their behalf, will carry out a check of the property and other necessary documents and certificates to determine if the property is suitable for the purposes of the grant.

14.5 Conditions relating to Payments

- 14.5.1 The council will pay grant monies relating to deposit and rent directly to the landlord/agent via a BACs, or by other means in respect of agreed individual circumstances.
- 14.5.2 A claim form and any other finance declarations or information required by the council must be submitted and validated before any agreed payments are made.
- 15.5.3 Failing to comply with the grant conditions may result in a claim for payment not being validated - for example failing to engage with the council.

14.6 Conditions following approval

- 14.6.1 By signing the application the tenant is agreeing to maintain rent payments going forward and to adhere to the terms of the tenancy agreement.
- 14.6.2 The landlord must place the deposit into a government listed Tenancy Deposit Protection Scheme (DPS).
- 14.6.3 Failing to comply with the conditions may result in the grant being reclaimed.

- 14.6.4 Circumstances where the grant may be reclaimed from the tenant:
- Failing to pay rent and allowing arrears to build up without good reason – the local housing authority will determine whether there is good reason when assessing if repayment is required
 - Failing to adhere to the terms of the tenancy agreement – for example causing anti-social behavior or acting in a way that means the landlord has to serve a relevant notice to regain possession of their property.

15 Home Start Loan

15.1 Background

- 15.1.1 The Home Start Loan is to support households owed a housing duty under the Homelessness Reduction Act 2017 and do not qualify for the Home Start Grant.
- 15.1.2 This loan can be used to cover the following elements:
- The deposit for the applicants private rented home
 - Rent in advance as required
 - Top up to initial rent shortfall while benefits or wages are being organised
- 15.1.3 As this is a loan the applicant will be required to make monthly repayments as determined by the loan provider.
- 15.1.4 This loan will be administered by our local loan provider Lendology CIC.

15.2 Eligibility Criteria

- 15.2.1 To qualify for this loan the applicant must meet the following criteria:
- Be over the age of 18
 - Be entering into a tenancy agreement in the private sector or with a registered housing provider (not the Council)
 - Be moving to a property in the Mid Devon area.

15.3 Loan Limit and repayment

- 15.3.1 The maximum amount of loan available is £2,500 with a maximum loan term of 5 years, but this is dependent on the individual circumstances of the applicant and their ability to repay the loan. Affordability of the loan will be determined by Lendology CIC.
- 15.3.2 As part of the loan application the council will carry out an assessment of the affordability of the rent to try and prevent potential rent arrears.

- 15.3.3 Basic furniture and household items to set up the new home may be available via a referral to an external company or charity.
- 15.3.4 The loan is repayable on a monthly basis. The interest rate on the loan is 4% (4.2% APR) the term for repayment will be agreed with Lendology following the affordability assessment.
- 15.3.5 It may be possible to apply for further loans but the amount available will be determined by the repayment history, the outstanding balance to re-pay any existing loans and the amount being requested.
- 15.3.6 A further loan will not be available if the applicant is being evicted for:
- Failing to pay rent and allowing arrears to build up without good reason – the local housing authority will determine whether there is good reason
 - Failing to adhere to the terms of the tenancy agreement – for example causing anti-social behaviour or acting in a way that means the landlord has to serve a relevant notice to regain possession of their property.
- 15.3.7 In exceptional circumstances the Housing Options Manager may allow a further loan, these circumstances will be considered on a case by case basis.

15.4 Conditions relevant to the application

- 15.4.1 The person applying for the loan must be named on the tenancy agreement.
- 15.4.2 For the application to be considered, all sections of the application must be completed and the declaration signed by the applicant. All supporting evidence must be provided with the application.
- 15.4.3 Once the application has been received Lendology will assess whether a loan is available.
- 15.4.4 The Council, or an organisation acting on their behalf, will carry out a check of the property and other necessary documents and certificates to determine if the property is suitable.

15.5 Conditions relating to Payments

- 15.5.1 Lendology will pay loan monies relating to deposit and rent directly to the landlord/agent via a BACs, or by other means in respect of agreed individual circumstances.
- 15.5.2 A claim form and any other finance declarations or information required by Lendology CIC must be submitted and validated before any agreed payments are made.

15.6 Conditions following approval

- 15.6.1 By signing the application the tenant is agreeing to maintain rent payments going forward and to adhere to the terms of the tenancy agreement.

- 15.6.2 Failing to keep up with loan repayments may result in recovery action being taken
- 15.6.3 The landlord must place the deposit into a government listed Tenancy Deposit Protection Scheme (DPS).

16 Rent Arrears Grant

16.1 Background

- 16.1.1 The purpose of the Rent Arrears Grant is to support households in the private rented sector who find themselves in rent arrears.
- 16.1.2 The aim is to help those households on low incomes avoid eviction from their homes by using the grant to pay the rent arrears and prevent homelessness.
- 16.1.3 If a private tenant has accrued rent arrears as a result of circumstances beyond their control then they may be eligible to apply for this grant.
- 16.1.4 This grant is subject to available funding.

16.2 Eligibility Criteria

- 16.2.1 To qualify for this grant the household must meet the following criteria:
- Be owed a housing duty under the Homelessness Reduction Act 2017;
 - Accrued rent arrears due to circumstances beyond their control but otherwise have been a responsible tenant;
 - Be a resident in the Mid Devon District area;
 - Be a private tenant with an assured short hold tenancy with a private landlord/agent;
 - Be over the age of 18;
 - Be a 16/17 year old in a young person's housing project and supported by Devon County Council;
 - The landlord is considering ending the tenancy because of the rent arrears.

16.3 Grant Limit

- 16.3.1 The amount of grant awarded is dependent on the circumstances of each case.
- 16.3.2 A financial assessment of the income and expenditure of the household will be undertaken to determine if the rent is affordable once the arrears have been cleared.
- 16.3.3 The maximum grant available per household/tenancy is up to £2,500. However the Council may review this in respect of individual circumstances.

- 16.3.4 Only one claim may be made per household/tenancy unless there are exceptional circumstances that mean a second application is required. The decision on whether a second grant can be offered will be determined by the Housing Options Manager.

16.4 Conditions relevant to the application

- 16.4.1 The application form must be completed by one of the tenants named on the tenancy agreement.
- 16.4.2 For the application to be considered, all sections of the application must be completed and the declaration signed by the applicant. All supporting evidence must be provided with the application.
- 16.4.3 Once the application has been received the Council will contact the landlord/agent for the property. The landlord must complete and sign the landlord certificate before the grant can be approved.
- 16.4.4 The landlord must provide the required supporting evidence with the certificate for the application to be considered.
- 16.4.5 By signing the certificate the landlord agrees to extend the tenancy by a minimum of 6 months subject to the tenant continuing to adhere to the terms of the tenancy agreement.

16.5 Conditions relating to Payments

- 16.5.1 The local housing authority will pay the grant direct to the landlord/agent via a BACs payment once the application has been approved.

16.6 Conditions following approval

- 16.6.1 By signing the application the tenant is agreeing to maintain rent payments going forward and to adhere to the terms of the tenancy agreement.
- 16.6.2 By signing the certificate and the subsequent payment of the grant to the landlord means they are agreeing to extend the tenancy agreement by a minimum of 6 months, subject to the tenant adhering to the terms of the tenancy agreement and continuing to pay their rent.
- 16.6.3 Failing to comply with the conditions may result in the grant being reclaimed from either party.
- 16.6.4 Circumstances where the grant may be reclaimed from the tenant:
- Failing to pay rent and allowing further arrears to build up without good reason – the local housing authority will determine whether there is good reason when assessing if repayment is required

- Failing to adhere to the terms of the tenancy agreement – for example causing anti-social behavior or acting in a way that means the landlord has to serve notice under section 8.

16.6.5 Circumstances where the grant may be reclaimed from the landlord:

- Landlord does not extend the tenancy by a minimum of 6 months
- Landlord serves a section 21 notice within 6 months of the grant being paid.

16.6.6 The landlord must contact the council as soon as rent arrears become apparent.

16.6.7 The landlord must allow the council the opportunity to resolve the issue of rent arrears with the tenant before instigating possession proceedings for rent arrears.

16.6.8 The landlord must have placed the deposit into a government listed Tenancy Deposit Protection Scheme (DPS).

17 Landlord Incentive Grant

17.1 Background

17.1.1 The Landlord Incentive Grant is to encourage landlords in the private rented sector to accept tenants that do not have a reference, may have been homeless or rough sleeping, or evicted from another rented property.

17.2 Eligibility

17.2.1 A landlord will be able to apply for the incentive grant when they accept a tenant nominated by the housing options team.

17.2.2 The landlord must enter into a 12 month tenancy to be eligible for the grant.

17.2.3 The landlord must place the deposit into a government listed Tenancy Deposit Protection Scheme (DPS).

17.3 Grant limit

17.3.1 The incentive grant will be based on the monthly rental of the property. A landlord will receive the equivalent of two months' rent if they enter into a 12 month tenancy.

17.3.2 The tenant may also qualify for one of the other forms of assistance in this policy ensuring the landlord will receive a deposit and rent in advance.

17.4 Conditions

- 17.4.1 The landlord must offer a 12 month tenancy to the eligible tenant.
- 17.4.2 The landlord must place the deposit into a government listed Tenancy Deposit Scheme (DPS).
- 17.4.3 The landlord must contact the council before instigating possession proceedings to allow the council the opportunity to resolve any tenancy matters with the tenants.
- 17.4.4 If the issues cannot be resolved the council will notify the landlord and advise whether or not possession can proceed.

18 Miscellaneous

18.1 Exceptions to this policy

- 18.1.1 The council accept that applications may be received for adaptations, works or circumstances not covered in the detail of this policy or may fall outside the eligibility criteria listed. In all cases, these will need to be formally determined.
- 18.1.2 Any such application will be referred for assessment by the Operations Manager for Public Health and Housing Options.
- 18.1.3 Matters resulting in a significant budget implication will be escalated to the Corporate Manager for Public Health, Regulation and Housing.
- 18.1.4 Exceptions decisions will be reviewed periodically to determine if a policy change is required and will be presented at the next policy review.
- 18.1.5 Exceptions applications will be determined with reference to the council's priorities as laid out in relevant council policies and legislation.

18.2 Appeals and complaints

- 18.2.1 Where the applicant has a complaint about the manner in which the council is applying this policy, then they should follow the Council's formal complaints process.
- 18.2.2 Where the complaint is in respect of works, the complaint should be made to the contractor in the first instance, if this does not resolve the problem then the council should be contacted for advice.

19 Appendix A: Eligible works

19.1 Disabled Facilities Grant and Accessible Homes Grant

- 19.1.1 An assessment by an agreed Occupational Therapist must be carried out. The Occupational Therapist will then recommend the type of adaptation required.
- 19.1.2 Minor works are assessed by the Occupational Therapist and may be dealt with outside of the grant process.
- 19.1.3 In order to decide on an eligible scheme there is a two stage process:
- a. The Occupational Therapist assesses what is 'necessary and appropriate' to meet the needs of the disabled occupant.
 - b. The Public Health and Housing Options service assess what measures are reasonable and practicable to meet the identified needs in practice.
- 19.1.4 During both of the stages of this process the Occupational Therapist and Public Health and Housing Options service will work closely with the applicant to ensure, as far as possible, that their input is taken into account.

19.2 Purposes for which a grant must or may be given

- 19.2.1 The following are the purposes for which a mandatory Disabled Facilities Grant is available, as contained in legislation.
- 19.2.2 Each adaptation criteria is provided with an example. The examples are intended to give a brief idea of the type of work available. In each case, the eligible works will be decided through the process laid out in 19.1, above.
- 19.2.3 Facilitating access by the disabled occupant to and from the dwelling, or the building in which the dwelling or, as the case may be, flat is situated;
- *For example, ramping and/or handrails to the main external door.*
- 19.2.4 Making the dwelling safe for the disabled occupant and other persons residing with them;
- *For example, upgrading of the electrical installation, where the current installation is considered unsafe for the disabled occupant.*
- 19.2.5 Facilitating access by the disabled occupant to a room used or usable as the principal family room;
- *For example, alterations to facilitate wheelchair access to a living room.*
- 19.2.6 Facilitating access by the disabled occupant to, or providing for the disabled occupant, a room used or usable for sleeping;
- *For example, alterations to facilitate wheelchair access to a bedroom.*

- 19.2.7 Facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a lavatory, or facilitating the use by the disabled occupant of such a facility;
- *For example, installation of a stairlift to facilitate access to a first floor WC.*
- 19.2.8 Facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a bath or shower (or both), or facilitating the use by the disabled occupant of such a facility;
- *For example, installation of a level-access shower.*
- 19.2.9 Facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a wash hand basin, or facilitating the use by the disabled occupant of such a facility;
- *For example, provision of an accessible wash hand basin, including any alterations necessary to facilitate access.*
- 19.2.10 Facilitating the preparation and cooking of food by the disabled occupant;
- *For example, installing low-level food preparation areas.*
- 19.2.11 Improving any heating system in the dwelling to meet the needs of the disabled occupant or, if there is no existing heating system there or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet his needs;
- *For example, upgrading/replacing of boilers/radiators where the property has been extended as part of a wider adaptation.*
- 19.2.12 Facilitating the use by the disabled occupant of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;
- *For example, alterations to the height and/or position of light switches and power points to make them accessible to the disabled person.*
- 19.2.13 Facilitating access and movement by the disabled occupant around the dwelling in order to enable them to care for a person who is normally resident there and is in need of such care;
- *For example, widening of doorways.*
- 19.2.14 Facilitating access to and from a garden by a disabled occupant; or making access to a garden safe for a disabled occupant;
- *For example, providing access to an area of the garden suitable for the disabled occupant.*

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Equality Impact Assessment

Title of review	Housing Assistance Policy 2022-2025
Service	Public Health and Housing Options
Date of review	19/12/2022
Date of next review	TBC
Lead officer, Job Title and Service	Tanya Wenham Operations Manager for Public Health and Housing Options
Review team	Tanya Wenham
Scope of the analysis	<p>As a Local Housing Authority (“LHA”), Mid Devon District Council is required to deliver the Better Care Fund (BCF) allocation locally to provide adaptations to assist disabled residents.</p> <p>The aims of the BCF are wider than just the delivery of the disabled facilities grant programme and therefore part one of the revised policy details assistance that can help to meet the wider objectives of the BCF, and local councils. Part two of the policy aims to reduce homelessness by providing options to help tenants remain in their current homes. The purpose of this review is to consider the equality implications of the proposed policy.</p>
Beneficiaries	The majority of residents in Mid Devon live in housing within the private sector. The policy focuses on services for the elderly, vulnerable, disabled and residents that are owed a housing duty. All protected characteristics are represented within the beneficiaries.
Stakeholders	<p>Stakeholders include:</p> <ul style="list-style-type: none"> • Residents; • Owners/landlords of private residential premises; • Council Members; • Council staff;

	<ul style="list-style-type: none"> Public services, such as the Police, Devon County Council, NHS, and the Devon and Somerset Fire & Rescue Service; Community and voluntary organisations.
Relevant data and research	Foundations guidance on disabled facilities grants
Access complaints	None recorded
Consultation	Not applicable
Results of consultation	Not applicable
<p>Relevance to the duty - Do your proposals contribute towards or impact on any of the aims of the duty?</p> <p>There is a potential impact that requires further exploration within this assessment.</p>	
<p>1. Eliminate unlawful discrimination – harassment, victimisation and any other conduct prohibited by the Act;</p> <p>Availability of the assistance contained within the policy scheme is restricted to mainly benefit elderly, vulnerable and disabled residents. It has been extended to include those that are owed a housing duty. The policy will be equally and fairly applied to all those who are eligible for assistance under the policy. No potential for unlawful discrimination has been identified.</p>	
<p>2. Advance equality of opportunity – between people who share a protected characteristic and people who do not share it by;</p> <ul style="list-style-type: none"> removing or minimising disadvantages suffered by people due to their protected characteristics; meeting the needs of people with protected characteristics; and encouraging people with protected characteristics to participate in public life or in other activities where their participation is low. <p>Residents from vulnerable groups can sometimes have limited housing choices. In particular, families with young children, older persons and those with a disability can find themselves in poor quality accommodation. The policy aims to safeguard the health, safety and welfare of the following protected characteristics; Age and Disability. By doing so the policy restricts funding and services available and there may be some households on low income who do not meet the qualification criteria and therefore are unable to access the funding despite still being in need. The option of a Home Improvement Loan is available to such households. This is a necessary restriction due to the amount of funding available which must be targeted on a priority basis and the funding criteria imposed by the BCF and other funding streams.</p>	

3. Foster good relations – between people who share a protected characteristic and people who do not share it, by; tackling prejudice and promoting understanding between people with a protected characteristic and others.

Having regard to this aim, the proposed policy may have a negative impact as it favours those with a protected characteristic. As detailed above this may disadvantage households that are in need but do not meet the specified criteria.

Equality impacts raised or identified:

The proposed policy shall be equally and fairly applied to everyone who meets the eligibility criteria. As such, no adverse equality impacts have been identified. However, certain beneficial impacts have been identified in respect of some of the protected characteristics.

Protected Characteristic	Commentary	
Age	Impact	Yes. Poor housing conditions can negatively affect the health, safety and wellbeing of all residents, irrespective of age. However, certain housing deficiencies can have a more serious and harmful impact on individuals of particular ages. For example, older persons will suffer more in cold homes. The access to assistance within in the policy can be complicated and this could be a disadvantage if an individual is unable to make contact with the relevant person.
	Mitigation	Ensure that access to the assistance is as easy as possible for the elderly. Provision of advice and signposting for those age groups not eligible for the scheme.
Gender	Impact	No. The means of assessing eligibility does not discriminate against gender.
	Mitigation	Not required as no impact has been identified, negative or positive.
Race	Impact	No.

		The means of assessing eligibility does not discriminate against race.
	Mitigation	Not required as no impact has been identified, negative or positive.
Disability	Impact	Yes. The policy specifically identifies disabled residents as a beneficiary of assistance. The policy also aims to safeguard disabled residents by making their homes safer for them to live in.
	Mitigation	The impact is positive. No mitigation is required.
Religion or belief	Impact	No. The means of assessing eligibility does not discriminate against religion or belief.
	Mitigation	Not required as no impact has been identified, negative or positive.
Gender reassignment	Impact	No. The means of assessing eligibility does not discriminate against gender reassignment.
	Mitigation	Not required
Sexual orientation	Impact	No. The means of assessing eligibility does not discriminate against sexual orientation.
	Mitigation	Not required
Marriage and civil partnership (Aim 1 only)	Impact	No. The means of assessing eligibility does not discriminate against marriage and/or civil partnership.
	Mitigation	Not required
Pregnancy and maternity (Aim 1 only)	Impact	Yes. The means of assessing eligibility does not discriminate against pregnancy or maternity. However, they may not meet the eligibility

		criteria for other reasons. In some circumstances this characteristic may be relevant when considering eligibility under certain benefit criteria
	Mitigation	This characteristic should be kept under review in terms of accessing the scheme and eligibility.
Overall conclusions and options to be put before decision maker or to take forward to develop your service: The policy specifically identifies some of the protected characteristics as beneficiaries of the scheme. The scheme is aimed at targeting resources as those households most in need of assistance.		
Actions arising from analysis:		
Action	Officer Responsible	Deadline
Ensure assistance can be accessed easily by elderly and disabled people.	Tanya Wenham	Ongoing
Keep the equality impact under review. In particular in relation to pregnancy and maternity.	Tanya Wenham	Ongoing

Acceptance

Name and signature of assessing officer and date of assessment

Name: Simon Newcombe

Position: Corporate Manager, Public Health, Housing & Regulation

Signed:

Date:

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HOMES POLICY DEVELOPMENT GROUP 17 JANUARY 2023

MID DEVON HOUSING DRAFT VOIDS MANAGEMENT POLICY

Cabinet Member(s): Councillor Stuart Penny, Cabinet Member for Housing

Responsible Officer: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Reason for Report & Recommendation: An updated, draft policy on the management of void properties within the Council's housing stock is presented to Members. This has been developed following an in-depth review of voids management and with an aim to ensure that properties which become void continue to be re-let as quickly and efficiently as possible. The policy also seeks to balance this approach with the needs of tenants and the requirement to maintain our properties to an appropriate, safe lettings standard whilst retaining a sustainable stock and Housing Revenue Account.

Recommendation: That the PDG recommends that Cabinet adopt the updated Voids Management Policy contained in Annex B.

Financial Implications: The activity of the landlord service, known as Mid Devon Housing (MDH) is accounted for within the Housing Revenue Account (HRA). The HRA is ring fenced and subject to specific financial controls. There is a financial impact of properties being empty for longer than is necessary since the potential for lost income then becomes a factor in management of the HRA stock; this is referenced in the policy as recommended.

Budget and Policy Framework: There are no direct budget implications arising from this policy proposal. More information on the policy framework is set out in section 1 of this report and within the draft, updated policy itself.

Legal Implications: The Housing Act 1985 applies with regard to the management of Council housing. The relationship with tenants is set out in our Tenancy Agreement. This details the rights and responsibilities of both parties including those obligations relating to the termination of a tenancy. Other legislation relevant to the safety of our properties (e.g. gas, electrical and water safety) as well as construction/design and management regulations are all applicable in the context of inspecting and undertaking works to void properties.

The policy also aims to enable compliance with the mandatory Decent Homes Standard and the consumer Home Standard set out by the Regulator of Social Housing (RSH). This legislation and standards cover what social landlords should be achieving in all their properties in respect of decency, modernisation, repair and safety.

Following publication of the Social Housing White Paper in late 2020, the Social Housing Regulation Bill is currently on its way through Parliament and, once implemented, this will impact the regulatory framework for social housing. One aim of the new legislation is to ensure that providers of social housing, such as the Council, keep its properties and estates safe and clean.

The existing Neighbourhood and Community Standard which forms part of the regulatory framework for social housing is also relevant to discussion about how the Council manages and re-lets its properties and in what standard.

Risk Assessment: The Council has approximately 3,000 homes in management. Failure to provide an effective housing management service has the potential to result in failure to meet legal and statutory obligations. There are regulatory requirements to maintain safe and clean properties and quality accommodation as highlighted.

Social landlords manage all aspects of their business so that: tenants, owners and customers receive services that provide continually improving value for the rent and other charges they pay. These standards therefore also cover the efficient and effective management of services and specifically refer to minimising the time houses are empty but that these houses also are safe and maintained or modernised in an efficient way. Any Voids Management Policy must therefore strive to achieve the correct balance between short-term occupancy, property standards and longer-term, effective asset management.

Equality Impact Assessment: There is a suite of housing related policies, the use of which helps to ensure that service delivery is consistent and fair. There is also a regulatory requirement for registered providers of social housing to tailor their service to meet the needs of the tenants and diversity data is requested from tenants at sign up to enable compliance to be monitored. Within this overarching context, nothing has been identified in the draft, updated Voids Management Policy is likely to directly or indirectly disadvantage any incoming or outgoing tenant on the basis of any legally protected characteristics that may be relevant.

Relationship to Corporate Plan: A stated aim of the Council is to deliver sustainable communities.

Impact on Climate Change: None directly relevant to this report.

1. Introduction and context

- 1.1 MDH, as a provider of social housing (RP), is subject to the provisions of the regulatory framework for social housing, which is issued by the Regulator for Social Housing (RSH).
- 1.2 The Home and Neighbourhood & Community Standards are two of the consumer standards and are therefore applicable to the work of MDH. These Standards require RPs to provide tenants with quality accommodation and a cost-effective repairs and maintenance service as well as keeping the neighbourhood and communities safe. Landlords are expected to work in partnership with their tenants to achieve compliance.
- 1.3 The Social Housing White Paper and pending legislation (Social Housing Bill) present a significant shift the regulation of the social housing sector towards a proactive, consumer led regime with increased powers being granted to both the RSH and Housing Ombudsman. The White Paper sets out a charter that is leading towards clear the standards that every social tenant in England is entitled to expect from their landlords.

- 1.4 These new standards are there to ensure people feel safe and secure in their homes with no significant issues or safety concerns when they take on a new tenancy. They are also there to ensure problems are fixed before they spiral out of control, and see exactly how good their landlord is performing giving tenants a stronger voice. Of the seven chapters within the White Paper, several are particularly relevant to the aims of this policy:
- o To be safe in your home (Chapter 1)
 - o To know how your landlord is performing (Chapter 2)
 - o To have your complaints dealt with promptly and fairly (Chapter 3)
 - o To have a good quality home and neighbourhood to live in (Chapter 6)
- 1.5 As part of the new consumer regulation regime, from April 2023, the RSH is introducing a series of 22 mandatory Tenant Satisfaction Measures (TSMs) creating a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. These measures include those applicable directly to building safety as well as those based on tenant perception surveys capturing tenant views.
- 1.6 The new TSMs will form part of the key benchmark for all major registered providers of social housing including MDH. The emphasis behind these measures is firmly on tenant experience or satisfaction and how tenants perceive we are performing alongside management information/data on repairs, safety, complaints and anti-social behaviour.
- 1.7 Our voids management policy and subsequent performance have the potential to directly or indirectly impact on almost all of these TSMs. The measures are set out on the RSH website and within the policy in more detail.
- 1.8 There is no TSM on void turnaround times or overall occupancy rates and taking into account the new focus of the regulatory regime has required a shift away from the more singular, historic focus on simply minimising void turnaround times and letting as we seek to concentrate on the priorities of the new regulatory regime.
- 1.9 Within this changing and developing legislative framework and in the context of increasing demand for affordable housing within the district a review of the MDH Voids Management Policy is therefore timely.
- 1.10 As members will be aware, a voids review was completed by officers working with the Cabinet Members for Housing and Continuous Improvement between July – October 2022. An audit by the Devon Audit Partnership (DAP) was subsequently completed in December 2022 to supplement this review with a specific focus on void management procedures but with a wider overview on performance. More information on the audit findings and management actions are set out in Section 4.0 and Annex A.
- 1.11 As a result of the above, having also taken on board comments made by members during the review period, it was concluded that the current policy document was in need of updating to reflect the relevant changes in the regulatory landscape and pressures on MDH arising from an increasing complexity of asset management and void numbers. Annex B contains the updated policy and more information on the policy detail is provided in Section 2.0 below.

2. The updated MDH Draft Policy relating Voids Management

- 2.1 Overall, the policy sets out how voids are defined within a legal framework, the role of outgoing tenants, technical standards to be achieved and how different voids will be measured and reported on. It also links to reviewed void procedures.
- 2.2 The policy aims are to ensure compliance with our regulatory framework and balance the need to ensure maximum occupancy of homes and minimum void re-let times with needs of tenants and to ensure our void periods used as part of an overall asset management. This asset management must also be as efficient as possible to deliver works required on the most cost effective basis and enable new Council homes to be built in line with our overarching Housing Strategy.
- 2.3 Within these aims, the policy provides new and updated clarity in respect of:
- Void definitions
 - Void management objectives
 - Performance management – management information, benchmarking and reporting (targets – see report Section 5)
 - Areas of responsibility
 - Risk management
 - Linked procedures and policies
 - Information and data protection
 - Tenant obligations
 - Complaints procedure
 - Letting standards
 - Policy review (see report Section 5)
- 2.4 Within the updated policy, voids are defined as
- **A property that can be re-let but is unavailable**
Typically a property undergoing works for repair, modernisation, decarbonisation or to facilitate wider development and held by our voids team within Building Services
 - **A property that is available but is not re-let**
Typically a property going through the allocation process via Devon Home Choice and being re-let including prospective tenant viewing, checks and assessments prior to award of a new tenancy and held by our allocations team within Housing Management
- 2.5 These aims and the policy detail therein have also be informed by the review with regard to historic performance outcomes and other review findings as outlined in Section 5.0 below.

3. Historic Performance and review highlights

- 3.1 Historically, for over ten-years, and as referenced in the current adopted 2019 policy, voids have been subject to the following classification and targets:
- Standard voids (no more than a single major works) – 14 working days
 - Major voids (two or more major works) – target as above
- 3.2 These targets only applied to the period when the property was undergoing inspection and works (repairs etc) and therefore held by our voids team in Building Services. It did not cover the period whilst the property remained void following transfer to our Tenancy Management function and allocations team for the purposes of re-letting.
- 3.3 Furthermore, there was no classification or inclusion of the voids management of MDH properties specifically used for temporary (homelessness) accommodation. This is despite these properties typically being re-let for such use (where the rent is paid by the Homelessness team as a statutory general fund function) more quickly than is the average for standard voids. Conversely, long-term empty properties scheduled for demolition and redevelopment (i.e. not available to re-let in short-term to medium term subject to permissions) have been included in the voids reporting, adversely impacting on reported working-days performance.
- 3.4 More recently, MDH have been providing an independent benchmarking organisation (Housemark) with our overall void performance times in working days for the whole period between the end date of the previous tenancy and date of commencement of a new tenancy alongside the overall occupancy rates in our available to let stock (as a %) for the purposes of sector comparison.
- 3.5 Finally, members have also continued to receive quarterly service performance reports which from 2021/22 onwards have including updates on the overall void numbers at the end of each reporting period.
- 3.6 The recent voids review has identified that historic voids performance has the following characteristics:
- The standard voids 14 working days target (Building Services work only) has never been met since adoption – the best year was pre-Covid in 2017/18 when the voids team completed required works in 16.4 days on average prior to handing over the property to the allocations team
 - A comparison of local and regional standard void targets in working days shows the historic MDDC target to be significantly lower (fewer working days) on average than other stock-holding local authorities and remains lower when adjusted to include the allocation or re-letting period
 - Void numbers peaked during and immediately after Covid and remain high, however have improved from over 70 going into 2021/22, to 55 presently (end of Q2 2022/23) including long-term empty properties which will not be re-let. The projected outturn for Q3 this year is 45.
 - Mid Devon has upper quartile performance (against sector and English Local Authority averages) for proportion of properties let based on Housemark data, so prior to the consideration of changes to this policy the

Council is in the top 25% of performers on voids – this Council understands the importance of managing our housing stock effectively.

- 3.7 The review has therefore highlighted that the historic, adopted target fails to capture the entire void period and all relevant voids (homelessness exclusion and unavailable to re-let inclusion).
- 3.8 Furthermore, that the historic working day target for Building Services has never been fully achievable, likely reflected by the fact that it is lower (shorter) than peer local authorities. Going forward, it does not take into account increasing material lead times for essential repairs (e.g. windows and fire doors) or the increasing complexity of voids work including decarbonisation works.
- 3.9 The review also highlighted an increasing number voids requiring pest control with a corresponding lead time and treatment period by competent contractors.
- 3.10 Finally, our historic performance on voids under current policy has been delivered in the context of only undertaking safety repairs, fixing major faults and cleaning, therefore not undertaking any cosmetic works at properties unless unavoidable, with tenants responsible for any redecoration (decorating pack provided) irrespective of property type or tenant needs. Contrary to current policy MDH are increasingly having to redecorate properties to bring them up to a lettings standard
- 3.11 Notwithstanding the above, our recent occupancy rates compare very well with the sector including private housing associations and peer local authorities.

4. Audit findings and agreed management actions

- 4.1 The draft December voids audit completed by DAP as an advisory report therefore did not provide an overall assurance rating or direction of travel. Nonetheless, the report narrative is informative on overall performance and positive with regard assurance whilst identifying several medium to low actions for improvement, many of which were also identified in the preceding review and some already actioned.
- 4.2 The audit specifically found processes for the management of voids to be generally sound with no significant weaknesses, but does reiterate the need to update the void policy to reflect current and forecast requirements and needs whilst ensuring performance is deliverable and targets relevant within a changing regulatory landscape.
- 4.3 In summary, the findings and management actions are set out in the draft audit report which is due to be considered at the 23 January 2023 Audit Committee and duplicated in Annex A of this report. Overall, the audit findings and actions have been reflected in the updated policy where relevant and as noted.

5. New targets/standards and wider policy updates

- 5.1 In order to address the review findings and ensure void management is both achievable and fit-for-purpose in the future, then the updated policy sets out that voids will be categorised and measured as follows with start-to-end targets:

- **Standard voids including temporary accommodation – 35 working days** (split as 20-days Building Services/works and 15-days Tenancy Management/allocations)
 - **Major voids – 55 working days** (split as 40-days Building Services/works and 15-days Tenancy Management/allocations)
 - **Decent Homes – 75 working days** (split as 60-days Building Services/works and 15-days Tenancy Management/allocations)
 - **Development – 1 calendar year** (no split between Building Services and Tenancy Management).
 - **Occupancy rate – 97% of stock** (rolling target/at any one time)
- 5.2 The targets are believed to be realistic and achievable but will nonetheless be reviewed alongside the overall policy after 12-months to allow for sufficient data on performance and outcomes. Part of this review will be a more extensive consultation with tenants, targeting those incoming tenants that have moved into a void process under the revised policy approach. Targets and approach can then continue to be reviewed on a regular basis to reflect against tenant feedback and any changes arising from key considerations e.g. material lead times, repair times and costs or additional/new safety or Decent Homes standards etc.
- 5.3 In context, meeting the new occupancy rate target would require no more than approximately 90 properties to be void at any one time on the basis of circa 3,000 properties within our stock.
- 5.4 In order to reduce the level of complaints from incoming tenants, the standard for voids will now incorporate a basic, neutral redecoration of the property as required alongside a pre-inspection or checklist for existing, outgoing tenants for completion once tenancy notice has been given but prior to the formal end of the tenancy and handing back of keys.
- 5.5 Research and experience shows that improving the appearance of our properties improves both the perceived quality of the property and how it is treated by tenants during their tenancy. In the long-term this may reduce subsequent void costs and also increase MDH performance within future tenant perception surveys and RSH mandated reporting on Tenant Satisfaction Measures which we must measure from April 2023.
- 5.6 Full definitions of each void category are provided within the updated policy for the avoidance of doubt but in general terms then major voids refers to a time/cost threshold and Decent Homes refers to the most structural and/or significant works to meet not just safety standards but also Decent Homes legislation and/or our decarbonisation programme. Redevelopment voids are held longer-term for potential adjacent development subject to consultation and planning permission – if the development does not go ahead these will not be demolished and will be returned to stock and may also be used for temporary accommodation. Standard voids includes every other void including those used for temporary homelessness accommodation as set out below unless Major or Decent Homes works are required.
- 5.7 Long-term properties scheduled for demolition and/or subsequent replacement through redevelopment that may not be re-let have a new 1-year, long-term voids performance target to allow for feasibility studies, budget and permissions to be

put in place. If development plans can be advanced and planning permission granted and it is identified that specific individual properties cannot be re-let until development proceeds then these will be removed from reporting as they no longer meet the void definition. These will only be a very small number of properties at any one time.

- 5.8 The exception to the above is where properties meet essential safety standards and can be used for temporary homelessness accommodation in the short-term via direct, licensed lettings until demolition orders and planning permissions etc are in place. MDH will endeavour to demolish any empty properties not suitable for this use as soon as practicable to avoid any long-term Council Tax liabilities arising from empty homes status where as a local authority we don't have access to legal exemptions available to private property owners.
- 5.9 The decarbonisation programme refers to reduction in carbon emissions from our housing stock and significant investment in retro-fit works including energy efficiency measures, new heating systems and solar energy generation to improve energy performance and improve the property EPC rating/reduce tenant running costs.
- 5.10 Voids will only be formally categorised and assigned a turnaround target once an initial inspection of the empty property has been undertaken and key asset management decisions undertaken. This is to allow for proper, cost-effective asset management as well as a full check for damage/repairs and required works with all relevant spaces fully accessible and visible. Re-categorisation may have to take place where significant additional works are uncovered during the repairs process. Provisions for recharging former tenants for lost keys, replacement locks and damage remain in place.
- 5.11 Each component of the voids target within the relevant category will be recorded as routine management information. In respect of the re-let times once a void is available to the Allocations team then it is important to note performance within this activity is not fully within the control of MDH. For example, where properties are refused following DHC bidding and offer before or after viewings and the allocation has commence again (and sometime on several occasions) or occasional difficult to let properties in more remote, very rural areas where local demand is limited. A summary of this information will be available to members as a matter of course through each future review of the policy.
- 5.12 Finally, it is helpful to highlight that the policy sets out an ongoing commitment to around financial monitoring regarding voids. In particular, the cumulative income loss through voids (£ and as a % of annual rent including lost rent, council tax payments against decant and related disturbance/moving costs avoided) as well as the cost of tenant damage in returning voids to availability (£ repair and refurbishment).

6. Recommendation

- 6.1 In accordance with the above, it is recommended that Members recommend to Cabinet that they approve the revised Voids Management Policy as attached in Annex B.

Contact for more Information:

Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing
snewcombe@middevon.gov.uk.

Circulation of the Report:

Members of the Housing PDG
Cllr Stuart Penny, Cabinet Member for Housing and Property Services
Leadership Team
Corporate Management Team
Service/Operations Managers
Legal Services

List of Background Papers:

Current MDDC Voids Management Policy 2019
<https://www.middevon.gov.uk/media/191681/void-management-policy-obs-004-v32.pdf>

Annex A – Draft Internal Audit - Advisory Report on Voids Management (December 2022)

Detailed Audit Observations and Action Plan

1. Risk Area: There are un-necessary voids because of weaknesses in the process				
No.	Observation and Implications	Impact / Priority	Management response and action plan including responsible officer	
1.1	There used to be void turnaround time targets but they are very old and are not realistic to today's requirements processes. A review of void turnaround times to be in line with processes needs to be carried out to provide a more realistic target time.	Medium	Updated voids targets and categorisations are included in the updated Voids Management Policy (December 2022) and are based upon the current legal, strategic and operational context with realistic turnaround times encompassing the end – to – end voids management process both building services and tenancy management.	
			Responsible person: Corporate Manager for Public Health, Regulation and Housing	Target date: 31 March 2023
1.2	Part of the policy is that a 'pre-void' inspection will occur before the tenant vacates the property to identify and works that may be required as part of the voids work. Some of this work may be rechargeable. The 'pre-void' inspection is no longer carried out. This could be helpful in advising the tenant of their responsibilities and providing them time to rectify some of the works instead of being recharged. This might reduce the level of works required by the voids team.	Medium	Physical, pre-void inspections were stopped during Covid and have not recommenced due to Neighbourhood Officer resource pressures. A full team has now been recruited with no officers with MDH greater than 12-months, resulting in an extended training and development period. From April 2023, targeted pre-void inspections will recommence and all voids where tenants give notice to end tenancy will complete a void/damage checklist. The update Voids Management Policy (December 2022) reflects this.	
			Responsible person: Operations Manager for Housing Management	Target date: 31 March 2023

1.3	The void policy states that the Council will not carry out any painting to a property and that they will provide a paint pack to the new tenant to enable them to paint. There is no clause in the tenancy contract to stop tenants painting in vibrant colours. The majority of void properties now require a full redecoration prior to re-let due to the colour and condition of the decoration. This increases the work required and the knock on effect is that the time the property is void is increased. Therefore, the current process is that painting is required by the Council whilst the property is void to return the property to a re-let able standard. The policy needs to be updated to reflect the current process	Medium	The updated Voids Management Policy (December 2022) reflects this improvement in lettings standard and accommodates recent, within budget practice to introduce redecoration where required and current process	
			Currently we have no clauses within a tenancy agreement that states that any tenant cannot carry out decoration works to their property, this would require a full consultation with tenants and rewriting of Tenancy agreements. Furthermore, such clauses are not practicable or realistic for the majority of MDH tenancies which are secure and would represent an unreasonable control over tenancies long-term homes. Excessive bold redecoration will be picked through the voids inspection process with outgoing tenants (those providing notice) given the opportunity to update neutral redecoration and have it recharged by MDH	
			Responsible person: Corporate Manager for Public Health, Regulation and Housing & the Operations Manager Building Services	Target date: 31 March 2024
1.4	It was found that data entry for some voids categorisation onto the Orchard Housing system is not accurate against current policy. Due to staff shortages and no procedure notes for a period of time all voids were being added as standard voids. This has had an effect on stats. Procedure notes are required to ensure that data entry is consistent.	Medium	This has been addressed and actioned already and updated training and instruction provided. The management system will also be updated for the new, proposed categorisation of voids from April 2023 as set out in the updated Voids Management Policy (December 2022) with dedicated members of staff responsible for the raising of all voids	
			Responsible person: Operations Manager Building Services	Target date: 31 March 2023
1.5	Total rent lost for the 15 samples reviewed amounts to £26,352. If you exclude the homelessness properties from	Medium	Within the 15 sample voids there were several that required extensive modernisation and decarbonisation works which	

	<p>the costings the total rent lost is £25,731.</p>		<p>have had a negative effect on the length of time a property has been void.</p> <p>The homeless adjusted figure equates to £1,715 per property or 20 weeks 1-bed rent and may inc. some long-term redevelopment properties. The total rent loss for the sample set or any selection of voids excludes any consideration is better considered as net £ loss. A level £ loss due to rent loss is nonetheless unavoidable to enable repairs and modernisation to be carried out.</p> <p>However, for most major voids and some standard ones these works avoid decanting existing tenants with the significant upheaval for tenant that would otherwise occur, especially for significant works. Every decanted tenant is legally entitled to a decant, home-loss payment updated by regulations annually (currently £7,800) plus other expenses. An average decant therefore costs over £8,000 per property or over 100-wks rent for a 1-bed property.</p> <p>Taking the opportunity to undertake planned and unplanned major works, Decent Homes works and decarbonisation works during more quickly and efficiently in with a further £ saving against rent loss.</p> <p>The updated Voids Management Policy (December 2022) sets out a wider consideration of financial information that the service will hold and assess as management information including net £ loss (typically rent loss and empty home Council Tax charges against decant costs, efficient repairs savings). The cost of necessary void works is also closely monitored and recorded.</p> <p>Long-term empty, redevelopment properties are also replaced by a greater number of new properties resulting in</p>
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			<p>longer-term additional rent gain to the Housing Revenue Account and more social or affordable rent accommodation to meet critical housing needs.</p> <p>With the number of void properties dropping the amount of time that any Major/Development Void is vacant will decrease.</p>	
			<p>Responsible person: Operations Manager Building Services</p>	<p>Target date: 31 March 2024</p>
1.6	There are some voids where a strategic decision has been made to not carry out the void. In these cases, Orchard has not been updated to reflect that the property is no longer void. This is having an effect on stats.	Medium	<p>This is addressed through the revised categorisation of voids in the updated Voids Management Policy (December 2022)</p>	
			<p>Responsible person: Operations Manager Building Services</p>	<p>Target date: 31 March 2024</p>
1.7	Housing stock is used by Homelessness. If a property used by homelessness becomes void, these properties are given priority over any other void. This is to reduce the need to spot purchase accommodation which costs the Council additional expenditure. It is understood that the housing stock used for homelessness is not included in stats for voids. This provides a distortion in voids stats and reduces turnaround time as the time spent in these properties is not considered.	Medium	<p>This is addressed in the updated Voids Management Policy (December 2022). From April 2023, homeless voids used for temporary accommodation will be included with the overall voids reporting going forward and will have the same target as standard voids reflecting the typically quicker turnaround.</p>	
			<p>Responsible person: Operations Manager Building Services</p>	<p>Target date: 31 March 2023</p>
1.8	We understand that once a void has been categorised on Orchard it is not possible to change the categorisation at a later stage i.e. if the void was a 'standard' void and then when works commenced there was more work than initially thought resulting in the void now being a 'major' void. It is not possible to change the void from 'standard' on the system to 'major'. It would be helpful to establish if the system supplier is able to help with this issue.	Medium	<p>This is a system issue and workaround has been identified and is in place.</p> <p>Although we are unable to change a category of void after it has been raised we are confident that with the new procedure notes that have been created and the dedicated members of staff who will be responsible for the raising of all voids along with the detailed description of which works</p>	

			fall within each category of void we will be able to ensure that all voids are raised correctly. However some retrospective reconciliation of categorisation and target adjustment will always be required. especially in respect of the revised categorisation and targets proposed in the updated Voids Management Policy)	
			Responsible person: Operations Manager Building Services	Target date: 31 March 2023
1.9	The total number of re-let days for the 15 samples was 502 (ranging from 1 - 87 days per void), average number of days is: 33.47. If the homelessness properties are excluded the total number of days are: 494, average number of days is: 41.17. N.B. NUMBER OF DAYS IS BASED ON WORKING DAYS	Medium	Within the 15 sample voids there are voids that have required extensive modernisation and decarbonisation works which have had a negative effect on the length of time a property has been Void. With the number of Void properties dropping the amount of time that any Major/Development void is vacant will decrease. Nonetheless, updated voids targets and categorisations are included in the updated Voids Management Policy (December 2022) and are based upon the current legal, strategic and operational context with realistic turnaround times encompassing the end – to – end voids management process both building services and tenancy	
			Responsible person: Operations Manager Building Services	Target date: 31 March 2024
1.10	The void categorisations are not documented, incorporation of these into the voids policy would be informative.	Low	See 1.1	
			Responsible person: Corporate Manager for Public Health, Regulation and Housing	Target date: 31 March 2023

1.11	Voids workmen do not book jobs in the same way as the repairs team. They do not have PDAs where they can book time and materials through their PDAs which links to the Orchard system.	Low	PDAs are available and training has been successfully rolled across Building Services with priority given to repairs and maintenance teams. Some voids works is now undertaken using PDAs and training has commenced for the remaining team members. It is expected that PDAs will be further deployed and in use within the first QTR of 23/24, aiming for full implementation of mobile working by the end of 23/24	
			Responsible person: Operations Manager Building Services	Target date: 31 March 2024

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VOIDS MANAGEMENT POLICY

1 Introduction

- 1.1 Mid Devon Housing (MDH) is part of Mid Devon District Council (the Council). It is responsible for the Council's housing stock including the maintenance, management and letting of its properties.
- 1.2 The policy sets out how MDH will manage its properties which are currently empty because a tenancy has ended and a new tenancy has not yet started i.e. so called 'voids'.
- 1.3 This is an update to the previous Voids Management Policy OBS 004 dated January 2019.

2 Legal Framework and Context

- 2.1 The Housing Act 1985 applies with regard to the management of Council housing. The relationship with tenants is set out in our Tenancy Agreement. This details the rights and responsibilities of both parties including those obligations relating to the termination of a tenancy.
- 2.2 Other legislation is also relevant to the safety of our properties (e.g. gas, electrical and water safety) as well as construction/design and management regulations are all applicable in the context of inspecting and undertaking works to void properties.
- 2.3 The policy enables compliance with the mandatory Decent Homes Standard and the consumer Home Standard set out by the Regulator of Social Housing (RSH). This legislation and standards cover what social landlords should be achieving in all their properties in respect of decency, modernisation, repair and safety.
- 2.4 The Neighbourhood and Community Standard which also forms part of the regulatory framework for social housing is also relevant to how the Council manages and re-lets its properties and in what standard.
- 2.5 Following publication of the Social Housing White Paper in late 2020, the Social Housing Regulation Bill is currently on its way through Parliament at the point of review and update to this policy and has been taken into account. It is expected to become law in 2023 and once implemented, this will impact the regulatory framework for social housing and introduces a new proactive, consumer regulation regime focussed on meeting the needs of tenants. One aim of the legislation and regime is to ensure that providers of social housing, such as the Council, keep its properties and estates safe and clean.
- 2.6 These new standards are there to ensure people feel safe and secure in their homes, can get problems fixed before they spiral out of control, and see exactly how good their landlord is performing giving tenants a stronger voice. Of the seven chapters within the White Paper, several are particularly relevant to the aims of this policy:
 - o To be safe in your home (Chapter 1)
 - o To know how your landlord is performing (Chapter 2)
 - o To have your complaints dealt with promptly and fairly (Chapter 3)
 - o To have a good quality home and neighbourhood to live in (Chapter 6)

- 2.7 As part of the new consumer regulation regime, from April 2023, the RSH is introducing a series of 22 mandatory Tenant Satisfaction Measures (TSMs) creating a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. These measure include those applicable directly to building safety as well as those based on tenant perception surveys setting out tenants views on our performance which will include transferring or new tenants coming into a previously void property.
- 2.8 Our voids management policy and subsequent performance have the potential to directly or indirectly impact on almost all of these TSMs. The measures are set out in Annex 1.
- 2.9 The new TSMs will form part of the key benchmark for all major registered providers of social housing including MDH. The emphasis behind these measures is clearly on tenant experience or satisfaction and how tenants believe we are performing alongside management information on repairs, safety, complaints and anti-social behaviour which have been reflected in this policy.
- 2.10 There is no TSM on void turnaround times or overall occupancy rates and taking into account the new focus of the regulatory regime we must work within has required a shift away from a more singular, historic focus on minimising void turnaround times and letting to a minimum legal standard only.
- 2.11 Our recently adopted Housing Strategy (2021-25) encompasses many of these requirements setting out specific objectives and targets. An important part of this includes the delivery of more affordable homes including growing our Council house stock. There will be times that void properties present opportunities to access and develop our land for this purpose whilst also replacing end-of-life (typically concrete pre-fabricated) homes.
- 2.12 Mid Devon District Council, of which MDH is part has also set an ambitious target to be net zero carbon by 2030. As the biggest contributor carbon emissions, MDH, either through its direct actions or activities or those of our tents, has a key role in the decarbonisation of our stock through major planned retrofit and refurbishment works.

3 Policy Aims and Objectives

Aims

- 3.1 Within the legal framework and context set out in Section 1, this policy aims to ensure that properties which become void are re-let as quickly and efficiently as possible, with due regard to the needs and requirements of outgoing and incoming tenants and the need to maintain our properties to the agreed, safe lettings standard whilst retaining a sustainable stock and Housing Revenue Account.

Objectives

- 3.2 Overall, in order the meet the aims of this policy, the policy objectives are:
- ensure compliance with our regulatory framework and that our properties are safe
 - properties are re-let to an appropriate standard
 - balance the need to ensure maximum occupancy of homes and minimum void re-let times with the needs of tenants
 - ensure our void periods used as part of an overall asset management approach that is efficient as possible to deliver works required as cost-effectively as possible
 - enable new Council homes to be built in line with our overarching Housing Strategy

3.3 In more detail, this policy ensures that MDH will:

- minimise void rental loss, void periods and void repair costs through effective coordination of housing management, maintenance and redevelopment operations to re-let properties within agreed target times.
- ensure effective, efficient and accountable management of properties
- have effective monitoring and reporting of void management and service delivery.
- ensure that tenants are aware of their tenancy obligations in relation to ending the tenancy e.g. requirement to give 28-days notice, to return all keys promptly and to fully clear the property and leave it in a clean, acceptable condition
- ensure that repairs to properties are undertaken to enable MDH to re-let to the lettings standard (see Appendix 1) and that where appropriate “rechargeable” repair costs are met by the outgoing tenant or pursued post termination
- make effective use of void periods to carry out upgrading, decarbonisations works or major repairs as appropriate and to co-ordinate with the major repairs and modernisation programme with regard to decant requirements
- make effective use of void periods regarding the MDH Housing Revenue Account rolling 5-year development programme and building of new Council homes
- seek to prevent end of tenancy arrears wherever possible
- ensure incoming tenants are given all required information, documentation and advice to allow them to move into the property promptly at the agreed commencement of tenancy date
- achieve high levels of tenant satisfaction with the condition of properties at the beginning of the tenancy and subsequently

4 Void definition

4.1 In general terms, “voids” are properties which are currently empty because a tenancy has ended and a new tenancy has not yet started. Voids may arise due to formal termination of a tenancy, abandonment of a tenancy, the tenant transferring to another tenancy, eviction of the tenant or the tenant's death.

4.2 More specifically, for more formal purposes and when accounting for voids management performance, a “void” is defined as:

A property for which there is a current rent account, but for which no current tenancy exists. In line with guidelines the “void period” is the period which commences the first day there is no rent debit and ends on the day before a new rent debit is raised.

4.3 Voids can be further sub-defined as follows:

- A property that can be re-let but is unavailable

Typically a property undergoing works for repair, modernisation, decarbonise or to facilitate wider development and held by our voids team within Building Services

- A property that is available but is not re-let

Typically a property going through the allocation process via Devon Home Choice or a direct letting and being re-let including prospective tenant viewing, checks and assessments prior to award of a new tenancy and held by our allocations team within Housing Management

- 4.4 An empty property may not always mean it is a void. It could be the tenant is absent for period of times for legitimate reasons but maintains an active tenancy or the tenant has died but there is formal process to secure the property going forward before it can legally be re-let. Alternatively, MDH may have an injunction temporarily decanting a tenant into other accommodation (often to carry out urgent works and repairs caused by tenant damage) or we are seeking a formal possession order to end a tenancy and legally re-let including where a tenant is absent. Finally, a property may have a demolition order in place pending removal from our stock (typically for end-of-life properties and redevelopment) and cannot be re-let on a secure tenancy basis.

5 Performance Management

Background and changes

- 5.1 Historically, Housing at MDDC was operated by two distinct, separated managed service areas – Housing Services (housing/tenancy management) and Building Services (property management). This resulted in void management being largely associated with void properties held by our Building Services team, largely as reflection of this as the major area of activity of which there was greater direct control.
- 5.2 Previous void management policy consequently set out performance management approaches and targets relevant to voids that focussed on the activity of our Building Services and bringing properties back to use following the end of a tenancy (rent debit) and making it available for our re-letting (allocations) process.
- 5.3 Since 2021, the two distinct areas of the housing service have been restructured and reorganised and operate under a single, coherent MDH banner. As a result we have reviewed voids processes, our categorisation and asset management work relevant to these voids and our overall performance management approach with the core policy aims and objectives.

Benchmarking

- 5.4 MDH subscribe to the independent benchmarking which is currently provided by the Housemark 'Pulse' benchmarking service. Housemark collect data from 200 social landlords including MDH on a monthly basis providing consistent data for 15 measures sector comparison purposes. This service provides performance indicators and benchmarking data that includes the % of social homes let (an overall occupancy rate including all voids) but does not report on void turnaround times or related targets.

Internal performance management

- 5.5 Procedures and processes for gathering information and recording each stage of void processing are in place and this information will be used to provide the following internal performance management information:
- Average re-let times for all voids including by category
 - Details of all long-term voids including “difficult to let” properties or voids with no applicants for re-housing or undergoing major planned or unplanned works or held for redevelopment purposes
 - Actual numbers of voids (terminated and re-let) on a monthly basis
 - Vacancies as a % of total stock.

- Cumulative income loss through voids (£ and as a % of annual rent including lost rent, council tax payments against decant costs avoided).
 - Cost of tenant damage in returning voids to availability (£ repair and refurbishment)
 - Actions taken to reduce voids in difficult to let properties.
 - Offer refusal rates and reasons
- 5.6 This detailed management information will underpin and be provided as part of each subsequent review and update of this policy. Financial information will also support relevant budget setting and reporting.

Performance reporting and targets

- 5.7 Beyond key information we will gather and assess for management purposes as set out in section 5.5, MDH recognises the importance of working to specific timescales in dealing with voids as part of performance monitoring and ongoing review of operations.
- 5.8 Operation of the Voids Policy will be reported to the Homes Policy Development Group on a quarterly basis incorporating the void categories and targets below. This information will also be made available to tenants directly via newsletters, our annual report and online tenant dashboard.

The categories targets are as follows:

1. **Standard voids** including temporary accommodation – **35 working days** (based on 20-days Building Services/works and 15-days Tenancy Management/allocations)
 2. **Major voids** – **55 working days** (based on 40-days Building Services/works and 15-days Tenancy Management/allocations)
 3. **Decent Homes** – **75 working days** (based on 60-days Building Services/works and 15-days Tenancy Management/allocations)
 4. **Development** – **1 calendar year** (no split between Building Services and Tenancy Management)
 5. **Occupancy rate** – **97% of stock** (rolling monthly target)
- 5.9 It is important to note that the above targets are the maximum timeframe, staff will always be working towards minimising the number of void days.
- 5.10 Within these targets, the above categories of voids are defined as follows:
- Standard** - works carried out but not limited to: gas and electrical safety checks, removal of all items internally / externally and cut garden, lock changes, routine repairs, minor decoration and cleaning.
- Major** – standard works plus gas or electrical safety repairs, pest control treatments, major repairs (doors, windows and structural repairs), major redecoration (more than one room or major area)
- Decent** – standard or major works plus Decent Homes works (kitchens, bathrooms, heating upgrades, decarbonisation works, asbestos removal, legionella works)

Development – long-term properties scheduled for demolition and/or subsequent replacement through redevelopment that may not be re-let with a secure tenancy whilst plans, studies and planning permissions etc are sought. These may or may not be returned to stock depending on the outcome of feasibility and subsequent planning process. If a property is confirmed for removal from stock and/or has a demolition order in place and is not suitable for temporary accommodation then it no longer meets the void definition and will be removed from void reporting

- 5.11 Development voids will only be a very small number of voids at any one time and the overall occupancy target will apply.
- 5.12 MDH will endeavour to demolish any empty properties not suitable for this use as soon as practicable to avoid any illegal trespass/occupancy and blight risks alongside long-term Council Tax liabilities arising from empty homes status.

Using development voids as temporary accommodation

- 5.13 If development plans can be advanced and planning permission granted and it is identified that specific individual properties cannot be re-let until development proceeds then these will be removed from reporting as noted in 5.10.
- 5.14 The exception to the above is where properties meet essential safety standards and can be used for temporary homelessness accommodation in the short-term via direct, licensed lettings until demolition orders and planning permissions etc are in place and works commence.
- 5.15 Regular meetings will be held between the development and voids teams in Building Services, the allocations team in Tenancy Management (both MDH) and the homelessness team in Public Health to maximise opportunities for temporary accommodation and therefore minimise void periods. This will also support the tenant engagement and consultation process where development is proceeding and tenant decants and short-term or permanent moves are required (subject to separate policy).

Pre-checks, inspections and assigning void categorisation

- 5.16 Targeted property condition checks by Neighbourhood Officers and other tenancy staff will be carried out where a notice of end of tenancy is provided. All ongoing tenants providing notice will be requested to complete an end of tenancy checklist regarding property condition and damage. This will provide helpful information for the voids management process and minimise some avoidable void time. Nonetheless, the actual works required on a property cannot fully be established until a property is fully visible and accessible (empty) and surveys and voids teams or contractor inspections carried out.
- 5.17 Voids will only be formally categorised and assigned a turnaround target once an initial inspection of the empty property has been undertaken and key asset management decisions undertaken. This is to allow for proper, cost-effective asset management as well as a full check for damage/repairs and required works with all relevant spaces fully accessible and visible. Re-categorisation may have to take place where significant additional works are uncovered during the repairs process. Provisions for recharging former tenants for lost keys, replacement locks and damage remain in place as set out in section 6.

6. Areas of Responsibility

MDH

- 6.1 The relevant Corporate Manager for MDH has responsibility for ensuring that this policy is met and therefore complies with Regulatory and Legislative requirements in addition to meeting the MDH business planning and budget commitments. They are also responsible for the production of timely and accurate performance management and reporting as set out within the policy.
- 6.2 The relevant Operations Leads for MDH – have responsibility for operational delivery split across our Building Services and Tenancy Management functions. They must ensure that appropriate support and timely advice is provided to the Corporate Manager and relevant staff to ensure compliance with the policy and the MDH business planning and budget commitments. They are also responsible for day-to-day budget monitoring in relation to voids management across the different functions and for the provision of timely and accurate data as set out within the policy.
- 6.3 Where this policy is relevant to Health and Safety then the Designated H&S lead for MDH is also accountable for relevant aspects relating to building safety.
- 6.4 The above officers form the overall management team for MDH.
- 6.5 The above will work closely with other teams and support staff including the Finance and Performance Team lead for the service who will support in the collation of information, the identification of issues and gaps and provide reactive and proactive reports as relevant to support the delivery of this policy and the overall management of voids.
- 6.6 Reporting of policy compliance is through the Homes PDG and Cabinet as required notwithstanding the Scrutiny functions of the Council and the role of the Regulator of Social Housing in addition to the Housing Ombudsman service.
- 6.7 Overall, MDH have a responsibility to ensure incoming tenants have the right to a property that meets our lettings standards, is safe, clean with a reasonable level of decoration as well as meeting the Decent Homes Standard. Some cosmetic exceptions will be made for properties let as urgent temporary accommodation.

Tenants

- 6.7 Tenancy Agreements relating to Council houses set out which repairs Tenants are responsible for. It advises Tenants that they must keep their home in a reasonable condition, and leave it clean and tidy when they end their tenancy. It states that we will recharge the Tenant for the cost of making good any damage they have caused and clearing any damage they may have caused and cleaning any items left behind.
- 6.8 All other types of Tenancy Agreements including licences for Temporary Accommodation set out the Tenant's responsibilities for repair and maintenance of land/property they are occupying.
- 6.9 Any rechargeable repairs will be identified where possible during the pre-void inspection and the tenant made aware of their responsibilities regarding these.

- 6.10 The outgoing tenant will be asked to sign the list of rechargeable repairs and this will be used as a checklist to ensure that their responsibilities have been met.
- 6.11 The Council reserve the right to recharge the outgoing tenant for any rechargeable works that were not visible during the pre-void inspection or identified on a pre-void checklist.
- 6.12 If the outgoing tenant is moving into other accommodation was any type or tenure they will be required to provide a forwarding address, as specified in their tenancy agreement.
- 6.13 For the full terms and conditions relating to tenants responsibilities please refer to the tenancy agreement or licence.

Mutual responsibilities and opportunities

- 6.14 All prospective secure tenants are provided with information about the property attributes, and local neighbourhood facilities prior to viewing.
- 6.15 When a prospective tenant has indicated their acceptance of a vacant property, the tenancy will commence as soon as possible after all essential repairs and identified works are completed and the allocations team will engage with the new tenants to keep them informed.
- 6.16 All new tenants are given an opportunity to feed back their satisfaction with the void management process and standard of the property when let. New tenants will be visited within the first six weeks of their tenancy commencing. In summary the purpose of this visit will be:
- to welcome the tenant and give an opportunity for them to ask any questions, raise any concerns and follow up on any outstanding issues;
 - to establish if they need any extra help setting up their home and identify any support needs the tenant may have;
 - to offer any advice about benefits that the tenant may be entitled to receive;
 - to discuss rent payment options or delays with outstanding Housing Benefit or the Housing Cost element for Universal Credit claimants;
 - to reinforce the terms of the tenancy agreement and the tenants' rights and responsibilities;
- 6.17 This will ensure the sign up process and settling in visit has a significant, positive impact on the sustainability of tenancies.

7 Transfers and Mutual Exchanges

- 7.1 This policy does not relate to transfers (internal movement of existing secure or flexible tenants between properties) or mutual exchanges (swapping of homes between Local Authority or other registered providers) as there is no void and managed under separate legal and policy provisions.
- 7.2 In undertaking a transfer or mutual exchange, in terms of property condition and decoration, incoming tenants have different rights and obligations although all MDH properties will be safe and compliant.

8 Risk Management

8.1 The MDH management team will consider the risk management factors of void management including:

- Financial risk through potential failure to ensure that enough income is collected to cover operating costs due to excessive rent lost to voids and other costs or excessive statutory costs due to decanting tenants in non-void properties and excess costs arising from undertaking planned works with tenants in-situ
- Other financial risks arising from end-of-life properties and repairs/refurbish decisions to extend property life against the Decent Homes Standard and redevelopment/replacement of properties
- Delivery of the adopted Housing Strategy and objectives therein including the delivery of more affordable Council housing
- Non-compliance with Regulatory or best-practice requirements and performance indicators or mandated tenant satisfaction measures
- Formal guidance from the Regulatory of Social Housing, Housing Ombudsman or other relevant Government guidance

9 Linked Strategies, Policies and Procedures

9.1 The following strategic documents and policies are linked to this policy:

- Housing Strategy
- Allocation Policy
- Tenancy Standard Policy Framework
- Tenancy Inspection Policy
- Decant Policy
- Vulnerability Policy
- Planned and Reactive maintenance Policies
- Debt Recovery Policy
- Asset Management Policy
- Health and Safety
- Tenancy agreements and temporary accommodation licences
- 5-year rolling development programme

9.2 The following procedures are linked to this policy

- Ending tenancies and return of key
- Pre-voids inspections and checklist
- Organisation of repair works
- Planned works: maintenance, safety, modernisation/upgrading and decarbonisation
- Planned works: refurbishment and decoration
- Redevelopment works and site-specific development project plans
- Transfer to allocations
- Property re-lets/allocations
- Properties for which there are no applications
- New developments – first lets

10 Tenant Consultation

- 10.1 MDH has consulted on the Voids Management Policy and its component parts in line with its Tenant Involvement and Empowerment Standard Policy. Additionally, MDH will carry out Customer Satisfaction Surveys, TSM Perception Surveys and new tenant Home Visit responses that will assist in the shaping of any future review of this policy.

11 Complaints

- 11.1 Any tenant may submit a complaint, using the MDH complaints procedure if it is felt that MDH has failed to correctly apply this Void Management Policy. More information is available at <https://www.middevon.gov.uk/residents/mid-devon-housing/help-and-support/complaints-and-feedback/> or by contacting MDDC at Phoenix House, Phoenix Tiverton EX16 6PP or 01884 255255 and asking for the Housing Support Team.

12 Review and Version

- 12.1 MDH will review this Policy every 5-years and as required to address legislative, regulatory, best practice or operational issues.
- 12.2 This policy was produced in December 2022 and is version 3.7, as such it is an update of version 3.6 dated January 2019.

Annex 1 – Regulator of Social Housing Tenant Satisfaction Measures

Overall satisfaction

TP01: Overall satisfaction

Keeping properties in good repair

TP02: Satisfaction with repairs

TP03: Satisfaction with time taken to complete most recent repair

TP04: Satisfaction that the home is well maintained

RP01: Homes that do not meet the Decent Homes Standard

RP02: Repairs completed within target timescale

Maintaining building safety

TP05: Satisfaction that the home is safe

BS01: Gas safety checks

BS02: Fire safety checks

BS03: Asbestos safety checks

BS04: Water safety checks

BS05: Lift safety checks

Respectful and helpful engagement

TP06: Satisfaction that the landlord listens to tenant views and acts upon them

TP07: Satisfaction that the landlord keeps tenants informed about things that matter to them

TP08: Agreement that the landlord treats tenants fairly and with respect

Effective handling of complaints

TP09: Satisfaction with the landlord's approach to handling complaints

CH01: Complaints relative to the size of the landlord

CH02: Complaints responded to within Complaint Handling Code timescales

Responsible neighbourhood management

TP10: Satisfaction that the landlord keeps communal areas clean and well maintained

TP11: Satisfaction that the landlord makes a positive contribution to neighbourhoods

TP12: Satisfaction with the landlord's approach to handling anti-social behaviour

NM01: Anti-social behaviour cases relative to the size of the landlord