

REPORT TO: HOUSING, DUNDEE CONTRACT SERVICES AND ENVIRONMENT SERVICES COMMITTEE – 22 MARCH 2010

REPORT ON: THE HOUSING (SCOTLAND) ACT 2006 SECTION 72 STATEMENT - SCHEME OF ASSISTANCE

REPORT BY: DIRECTOR OF HOUSING

REPORT NO: 149-2010

1. PURPOSE OF REPORT

- 1.1. To seek Committee's agreement to the attached Interim Statement of Assistance. This statement sets out Dundee City Council's Scheme of Assistance and outlines the provision of advice, information and assistance, including financial assistance available to homeowners to enable and encourage them to maintain and improve their homes.

2. RECOMMENDATIONS

- 2.1. It is recommended that the Committee:
- a. Approves the attached Interim Statement of Assistance.
 - b. Agrees to a review of the statement at the end of its first year.
 - c. Notes the ongoing discussions with the Scottish Government and COSLA in respect of the availability of suitable loan products and the need to revise our approach to alternative forms of funding once further information is available.

3. FINANCIAL IMPLICATIONS

- 3.1. The cost of delivering the recommendations above will be met from the 2010/11 Private Sector Housing Grant budget.

4. MAIN TEXT

4.1. The Housing (Scotland) Act 2006

- 4.1.1. The Housing (Scotland) Act 2006 introduces fundamental changes to the repair and maintenance of private sector property. It recognises that the primary responsibility for repair and maintenance of private sector property lies with the individual owners. It translates the recommendations of the Housing Improvement Task Force into local authority powers and duties which are designed to encourage and assist owners to carry out repairs and maintenance to their property. It moves away from the previous approach of direct financial assistance, in the form of grants and looks to encourage owners to use their own resources. It achieves this by introducing a new Scheme of Assistance under Part 2 of the Act.

4.1.2. Section 72 Statement

To underpin the new Scheme of Assistance, Local Authorities are required to produce a public statement describing the circumstances in which they will provide assistance and what form that assistance will take - i.e. advice, information, practical assistance or financial assistance in the form of standard loans, subsidised loans or grants.

Publication of the section 72 statement is the point at which the local authority should fully implement all of the new powers. The latest date to achieve this is 1 April 2010.

4.2 **Private Sector Housing Grant**

4.2.1 Private Sector Housing Grant (PSHG) is the main source of finance for the provision of financial assistance to home owners and delivery of the Scheme of Assistance. PSHG now forms part of the General Services allocation and amounts to £2.002m for 2010/11. The statement of assistance has been drafted to take into account the reducing allocation of PSHG and, as it reflects a fundamental change in approach to assisting homeowners, it will be monitored to ensure that its implementation does not result in undue pressure on the budget.

4.3 **Review of the Scheme of Assistance and Statement of Assistance.**

4.3.1 A number of factors will continue to influence and potentially change the scheme including an ongoing review by the Scottish Government and COSLA into how to facilitate the greater availability of affordable lending so that local authorities have access to meaningful alternatives to grant. Secondly a Private Sector House Condition Survey commissioned to help inform our approach to the improvement and maintenance of private sector property is nearing conclusion, having been delayed as a result of exceptionally poor weather over the winter period. The detailed analysis of this survey will help inform and develop the Council's Scheme of Assistance. It is therefore proposed to review the proposed scheme at the end of its first year and bring forward a further report to committee at that time.

5. **POLICY IMPLICATIONS**

5.1. This report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty Impact Assessment and Risk Management.

5.2. There are no major issues at this time.

6. **CONSULTATIONS**

The Chief Executive, Depute Chief Executive (Support Services), Director of Finance, Assistant Chief Executive and all other Chief Officers have been consulted in the preparation of this report. No concerns were expressed.

7. **BACKGROUND PAPERS**

7.1. The Housing (Scotland) Act 2006.

The Housing (Scotland) Act 2006 (Scheme of Assistance) Regulations 2008.

Scottish Government Statutory Guidance.

ELAINE ZWIRLEIN
DIRECTOR OF HOUSING

MARCH 2010

DUNDEE CITY COUNCIL

HOUSING (SCOTLAND) ACT 2006 SECTION 72 STATEMENT

INTERIM SCHEME OF ASSISTANCE

for

PRIVATE SECTOR HOUSING

February 2010

1. **PART 1 - INTRODUCTION**

1.1. **HOUSING (SCOTLAND) ACT 2006**

Part 2 of the Housing (Scotland) Act 2006 introduces fundamental changes to the repair and maintenance of private sector property. It recognises that the primary responsibility for repair and maintenance of private sector property lies with the individual owners. It translates the recommendations of the Housing Improvement Task Force into local authority powers and duties which are designed to encourage and assist owners to carry out repairs and maintenance to their property.

It replaces the previous approach of direct financial assistance, in the form of improvement and repair grants and looks to encourage owners to use their own resources.

Section 72 of the Act requires each local authority to produce a public Statement of Assistance setting out what forms of assistance the Council will provide and who will qualify for assistance. This Statement sets out Dundee City Council's Scheme of Assistance and outlines the provision of advice, information and assistance including financial assistance available to homeowners to enable them to maintain and improve the quality of their homes.

1.2. **VISION**

Our vision is to Improve the Quality of Private Sector Property to Ensure Well Maintained, Safe and Secure Housing.

1.3. **STRATEGY**

The Council's strategic approach to addressing problems in the private sector is outlined in the Local Housing Strategy. This Scheme of Assistance reflects the priorities of the Local Housing Strategy and recognises that the primary responsibility for repair and maintenance of private sector property lies with the individual owners but also seeks to encourage and assist owners to carry out necessary repairs and maintenance to their property through the following means:

- Advice
- Information
- Practical support
- Financial assistance
- Enforcement powers

Available finance is a significant factor in delivering financial assistance and in this respect non-mandatory financial assistance identified in this document is subject to available finance.

The scheme also reflects the following local and national priorities:

- Meeting the needs of people with disabilities
- Providing assistance to enable the elderly, disabled and chronically ill to remain independent in their own homes
- Eradicating Below Tolerable Standard (BTS) housing
- Encouraging and support the completion of mutual repairs
- Encouraging the repair and maintenance of poor quality housing
- Improving energy efficiency and security

1.4. **EQUALITIES**

Our strategy aims is to ensure that in its implementation, it promotes equality and diversity, by ensuring there is no discrimination between persons on grounds of race, colour, ethnic and national origins, marital status, domestic circumstances, gender, sexuality and transgender, age, class, ethical or religious belief, in the delivery of the Scheme of Assistance.

2. **PART 2 - ACCESS TO ASSISTANCE**

2.1. **PRIVATE SECTOR SERVICES UNIT**

The Scheme of Assistance will be administered by the Private Sector Services Unit (PSSU) within the Housing Department. The Unit is a one stop shop approach to private sector housing and is responsible for the delivery of the following services:

- The Scheme of Assistance
- Dundee Care & Repair
- HMO Licensing
- Landlord Registration
- Dundee Landlord Accreditation

The Unit works closely with a number of other service providers and agencies in support of the private sector. These include:

- Environmental Health & Trading Standards (EHTS)
- Trusted Traders Scheme
- Social Work Department (Community Occupational Therapists)
- Anti Social Behaviour Team (ASBT)
- Homeless Services
- Finance Department
- Dundee Energy Efficiency Advice Project (DEEAP)
- Energy Saving Trust
- Welfare Rights
- Department of Work and Pensions (DWP)
- Royal National Institute for the Deaf (RNID)
- Tayside Police
- Tayside Fire & Rescue

Private Sector Services are based at:

Private Sector Services Unit
 Level 6, City House
 Overgate Centre
 DUNDEE DD1 1UH
 Tel: 01382 435408/435423
 Fax: 01382 435418
 E-mail: schemeofassistance@dundeecity.gov.uk

Contact with PSSU can be:

- by phone, e-mail, visit or writing to our office at the above address
- by a home visit for those with mobility problems

Information can also be obtained from the Council's website: www.dundeecity.gov.uk

3. **PART 3 - TYPES OF ASSISTANCE**

3.1. **NON-FINANCIAL ASSISTANCE**

Advice & Information

Dundee City Council can provide advice and information to owners and private tenants to enable them to deal with a range of housing related matters including:

- Arranging adaptations to meet the needs of a disabled person
- The Tolerable Standard
- Lead water pipes
- Carrying out repairs, maintenance and improvements
- Organising common repairs and maintenance
- Maintenance plans and maintenance funds
- Energy efficiency, Energy Performance Certificates and renewables
- Choosing a suitable contractor - Trusted Traders
- Additional funding Sources
- The Repairing Standard in respect of private rented property
- HMO Licensing
- Tenancy matters
- Home safety (Gas, electrical & carbon monoxide)
- Enforcement powers

A range of information leaflets will also be developed and information will be available on the Council's website. Where appropriate, enquiries will be signposted to relevant outside agencies.

Practical Assistance

In addition to general information and advice, practical help will be provided in certain circumstances. This service includes:

- Property inspection reports and maintenance plans to owner occupiers for properties more than 10 years old.
- A Care & Repair Service aimed at the elderly, disabled or chronically ill.
- Referral to the Social Work Department Handyman Service.
- Referral to a range of outside agencies.
- In conjunction with the Occupational Therapy Service, practical help in arranging adaptations to meet the need of a disabled person.
- Support to owners trying to arrange common repairs including coordinating & chairing meetings in neutral venues.
- Energy Efficiency Advice by referral to Dundee Energy Efficiency advice Project and the Energy Saving Trust.
- Landlord training delivered by Dundee Landlord Accreditation.

3.2. **FINANCIAL ASSISTANCE**

With limited Private Sector Housing Grant (PSHG) funding available to assist home owners to repair and improve their homes, the Council have had to prioritise the categories of work which will receive grant assistance. These categories are set out in the relevant Parts of this document and summarised below:

Mandatory Grants - Disabled Adaptations

Mandatory grant (and for some adaptations, discretionary grant) assistance at a minimum rate of 80%, or at 100% when in receipt of certain benefits, is available to carry out adaptations to suit the needs of a disabled person where a recommendation has been received from the Community Occupational Therapy Section of the Social Work Department. Detailed information is contained within **Part 5** of this document.

Discretionary Grants

Subject to the availability of funds, discretionary grant assistance is currently available towards the following categories of work:

- Below Tolerable Standard (BTS) Housing
- Lead water supply pipes
- Serious disrepair
- Common Repairs
- Common door entry systems

Detailed information is contained within **Part 6** of this document.

3.3. **ADDITIONAL FUNDING SOURCES**

Loans

Loans are not available from the Council at this time and neither can the Council offer financial advice. However applicants may wish to explore a range of options including:

- Unsecured personal loan
- Secured personal loan
- Prime mortgage
- Credit Unions

Further information is available on the Financial Services Authority website:

www.moneyadeclear.fsa.gov.uk



All applicants are advised to obtain the services of an Independent Financial Advisor.

National Lending Unit

Scottish Government proposals for a National Lending Unit and a Lending Advisory Service continue to be debated at this time. Further information will be provided as it becomes available.

4. **PART 4 - ENFORCEMENT POWERS**

4.1. **AVAILABLE POWERS**

The 2006 Act provides powers for local authorities to carry out works where owners fail to carry out work or cannot gain the co-operation of other owners to carry out common repairs on a voluntary basis. Enforcement powers include the following options:

Maintenance Order

A Maintenance Order requires the owner of a house to produce and implement a Maintenance Plan to ensure the house is maintained to a reasonable standard. The Order will specify the period of time the owner will have to submit the plan and can require the plan to cover a period of up to five years. The Order can require owners to prepare a Joint Maintenance Plan if it relates to premises which consist of two or more houses.

The Council will consider the use of Maintenance Orders where it considers an owner has not maintained or is unlikely to maintain the property to a reasonable standard. Maintenance Orders will also be considered following work carried out under a Work Notice, a previous Repair Notice or in the case of landlords, work carried out following a Repairing Standard Enforcement Order where it is considered that the benefit of that work could be lost because of a lack of maintenance.

Owners have 21 days to appeal a decision to serve a Maintenance Order.

Maintenance Plan

A Maintenance Plan is a document which sets out a programme of work to secure the maintenance of a house to a reasonable standard. It will cover a period of up to five years, as set out in the Maintenance Order and will have to be submitted to the Council for approval by the date set out in the Maintenance Order.

The plan must specify:

- what maintenance is to be carried out throughout the period of the plan;
- any steps to be taken to carry out the maintenance;
- when these steps are to happen; and
- an estimate of the likely cost.

Joint Maintenance Plan

The following extra provisions will apply:

- the plan must apportion the liability of each joint owner in respect of implementing the plan;
- the plan must apportion responsibility for maintaining the houses to which the maintenance plan relates;
- the owners must appoint a person to manage the implementation of the plan;
- the owners must open and deposit sums into a maintenance account;
- the owners must set out in the plan the arrangements for operating a maintenance account.

The Council has the power to enforce a Maintenance Plan and recharge the cost of enforcement, with interest, to the owners. Recovery will be by means of a Repayment Charge which is secured against the title of the property. No grant assistance will be considered where work is carried out in default by the Council.

The Council will develop maintenance plan templates and make these available to owners.

Missing Shares

Where the majority of owners have agreed to carry out necessary common repairs and cannot gain the co-operation of a particular owner or owners, the Council has the power, on the application of any of the consenting owners, to deposit money into an owners' joint building account to cover the cost of the missing share(s). This option is currently restricted to the missing share of any non co-operating owner where that owner is unable to pay, it is unreasonable to ask them to pay or they cannot be identified or found after reasonable enquiry. Payment of missing shares will be subject to available resources.

A potential future change to this aspect of enforcement powers may allow payment of a missing share where an owner is unwilling to pay.

Where a missing share has been paid on behalf of a non-co-operating owner, grant assistance will not be available to that owner and the Council will seek to recover all expenses incurred including interest and administration costs by means of a Repayment Charge.

Maintenance Account

The Council will consider the introduction of financial assistance towards the reasonable administration fees incurred in setting up a Maintenance Account for common repairs in tenemental property and will also consider the option of introducing financial assistance towards the cost of changing title deeds to support the creation of a building Maintenance Account (Sinking Fund) for common repairs.

Work Notice

Work Notices may be served requiring an owner to carry out repairs and improvements to houses identified within a Housing Renewal Area (HRA) action plan or to houses outwith a HRA which fall below the tolerable standard or are in serious disrepair. Where a Work Notice has been served the owner(s) concerned are entitled to assistance from the Council.

Grant assistance may be provided towards work which falls into an identified discretionary grant category, otherwise assistance will be restricted to non-financial assistance in the form of advice, information and practical assistance. The Council will consider using this power, subject to the availability of resources, where a property is considered to be in serious disrepair and there is no evidence that the owner(s) are taking action to address the disrepair.

Where the Council carry out the work in default following the serving of a Work Notice, no grant assistance will be available and the full cost of carrying out the work including administration charges and interest will be recovered by means of a Repayment Charge.

Housing Renewal Areas

Where there are a significant number of substandard houses in an area or the appearance or condition of houses is adversely affecting the amenity of an area, the Council may consider declaring a Housing Renewal Area (HRA) with the purpose of improving the area.

Where a house is defined in a HRA action plan as a house which the local authority considers to be in a state of serious disrepair and ought to be demolished, the local authority may require the owner of the house to demolish it by the serving of a Demolition Notice.

When considering whether an area is to be declared a HRA, the Council will consult with the owners and representative groups within that area in order to:

- advise on how a HRA operates and what it will mean for that particular area;
- agree on the boundary of the area to be included;
- agree on an appropriate action plan that will ensure that any agreed works can be carried out and;
- advice on what assistance can be provided.

Repayment Charges

Where the Council carry out work in default, the full cost of carrying out the work including administration charges and interest will be recovered by means of a Repayment Charge which is secured against the title of the property, or the site, in the case of demolition. The charge is recoverable in 30 equal, annual instalments and is payable on the same date each year. The owner of the property or anyone interested in it may pay off the charge at any time by agreeing a sum with the Council. Where no agreement can be reached with the Council, a sum can be determined by Scottish Ministers. A registered Repayment Charge is enforceable by the Council even when the title to the property changes hands.

5. **PART 5 - ADAPTATIONS FOR DISABLED PEOPLE**

5.1. **GENERAL ADVICE AND INFORMATION**

Dundee Independent Living Centre (DILC)

Provides a free and impartial service on practical ways of coping with disabilities including:

- a range of daily living equipment for demonstration
- a comprehensive information service
- advice on sources of funding
- qualified and experienced staff to offer advice

The service is for disabled people and their carers, (both paid and unpaid) who live in the Dundee area.

To find out more about how this service can help, contact:

The Dundee Independent Living Centre
 Unit T, Charles Bowman Avenue
 Claverhouse West Industrial Estate
 DUNDEE DD4 9UB
 Tel: (01382) 307635
 Fax: (01382) 502263
 E-mail: DILC@dundeecity.gov.uk

5.2. **ADAPTATIONS**

Dundee City Council has a statutory duty to assess the housing needs of a disabled person and to meet the eligible assessed needs. Where this results in a recommendation for an adaptation to be carried out to provide standard amenities, the Council is required to provide mandatory grant funding. This statutory duty extends to tenants within the private rented market. The aim is to assist homeowners or private tenants to remain independent and living within their own homes and within the community in which they are familiar.

Dundee City Council view adaptations for the needs of disabled persons as only one element of an overall package. In order to fulfil this view, all applications for assistance to provide adaptations to private sector housing will be based on an assessment carried out by the Community Occupational Therapy Service. The service may be delivered along with other social work or health services.

Assessed need will be determined using the Occupational Therapy Service's published '*Criteria for the Provision of Equipment and Adaptations in the Homes of People with Disabilities*'. This document is available at:

http://www.dundeeccity.gov.uk/dundeecity/uploaded_publications/publication_1188.doc

Who Can Apply?

The person for whom the service is requested must be a 'disabled person' as set out in the terms of the legislation. These disabilities include physical disabilities, learning disabilities, mental health problems and sensory impairments.

As well as owner occupiers, private rented sector tenants can apply, with the permission of their landlord. A landlord cannot unreasonably withhold his permission. Further information including the right of appeal against a landlord's decision is available from Private Sector Services. Reinstatement grants may be available to landlords.

The house to be adapted must be the only or main residence of the disabled person and must be within the local authority area. If more than one disabled person is resident in the household then the assessed needs of all parties will be addressed. The adaptation must be essential or of major importance to the person or carer(s) because of the nature of the disability.

Requesting an Assessment

To request an assessment for assistance to adapt your home you can contact Dundee City Council's Community Occupational Therapy Service or you can ask your GP, Community Nurse, Health Visitor etc. to contact the service on your behalf. Dundee Care & Repair can also make a referral on your behalf.

The service can be accessed directly by contacting:

Occupational Therapy Services
Dundee Independent Living and Community Equipment Centre
Claverhouse West Industrial Estate
Unit T, Charles Bowman Avenue
DUNDEE DD4 9UB
Tel: 01832 307645 Fax: 01382 505236

Assessment Process

Staff from the Community Occupational Therapy Service will visit disabled people in their home to discuss their needs and carry out an assessment. If an adaptation to the home is the agreed solution, the Occupational Therapist will confirm the need, identify the proposed works and forward a recommendation to the Private Sector Services Unit. Only Community Occupational Therapy staff employed by Dundee City Council can make a recommendation.

Practical Assistance

Once a recommendation has been made, applicants will be given assistance to plan how they wish to progress with the recommended work. This may be in the form of direct assistance from the Occupational Therapist and/or the Private Sector Services Unit. Where the nature of the works requires the appointment of a Professional Agent guidance will be given. Dundee Care & Repair service can also provide practical assistance to qualifying individuals to carry out minor works. Refer to **Part 8** for more information on Care & Repair.

5.3. **FINANCIAL ASSISTANCE**

Mandatory Grant Assistance

Mandatory grant assistance at a rate of 80% is available towards the approved cost of recommended adaptations and/or provision of standard amenities. This includes:

- WC
- wash hand basin
- level access shower
- over bath showers
- ceiling track hoists
- extensions to the main structure of the home to accommodate standard amenities but not living accommodation
- adaptations to kitchens to ensure wheelchair access
- widening doors within the home to provide wheelchair access
- provision of external ramps to enable wheelchair access

Grant assistance at a rate of 100% is available where the applicant, the applicant's spouse or civil partner, any person on whom the applicant is dependant or who is dependant upon the applicant or anyone who resides or intends to reside with the applicant is in receipt of one of the following benefits:

- income support
- income based job seeker's allowance
- the guarantee element of pension credit
- employment support allowance (income related)

Where an applicant chooses to carry out works beyond the minimum recommendation which none the less meet the needs of the disabled person, grant assistance equivalent to the amount that would have been given towards the minimum recommendation will be considered where the Community Occupational Therapist confirms that the proposed work meets the needs of the disabled person.

Discretionary Grant Assistance

Discretionary grant assistance is available, subject to available funding, at a rate of 80% towards the approved cost of the following recommended works:

- stair lifts both straight and curved to access standard amenities
- adaptations to kitchens to meet the needs of a wheelchair user
- through floor lifts
- raising or lowering of power points and switches
- other adaptations required to specifically meet the needs of a disabled person and recommended by the Community Occupational Therapist

The Social Work Department do not recommend external stair-lifts.

Grant assistance at a rate of 100% will be made available, subject to available funding, where applicants, the applicant's spouse or civil partner, any person on whom the applicant is dependant or who is dependant upon the applicant or anyone who resides or intends to reside with the applicant is in receipt of one of the following benefits:

- income support
- income based job seeker's allowance
- guarantee element of pension credit
- employment support allowance (income related)

Where an applicant chooses to carry out works beyond the minimum recommendation which none the less meet the needs of the disabled person, grant assistance equivalent to the amount that would have been given towards the minimum recommendation will be considered where the Community Occupational Therapist confirms that the proposed work meets the needs of the disabled person.

Extending Living Accommodation

Where a property is extended solely to create space for a standard amenity such as a bathroom, the cost will be eligible for mandatory grant. Where an extension is used to provide standard amenities and living accommodation, only the element containing the standard amenities will receive mandatory grant.

Consultants Fees

Reasonable costs which are attributable to obtaining professional or technical advice regarding any proposed adaptations may be included as an eligible expense, e.g. the cost of producing drawings for Planning or Building Warrant purposes. The Council may consider grant assistance towards fees incurred where the work has been aborted due to unforeseen circumstances.

VAT

Most adaptation work is VAT exempt. A VAT Exemption form is available from your Occupational Therapist. This should be completed and given to your contractor.

Additional Funding Sources

Where an applicant is not eligible for a 100% grant and there is a gap in funding, advice on sources of alternative funding will be provided by either, the Disability Living Centre, Dundee Care & Repair or Private Sector Services.

Reinstatement Grants

Will be considered towards the reinstatement of let properties which have previously been adapted by a landlord for a tenant following a recommendation by the Community Occupational Therapy Service and where there is no demand for the adapted property. Grant assistance will be subject to available finance. Where grant assistance is not available, the Council will offer advice on the scope of works required to reinstate a property, any statutory approvals required and on the selection of a suitable contractor to execute the necessary works.

Alternative Housing

Where it is impractical to adapt a house to suit the needs of a disabled person, the Council may provide financial assistance with the legal/removal costs associated with the purchase of a property which meets or could be adapted to meet the needs of the disabled person. This will only be considered where all other alternative options have been explored and on an individual basis.

Withdrawal of Grant

Should an applicant choose to move or sell the property, while work is being carried out, grant assistance will not be paid. If any of the conditions detailed in Section 82 of the Housing (Scotland) Act 2006 are breached, the local authority may demand repayment, as specified in Sections 86 and 87 of the Act.

Social Work Department funding or recommendations of adaptation will not normally be repeated (for a period of five years) where the client of their own volition moves to less suitable housing.

Application Process

The application process can vary depending upon the nature of the work to be carried out. Further information can be obtained from Private Sector Services or your Community Occupational Therapist.

Appeals

An applicant has the right of appeal, should they disagree with the level of grant assistance awarded. Such an appeal must be made in writing to the Private Sector Services Manager and must be made within 21 days from the date of offer of grant. Should you remain unhappy with the decision, the Corporate Complaints Procedure should be followed.

6. **PART 6 - REPAIRS AND IMPROVEMENTS**

6.1. **WORKS TO IMPROVE HOUSE CONDITION**

With limited Private Sector Housing Grant (PSHG) funding available to assist home owners to repair and improve their homes, the Council have had to prioritise the categories of work which will receive discretionary grant assistance. These categories are set out below but are subject to review.

Discretionary Grants

Subject to the availability of funds and the applicant's financial circumstances, discretionary grant assistance is currently available towards the following categories of work at the percentage grants indicated. **Professional landlords will only be considered for grant assistance towards common repair works.** Landlords should be aware of their obligations to meet the Repairing Standard. The categories of work and percentage grants indicated below are subject to periodic review and may be subject to change:

- | | |
|--|---------------------|
| • Below Tolerable Standard (BTS) Housing | 40% |
| • Lead water supply pipes | 40% |
| • Serious disrepair | 40% |
| • Common Repairs | |
| ◦ Owner occupier | 40% |
| ◦ Non professional landlord | 40% |
| ◦ Professional landlord | 25% |
| ◦ Commercial Premises | 25% |
| • Common door entry systems (fixed sum) | up to £250 per flat |

The Council reserves the right to exercise its discretion to consider works out with the above categories for grant assistance where there are considered to be exceptional circumstances.

Approved Expense Limit

The approved cost of works to which the relevant grant percentage will be applied will be based on the balance of the cost of the proposed work after any owner's contribution from personal savings has been taken into account.

The maximum approved cost of works for grant purposes is £20,000.

Owner's Contribution

The first £6,000 of an owner's personal savings will be ignored, however any personal savings above this figure will be deducted from the approved cost of the works prior to the calculation of grant.

Minimum Eligible Cost Of Works

Grant assistance will not be considered for works below the value of £500 per applicant. This does not apply to door entry systems which are the subject of a fixed award.

Additional Works

Applicants may be asked to carry out additional works which do not fall into the above categories and will therefore not be grant aided. The completion of any additional work will be a condition of any grant awarded.

Work Carried Out In Default (Enforcement Powers)

Grant assistance will not be available or will be withdrawn where enforcement powers have been used and work is carried out in default by the Council. Refer to **Part 4** above for information on Enforcement Powers.

Tolerable Standard

A dwelling meets the Tolerable Standard if it:

- is structurally stable;
- is substantially free from rising or penetrating damp;
- has satisfactory provision for natural and artificial lighting, for ventilation and for heating;
- has satisfactory thermal insulation;
- has an adequate supply of wholesome water available within the house;

- has a sink provided with a satisfactory supply of both hot and cold water within the house;
- has a water closet or waterless closet available for the exclusive use of the occupants of the house and suitably located within the house;
- has a fixed bath or shower and a wash-hand basin, each provided with a satisfactory supply of both hot and cold water and suitably located within the house;
- has an effective system for the drainage and disposal of foul and surface water;
- in the case of a house having a supply of electricity, complies with the relevant requirements in relation to the electrical installations for the purposes of supply;
 - "the electrical installation" is the electrical wiring associated components and fittings, but excludes equipment and appliances;
 - "the relevant requirements" are the electrical installation is adequate and safe to use
- has satisfactory facilities for the cooking of food within the house; and
- has satisfactory access to all external doors and outbuildings.

Lead Water Supply Pipes

Where the lead content in the drinking supply is determined by testing, to be above the current EU limits, grant assistance will be considered towards the replacement of the lead supply piping to the drinking supply only. Testing of the water supply is carried out by the Environmental Health & Trading Standards (EHTS) Department of Dundee City Council. Contact Details are:

Environmental & Health & Trading Standards Department
 1 Highland Chief Way
 Claverhouse West Industrial Park
 Claverhouse
 DUNDEE DD4 9UA
 Tel: (01382) 436245
 Fax: (01382) 436226
 E-mail: ian.howe@dundeecity.gov.uk

Serious Disrepair

A dwelling will be considered to be in serious disrepair for grant purposes where one or more primary elements of the building require significant repair or replacement. This decision will be based on the professional judgement of the inspecting officer.

The primary elements of the building are:

- Wall structures (excluding windows and doors)
- Internal floor structures
- Foundations
- Roof structures

Common Repairs

The criterion for common repairs requires that:

- the building comprises two or more houses/flats, or a house/flat or houses/flats and other premises;
- the work will benefit two or more houses or flats.
- the costs will be shared among the owners or occupiers

Asbestos

Grant assistance will be considered towards the removal of asbestos where there is an immediate and ongoing risk to health which affects the day to day occupation of the dwelling. Where asbestos presents no risk to health within the living accommodation, grant assistance will not be considered.

Owner Occupier

Owner occupiers in non-tenemental property will be eligible for grant assistance at the specified rate where the property is more than 10 years old and has been owned and occupied by them for a minimum of 2 years prior to the date of application. The 2 year occupation period will not apply to common repairs in tenement buildings. The Council will consider exceptional circumstances on a merit basis where any necessary qualifying works are considered to have been unforeseen.

Non-Professional Landlords

Defined as a landlord owning a single dwelling for let, where the property is held on a personal basis and not through a company.

Professional Landlords

Defined as a landlord who owns more than one dwelling for let.

Commercial Premises

Commercial premises will only be eligible for grant assistance where Common Repairs are being carried out where a Work Notice has been served. Grant assistance at the specified rate will be available to the person responsible for the repairs.

Common Door Entry Systems

A fixed award amounting to £250 or the cost of installation, whichever is the less, is available to all owners towards the installation of a secure door entry system.

Pre-Application Inspections

Where there is doubt as to whether the work an owner proposes to carry out falls into an eligible category, a pre-inspection of the property can be carried out. This can be arranged by contacting the Unit at the address/telephone number shown on page 6. The outcome of the inspection will determine whether an application for grant will be accepted. Whatever the outcome, a property inspection report and maintenance plan will be provided.

Application Process

The application process can vary depending upon the nature of the work to be carried out. Application Forms and further information can be obtained from Private Sector Services.

Appeals

An applicant has the right of appeal, should they disagree with the level of grant assistance awarded or a refusal to provide assistance. Such an appeal must be made in writing to the Private Sector Services Manager and must be made within 21 days from the date of offer of grant. Should you remain unhappy with the decision the Corporate Complaints Procedure should be followed.

7. **PART 7 - CONDITIONS OF GRANT**

7.1. **STANDARD CONDITIONS OF GRANT**

Recording Dues

For each grant awarded we will complete and register a Notice of Payment of Grant in the Land Register. We will deduct the administration fee for this, currently charged at £30. For properties purchased after 1 April 1999, which can be processed using an electronic method of recording payment of grant, the cost is £20.

Conditions of Grant

In accepting grant assistance, the applicant agrees to give their consent to be bound by the following conditions of grant for a period of 5 years from the date on which in the opinion of the local authority, the house first becomes fit for occupation after completion of the works:

- The house shall not be used for purposes other than those of a private dwelling house. For the purposes of this paragraph a house shall not be deemed to be used for purposes other than those of a private dwelling house by reason only that part thereof is used as a shop or office, or for business, trade or professional purposes.
- The house shall not be occupied by the owner or a member of his family except as his only or main residence.
- All steps as are practicable shall be taken to secure the maintenance of the house, including common areas, in a good state of repair.

Breach of any of these conditions may result in the grant having to be repaid with interest.

If the applicant moves or sells the property whilst work is being carried out, grant will not be paid. Any interim payments would have to be repaid.

If any of the conditions detailed in Section 82 of the Housing (Scotland) Act 2006 are breached, the local authority may demand repayment, as specified in sections 86 and 87 of the Act.

8. **PART 8 - DUNDEE CARE & REPAIR**

8.1. **DUNDEE CARE & REPAIR**

Care & Repair is an important service for people living in private sector housing. The aim of Dundee Care & Repair (DC&R) is to improve the quality of life for older people and people of any age with disability or chronic illness, who are living in unsatisfactory housing conditions. This can be achieved by the provision of practical advice and assistance with necessary improvements and repairs, which will allow clients to remain comfortably and safely in their own homes.

Enquiries to Care & Repair

Enquiries can be made by telephone, by letter, or in person at the front desk of our office, and will result in advice being given or a Small Repairs Award or a Care & Repair Grant. The outcome of the enquiry is dependant upon the nature of the proposed work, whether or not the person qualifies for financial assistance and the cost of the proposed work.

Contact telephone numbers for Dundee Care & Repair are:

(01382) 435412/435422

Who Can Apply?

DC&R assist people of all ages and across all housing tenures with advice, however, financial assistance can only be given to those meeting certain criteria. To qualify for financial assistance a person must be:

- In receipt of State Retirement Pension, a home owner or tenant in privately rented accommodation and be on a low or limited income. Income levels will be assessed however those in receipt of the guarantee element of Pension Credit or in receipt of Direct Council Tax benefit will automatically qualify.
- OR**
- A home owner or tenant in privately rented accommodation of any age, having a disability or chronic ill health (in receipt of Disability Living Allowance or Incapacity Benefit) and be on a low or limited income. Income levels will be assessed however those in receipt of Income Support or in receipt of Direct Council Tax benefit will automatically qualify.

NB Assistance may be given to Council or Housing Association tenants, but only if the applicant meets the qualifying criteria for financial assistance and the work is deemed necessary and is not the responsibility of the Council or Housing Association to carry out. (e.g. repairing a shower installed by the tenant)

Advice

Advice can be as simple as giving information in a telephone call to assisting with the arrangement of substantial improvement or repair works. DC&R also help people access services such as:

- Social Work - Occupational Therapy, Welfare Rights, Community Alarm
- Social Work Handyperson Service
- Department of Work and Pensions - Pension Service
- Energy Assistance Package & Energy Savings Trust
- Dundee Energy Efficiency Advice Project, DCC
- Trusted Trader scheme run by Trading Standards, DCC
- Royal National Institute for the Deaf (RNID)

Small Repairs Award

Small Repairs are classified as works costing up to £375 + VAT (i.e. £440.63) and provided that the cost of the works do not exceed this amount, an applicant would not have to make any personal contribution to the cost. For works costing more than £375 + VAT, clients must agree to pay the excess amount before works can be instructed.

Examples of the some of the Small Repair works are as follows:

- Security - Replacement door locks, fitting door locks, window locks and door viewers, fitting security lighting, repairing fencing.
- Repairs to doors and windows
- Roof repairs
- Repairing or replacing rainwater goods
- Repair to older gas boilers and central heating systems
- Plumbing repairs to kitchen and bathroom facilities

- Repairs to electrical installation (wiring, sockets, distribution board, etc)
- Repairs to pathways and access steps

Care & Repair Grant

This type of grant can be applied for if the cost of the necessary work significantly exceeds the maximum Small Repairs Award but by its nature would not attract assistance with a Discretionary Repairs or Improvement Grant. The applicant must also meet the appropriate criteria for financial assistance from DC&R. Grant assistance is available at a rate of 40%.

8.2. **HANDYPERSON SERVICE**

The Handyperson Service, as part of Dundee City Council's Home Care Service, is committed to sustaining and supporting people in their own homes by undertaking certain maintenance tasks and a home safety assessment.

The service cannot provide an emergency response and there may be a need to prioritise the availability of the service. The service's priority is to help those who are of a pensionable age, chronically sick or disabled or on a low income.

All the Handyperson Service staff are appropriately trained in respect of Health & Safety Requirements, however the staff are not employed as a tradesperson but can offer advice about the Trusted Trader Scheme organised by EHTS.

The type of tasks the Handyperson Service can undertake include:

- changing light bulbs
- installing smoke alarms and replacing batteries
- taking down and putting up curtains
- undertaking safety checks of household electrical items, e.g. kettles
- moving furniture within a room
- undertaking a home safety assessment

A request for this service can be made to the Handyperson Team, who can provide more information on this service and advise you of any costs that may be involved:

Handyperson Service
Units 5/6/7 Slessor Court
Claverhouse Industrial Estate
DUNDEE DD4 9UA
Tel: (01382) 432437
Fax: (01382) 432434

9. **PART 9 - ENERGY EFFICIENCY**

9.1. **THERMAL INSULATION**

The Tolerable Standard requires that a dwelling has satisfactory thermal insulation and where a house falls below this standard grant assistance will be available where no other form of grant assistance is available. The Council may refer an applicant to alternative forms of grant and will also signpost applicants to a range of sources of advice and grant assistance with a view to improving the energy efficiency of private sector housing, reducing carbon emissions and reducing fuel poverty. Advice is available from a number of specialist agencies including:

9.2. **DUNDEE ENERGY EFFICIENCY ADVICE PROJECT (DEEAP)**

DEEAP provides free, impartial advice and information on all aspects of energy use from general advice on energy efficiency to getting the best from your fuel supplier. Advice on energy issues includes:

- Billing problems
- Heating demonstrations
- Insulating your home
- Benefit checks
- Dampness and condensation problems
- Fuel supplier issues

Energy advisors can give advice that can help you save money on your fuel bills and make your home easier to keep warm. An advisor will arrange to visit your home to assess its energy efficiency and suggest ways to make it more efficient.

9.3. **ENERGY SAVING TRUST**

The Energy Saving Trust are an independent, UK-based organisation, funded by the UK government, devolved governments and the private sector, focusing on promoting action that leads to the reduction of carbon dioxide emissions - a key contributor to man-made climate change.

They are the source of free advice and information for people looking to save energy, conserve water and reduce waste.

They are impartial, and not tied to any particular commercial organisations or driven by political or corporate motivations.

Energy Assistance Package

The Energy Assistance Package gives advice and support to help you maximise your income, cut your fuel bills and make your home warmer and more comfortable. The Energy Assistance Package was created following a recommendation from the independently chaired Scottish Fuel Poverty Forum and replaces the Central Heating and Warm Deal programmes. The package has 4 stages, each with different levels of advice and support depending on your circumstances:

- Stage 1 - Energy Advice on how to make your home as energy efficient as possible.
- Stage 2 - Benefit and Tax Credit Check and access to lowest-cost energy tariffs.
- Stage 3 - Free insulation from an energy supplier to make your home more energy efficient.
- Stage 4 - Free measures funded by the Scottish Government to make your home more comfortable and cheaper to heat, e.g. heating measures and insulation.

Stage 1 is available to all homeowners and tenants of private sector landlords in Scotland. Access to the other stages is assessed by an energy advisor from the Energy Savings Trust.

Energy Saving Scotland Home Renewables Grants

If you own your home and want to be more self-sufficient, then a grant may be available to assist you. The Energy Saving Scotland home renewables scheme is managed by the Energy Saving Trust in Scotland on behalf of the Scottish Government. Grants of 30%, up to £4,000, of the total cost of products and installation are available.

There are different types of renewable energy available, and those covered by the scheme include wind turbines, micro-hydro turbines, solar water and space heating, solar electricity and ground, air and water source heat pumps.

This grant scheme applies only to residential buildings in Scotland. You must be the owner and resident of the property, or a builder and developer applying on behalf of the future homeowner.

Boiler Scrappage Scheme

You may be entitled to get assistance with a new A-rated boiler or renewable heat technology, when you scrap your old, inefficient boiler. This scheme is due to be implemented in Scotland in April 2010.

Energy Saving Scotland Home Loans

Energy Saving Scotland home loans are interest free and can help you stop wasting energy, lower fuel bills and tackle climate change.

This scheme is managed by the Energy Saving Trust in Scotland on behalf of the Scottish Government.

Loans of between £500 and £10,000 are available. The loans are interest free so you only pay back what you borrow.

Loans can be combined with grants such as the [Energy Saving Scotland home renewables grants](#) and funding from fuel suppliers under the [Carbon Emission Reduction Target](#).

You can borrow money to:

- Install cavity wall or solid wall insulation and/or loft insulation;
- Install renewable energy systems, such as wind turbines, solar water heating, heat pumps, small scale hydroelectric schemes and wood fuel heating systems;
- Replace old, inefficient boilers.
- For all the above initiatives co-ordinated by the Energy Savings Trust, you can telephone their contact centre on 0800 512 012.



www.energysavingtrust.org.uk energy saving trust*

9.4. DUNDEE SUN CITY AND SUN CITY HOUSE

Solar Cities Scotland in partnership with Dundee City Council and energy efficiency agency SCARF has developed a demonstration house in the Whitfield area of Dundee. The Sun City House provides a focus for demonstration, education, advice and information about domestic scale renewable energy, energy efficiency and sustainable construction to households and the general public in Dundee and throughout central and north east Scotland.

Unlike most “eco-house” type demonstration projects, the Sun City House is not new build, but a major refurbishment and remodelling of a poorly constructed and thermally inefficient janitor’s house built in the 1960s.

It showcases technologies, materials and methods of construction that can be retrofitted to existing housing stock, where the major challenge lies in reducing greenhouse gas emissions from the domestic sector in the UK. It acts as a shop window to offer ideas to everyone, on every income, to help them reduce their home's impact on the environment, be it low energy lighting, a solar water heating system or a sun space extension.

Funding for the Sun City House has come from Dundee City Council, Sust, and the DTI through the University of Strathclyde. The project would not be possible however without the overwhelming support from the private sector through donations of goods and services that has been received.

The Sun City House has been open to the public since November 2008 and since then has attracted over 700 visitors. SCARF's Energy Saving Scotland Advice Centre Staff are the tenants of the Sun City House. They provide guided tours as well as impartial advice and information for householders on how to do this at home.

For further information contact:

E-mail: house@dundeesuncity.org.uk

or: www.dundeesuncity.org.uk

10. **PART 10 - DUNDEE TRUSTED TRADER SCHEME**

10.1. **DUNDEE TRUSTED TRADERS SCHEME**

The Dundee Trusted Trader scheme is a local business partnership scheme aimed at increasing consumer confidence, promoting good practice within local small business, and helping protect citizens from doorstep crime.

Dundee City Council Trading Standards service and the members of this scheme are committed to improving standards of business operation and customer care and in this respect, it is a condition of membership of the scheme that members adhere to Code of Practice.

Dundee Trading Standards will:

- Provide a fair and impartial service for both traders and consumers.
- Ensure compliance with consumer protection legislation, and agree to carry out any investigations promptly and fairly.
- Provide advice on both civil and consumer protection legislation upon request.
- Assist with staff training if required, and where resources permit.
- A nominated officer will act as Liaison Officer for the business and the contact point for the provision of advice and assistance.
- Provide appropriate advice to a consumer following a complaint to the Service. Civil complaints will be referred to the contact point specified in the application form and the Liaison Officer. Where a complaint cannot be resolved, the Service will attempt to mediate between the two parties or recommend arbitration through a trade association if appropriate, or action through the court system.
- Provide an appropriate level of promotion of the scheme and its members.
- Conduct regular reviews of the scheme.
Reserve the right to revoke membership of the scheme where traders pursue a course of business conduct detrimental to consumer's interests, or in conflict with the Code of Practice.
- Reserve the right to publicise the removal of traders from the scheme where appropriate.

Contact Details:

Trading Standards Service
Environmental Health and Trading Standards Department
Dundee City Council
Unit A Highland Chief Way
Claverhouse West Industrial Park
DUNDEE DD4 9UA
Tel: (01382) 436260
Fax: (01382) 436283
E-mail: trusted.trader@dundeecity.gov.uk
Trading Standards: <http://www.trustedtrader.info/index.htm>

