

Private Sector Housing Strategy 2011 - 2016



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Foreword

The number and proportion of homes that are in private ownership continues to increase, either in owner occupation or private rental. Nationally, over the last ten years, there has been a slight shift from owner occupation to private rental and a reduction in the number of social housing tenants. Demand in the private rented sector is likely to remain strong for the foreseeable future.

Although improvements in energy efficiency standards have occurred the dramatic rises in the cost of energy means that the number of people living in fuel poverty continues to rise. Inadequate heating and insulation provision is the most common reason for homes in the private sector failing the decent homes test. The links between cold and damp homes, excess winter mortality and ill health have long been established. The costs of treating that ill health are considerable as are the personal and economic costs.

Peoples housing needs change over time and are affected by many factors including financial, household composition, employment, age and health and so it is clear that an affordable, sustainable, safe and healthy private sector is vital. The aim of this strategy is to set out the current state of the stock, our aims and how we hope to achieve them.

Clearly, over the life of this strategy, capital funding is going to be scarce and so partnership working with owners and loan providers will be important. However, the council do have enforcement remedies and sanctions available and they will be used in serious situations where persuasion and advice have not worked or are considered inappropriate.

Introduction

This is the daughter document to our current overarching housing strategy, which itself serves the corporate plan. It sets out our approach to issues relating to policy, funding and enforcement of private sector housing.

Ever smaller households and net in-migration are placing increasing pressure on the housing stock. The supply of new homes, particularly affordable ones, has not kept pace with demand. In this context we must ensure every dwelling is maintained to maximise the length of its useful life. The availability of social rented homes has reduced over time, and market housing has become less accessible due to high cost. There are growing numbers of people on the council's housing waiting list and there are too many households living in temporary accommodation, including hostels. The private rented sector will play an increasingly important role in meeting local housing needs in the years ahead.

Advances in healthcare and better standards of living have led to a growing number of older households. With this has come increasing numbers of people who are frail or disabled and who need adaptations to their homes to help them retain independence and live safely. Keeping people healthy and safe in their homes makes a significant reduction in the need for and costs of health and care services later on.

The primary responsibility for maintaining private sector homes rests with the homeowner and landlords. However, we recognise that some homeowners do not have the necessary resources to fully carry out this responsibility.

We will offer the opportunity to access financial assistance, targeted to specific vulnerable groups or problem issues. The aim will be to ensure that private sector homes are brought up to the decent homes standard.

Such assistance will be combined with enforcement action to ensure that at the very least the minimum legal standards are achieved throughout the district.

Link To Corporate Priorities

This strategy underpins the council's district-wide housing strategy along with council's private sector activity. The aim of this strategy is to contribute towards delivering the council's three strategic housing priorities:

To increase the supply of affordable housing.

To support vulnerable households to live independently in their own homes.

To maintain the council's stock to the "Decent Homes" standard.

Link to Health & Wellbeing

Regional housing agencies have been abolished. In their place it is proposed that local strategic housing partnerships will be developed. They in turn should develop a relationship with the appropriate Health and Wellbeing Board. Together, they will produce housing supply targets along with plans that direct capital investment to new and existing homes.

How this will work in practice and future funding levels are uncertain at this time.

Current Private Stock Profile and Condition (Where we are)

Local housing authorities are required to maintain knowledge of the condition of the housing stock within its area and so in 2010 CPC Ltd. were commissioned and completed a sampled survey of the privately owned stock. Each dwelling was surveyed internally, externally, for energy efficiency, health and safety hazards, amenity provision and socio – economic characteristics.

Below are some of the predominant features compared with the averages for England :

- 25% of private stock failed the decent homes standard compared with 36% nationally, however as with the national picture there is a significantly greater concentration of non – decency in the private rented tenure than owner occupied (37% compared to 24%). The average cost to remedy was calculated at £4900 creating a total to remedy of £42m
- 26% of private rented properties were found to contain a category 1 hazard (the minimum legal standard) compared to 14% in the owner occupied sector
- Fuel poverty is higher than national average at 17% compared to the national average of 13% with an average cost to remedy of £1000. However, the average standard assessment procedure (SAP) rating of 56 is better than the national average of 48. This indicates that the fuel poverty statistic is likely to be primarily due to lower income levels
- Age profile of housing more modern than England average, with fewer pre 1945 dwellings (22.3% compared with 42.7%)
- Majority of houses are detached and semi-detached (76.8%) which is higher than the national proportion.
- Slightly higher percentage of owner occupiers than nationally (73% compared with 70%) and slightly lower private rented (10% compared with 12%)
- More heads of household aged 65 and over with fewer in all age bands below 65
- More couples with dependent child (25.2% compared to 22.9%)
- Average incomes are substantially less than nationally, including all income, not just earnings
- Benefit receipt (27%) is above the national average (17%)

Much more detail is contained within the survey report itself.

In summary the stock condition is a little better than the national average but there are very significant numbers of cold, unsafe or unhealthy homes occupied by people on lower than national average incomes, many of these occupiers are elderly or vulnerable. This situation is more concentrated in the private rented sector than the owner occupied but due to the

proportions within the stock the number of substandard homes is higher in the owner occupied sector.

Cannock Chase District Council has maintained a budget of approximately £500k to fund mandatory disabled facility grants for several years and this has been sufficient to cope with referrals from Staffordshire Social Care and Health. Future demand is difficult to forecast but given the older age profile in the area, the generally ageing population and the responses given by clients visited during the survey it is without doubt that demand for adaptations services will grow. If resources do not match demand then some form of gatekeeping or waiting list will inevitably occur.

Delivery (What we can do)

Owner Occupiers

Affordable Loans

Specific decent homes funding ceased in 2011/12 and in these times of public sector austerity it is unlikely to return in the life of this strategy. The Kick Start partnership has recently ceased and we have replaced it with the facility to offer affordable loans by supporting the Housing Improvement Trust . The main differences being a more targeted client base, different loan products and the loan pot being private finance rather than public. The idea is that with limited public funding (i.e. the operating costs) clients will be provided with financial advice and an affordable loan product to adapt or improve their home to a decent standard. The intention is to bridge the gap where clients cannot access high street loans. Funding to support the scheme is in place for 2011/12 and we hope that uptake will be strong. We will continue to investigate new assistance schemes as they emerge.

Energy Efficiency

Rising fuel costs, health effects, healthcare cost and emission reduction targets make this a priority area. Unfortunately, the Warm Front scheme has recently been restricted in terms of scope and eligibility. In 2013 it will be replaced with the "Green Deal" and quite what this will mean for home owners is uncertain. We will encourage owners to install appropriate, efficient and adequate heating systems and to carry out insulation measures where possible. We will support organisations that aim to help owners to access energy efficiency measures. We are hoping in the near future to partner with HeatSeekers who will carry out a thermal energy efficiency survey and assist owners to install insulation measures. Part of our service level agreement with Spirita includes for advice and assistance for owners to access energy efficiency schemes or reputable contractors for carrying out this work.

As new schemes emerge we will look for any advantages they may offer and try to help our residents gain access to value for money measures.

Handyperson Service

Returning home from hospital after a fall, or facing the mountain of climbing a step when you are elderly can be daunting, but help through handypersons services can go a long way to reducing these worries.

A new independent report commissioned by the Department for Communities and Local Government shows that handypersons services around the country are demonstrating that they offer value for money and help elderly people to carry on living in their own homes with confidence.

Our service level agreement with Spirita includes for the provision of a handyperson scheme which provides access to vetted tradesmen for a wide range of small repair/improvement

works at reasonable cost. We will continue to support and develop this service as resources allow.

Advice

We recognize that some homeowners require advice about a wide range of housing, environmental and public health matters related to their homes and we will, in partnership with Spirita and other organizations, continue to provide good quality and appropriate advice and signposting where requested.

We commend the Staffordshire trader register operated by Staffordshire Trading Standards which provides advice about local tradesmen who have demonstrated a commitment to fair and honest trading practices.

Where owner occupiers are faced with repossession or find that their home has become unsuitable then colleagues in the housing options team can offer advice and support as appropriate.

Private Rented Sector

The private rented sector will continue to provide a valuable component of the overall housing stock and many landlords will have little or no contact with regulatory services. We recognize that most private landlords carry out their responsibilities in a responsible and appropriate manner. There remain others who either through ignorance or choice fail to meet the basic legal minimum standard either in terms of the properties or their management.

Enforcement

We operate an accreditation scheme the members of which are expected to maintain their properties to a high standard so that it is not necessary for this council to take enforcement action. Consequently, we will, generally speaking, target our enforcement attention away from accredited properties / landlords.

Where we become aware of properties which require improvement to meet legal obligations we will usually endeavour to reach compliance through advice and persuasion, however, where there is an imminent risk to the tenant or the public we may take swift enforcement action to prevent injury. Where there is a history of non compliance then again we may move more quickly to enforcement. All decisions will be in accordance with the environmental health service enforcement policy which is available on the council's website.

Where advice and request fail to remove the hazard then we will normally serve the appropriate legal notice at which point enforcement charges apply followed by either carrying out works in default (rechargeable) or prosecution or both.

Charges for enforcement actions will be in accordance with the scale of charges approved by members and in force at the time. Further information is available from the council's website.

For certain more serious matters e.g. breach of prohibition orders, unlicensed houses in multiple occupation, then we are likely to prosecute without delay.

Housing Options

We work closely with our colleagues in the housing options team to ensure that people are able to live in appropriate and reasonable property. As mentioned previously there is growing demand for rented property and a shrinking registered social landlord sector. Thus there is a considerable waiting list for RSL property and the likelihood for most homeless persons is that they will end up in privately rented property paying a market rent and with the uncertainty of an assured shorthold tenancy. Clearly it is important to engage with the private rented sector as effectively as possible, recognize the problems that they face and work with them to achieve our goals in common. Wherever possible we try to support tenants to sustain their tenancies.

Churches Housing Coalition

We work closely with the local Churches Housing Coalition organization who provide support to vulnerable tenants. If a property is deemed satisfactory by the private sector housing team then they may provide financial support to bridge the gap and fund the deposit for the tenant. This requires a quick survey and response as invariably clients are at crisis point and are desperate to move in. They provide a valuable service and this reduces the burden on the housing register and so we will maintain a timely response to their enquiries.

Retaliatory Evictions

The assured shorthold tenancy is the default tenancy for most dwellings in England and Wales. It is a form of assured tenancy with limited security of tenure, which was introduced by the Housing Act 1988, with important changes made by the Housing Act 1996.

When the private sector housing team receives an enquiry or complaint about conditions at a rented property then of course we must ensure that the tenant is aware of the potential consequences of our involvement ie lawful eviction. In most cases though they have exhausted requests to the owner and are so unhappy with the conditions that they will wish to continue with their complaint.

We do not want our involvement to be the reason that a tenancy ends but equally we can not let the threat of a retaliatory eviction prevent us from taking necessary action. Indeed much of the legislation requires the local authority to take action where a problem exists.

Once private sector housing have become aware of a potential hazard at a property they are obliged to carry out the appropriate action to remove/reduce the hazard regardless of

whether a retaliatory eviction is occurring. We will make it clear that if the property is to be let in future then it must be brought up to standard regardless of whether the complainant stays or leaves.

Accreditation

We currently have an accreditation system that began life as a property based system prior to enactment of the housing health & safety rating system (2006).

This is currently under review and will continue to be developed during the life of this strategy. Consultations with local landlords via the working group will continue. Self-regulation sits well with the coalition government's thinking and will allow us to direct scarce resources at those landlords and properties which are not accredited. Indeed good landlords often ask us to deal with the rogues who operate below the level that the law requires.

Landlord Forum

Our colleagues in the housing options service run a twice yearly landlords forum with the aim of developing links with private landlords. It provides information and presentations on relevant topics where there may be changes or new initiatives and a route for questions and complaints to be heard. These will continue for the foreseeable future.

Houses in Multiple Occupation

The Housing Act 2004 introduced a new definition of a house in multiple occupation. The new definition is detailed and complex. Generally, a house in multiple occupation will be a property occupied by more than one household and more than two people, with sharing of amenities, and may include bedsits, shared houses and some self contained flats.

Multi occupied properties are at greater risk from fire than singly occupied properties and require careful provision of amenities and good standards of management. All have to comply with the requirements of the Housing Act 2004 and fire safety guidance. The local authority is required to liaise with the fire authority over fire detection, fire resistance and escape measures.

Multi occupied properties with 5 or more occupants and three or more storeys require a licence from the local authority. At present none have emerged or been identified within the district.

There are approximately 30 multi occupied properties that we know of. These are regularly inspected and this will continue on a risk based programme. We will continue to develop our database of multi occupied property, as they become known.

Cross Tenure Initiatives

Home Security

The Home Office report Crime in England and Wales 2007/08 states that good home security remains the key defence against burglary. Households with no home security measures are almost ten times more likely to have been victims of burglary than households with simple security measures such as deadlocks on doors and window locks.

For several years we have operated a scheme to provide target hardening measures for victims of burglary. Funding is provided from a number of sources and remains available in the year 2011/12 at similar levels to previous years. We aim to run this service effectively and review it to ensure value for money and that appropriate contractors are used.

Domestic Violence

Where the police service determine that domestic violence has occurred they can refer the case to private sector housing for safety and sanctuary measures to be installed at the victims home. In these instances we organize the works and the cost is funded from budgets provided from a number of sources. We will endeavour to maintain the funding and provision of these services over the life of this strategy.

Empty Homes

Empty properties can quickly fall into disrepair and attract pests, graffiti and litter and become a target for anti social behaviour, vandalism, squatting, break-ins and arson.

This can be very expensive for owners who are already missing out on the potential income from renting or selling the property. Recent changes to council tax rules mean that there will be fewer exemptions. This should encourage quicker turnaround of empties.

Many people in the UK need homes. There are 1.7 million families on housing waiting lists, and the country's population is growing. Yet house building rates are at their lowest since the 1920s. Other than building more homes, reusing empty homes provides one of the few other sources of housing. What's more it can do so at an affordable price. Surveys have shown that the average cost of renovating empty homes is about £10,000.

Locally, demand for social rented housing far outstrips supply with the Cannock Chase District Council housing register typically containing 1500 – 2000 applicants over the last ten years. Demand for affordable private rented property remains strong.

Of course there is a naturally occurring turnover of properties resulting in short term empty properties. The term empty home is generally accepted as meaning empty for more than six months. Estimates of the number of empty homes vary. Work in 2007 produced a database containing approximately 400 dwellings. This database has not been updated.

We intend to update this database and to work with owners to return as many properties back into use as is possible. We intend to develop a priority scoring system and procedures to encourage the re-use of empty property through advice initially or enforcement (including the use of Empty Dwelling Management Orders) if necessary.

Adaptations for Disabled Persons

The demise of the Kick Start scheme has removed some of the flexibility to provide supplementary affordable loan finance towards adaptations for homeowners. We will, of course, remain vigilant for new schemes that could offer similar benefits.

In the main, funding for adaptations will be through the disabled facilities grant route. Disabled facilities grant is a means tested award of up to £30,000 which is intended to finance the cost of property adaptations in order to better meet certain specified needs of a disabled person.

Grants are administered by the local housing authority. Before awarding the grant Staffordshire Social Care and Health will need to be satisfied that the proposed adaptations are "necessary and appropriate" to meet the identified needs and in order to do this they will ask an occupational therapist to make an assessment of those needs. The housing authority also need to ensure that the adaptations are "reasonable and practicable" depending on the age and condition of the property. Other options including moving to a more suitable or more easily adapted property will also be considered.

In Cannock this programme has been delivered for a number of years by our partner care and repair agency Spirita. Cannock Chase District Council has maintained a budget of approximately £500k to fund mandatory disabled facility grants for several years and this has been sufficient to cope with referrals from Staffordshire Social Care and Health. Future demand is difficult to forecast but given the older age profile in the area, the generally ageing population and the responses given by clients visited during the recent stock condition survey it is without doubt that demand for adaptations services will grow. If resources do not match demand then some form of gatekeeping or waiting list will inevitably occur.

Funding for DFGs is no longer ring fenced and the budget is set locally from the total capital pot. For 2011/2012 total national funding has increased from £169m to £180m. DCLG has devised a new allocation methodology in conjunction with the Building Research Establishment and all authorities will receive at least as much as they received last year.

Cannock has allocated £518K for this activity in 2011/2012 and we are hopeful that a similar allocation can be maintained during the life of this strategy.

We will continue to monitor and audit the service provided on our behalf through the service level agreement with Spirita and investigate new ways of working to maximise speed and efficiency of delivery.

Drainage

The private sector housing team undertake the mandatory function to resolve defective residential drains and sewers through advice and enforcement.

A significant change should occur in October 2011 in that the responsibility for unblocking and maintaining all sewers and lateral drains will transfer from the owners to the local water and sewage company. This should simplify matters for owners in that most sewer defects will become the responsibility of the local water and sewage company. The effect is that the bulk of our enforcement duties should cease at this time as the local water and sewage company become responsible rather than the owners. Most people recognise that they are responsible for their own drains within their curtilage, although we retain enforcement duties and powers where advice and persuasion fail.

Caravan sites and park homes

The private sector housing team are responsible for licensing sites in accordance with the 2008 model standards issued under s5 of the Caravan Sites & Control of Development Act 1960. This covers health & safety matters and management arrangements.

There are six licensed sites and these are visited at least annually to ensure license conditions are observed.

On those sites that are used by the travelling community we aim to maximise the number of pitches in order to reduce occurrences of illegal encampment.

We will keep a watchful eye on sites that are exempt from the requirements of the licensing legislation to ensure that satisfactory standards are upheld.

This document can be provided in Braille, on audio cassette tape/disk,

large print and in the following languages on request to

Cannock Chase Council on 01543 462621.

Bengali, Gujarati, Chinese, Urdu, Punjabi and Polish.

আপনি অনুরোধ জানালে এই কাগজপত্রগুলোর বাংলা অনুবাদের ব্যবস্থা করা যেতে পারে।

如有要求的話我們可將此文件翻譯成中文

વિનંતી કરવાથી તમને આ દસ્તાવેજ તમારી માતૃભાષામાં મળી શકે છે.

ਜੇ ਤੁਸੀਂ ਚਾਹੋਂ ਤਾਂ ਇਹ ਪਰਚਾ ਤੁਹਾਡੀ ਬੋਲੀ ਵਿੱਚ ਮਿਲ ਸਕਦਾ ਹੈ

یہ دستاویز آپ کی زبان میں، گزارش پر دستیاب کی جا سکتی ہے۔

Ten dokument jest dostępny na żądanie w twoim języku

01543 462621