

# Private Sector Housing Assistance Policy

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## Consultees

Internal	External
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Private Sector Housing Department	Occupational Therapists
Disabled Facilities Grants Team	Housing Associations
Legal and Procurement	Care & Repair
Finance	Residents
Carbon Management Team	Selection of past Disabled Facilities Grants recipients

## Distribution List

Internal	External
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North Northants Private Sector Housing Teams Community Therapy Service	

## Links to other documents

Document	Link
Foundations: Writing a Housing Assistance Policy	<a href="https://www.foundations.uk.com/guides/write-a-housing-assistance-policy/">https://www.foundations.uk.com/guides/write-a-housing-assistance-policy/</a>
Disabled Facilities Grant (DFG) delivery: Guidance for Local Authorities in England	<a href="https://assets.publishing.service.gov.uk/media/669a4302a3c2a28abb50d2d5/DFG_Guidance.pdf">https://assets.publishing.service.gov.uk/media/669a4302a3c2a28abb50d2d5/DFG_Guidance.pdf</a>

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# i. Foreword

I am pleased to introduce the revised Private Sector Housing Assistance Policy for North Northamptonshire Council – previously known as Private Sector Housing Policy.

The former policy was shaped as a result of four Councils – Corby, Kettering, East and Wellingborough – coming together on the 1<sup>st</sup> of April 2021 when the unitary council was implemented. Therefore, this document was a combination of their respective housing policies.

However, during the last 3 years, we have identified areas of improvement within the North Northamptonshire housing policy. Mainly, the need to incorporate new and revised proposals as a response to the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO). This document allows local authorities additional freedom in providing home adaptations and improvements in line with the needs of the local area. However, the Council is required to first publish their policy outlining how assistance will be delivered in the area. We have, therefore, reviewed the original policy - which was approved in March 2021 by the Council's Shadow Executive – and we have incorporated new measures and proposals.

On the one hand, the purpose of the revised policy is to set out all funding available and to respond to rising labour costs and financial constraints faced by our residents and therefore challenges the Council must overcome. On the other hand, the policy focuses on supporting vulnerable, elderly and disabled residents by streamlining procedures to offer further clarity, flexibility, equality and inclusivity.

This is why this policy is very important, as it will provide new procedures to assist people with adapting their homes, including applicants with Dementia and Motor Neuron Disease, support residents to continue living in their own homes independently or help residents with moving to a more suitable property, enable hospital discharges and delay the need for care. The Council's approach when re-writing the policy was that we should be able to assist as many residents as possible in the private sector.

Cllr Mark Rowley

Executive Member for Housing, Communities and Levelling Up

# 1.0 Introduction

The Council's Private Sector Housing Assistance Policy has been reviewed and revised in response to the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO). Order 2002 enables local authorities' further discretion in providing financial support for home improvements and adaptations.

Although the Council acknowledges that property owners are primarily responsible for maintaining and repairing their homes, the Council also has legal obligations to assist vulnerable members of the community. The Council aims to provide guidance to all residents in the private sector on how to maintain their homes as well as advice on how to access government funding when needed, subject to eligibility.

The Private Sector Housing Assistance Policy will set the conditions and guidelines of funding available. It will also provide clarification on who can receive financial assistance in relation to improving and adapting homes in North Northamptonshire or to secure alternative solutions – if these are more cost effective.

The Council focuses on supporting elderly and disabled individuals, including their carers and families, to continue living independently and safely in their own homes. Hence, this policy aims to offer information, advice and support to homeowners, tenants of private rented properties or social housing and private landlords regarding the repair, improvement, management and adaptation of their property. This policy does not cover Council tenants.

This revised policy does not work in isolation. It sits alongside the North Northamptonshire Enforcement Policy which covers regulatory enforcement matters and it should be considered with other related documents to promote independence, to prevent or delay the need for care and support – in line with the Care Act 2014 – to improve safety and to form a comprehensive approach to improving homes in North Northamptonshire.

This policy has been designed to support the residents of North Northamptonshire to remain living at their properties independently and for longer by funding home adaptations that can be cost-effective solutions to prevent falls, enable faster hospital discharges, relieve pressure from the NHS, improve mental health, promote independence and dignity. New methods of support have been incorporated such as assisting people to move to a more suitably adapted property, make homes suitable for people suffering from Dementia or adapt properties for residents suffering from Multi Neuron Disease whilst they can still perform everyday activities independently which aims to improve residents' well-being.

## 2.0 Legislation

This policy follows the rules set out in the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. It also aligns with the Housing Grants, Construction, and Regeneration Act 1996, which covers the mandatory Disabled Facilities Grants (DFG). This allows the Council to use its discretion and funding wisely to provide adaptations for disabled individuals beyond the mandatory requirements.

The Housing Grants, Construction, and Regeneration Act 1996, with amendments from the Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008, makes it the Council's legal duty to adapt homes for disabled people.

The Housing Act 2004 introduced the Housing Health and Safety Rating System (HHSRS) to establish minimum standards for housing. It also obliged the Council to act if serious hazards (Category 1 hazards) are found in a dwelling. The Department for Local Government and Communities further established the standard for Decent Homes in 2006, specifying minimum requirements for housing quality, repair, facilities, and thermal comfort. Ensuring good housing standards is crucial for addressing health and wellbeing inequalities.

The Housing Act 2004 also introduced Houses in Multiple Occupation (HMO) licenses to ensure the safety of residents in properties rented to multiple people. Improving HMO standards through landlord incentives is essential for meeting housing needs, especially for vulnerable households.

Under the Housing Act 1985, section 175, the local authority has the power to take over land, houses, or properties to increase available housing or improve housing quality by bringing empty properties back into use.

The Care Act 2014 states that local authorities must provide services and facilities that help people live independently. The core purpose of adult care and support is to assist individuals in achieving their personal goals. The “wellbeing principle” is central to this act, emphasizing the importance of promoting wellbeing and independent living.

According to the DFG Guidance 2022, if the social care authority confirms a need, they must provide assistance, even if the housing authority cannot fully approve or fund the application.

Under section 343 of the Armed Forces Act 2006 (as amended by section 8 of the Armed Forces Act 2021), North Northamptonshire Council must consider the Armed Forces Covenant when allocating disabled facilities grants and may offer special consideration for veterans in certain situations.

## 3.0 Linking Housing with Health & Social Care

Having good quality housing is crucial for the health and wellbeing of North Northamptonshire residents, and this policy aims to reduce health inequalities in the area.

Research has shown that the condition of people’s homes directly affects their health and wellbeing. Poor housing can lead to health problems for residents.

Every year, injuries, illnesses, and mental health issues arise because of hazards in homes. Sometimes, people don’t realise that the condition of their home can negatively impact their health. The poorest housing is often found in the private sector, and some homeowners may struggle to maintain their homes, leading to hazardous conditions.

This policy aims to address the connection between housing conditions, social care, and health. By providing adaptations for disabled people, we can help them live safely and independently in their homes. Additionally, we will work to reduce serious hazards in homes that could cause accidents and health problems, which, in turn, would increase the demand for social care services.

## 4.0 Better Care Fund Plan

The Better Care Fund combines health and social care budgets to enhance outcomes for residents. By providing more disabled facilities grant funding, this policy supports a joined-up approach across health, social care, and housing, benefiting disabled, older, and vulnerable residents in North Northamptonshire.

The Private Sector Housing Assistance Policy works in harmony with these strategic documents to improve housing conditions, support independent living, and create better, safer, and sustainable services for the people of North Northamptonshire.

## 5.0 Funding Sources for the Policy

The main sources of funding available to support this policy for owner-occupiers, housing association tenants, and private rented tenants are as follows:

Annual Capital Grant from Central Government through the Better Care Fund (BCF):

- In 2023-2024, we received an allocation of £2,561,759.00 from the government - this grant level is not necessarily expected to decrease.

- In October 2023, we received an additional allocation of £223,539.00 from the government – this grant level may not be provided on an annual basis.
- The capital monies provided through the BCF will be allocated for spending in line with decisions agreed upon in the BCF spending plan through the appropriate governance structure.

Local Capital from the Council:

- The Council may provide capital funding for specific purposes.

Monies from National Schemes:

- We may receive funding from national schemes like energy company obligations.

Funding from Partners or Other Public Sector Organisations:

- We may receive financial support from partners or other public sector organisations to address specific issues.

Funding Obtained from Charitable or Other Sources:

- We may secure funding from charitable or other sources on behalf of our clients.
- For Council housing tenants of homes in North Northamptonshire, funding for mandatory Disabled Facilities Grants (DFGs) comes directly from the Housing Revenue Account (HRA) business plans. However, discretionary assistance may vary depending on the type of tenure and may not be available to everyone. All discretionary grants will be subject to funding availability. This policy does not cover DFGs for Council tenants.

Our first obligation is to deliver mandatory Disabled Facilities Grants. Additionally, we offer a range of discretionary grants to help older and disabled individuals live independently and safely in their homes. The details of this additional assistance can be found in Appendices A, B, C and D of this policy. However, we would not promote this discretionary assistance at the expense of delays to the statutory function under the mandatory grant process.

Any necessary changes to grant assistance will be approved through the appropriate governance structures and published on the Council's website as policy revision amendments.

## 6.0 Equality and Diversity

North Northamptonshire Council aims to promote equality whilst preventing discrimination in their capacity as an employer, service provider and purchaser of goods and services.

This Policy shall ensure that all service users, potential users and Council's employees are treated fairly with regards to the "protected characteristics" of age, disability, gender, reassignment, marriage or civil partnership, pregnancy and maternity, race, religion, sex and sexual orientation, as outlined in the Equalities Act 2010. Members, employees and agents of the Council are required to promote equality and reduce discrimination, where possible, whilst maintaining good relations between all stakeholders.

This policy has taken into consideration the varied needs of individuals within our community and will be applied in a consistent manner to all potential applicants whilst ensuring any scope for discrimination is reduced. The aim of this policy is to proactively support vulnerable, disabled and elderly applicants in relation to living independently and safely in their own homes for as long as possible.

The Council's equality information can be found on the council's website at the following location:

<https://www.northnorthants.gov.uk/your-council/equality-policy-and-strategy>



## 7.0 Scope

This policy sets out key private sector housing services that North Northamptonshire Council provides. This includes what private sector housing grants are available subject to budget availability. The details of the grants, criteria to apply, application process and grant conditions. In addition, the policy details how empty properties are dealt with, the support that is provided to tenants who have issues with their privately rented property, the licensing, inspection and minimum requirements for houses in multiple occupation and on how to apply for immigration inspection certificates.

This policy does not relate to Council owned properties, the management and repair of Council properties nor the application to move to a council property. Grants provided through this policy are not available for Council housing tenants.

## 8.0 Policy outcomes

The policy aims to set out a clear mechanism for the application of available housing grants and to outline key private sector housing areas. This will ensure a clear and consistent approach that owner / occupiers, tenants and landlords can access and understand.

## 9.0 Summary of Assistance

The following sections, 10 and 11 and tables included under each heading, provide a summary of the assistance available through each of the schemes covered by this policy. Full details of each scheme, how to apply, and all associated conditions can be found in Appendices A, B, C and D.

**Note:** All assistance provided through this policy is discretionary (except for Mandatory Disabled Facilities Grants) and is therefore, subject to funding availability.

The Council reserves the right to make minor amendments to the eligibility criteria, level of grant or assistance by using the delegated authority of the Assistant Director of Regulatory Services. Any such amendments will be subject to having demonstrated that they will help the Council better meet its strategic housing objectives and/or Better Care Fund metrics.

## 10.0 Mandatory Disabled Facilities Grants (DFGs)

The Council provides mandatory Disabled Facilities Grants (DFGs) to assist with adaptations enabling residents to remain in their homes, where this is the most appropriate and cost-effective option.

The proposed works – to be covered by a DFG - are determined through an assessment of the client and their home environment by an Occupational Therapist. The assessments concentrate on the client's ability to remain living independently in their own home and must distinguish between work which is desirable, and those which are necessary and appropriate.

When identifying and agreeing on adaptations, the Council will ensure:

- They are the simplest, least disruptive and most cost-effective adaptations to meet the needs of the client.
- They are designed to fit within the existing structure of the applicant's home; this may involve using the home in a different way, i.e., sleeping in a ground floor room or sub-dividing an existing room / space.

- That providing additional space, in the form of an extension, is only considered if all other options have been fully exhausted. Before agreeing to the provision of an extension, the Council will need to confirm that this option can be feasible, practicable and permissible under the relevant regulations.

Where a recommendation has been made by an Occupational Therapist that does not fall within the above legislative criteria, the referral will be sent back to the Occupational Therapy Team. They will be asked to review the recommended work and revise, as necessary, under the Care Act requirements for the individual.

DFGs permit a maximum mandatory grant of £30,000 per application.

The Council also offers discretionary DFG funding subject to funding availability and qualifying criteria.

The aims of this policy are to:

- Provide a framework for delivering mandatory Disabled Facilities Grants (DFG) to assist people with a disability to remain in their own home.
- Provide discretionary Disabled Facilities Grants for certain works and where qualifying criteria are met.
- Provide advice and discretionary financial assistance through a HomeMove Grant (Private Sector) to support alternative action to a mandatory DFG (for example, to support a disabled applicant to move to a more suitable home), where there are cost savings and/or social environmental benefits for doing so.

## 10.1 Disabled Facilities Grants

<b>Eligible Applicants</b>	The owner, tenant or occupier of a dwelling where a disabled person intends to live for the next 5 years
<b>Property Tenure</b>	All tenures (owner / occupier, private tenant, social care tenant, mobile homes)
<b>Land Charge</b>	Where the applicant is an owner-occupier, and the grant value is over £5,000 (up to £15,000) a local land charge (maximum £10,000) will apply for 10 years.
<b>Warranty Provision</b>	A 5-year extended warranty is included in the purchase cost – covered by the grant - of all equipment (stair-lifts, step-lifts, through floor lifts, ceiling track hoists and wash/dry toilets).  A standard 12-month warranty is included for all building works.  Other areas of a construction scheme, such as uPVC doors and windows (10-year insurance backed guarantee on labour and materials / FENSA certification) or new roofs (10-year insurance backed guarantee against poor workmanship and materials) may be subject to alternative warranties.
<b>Maximum Value</b>	£30,000 (mandatory grant) or as per the current statutory limit.
<b>Means Test</b>	The means test does not apply to the parents of disabled children and young people (under the age of 18), if the Child Benefit is still applicable.  If a child/young person aged 16-18 is no longer in full time education and therefore, not eligible for Child Benefit, then a means test will apply.  The means test does not apply to applicants on passporting benefits.  The means test is not applicable for equipment cases up to a maximum cost of £8,000. This is in relation only to the installation of a stair-lift, or a ceiling track hoist (CTH) not associated with any other DFG funded building works.

## 10.2 Dementia & Motor Neuron Disease (MND) Grants

<b>Purpose of Assistance</b>	Works to make the home 'dementia' friendly or to meet MND needs – based on an initial and early diagnosis - to help the individual to live safely, manage their own surroundings, and retain / develop their independence.
<b>Eligible Applicants</b>	Those eligible for Mandatory DFG. Any applications for this assistance will be supported by a social care occupational therapist (OT recommendation).
<b>Property Tenure</b>	All tenures
<b>Land Charge</b>	Where the applicant is an owner-occupier, and the grant value is over £5,000 (up to £15,000) a local land charge (maximum £10,000) will apply for 10 years.
<b>Maximum Value</b>	Dementia grants: over a cost of £1,000 (based on initial dementia diagnosis and prior to the disease escalating to the stage when major DFG adaptations are recommended).  MND grants: £30,000 (mandatory grant) or as per the current statutory limit.
<b>Means Test</b>	Dementia grants: DFG means test. MND grants: No means test for cost of works up to £5,000. MND applicant's earnings will not be taken into consideration when means testing at an early stage.
<b>Eligible works</b>	To give personal choice to a person about how and where to meet their future care needs and focusing on being able to remain living safely, independently, and well at home for as long as possible.
<b>Limitations</b>	Must remain in the property as only or main residence for 5 years.

## 11.0 Additional Discretionary Assistance linked to a DFG Application

Any applications and awards of the following forms of assistance need to be linked to an ongoing DFG application. No stand-alone applications for these forms of assistance will be considered.

**Note:** All additional discretionary assistance provided through this policy and linked to a Disabled Facilities Grants application is subject to funding availability.

### 11.1 Discretionary Top-Up Grant

<b>Purpose of Grant</b>	This is a discretionary grant to top up a DFG to carry out works that are above the current mandatory limit of £30,000.
<b>Eligible Applicants</b>	Those applicants eligible for a DFG, subject to no means tested contributions. If an applicant has been informed of a financial contribution that they need to make towards the cost of works, then they will not be eligible for the Discretionary Top-Up Grant.
<b>Property Tenure</b>	All tenures
<b>Land Charge</b>	Where the applicant is an owner-occupier, the full value of this grant awarded would be placed on a local charge for 10 years.

	This is in addition to any Mandatory Disabled Facilities Grant land charge.
<b>Maximum Value</b>	Up to an additional £20,000 (£50,000 maximum grant in total) can be approved by the Disabled Facilities Grants Manager. Amounts above £20,000 (and more than £50,000 in total) to be approved by the Independent Panel.
<b>Means Test</b>	Means tested applicants with a client's contribution – not eligible for a Discretionary DFG Grant (top-up).  Applicants with passporting benefits – eligible for a Discretionary DFG Grant (top-up).  Parents are means tested for children's applications with regards to the Discretionary DFG Grant (top-up).
<b>Eligible works</b>	Available towards the cost of DFG eligible works only. Not available for additional equipment or any building works not covered by the DFG nor approved by the Council.
<b>Limitations</b>	A resident should not apply for works exceeding the maximum mandatory £30,000 grant more than once for the same property. If they do, the Council will need to question this. One application per applicant in any 5-year period is accepted for the Discretionary top-up grant.

## 11.2 Client Contribution Support

<b>Purpose of Grant</b>	This is a discretionary grant of up to £1,000 to support applicants who are assessed as having a means-tested contribution that is unaffordable.	
<b>Eligible Applicants</b>	Those eligible for Mandatory DFGs, who have a contribution to make towards the works, subject to having less than £6,000 in savings.	
<b>Tenure</b>	All tenures	
<b>Land Charge</b>	A land charge will not be applicable.	
<b>Maximum Value</b>	£1,000 can be approved by the Disabled Facilities Grants Manager.	
<b>Means Test</b>	DFG means test	
<b>Eligible works</b>	Available towards the cost of DFG-eligible works only.	
<b>Limitations</b>	Funding will be reviewed on an individual case basis.	
<b>Eligible Applicants</b>	Eligibility for funding will be assessed based on the following basis:	
<b>Assessed Contribution</b>	<b>Under £1,000</b>	<b>Over £1,000</b>
	Contributions will be paid in full and funded by this grant.	This grant will not cover nor review any funding above £1,000. Any such payments will be the applicant's responsibility.

## 11.3 HomeMove Grant

<b>Purpose of Assistance</b>	Where it is not possible, necessary, appropriate, practical, or reasonable to adapt someone's current home, a maximum grant of £6,000 can be obtained to assist with the costs of relocating to a more suitable property.
<b>Eligible Applicants</b>	Those eligible for Mandatory DFG. Any applications for this assistance will be supported by a social care occupational therapist (OT recommendation) and options regarding adaptations to the current home will already have been explored.
<b>Property Tenure</b>	All tenures
<b>Land Charge</b>	None
<b>Maximum Value</b>	£6,000
<b>Means Test</b>	No additional means test to the Mandatory DFG.
<b>Eligible works</b>	<p>The specific eligible relocation expenses are:</p> <ul style="list-style-type: none"> <li>• Estate agent fees</li> <li>• Solicitor costs</li> <li>• Survey costs</li> <li>• Stamp duty</li> <li>• Removal expenses</li> <li>• Disconnection/reconnection of appliances</li> <li>• Occupational therapy assessment costs for assessing properties</li> </ul>
<b>Limitations</b>	<ul style="list-style-type: none"> <li>• Applicants must be moving from a property which is their main residence and is within the North Northamptonshire Council area to another property which will become their main residence, also within the North Northamptonshire Council area.</li> <li>• Assistance will not be given towards the purchase price of a property.</li> <li>• Relocation costs – maximum £1,000.</li> <li>• Cost of adaptations at the new property – maximum cost of £5,000.</li> <li>• Applications must be supported by a Social Care Occupational Therapist who must confirm that the new property will meet the needs of the disabled person or be suitable for more cost-effective adaptations – alternative to providing a mandatory DFG - at a maximum cost of £5,000.</li> <li>• If the move is aborted at the fault or choice of the applicant, costs will not be paid.</li> </ul>

## 11.4 Professional Fees Grant

<b>Purpose of Assistance</b>	To pay incurred professional fees which were necessary as part of a mandatory DFG application that was unable to proceed through no fault of the applicant or the DFG Service. To ensure applicants are not left liable for fees that might place them in financial hardship.
<b>Eligible Applicants</b>	Those determined as eligible for Mandatory DFG
<b>Tenure</b>	All tenures
<b>Land Charge</b>	No
<b>Maximum Value</b>	As deemed necessary to complete the project
<b>Means Test</b>	No additional means test to the mandatory DFG
<b>Eligible works</b>	Fees approved by the Disabled Facilities Grants Manager, where the DFG does not proceed. Fees are paid directly to the Professional providing the service.
<b>Limitations</b>	Fees will not be eligible for payment under this scheme unless the application cannot proceed due to circumstances beyond the control of either the applicant or the Council's DFG Service.  Any costs paid towards, for example, an applicant's external architect's or structural engineer's fees will not be covered by an additional grant. The cost will be deducted from the maximum grant limit. For example, if the Council agrees to pay £2,500 towards professional fees, the grant available to pay for the cost of adaptations will be £27,500. Therefore, it is strongly advisable that applicants utilise the Council's in-house service.

## 12.0 Independent Panel

The maximum amount of a mandatory DFG is £30,000. The applicant may be also eligible to receive a Discretionary DFG (top-up) grant up to £20,000. If the total cost of proposed and approved works exceeds the maximum £50,000 grant (£30K mandatory and £20K discretionary), the applicant will be responsible for meeting the financial shortfall before the case can progress. If the applicant is a private tenant or a tenant of a housing association, they could approach their landlord for financial assistance and contributions towards the cost of works. Additionally, the applicant may approach charities for assistance or take a bank loan or fund raise or release equity, if applicable for owners / occupiers. Nevertheless, the applicant is ultimately responsible for raising the necessary funds to cover the cost of works exceeding the maximum grant funding.

According to the legislation, a local housing authority does not have a duty to assist an applicant for a DFG in meeting any share of the costs which the applicant is assessed to be responsible for under the test of resources or due to the cost of works exceeding the maximum funding available.

North Northamptonshire Council may, however, refer cases of hardship to the independent panel. This panel will be formed by:

1. Assistant Director– Adult Services
2. Assistant Director – Children's Services (NCT)
3. Councillors – Portfolio Holder for Housing

The purpose of this panel is to review cases on an ad-hoc basis and understand needs, subject to evidence that the applicant is unable to raise the necessary funds. Once the panel is satisfied with the evidence provided on the applicant's financial circumstances, type and extent of approved adaptations, type of tenure and evidence that all other options have been previously explored, they may approve further discretionary

grants to meet the cost difference over the approved mandatory and discretionary limit. Such an additional discretionary grant will enable major adaptations to proceed.

Required evidence:

- the applicant's financial circumstances,
- the type and extent of approved adaptations,
- the type of tenure and
- evidence that all other options have been previously explored.

## 13.0 Fees and Other Charges

The Council will consider reasonable fees for financial assistance to be covered by the mandatory maximum £30,000 grant.

The following fees can be covered by financial assistance if they are incurred during the application process for mandatory disabled facilities grant funding – also see Appendix A / Other Services and Charges:

1. Confirmation, if required by the Council, of the applicant's relevant ownership interest.
2. Relevant legal fees.
3. Structural surveys.
4. Disconnection and reconnection of utilities if needed due to the work.
5. Technical surveys.
6. Design and preparation of plans and drawings.
7. Preparation of schedules of relevant works.
8. Assistance in completing forms.
9. Applications for building regulations approval (including application fee and related documents), planning permission, listed building consent, and conservation area consent (and similar).
10. Obtaining estimates.
11. Consideration of tenders.
12. Supervision of the relevant work.
13. Payment to contractors.
14. In cases where the application is for adaptations support, reasonable services, and charges of a (private) Occupational Therapist in relation to the relevant works.

**Note 1:** If the Council agrees to the payment of any of the above items, the relevant fee cost will be deducted from the maximum mandatory £30,000 grant amount, resulting in less funding available to cover the cost of the adaptation works.

**Note 2:** The service provided by the Council is free of charge and includes all stages from 5 to 14 listed above. The applicant is not required to organise any of these works under a private agreement with external consultants unless they wish to do so.

**Note 3:** If a private occupational therapist is used, the Council will still consult with the Council's Occupational Therapy Service to determine which works are required to meet the applicant's needs and therefore, eligible for Disabled Facilities Grant funding.

## 14.0 Making Payments

Assistance will only be paid under the following conditions:

- The DFG funded works must be completed within 12 months of approval unless the delay was caused by the Council or an extension due to exceptional circumstances is agreed upon. Requests for extensions will be reviewed on a case-by-case basis.

- The DFG funded works must be carried out according to the specifications outlined in the formal approval or with prior agreement from the Council.
- The Council and the applicant must be satisfied with the completed works. If the applicant is not satisfied with the completed works or part of the works and wishes to withhold payment from the contractor, the Council surveyor will need to investigate and confirm. The surveyor will try to avoid any situations where payment is withheld due to broken communications between the applicant and the contractor rather than quality of workmanship. The surveyor's final decision precedes.
- The Council must receive an invoice or receipt for payment in an acceptable format. The invoice should be addressed to the applicant c/o the Council and include sufficient detail for the Council to identify the works carried out, the charges, and any agreed-upon variations. Applicants or family members should not produce the invoice.
- If the applicant or a family member has agreed to carry out the DFG approved works, the Council will only pay towards the cost of materials – subject to submission of valid receipts – but no labour costs will be covered.

The payment of assistance to the contractor can be made via the applicant or, if requested in the original application, by the Council directly to the contractor engaged by the applicant.

The funding may be paid in one lump sum upon satisfactory completion of the works or in staged payments (one interim payment and a final payment for extension cases only) as the work progresses. Interim payments will only be made if the Council is satisfied that the value of work completed exceeds the claimed value to date. A maximum of two stage payments and a final payment will be considered. All payments will be subject to a satisfactory inspection by the Council.

The contract for works funded by Disabled Facilities Grants, along with associated assistance, will be between the applicant and the contractor, as specified in the legislation. While the Council's Procurement Arrangements do not directly apply since the Council is not entering into a contract, North Northamptonshire Disabled Facilities Team will still follow the same principles when obtaining quotes on behalf of supported applicants to ensure appropriate services are provided.

The provision of assistance other than mandatory Disabled Facilities Grants is subject to the availability of funding. All applications will be evaluated based on the identified needs and circumstances of the applicant or household.

Any associated costs incurred during the application process, such as Architects' fees or Land Registry charges, will be included in the value of any awarded funding and will not be paid separately, except for exceptional circumstances where works cannot proceed, and such costs may be eligible for discretionary assistance.

The provision of mandatory grants and discretionary financial assistance will be subject to internal and external auditing to ensure proper procedures are in place and followed, and that public funds are appropriately utilised.

## 15.0 Restrictions

There are certain cases where the Council may not be able to provide assistance or where the funding may be reduced or reclaimed. These situations are outlined below:

1. Assistance cannot be provided when there is a dispute over property ownership.
2. If the property owner(s) have a legal obligation to carry out the necessary work and it is reasonable for them to do so, the Council may not offer assistance.
3. Assistance is not typically provided for temporary residences.



4. The Council cannot give assistance for eligible work that has started or completed at the property / on site before formal approval of the application. However, in exceptional circumstances, the Council may exempt an application from this condition, such as when a defect poses serious risks to health and safety.
5. The Council does not provide grant assistance for works covered by insurance. If an applicant can make an insurance claim, the assistance amount will be reduced by the insurance company's liability. The Council will require the applicant to pursue relevant insurance claims and repay the assistance provided, if applicable. If DFG adaptations are still required, the Council will require that all other work is completed by the insurance company before the Council can proceed with the approved adaptations to be covered by the grant.
6. The Council will only offer assistance if the property's age, condition, and structural layout make it feasible to achieve the required scope of work.
7. The Council will assess the prices provided by contractors to ensure value for money, comparing them with similar jobs priced within the last year.
8. If the price quoted by contractors is too high and in excess of the maximum available grant (mandatory and discretionary, if applicable), the Council may advise the client that the total eligible assistance will only be the maximum eligible grant.
9. If the client chooses a different or enhanced scheme of works, the Council will only provide financial assistance for the primary requirements identified by the Occupational Therapy Service or a similar service. Depending on the circumstances and the extent of additional work, the following options may apply:
  - a. The scheme will be fully produced by the Council and the works will be managed and monitored by the Council. For any minor additional work, not included in the approved scheme and not covered by the grant, the applicant will liaise directly with the contractor on site and pay for any additions, under a private agreement.
  - b. If the applicant wishes to proceed with a more enhanced proposal, whilst the Council and the OT agree that the applicant's needs can be met by a reduced scheme (for example, adaptations within the fabric of the property versus an extension), the Council will treat any such case as a "pricing exercise". The Council will confirm the full extent of works to be covered by the grant (no drawings or specifications) and provide the applicant with the associated cost – based on similar recent schemes completed. The client will produce their preferred scheme privately (the scheme will need to be reviewed and approved by the Council and the OT), appoint a contractor and manage the work on site. The Council will pay the pre-agreed grant award directly to the applicant's contractor at completion - subject to a satisfactory inspection. All other costs will be met by the applicant.
10. The Council may refuse an application lacking required information or documentation.
11. Deviating from the approved scheme of works without prior agreement may lead to the approval being rescinded or further payments of assistance being refused.
12. If the applicant ceases to be the owner of the property before the works are completed, they must repay the total amount of assistance received.
13. A grant condition imposing a liability to repay assistance may be registered as a Local Land Charge, payable upon the property's sale.
14. Works must be completed within 12 months of approval, with a possible extension of up to 6 months if agreed by the Council.

15. For common parts of a dwelling, assistance will only cover the applicant's reasonable share of the liability.
16. In exceptional cases, the Council may defer payment of a Disabled Facilities Grant for up to 12 months.
17. Assistance may be provided for caravans and houseboats used as main residences, subject to eligibility requirements. Holiday residences, caravans on holiday sites, second homes, and sheds or outbuildings do not qualify for assistance.
18. If there are unique situations where individuals genuinely need urgent support but are precluded from accessing assistance due to specific aspects, the Council may consider offering assistance in exceptional circumstances, especially if it helps meet strategic objectives. Such decisions will be made by the relevant officer.
19. Applications meeting all necessary criteria will be approved, but the provision of financial assistance for all discretionary grants is subject to the availability of funding.

## 16.0 Other Requirements

When granting approval for assistance, the Council may impose additional conditions. Some examples of these conditions are:

1. The applicant may be required to contribute towards the cost of the works – subject to eligibility as determined by the relevant means test.
2. The Council may have the right to nominate tenants for available rental housing.
3. The applicant must commit to maintaining the property in good repair after the assisted works are completed. This is applicable to both new equipment and building works.
4. If specialised equipment is provided as part of the assistance, the Council will not reclaim nor remove the equipment when it is no longer needed.

## 17.0 Decisions, Notifications and Changes

Once the Council reviews all initial financial information – subject to a means test – or passporting benefits received by the applicant – means test not applicable - and/or information provided via the online eligibility form, the applicant will be informed in writing about the decision. They will receive confirmation as to whether they are eligible with no contribution, whether they have a client's contribution to make or if they are not eligible for a grant.

A formal letter will be sent to the applicant as soon as practically possible, within six months of receiving a complete and valid application, including the final proposed and approved scheme and associated quotes.

When the application is approved, the grant approval sent to the applicant will specify the eligible works, the amount of assistance provided, and the builder/contractor assigned to carry out the works.

In some cases, for a Disabled Facilities Grant, the Council may defer payment for up to 12 months due to financial or operational reasons in relation to funding availability. This will be clearly stated in the approval notice.

On rare occasions and subject to the length of time that has passed between the original means test and the grant approval stage, the application for assistance may be reviewed. A further means test will be conducted to confirm no changes have occurred regarding the applicant's financial circumstances.

In certain situations where circumstances beyond the applicant's control cause the cost of the works to increase or decrease unexpectedly, the Council may review the financial assistance given. If deemed appropriate, they will issue a re-approval notice reflecting the changes.

## 18.0 Complaint Process

If a resident applies for Disabled Facilities Grant assistance and they are dissatisfied with the decision(s) made regarding their application or service received during any stage of the process, they can make a complaint by following the Council's standard complaints process. A Corporate Complaints Procedure will apply in relation to the implementation of any of the processes arising from the Policy – details can be provided on request or can be viewed on the Council's website.

Making a complaint:

1. Firstly, the applicant should discuss the matter with the Grant Support Officer and/or Surveyor dealing with their case.
2. If a satisfactory resolution cannot be reached, the applicant should make a complaint to the relevant "Comments, compliments and complaints" department by call or e-mail.
3. If the applicant is not satisfied with the Council's stage 1 response to their complaint, they can make a stage 2 complaint.
4. If matters are not resolved, as expected by the applicant, the issue can be escalated by complaining to the Local Government and Social Care Ombudsman.

All complaints will be treated seriously. Any decisions made as a result of a case specific complaint may be incorporated in the policy – as a future amendment – and may be reflected in the way the service is implemented.

If the applicant chooses to approach their MP instead, the corporate Member Enquiries Process will apply.

The applicant may also wish to approach the Healthwatch North Northamptonshire.

Healthwatch North Northamptonshire is an independent, confidential and impartial organisation, acting as a local health and social care champion. They listen to local people and use their feedback to improve standards of care services or offer advice and information. Healthwatch services are funded by the Department of Health and Social Care (DHSC) and use people's feedback to benefit the local community.

Address: Healthwatch North Northamptonshire, Moulton Park Business Centre, Redhouse Road, Northampton NN3 6AQ.

Tel: 0300 0020 010 18

## 19.0 Monitoring and Review

The Council wishes to ensure that continuous effectiveness is provided on utilising available funding and on delivering the required outcomes. The Council aims to achieve reasonable timescales, including streamlining processes whilst making certain that assistance is available to those residents in greater need.

Monitoring this policy on an ongoing basis is vital for the implementation of the above criteria. This process will be based on monthly and quarterly reviews of expenditure tested against local performance indicators as well as number of cases on the waiting list and/or completed.

# 20.0 Additional Discretionary Assistance not linked to a DFG Application

## 20.1 Home Repair Grant

<b>Purpose of Grant</b>	This is a discretionary grant to help vulnerable households on low incomes to carry out repairs and improvements to their home to enable them to bring the property up to the Decent Home Standard.
<b>Eligible Applicants</b>	Owner / Occupiers aged 18 or over.
<b>Property Tenure</b>	Owner / Occupier
<b>Land Charge</b>	The full amount up to £15,000
<b>Maximum Value</b>	Up to £15,000
<b>Means Test</b>	Means tested applicants on a low income. Means tested applicants on benefits.
<b>Eligible works</b>	<ul style="list-style-type: none"><li>• Prevent or remove Category 1 hazards in a dwelling.</li><li>• Provide adequate thermal insulation, improve energy efficiency and provide affordable warmth.</li><li>• Replace a condemned boiler or provide a central heating system where none exists.</li><li>• Essential minor repairs and safety improvements.</li><li>• Security work recommended by the Community Safety/Crime Prevention Officer.</li><li>• Upgrade re-wirable fuse boxes / consumer units and electrical earthing.</li></ul>
<b>Limitations</b>	Applicable to homeowners only. Not applicable to social, private tenants or landlords.

# 21.0 Criteria Applying to all Grant Funding

### Availability of Funding

Notwithstanding all other qualifying criteria, approval of any application for grant funding is subject to sufficient funding being available.

### Appeals Against Refusal or Rejection of Grant Funding Applications

There is no automatic right of appeal against refusal or rejection of any discretionary or mandatory grant funding applications.

Complaints about refusal or rejection of any application can only be considered under the Council's complaints procedure.

# 22.0 Empty Properties

The financial benefits from restoring properties are gained not only by the owners - in additional rental income, or capital raised through sale - but also by the local authority. The Council can benefit from the council tax income, new homes bonus and by the community with a better environment and increased employment opportunities.

Empty properties can become a target for nuisance, anti-social behaviour, and squatters; potentially causing blight and devaluing neighbouring properties. Additionally, they are a waste asset and the impacts caused by empty properties can tie up the resources of local authorities.

As such, North Northamptonshire Council will have an ongoing programme to identify and encourage the reoccupation of empty residential properties. Identification of empty properties may come about through review of council tax records, routine interventions from Council officers, and through intelligence or complaints from members of the public.

Where a residential property is a long-term empty, it will be considered for adding to the database for action.

Appendix D illustrates the scoring matrix used to prioritise action to bring empty properties back into use.

The Council will:

- Provide advice and encouragement to owners in respect of how to become a landlord and the referral of potential tenants.
- Work with Registered Providers (RP's) who may be interested in managing, leasing or purchasing property and considering financial assistance.
- Consider grants for repairs and improvements.
- Use internal and external working groups for the exchange of ideas and information.
- Identify long term vacant and difficult to let buildings and create a database for ongoing assessment and prioritisation.
- Contact owners to offer advice and discuss available options
- Survey town centres to identify the opportunities for 'flat over shop's conversions
- Intervene in the case of properties seriously detrimental to the amenity of the vicinity.

In line with local authorities across the country, the Council no longer provides a council tax discount for empty properties. For all empty properties an additional council tax is charged depending on how long the property has been empty for.

The Council will usually try to work informally with owners and landlords to bring about reoccupation of empty properties. However, there may be times where a more formal approach is required. This might require the use of formal actions such as legal notices or compulsory purchase or demolition.

The Council will use a range of tools and will work across different departments to tackle the various problems arising from or associated with empty residential properties.

The Compulsory Purchase Order option is set out in the Enforcement Policy. This course of action would require Executive approval, and the process would have regard to the following criteria:

- Effect on the local amenity.
- Length of time empty.
- Complaints regarding the property.
- State of disrepair.
- Housing needs locally for that type of accommodation.

Compulsory Purchase Orders (CPOs) will not be made unless there is a compelling case in the public interest.

It is acknowledged that CPOs lead to a period of uncertainty and anxiety for owners. The statutory processes following a Council decision to make a CPO will be completed as quickly as possible, in order to keep this period to an absolute minimum.

## 23.0 Houses in Multiple Occupation

A House in Multiple Occupation (HMO) is a building which is occupied by three or more occupants from more than one household and meets the standard test under section 254 of the Housing Act 2004.

### **What qualifies as an HMO?**

The Housing Act 2004 introduced a new definition of what makes up a household, restricting it to members of the same family (parent, child, grandparent, brother or sister), persons who are married to each other or live together as husband and wife (or an equivalent same sex relationship). This new HMO definition now includes shared houses such as student accommodation.

HMO licences are granted under the conditions of the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018.

### **Standards for HMOs**

Statistically, HMOs pose a greater risk from fire to the occupants than do single-occupancy homes and living conditions are often poor compared to other forms of private sector housing.

The Council's main duty is primarily to ensure that accommodation is warm, safe, in good repair and free from Category 1 hazards under the Housing Health & Safety Rating System (HHSRS) under the Housing Act 2004. Additional standards for fire precautions, space, heating, washing facilities and kitchen provision must also be met.

Appendix E illustrates the Amenity and Space Standards for HMOs that North Northamptonshire Council expects landlords and Licence Holders to adhere to.

Officers may inspect a property to ensure it meets the current housing standards and take enforcement action where necessary. HMOs such as bedsits and shared houses must also be managed in accordance with the HMO Management Regulations 2006.

### **Licensing of HMOs**

The Housing Act 2004 introduced a system of mandatory licensing of HMOs and requires landlords to apply to the local Council for a licence to operate some types of HMOs.

### **Do I need an HMO licence?**

Properties are required by law to be licensed by the local authority if the property is let to five or more tenants who form more than one household.

It is an offence to operate a licensable HMO without a licence from the local authority. You cannot legally collect any rent on the property and upon prosecution maybe subject to an unlimited fine, alternatively the authority may impose a civil penalty of up to £30,000 per offence. Tenants may also seek a rent repayment order.

### **Licence requirements**

To obtain a licence, the local authority must be satisfied that:

- The property meets the current minimum prescribed housing and fire safety standards to ensure it is safe for tenants.
- The property meets minimum prescribed amenities standards, such as an adequate number of bathrooms and cooking facilities.
- The landlord or managing agent is a "fit and proper" person.
- The property and tenancy agreements are managed appropriately.

Conditions are attached to the licence, as follows:

- May include the requirement to provide a written statement of terms of occupancy.
- Will state which rooms within the property maybe used for sleeping purposes and how many occupants and households each can accommodate.
- Additional conditions may be agreed with the licensing officer in cases where the property does not meet the space and amenities standards but works to rectify the issue(s) can be completed within a reasonable time frame agreed with the Officer.

The licence lasts for up to five years, but the local authority may issue a licence for a shorter period of time, if deemed appropriate. The licence will specify the maximum number of occupants and households that may occupy the property. A copy of the licence must be displayed prominently in the property.

A public register of all licensed HMOs in North-Northamptonshire is available on the Licensing Unit website at [www.northnorthants.gov.uk](http://www.northnorthants.gov.uk)

### **Apply for an HMO licence**

To make an application please contact the Licensing Administration Unit by telephoning (01832) 742102 or emailing: [LicensingUnit@northnorthants.gov.uk](mailto:LicensingUnit@northnorthants.gov.uk)

### **Licence fees**

Each application must be accompanied by the application fee. A separate fee will be due upon grant of the licence. Licence fees are set annually by the Council. The licence fee is based on cost recovery. The Council does not subsidise the cost of the licence. Please note the licence is in general for 5 years with work required throughout the life of the licence.

Regulation of HMOs is covered under the North Northants Enforcement Policy.

## **24.0 Immigration Inspections**

### **Housing inspections and accommodation certificates**

People immigrating to the UK from outside the EEC must confirm that the housing they are moving into will be suitable. (At the time of writing, it is unknown what impact, if any, Brexit may have on this arrangement) The Immigration Authority asks the 'sponsor' for written proof that this is the case. The British High Commission normally asks for an inspection to be carried out by a suitably qualified surveyor or Environmental Health Officer.

The inspection and report or letter needs to show that the accommodation:

- Doesn't pose a significant risk to the health or safety of those who will be living there
- Is in a reasonable state of repair and will not become overcrowded with the extra people living there.

We can carry out this type of inspection for properties within North Northamptonshire. There is a charge for this service and the current fee can be confirmed by contacting the Private Sector Housing team. The charge covers the cost of the inspection, associated administration and a letter stating the suitability of the property. The fee must be paid in full before the inspection takes place.

North Northamptonshire Council offer a standard and fast-track service for Immigration Inspections. When you contact us (details below), we will ask for the following information:

- Your name and telephone number.
- The address we need to inspect and details of the owner and/or letting agent.
- The full name, date of birth, current address and passport number of the applicant.
- The name, date of birth and sex of all of the current occupiers of the property and how they are related to you.

When we receive this information, an Officer from the Private Sector Housing Team will be in touch to arrange a suitable date and time for the inspection to take place. The inspection will consider the general state of repair of the property and check if there is adequate space and facilities for the increased number of people.

You will be asked to show us around the property, show how the property is occupied and we'll need to have access to all rooms. Please be aware that the Immigration Authorities will not normally accept letters older than 12 weeks. If your letter 'expires' or there is a change in circumstances since it was written, we'll need to carry out a further inspection which will incur another fee.

## 25.0 Support for Tenants - Homes (Fitness for Human Habitation) Act 2018

The Homes (Fitness for Human Habitation) Act 2018 came into force on 20 March 2019. The aim of the Act is to help drive up standards in rented homes in both the social and private sectors. It provides an alternative means for tenants to seek redress from their landlord if their rented property presents a risk of harm to the health and safety of the occupiers. It does this by empowering tenants to hold their landlord, including registered providers such as housing associations, to account without having to rely on the local authority to do so.

This is a power for tenants and does not alter any existing local authority powers.

However, local authorities can decide whether they wish to give guidance to tenants to seek redress under the Act. The Act adds to the existing regulatory framework. Under the Act, sections are inserted into the Landlord and Tenant Act 1985 requiring all landlords (private and social) to ensure that their properties, including any common parts of the building, are fit for human habitation at the beginning of the tenancy and throughout. The Act does so by implying a covenant to this effect in the tenancy agreement.

The Act applies to the social and private rented sectors and, while it does not impose any new responsibilities on landlords, it does confirm that:

- Landlords must ensure that their property, including any common parts of the building, is fit for human habitation at the beginning of the tenancy and throughout.
- To achieve that, landlords will need to ensure that their property is free of hazards which are so serious that the dwelling is not reasonably suitable for occupation in that condition.

Where a landlord fails to do so, the tenant has the right to take action in the courts for breach of contract on the grounds that the property is unfit for human habitation. The remedies available to the tenant are an order by the court requiring the landlord to take action to reduce or remove the hazard, and / or damages to compensate them for having to live in a property which was not fit for human habitation.

North Northants Council is a stock holding authority and with the aim of avoiding a conflict of interest, all social and Council tenants will be referred to the complaint's procedure of their landlord. North Northants Council will seek only to give guidance in such cases and will advise tenants to seek their own independent legal advice and follow the guidance available on the Shelter website.



The Act applies to:

- Tenancies shorter than 7 years that are granted on or after 20 March 2019 (tenancies longer than 7 years that can be terminated by the landlord before the expiry of 7 years shall be treated as if the tenancy was for less than 7 years).
- New secure, assured and introductory tenancies (agreed on or after 20 March 2019).
- Tenancies renewed for a fixed term (on or after 20 March 2019).
- Assured shorthold and introductory tenancies that become periodic tenancies on or after 20 March 2019.
- Pre-existing periodic or secure tenancies (on or after 20 March 2020).

## Exceptions

The landlord will not be required to remedy unfitnes when:

- The problem is caused by tenant behaviour which is in breach of the tenancy.
- The problem is caused by unforeseen circumstances beyond the landlord's control.
- The problem is with tenants' own possessions.
- The landlord has not been able to get necessary consent despite making reasonable efforts to do so, e.g., planning permission, permission from freeholders etc.
- The tenant is not a person e.g., local authorities, national parks, housing associations, educational institutions.

The Act does not apply to licences to occupy. This is likely to exclude some temporary accommodation, lodgers and some property guardians, depending on whether they have a tenancy agreement or licence to occupy. Local authorities can still use their enforcement powers in these circumstances.

North Northamptonshire Council Private Sector Housing team will offer guidance to any tenants' enquiries about the Fitness for Habitation Act. In instances where a grievance made by a tenant falls under the scope of the Council's duty to investigate, then the standard enforcement procedure will be followed, as set out in the Enforcement Policy. In these cases, tenants can request from the Council any reports, witness statements, notices, photos or any other forms of evidence obtained through the course of the investigation.

If the grievance is made by a social or Council tenant, they will be advised to seek assistance from an independent legal body or seek advice from Shelter. The courts do not consistently require factual reports of inspections carried out by an authorised body. However, if such evidence is deemed necessary in complex cases, then tenants can obtain reports of inspections carried out by an independent body. If North Northamptonshire Council does not have a duty under the legislation, to investigate the grievances put forward by the tenant, then it will use its discretion to refuse support for Fitness for Habitation claims.

# Appendix A – Mandatory Disabled Facilities Grants

The Council will grant mandatory Disabled Facilities Grants (DFGs) in accordance with the relevant legislation, mainly the 1996 Act, as well as subordinate Regulations and Orders (including any amendments) and non-statutory guidance issued by central Government.

This section sets out how North Northamptonshire Council will make decisions on applications for Disabled Facilities Grants (DFGs). The four main elements of a decision are:

- The Disabled Occupant
- The Eligible Works
- The Amount of Grant
- The Grant Conditions

Once a formal application has been properly submitted, the Council is under a duty to consider it.

## The Disabled Occupant

A “disabled occupant” is a “disabled person” who needs adaptations to a dwelling, houseboat or caravan where they intend to live as their only or main residence for the next 5 years.

### A disabled person

To be eligible for a DFG a person is disabled if:

- their sight, hearing or speech is substantially impaired,
- they have a mental disorder or impairment of any kind, or
- they have a substantial physical disability by illness, injury or impairment.

AND that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities

A substantial effect on day-to-day activities means one that is ‘more than minor or trivial’. The effect on their normal day-to-day activities might be substantial if the disabled person has more than one impairment. The effects might only be ‘minor or trivial’ if they have very little effect on their daily life like if the only effect on them is that they have to, for example, stop for a few minutes and rest after walking for a mile at a normal pace.

A long-term effect means something that has affected them or is likely to affect them for at least a year or longer. The impairment will also still be considered to be long-term if it is likely to affect the disabled person for the rest of their life even if this timescale may be less than a year.

### Where they intend to live

A DFG is available to fund facilities for a disabled person in:

- dwellings,
- qualifying houseboats and caravans, and
- in the common parts of buildings containing one or more flats where they live.

A “dwelling” is defined as a building (or part of a building, e.g. a flat) occupied as separate premises. This includes dwellings where someone lives as part of their employment, like a farm cottage or a flat over a shop.

Where more than one disabled person lives at the same address, the Council can consider multiple applications based on individual needs. However, for example, an elderly couple who have similar physical limitations and require for example level access in/out of their property and level access to sleeping, washing and toilet facilities, will not be eligible for separate funding. Their needs will be included in the same Occupational Therapist (OT) recommendation and will be covered by the same single grant funding. Separate applications and therefore, separate funding will need to be supported by separate OT recommendations with sufficient justification on the applicants' varied needs.

## The applicant

The applicant must:

- Be aged 18 or over on the date of application (If the person with a disability is a child the applicant should normally be the parent or legal guardian).
- Be either the owner of the dwelling, a tenant (including licensees) or occupant of the property where the disabled person is going to live and be able to provide an Owner's Certificate or Tenant's Certificate. The person to submit the application may not be necessarily the disabled person themselves. A landlord may apply on behalf of a disabled tenant. Where an owner cannot provide proof of ownership with any legal documentation, other informal documents indicating ownership may be considered. If no such documents can be sourced, a good reason should be provided. In such cases, approval will be subject to the discretion of the case worker.
- Satisfy a means test as prescribed by the Housing Renewal Grants Regulations 1996 (as amended), if the disabled person is an adult, unless the application is being made on behalf of a child.
- Be a person who is 'disabled' as defined within the criteria in section 100 of the Housing (Grants, Construction and Regeneration) Act 1996.
- Be a resident of North Northamptonshire.

A valid application **CAN NOT** be made by:

- Anyone under 18 years of age;
- Any public body like a Local Authority or Clinical Commissioning Group; OR
- A "person from abroad".

A valid application **CAN** be made by:

- Someone who has an owner's interest in the property (either an owner-occupier or a landlord);
- A tenant of a dwelling; OR
- The occupant of a caravan or houseboat.

An **OWNER'S APPLICATION** must be accompanied by a certificate which confirms that they:

- Already have or propose to acquire an owner's interest; and
- Intend that the disabled person will live in the dwelling as their only or main residence for the grant condition period (5 years).

A **TENANT'S APPLICATION** must be accompanied by a certificate which confirms that they:

- Are making a tenant's application; and
- Intend that the disabled person will live in the dwelling as their only or main residence for the grant condition period (5 years).

All tenant applications should also be accompanied by an owner's certificate signed by the landlord unless the Council thinks it is unreasonable to do so in the circumstances.

An **OCCUPANT'S APPLICATION** must be accompanied by a certificate which confirms that they:

- Are making an occupant's application; and
- Intend that the disabled person will live in the dwelling as their only or main residence for the grant condition period (5 years).

Unless the local authority thinks it is unreasonable to do so in the circumstances, all occupant's applications should also be accompanied by a consent certificate signed by owners of the houseboat and mooring or the caravan and caravan park.

Each certificate confirms the intention of the applicant at the time of the application and so long as that was genuinely their intention, no repayment of the grant is required if their circumstances change, and the disabled person can no longer occupy the property as intended.

The grant condition period starts when the works are completed to the satisfaction of the Council.

## **Working with Terminally ill Applicants and Hospital Discharges**

All DFG cases are managed via a single North Northamptonshire Council (NNC) Waiting List. On this waiting list, cases are added once deemed valid, including a completed DFG application and all necessary financial / benefit checks. The cases are then prioritised based on the priority grading system set by the Occupational Therapist (OT) - standard, urgent or critical - and the date on the OT recommendation. Critical and urgent cases will be prioritised for action. However, larger and more complex schemes will take longer to complete regardless of priority.

This Private Sector Housing Assistance Policy has introduced a "Fast Tracking" process – outside of the above-described DFG priority grading system (standard, urgent, critical) - to assist with hospital discharge cases, terminally ill applicants and palliative care. This proposal should minimise bureaucracy, where possible, and alternative equipment / construction solutions will be explored.

It is proposed that applications from people with chronic life limiting conditions, applicants who require palliative care at home or applications that would enable a hospital discharge will be dealt with outside of any priority scheme and will be dealt with 'urgently'.

Cases considered as this will be specifically marked by the OT Case Officer in agreement with the Lead of Disabled Facilities Grants. The latter will ensure any such cases are allocated to a surveyor as soon as practically possible and before any critical or urgent cases - already on the North Northamptonshire Council Waiting List.

Also, appropriate resources will be made available to progress these applications in a timely manner. The Council proposes that the use of Mandatory DFG and Discretionary DFG Top-Up should be sufficient to enable these cases to progress swiftly through the system.

Where a property, case, client or category of service is to be considered outside of the pre-agreed DFG chronological order, the Lead of Disabled Facilities Grants will sanction the action, and a written record will be retained on file, including justification of that decision.

# Working with Private Landlords and Housing Associations

This Private Sector Housing Assistance Policy aims to streamline the grant application process for private or social housing tenants, subject to the following criteria:

- A. The landlord makes the application and takes the lead in managing the works, including provision of drawings / specification for the Council's approval and carrying out the works.

OR

- B. The landlord makes the application and contributes towards the cost of works.  
Minimum contribution of £2,000.

Note: Any other scenarios will be considered and reviewed on their own merit.

The purpose of the above is to encourage more DFG applications and support landlords to make their portfolios more accessible for current and future disabled tenants.

When a DFG application is submitted by a landlord on behalf of their disabled tenant, means testing is not applicable. However, the Council may consider nominations rights to ensure that the property could be available for let to another disabled person in the future. Although Council housing tenants are not covered by this policy, by allowing landlord applications not to be means tested creates parity across the social housing sector, especially as Council tenants are not means tested.

Whilst landlord applications are typically not subject to means testing by default, the Council wishes to prevent potential misuse of the system and ensure fair distribution of funds. For example, if a tenant applies for a DFG and is confirmed to be ineligible or eligible subject to a financial contribution, they will not be allowed to circumvent the test by having their landlord apply on their behalf. The Council has a duty to ensure public money is fairly spent and that those in greater need are provided with the necessary financial assistance.

## The Eligible Works

The eligible works - to be covered by the DFG mandatory grant - are for the purpose of adapting the property for the benefit of a person with a disability, so that they can continue to live independently and safely at their home.

The "relevant works" are those adaptations which may meet certain "purposes" and are included within an application as being "necessary and appropriate" and "reasonable and practicable" to meet the needs of the disabled occupant.

These works need to be also confirmed as required by the OT recommendation – subject to an assessment of the applicant and the property.

The Council must also be mindful of achieving the best value for money. Where there are potential alternative options for the "relevant works" that could meet the required "purposes", then the Council would usually choose the lower-cost option.

For example, where the "purpose" is to provide access to a room suitable for sleeping, then a stairlift or utilising an existing ground floor room are likely to be preferred over building an extension to accommodate a new bedroom.

There will be some cases where the disabled person and the applicant choose a higher-cost option, including more extensive works than those to be approved and covered by the grant. The Council will still

need to ensure that the works meet the required “purposes” and are necessary and appropriate, but the grant amount will still be based on the lower-cost option. The applicant will be responsible to cover any additional costs associated with the extra works.

The purposes for which adaptations may be provided and a grant may be approved are:

1. Facilitating access by the disabled occupant to and from the dwelling, houseboat, park home or the building in which the dwelling or flat is situated.
2. Ensuring the dwelling, houseboat, park home or the building in which the dwelling or flat is situated are safe for the disabled occupant and other persons residing with them.
3. Improving, facilitating or providing access by the disabled occupant to a room used or usable as the principal family room.
4. Improving, facilitating or providing access by the disabled occupant to a room used or usable for sleeping.
5. Improving or providing access by the disabled occupant to a room with a lavatory or facilitating the use by the disabled occupant of such a facility.
6. Improving access to a room with a bath or shower (or both) or facilitating the use of such a facility for the disabled person.
7. Improving access to a room with a wash hand basin or facilitating the use of such a facility for the disabled person.
8. Facilitating the preparation and cooking of food by the disabled occupant.
9. Improving or upgrading the existing heating system in the dwelling to meet the needs of the disabled occupant. If there is no existing heating system in the dwelling or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet their needs.
10. Facilitating the use of power, light or heat by the disabled occupant by altering the position of one or more means of access to or control of that source or by providing additional means of control.
11. Facilitating access and mobility by the disabled occupant around the dwelling, houseboat or park home to enable the disabled person to care for another resident in need of assistance.
12. Facilitating, improving or providing access to and from a garden by a disabled occupant.
13. Ensuring the garden is safe and accessible for a disabled occupant.
14. Assistive Technology.

Note: Such other purposes as may be specified by Secretary of State and the Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008.

## **Non-mandatory Works**

As there are several variables to set a fixed policy on awards for non-mandatory works, Private Sector Housing will consider each case on its merits and liaise with the case OT before confirming the works as “reasonable and practicable” to carry out under a DFG grant. This will cover works which are not supported by the mandatory Disabled Facilities Grants.

The following list is not exhaustive:

- Sensory room / Safe space / Quiet space / Desk space / Education room for young people with conditions such as ADHD, Autism, Developmental Delay etc.
- Creating a safe play area in the garden and/or fences.
- Formation of patios and landscaping of garden.
- Storage areas and charging points for wheelchairs, scooters or children's equipment.
- Provision of treatment rooms.
- Walkways to and from garages or scooter storage areas.
- Ramps for scooter access.
- Dropped kerbs and hard standings.

All proposed non-mandatory works will be reviewed before deemed as reasonable, practicable and required by the applicant - through a series of meetings between the Lead of DFGs, Surveyor, OT, carers, special support, GP etc.

All non-mandatory works up to an estimated cost value of £1,000 will be approved by the Disabled Facilities Grants Manager.

All non-mandatory work which will not stand alone but will be part of a more extensive design proposal will be subject to a feasibility visit by a surveyor. The purpose of this assessment will be to identify the estimated cost of work. If this is in excess of £1,000 and subject to the approval in principle by the Lead of Disabled Facilities Grants and Strategic Lead of Private Sector Housing, the case will be reviewed by the Independent Panel before approval or rejection can be confirmed.

## **Maximum Assistance**

The maximum statutory grant is currently £30,000 per application.

## **Method of Application**

When applicants contact the Council to enquire about a Disabled Facilities Grant, the Grant Support Officer will carry out a means test of resources to check their eligibility. If they are on passporting benefits, a means test will not be applicable.

Once their eligibility has been confirmed, they will be advised to contact the Council's Community Occupational Therapy (OT) Service in the first instance so they can undertake an assessment of needs. Once this has been completed, the Private Sector Housing team will require a copy of the Occupational Therapist's referral before they can progress an application.

The Council will prioritise applications for mandatory Disabled Facilities Grants by the priority awarded to the applicant by the Community Occupational Therapist team. There are three different priorities that they award, these are Critical, Urgent and Standard.

Where possible, the Council will not split an application which has multiple different priorities. On occasions, however, this may be necessary. For example, when an exceptionally high number of critical and urgent applications are received.

Applicants for the mandatory Disabled Facilities Grant must complete and submit an application form which is supported by:

- Plans and/or schedule of work with sufficient detail to enable the Council to determine whether the adaptation is practical and reasonable (although this is usually done in-house via the Council's surveyor after the application has been submitted)
- Evidence, usually in the form of original documents, confirming the financial status claimed in the application form.

- Confirmation of tenure (Owner’s Certificate or Tenant’s Certificate see ‘eligibility’ below); and
- The Council requires original documents or copies that have been endorsed by an Officer of the Council or appointed agent to confirm that the original was viewed by them and that the copy is an accurate reproduction of the original.

Once an OT referral and application have been submitted, the Private Sector Housing Surveyors’ team will explore options with the applicant, including a survey of the property. The purpose of this process is to establish whether remaining in their current home or moving to suitable alternative accommodation with adaptations better meets the applicant’s needs and provides a more cost-effective solution.

## Processing an application

Where the application for assistance is approved, the Council will notify the applicant in writing as soon as reasonably practicable and, in any event, not later than six months after the date of application concerned.

The Council will confirm to the applicant that their application has been approved and will issue the Approval Notice which will determine and specify:

- the eligible works - which are eligible for assistance.
- the amount of eligible expense – deemed reasonable to be incurred in the execution of the eligible works.
- the amount of assistance payable by the Council – this will be marked separately under mandatory and discretionary, if applicable.
- the amount of client’s contribution

If the applicant wants the grant money to be paid to another agent or direct to a contractor, they must inform the Council.

## Amount of Grant

The Council will consider the following when determining the amount of grant:

- The reasonable cost of carrying out the eligible works along with the cost of associated services and charges – the “estimated expense”; and
- The amount of grant they will pay, taking into account the estimated expense, the means test and the maximum amount of grant.

Grant applications are normally required to include at least two estimates from different contractors for the costs of the relevant work.

The contract for carrying out the work will be between the applicant and the contractor, which means that public procurement rules do not apply.

North Northamptonshire Council will always aim to obtain four quotes for extension projects, garage conversions and complicated cases and three quotes for all other works. Two quotes will be accepted if the estimated cost of the proposed works is under £10K.

In some circumstances, one quote may be accepted, if:

- the proposed cost of works is estimated to be under £10K,
- the Council can prove that they have tried to obtain more than one quote or
- the proposed works are of a specialist nature and only one specific contractor can deliver the required works.



# Modular Ramps

The Disabled Facilities Grants provide capital funding on home adaptations that qualify as either acquisition/construction or addition/enhancement of an asset. Therefore, the grant can only fund capital expenditure whilst the benefits from the work must last for more than one accounting period (i.e. longer than one year).

When it comes to access ramps, the DFG will mainly cover permanent structures such as concrete ramps. Any portable ramps cannot be funded by the DFG, although these may be provided by the Community Occupational Therapy under the Minor Adaptations, outside of the DFG grant. Nevertheless, there may be occasions when an OT may recommend the installation of a modular ramp. This type of ramp may be required to enable a hospital discharge or for a terminally ill applicant and will be covered by a DFG.

When dealing with modular ramps, the in-house surveyor will contact a modular ramp contractor. The Council's surveyor is not required to survey or produce a design proposal. The appropriate contractor will be provided with the OT recommendation which will include all the requirements/specification for the ramp, as recommended by the OT.

The modular ramp company will visit the property, survey and produce their proposed design/specification. Their proposal and associated quote will be submitted to the Council for review and approval. When it comes to tendering, the Council aims to obtain three quotes – although two quotes would be acceptable. However, for a modular ramp case, the Council would be unable to obtain more than one quotes. If two different companies are invited to tender, their quotes will be most likely based on different design proposals and therefore, the Council will be unable to compare their quotes fairly. On this basis and subject to an estimated cost of works up to a maximum value of £10,000, one quote would be accepted.

Once the Council is in receipt of the above, the in-house surveyor will review the proposal and confirm that it will meet the applicant's needs, as specified by the OT. The case OT may be also asked to review and confirm. The applicant will also need to approve the proposed design, as per any other DFG application. Once the client's approval has been received, the grant can be approved based on the one quote received.

## Other services and charges

The Act allows the cost of certain services and charges to be included with the grant application. These are set out in The Housing Renewal Grants (Services and Charges) Order 1996 and include costs associated with preparing the application and the carrying out of work:

1. Confirming that the applicant has an owner's interest.
2. Technical and structural surveys.  
The Council's in-house surveyors' team or external architectural consultant - depending on the circumstances – will carry out a survey of the property at no extra cost to the applicant. The purpose of this survey is to establish feasibility and determine the proposed adaptations. If the applicant wishes to use their own architect, the relevant fee can be covered by the mandatory grant but will be deducted from the maximum £30k funding.  
If a structural survey is required for any areas of the existing property to be affected by the works, the Council will appoint an external structural engineer consultant to carry out the task and submit their report / calculations. The relevant fee will be covered by the mandatory grant and will be deducted from the maximum £30K funding.
3. The design and preparation of plans and drawings.  
The Council's in-house surveyors' team or external architectural consultant - depending on the circumstances – will produce the proposed scheme and associated drawings at no extra cost to the applicant. If the applicant wishes to use their own architect, the relevant fee can be covered by the mandatory grant but will be deducted from the maximum £30k funding.

4. The preparation of specifications to schedules of relevant works.  
The Council's in-house surveyors' team or external architectural consultant - depending on the circumstances – will produce the necessary specifications and schedule of works to accompany the drawings, as part of the tender package, at no extra cost to the applicant. If the applicant wishes to use their own architect, the relevant fee can be covered by the mandatory grant but will be deducted from the maximum £30k funding.
5. Assistance in completing forms.  
The Council's grant support officers will be happy to assist all applicants with completing the necessary forms and applications. This assistance can be offered either over the phone or, in certain circumstances, the officer can visit the applicant at their home. This service will be offered to all applicants, if requested and there will be no fee.
6. Advice on financing the costs of the relevant works which are not met by grant.  
The Council can advise all applicants on options available to them, if the applicant needs to finance part of the works that cannot be covered by the grant. The final decision on how this additional funding would be met is down to the applicant to decide.
7. Making applications for building regulations approval (including any application fee and the preparation of related documents).  
The Council's in-house surveyors' team or external architectural consultant - depending on the circumstances – will produce the proposed scheme, associated drawings and submit the proposal for building regulations approval at no extra cost to the applicant. If the applicant wishes to use their own architect, the relevant fee can be covered by the mandatory grant but will be deducted from the maximum £30k funding. Please note that there is no fee associated with a building regulations submission for a disabled applicant – subject to a valid OT recommendation. Any structural calculations required as part of the Full Plans Building Regulations submission will be organised by the appointment contractor and the relevant cost will be included in their quote.
8. Making applications for planning permission (including any application fee and the preparation of related documents).  
The Council's in-house surveyors' team or external architectural consultant - depending on the circumstances – will produce the proposed scheme, associated drawings and submit the proposal for planning permission at no extra cost to the applicant. If the applicant wishes to use their own architect, the relevant fee can be covered by the mandatory grant but will be deducted from the maximum £30k funding. Please note that there is no fee associated with a planning approval submission for a disabled applicant – subject to a valid OT recommendation.
9. Making applications for listed building consent (including any application fee and the preparation of related documents).  
The Council's in-house surveyors' team or external architectural consultant - depending on the circumstances – will produce the proposed scheme, associated drawings and submit the proposal for listed building consent, including site visits/meetings at no extra cost to the applicant. If the applicant wishes to use their own architect, the relevant fee can be covered by the mandatory grant but will be deducted from the maximum £30k funding. Please note there is no fee for listed building consent applications, regardless of whether the applicant is disabled.
10. Making applications for conservation area consent (including any application fee and the preparation of related documents).  
The Council's in-house surveyors' team or external architectural consultant - depending on the circumstances – will produce the proposed scheme, associated drawings and submit the proposal for conservation area consent, including site visits/meetings at no extra cost to the applicant. If the applicant wishes to use their own architect, the relevant fee can be covered by the mandatory grant but will be deducted from the maximum £30k funding. Please note there are no fees for planning applications in conservation areas for works that provide access for disabled people, or improve their safety, health, or comfort.
11. Obtaining tenders/estimates.  
The Council's in-house surveyors' team will invite contractors from the List of Approved Contractors to submit their tenders. If the applicant wishes to obtain a quote for the works from their own preferred contractor, they can always provide the contractor's details to the Council. The Council will

ensure the applicant's preferred contractor is invited to tender at the same time as all other contractors and are provided with the same level of information. This service is at no extra cost to the applicant.

12. Providing advice on building contracts.

The contract is between the applicant and the contractor. North Northamptonshire Council has previously produced and provided all approved contractors with a copy of the Small Works Agreement to be signed by the applicant and the contractor. The Council can provide further advice and clarification, but they are not party to this contract agreement. This service is at no extra cost to the applicant.

13. Considering tenders.

Once all submitted tenders have been received, they will be opened and reviewed, by the Council's surveyors' team, as part of the Tender Analysis process. This is to ensure all contractors have priced for all same work and any discrepancies can be adjusted. This service is at no extra cost to the applicant.

14. Supervising the relevant works; disconnecting and reconnecting electricity, gas, water or drainage utilities where this is necessitated by the relevant works; and paying contractors.

The Council's surveyors' team will manage all work on site to ensure satisfactory completion, at no extra cost to the applicant. Any electricity, gas, water, drainage utilities work required should be included in the original drawings / specification and therefore covered by the maximum grant. If these works are identified on site by the contractor, they will either be paid by the grant, subject to available funding, the client, subject to their financial circumstances, or will be covered by a further discretionary grant, subject to approval by the Independent Panel.

The services and charges of a private Occupational Therapist in relation to the relevant work can also be included. Please note the Council can ensure the applicant is assessed by an Occupational Therapist (OT) and an OT recommendation is submitted at no extra cost. If the Council receives a recommendation by a private OT, the Council will still ask Community Occupational Therapy (COT) to assess and advise.

The Council will cover the cost of a maintenance agreement for a period of five years (where available) from the certified installation date for certain equipment such as stair lifts, through-floor lifts, wash/dry toilets, step-lifts, and similar items that were installed with the assistance of a Disabled Facilities Grant. In cases where a maintenance agreement of 5 years is not available from the manufacturer, the Council will fund the maximum warranty period that is available. If a reconditioned stair lift is being installed, any remaining warranty will be extended to the full 5 years if possible. The aim is to ensure that essential equipment remains in good working condition and well-maintained for an extended period after installation.

## The means test

An application for a Disabled Facilities Grant will be subject to a means test in accordance with the regulations made under the 1996 Act, including any local amendments within this policy. The maximum mandatory Disabled Facilities Grant award at the time of policy publication is £30,000 minus any contribution required by a 'means test' (test of financial resources).

If the maximum grant limit is changed by statute, then the maximum available Disabled Facilities Grant award by North Northamptonshire Council will reflect this.

If an applicant receives multiple grant awards over time, their assessed contribution to the first grant will be taken into account if it falls within the original contribution period (10 years for owner-occupiers and 5 years for tenants).

**Note:** where an applicant is in receipt of a recognised, qualifying, means-tested benefit they will not be further means-tested and they will have no calculated contribution to make. Where works are for the benefit of a child or young person up until their 19th birthday or younger at the date of application – they too will be exempt from a means test.

# Grant conditions

The following conditions may apply to an award of a Disabled Facilities Grant:

## Future occupation of the dwelling

It is a condition that for 5 years from the date of completion of the work, the dwelling is occupied in accordance with the intention stated in the certificate submitted as part of the application.

## Local Land Charge

North Northamptonshire Council will impose a local land charge on a dwelling, if it is sold or otherwise disposed of within ten years of the certified date.

The charge will only be placed on the owner's applications (building works and equipment) where the amount of the grant exceeds £5,000. The maximum charge is £10,000 for the cost of works between £5K and £15K of the mandatory £30K funding.

Conditions applicable, as follows:

- a) the recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date; and
- b) the Council, having considered:
  - i. The extent to which the recipient of the grant would suffer financial hardship were they are required to repay all or any of the grant;
  - ii. 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;
  - iii. Whether the disposal is made for reasons connected with the physical or mental health or well-being of the recipient of the grant or of a disabled occupant of the premises; and
  - iv. 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,
  - v. and the Council is satisfied that it is reasonable in all the circumstances to require the repayment.

This condition is a local land charge and is binding on any person who is for the time being an owner of the dwelling.

A land charge is also applicable in relation to the discretionary DFG grant (top-up). Where the applicant is an owner-occupier, the full value (£20,000) of this grant awarded would be placed on a local charge for 10 years. This is in addition to any Mandatory Disabled Facilities Grant land charge.

The two above-mentioned grants are treated as separate awards with a total maximum land charge of £30,000 (£10,000 on the mandatory DFG and £20,000 on the discretionary DFG top-up)

Additionally, no land charge will be placed:

- on tenant's applications (private Landlords or Housing Associations)
- on Through Floor Lift (TFL) cases, including enabling works.
- on stair-lifts.
- for any amount below £200.
- for a child applicant in foster care and the application is associated with a long-term foster placement.

If a dwelling is sold or disposed of within ten years, the Council will consider whether it is reasonable to demand repayment or part repayment of the charge taking into account:

- the financial hardship it would cause;
- whether the sale is due to an employment-related relocation;
- whether the sale is connected with the physical or mental health or well-being of the grant recipient or of a disabled occupant of the premises; and
- whether the sale will enable the recipient of the grant to provide care to another disabled person.

If a grant is initially awarded for an amount of less than £5,000, an applicant will be consulted before the grant is revised if it would result in a charge being placed.

## Principles (Terms and Conditions) of Assistance

When considering assistance to individual homeowners, including private landlords, the following principles will apply:

- The applicant, whether an owner occupier, tenant or landlord, must be able to provide a certificate which states that they intend that the disabled occupant will live in the qualifying property (dwelling, flat, houseboat or park home). In the case of a tenant's application, the landlord must agree to the works and produce an Owner's Certificate at the same time.
- A minimum of two quotes are required with a preference that three quotes are sought for the cost of carrying out the work. In most cases the Council will tender for the works through the Northamptonshire countywide register of contractors. The only exception is where specialist equipment or modular ramps are required, and the lack of suitable contractors means it is not possible to obtain three estimates.
- An applicant may only select their own contractors to provide quotes if they have taken the decision at the start of the process, following the Occupational Therapists (OT) recommendation. The same rules apply for applicants who have decided to undertake the process themselves and not wait for the Council to deliver their scheme.

Applicants must provide the Council with a completed application form, technical drawings and detailed specifications meeting the OT requirements and a minimum of two quotes. The applicant must also provide the particulars of any preliminary or ancillary services or charges, including planning approvals and building regulations approvals, where necessary.

Only work that directly relates to the required specification will be undertaken under the grant. For example, a new tiled splash back will be provided to a new sink, however the grant will not retile the rest of the room in matching tiles.

- The Council will decide on the winning quote based on suitability of meeting the disabled person's needs and best value. The applicant's preferences will be considered if there are no concerns on suitability. If an applicant has requested to use a certain contractor, who has submitted a higher price for the same work than the winning contractor, the applicant will be required to pay the difference.
- Where an applicant would like additional work to be undertaken, as part of the process, these must be discussed and agreed on in writing with the winning contractor separately and in advance of the work commencing. The Council will not comment on or engage in issues between the applicant and contractor on any work outside of the scope of those required in the OT recommendation. The contractor will invoice for these separately and directly to the applicant.
- In approving a grant application, the Council will require that as a condition of the grant, the eligible works are carried out in accordance with any specification they decide to impose.

- The Council will not approve an application for assistance if the eligible work has started or is completed before the application is approved. Where the relevant works have begun but have not been completed, the application may be approved if the Council is satisfied that there were good reasons for beginning the works before the application was approved. Where the Council decides to approve an application in these circumstances, it may decide to treat the application as varied so that the eligible works do not include any that are completed.
- The specific work must be carried out within twelve months from the date of approval of the application. This period may however be extended by the Council if the eligible works cannot be, or could not have been, completed without carrying out other works which could not have been foreseen when the application was made.
- If the applicant ceases to be a person entitled to a grant, following the grant approval, but before the certified date of completion, the Council will pay for all works completed to date. The proposed work will not be necessarily fully completed but the Council will ensure the area affected is made safe. A decision on the full extent of works to be completed will be determined based on the stage of construction at the time of the applicant's death. The applicant must take reasonable steps to pursue any relevant insurance or legal claim, if applicable, and to repay the grant, if applicable, from the proceeds of such a claim.
- The Council may refuse to pay the grant or any further instalment of the grant which remains to be paid; or make a reduction in the grant or demand repayment by the applicant in whole or in part of any grant paid where an application for grant has been approved and the Council ascertains:
  - that the amount of grant was determined on the basis of inaccurate or incomplete information; and
  - exceeds that to which the applicant was entitled; or
  - that without its knowledge the eligible works were started before the application was approved; or
  - the works were carried out otherwise than as required (condition as to contractors employed).
- The payment or part payment of grant is conditional upon the eligible works, or corresponding part of the works, being completed to the satisfaction of the Council and upon the authority being provided with an acceptable invoice, demand or receipt for payment for the works and any related preliminary or ancillary services or charges. For this purpose, an invoice, demand or receipt is acceptable if it satisfies the Council and is not issued by the applicant or a member of his family. In cases where the work is carried out by the applicant or a member of their family, then grant assistance will be limited to the cost of materials only. Where the assistance is paid by instalments, the aggregate of the instalments paid before the completion of the eligible works shall not at any time exceed nine-tenths of the amount of the assistance.
- It is a condition of payment that the specific work is carried out by the contractor, whose quote accompanied the application or, where two or more estimates were submitted, by one of those contractors.
- The Council may pay the full or part of the assistance by direct payment to the contractor(s), or by delivering to the applicant an instrument of payment in a form made payable to the contractor. However, in any case, the Council will not do so unless the applicant is informed before the application for assistance is approved that this would or might be the method of payment.
- Where the works in question have not been completed to the satisfaction of the applicant, the Council may, at the applicant's request, and if the Council considers it appropriate to do so, withhold payment from the contractor. If the Council agrees to withhold payment from the contractor, the surveyor will work with both the applicant and the contractor to bring the matter to a satisfactory conclusion with the agreement of all parties. The Council can proceed with a payment to the contractor despite the applicant's wish to withhold payment, if this is not justified. For example, if the applicant's justification is malicious or if the relationship between the applicant and the contractor broke during the work.

- The contract of works is between the applicant and the contractor. The Council will not be liable in any way whatsoever, contractually or otherwise, for the payment of any works carried out by the contractor under the terms of the assistance.
- A case is closed when the adaptations have been completed and signed off by the client, contractor and Council. Any issues arising after completion are for the client to resolve with the contractor. The DFG grant is a one-off payment and does not include any ongoing maintenance, this includes all installed equipment such as stairlifts, through floor lifts, step lifts, showers etc. Where manufacturers or installers offer an extended warranty, the Council will include payment for this as standard in all relevant cases, for whatever the extended period may be in each case. However, the Council is not responsible for dealing with future issues. The applicant remains responsible for ensuring all ongoing maintenance obligations are fulfilled.
- During the grant condition period and if the eligible works consist of or include the installation into the property of either or both specialist equipment or portable accommodation for the disabled occupant, the applicant shall notify the Council as soon as the equipment and/or portable equipment is no longer needed. The Council will then explore the possibility of reusing it.
- Support and assistance should encourage private investment and maximise the impact of available public funds, for example, by securing nominations rights to private rentals in return for grant assistance.
- Applications meeting all necessary criteria will be approved, but the provision of financial assistance for all discretionary grants is subject to the availability of funding.

## **Deferred payment**

In exceptional circumstances, we reserve the right to defer payment of a grant for up to 12 months after the date of approval.

## **Recovery of equipment**

All equipment needs to be maintained by the applicant during or after the 5-year extended warranty has expired. If the applicant passes away and the relatives wish to have the equipment removed, this will be their responsibility at their own cost with no further involvement financial or other by the Council.

## **Use of contractors**

The work must be performed by the contractor(s) whose estimate was submitted as part of the application. If a different contractor is to carry out the works, the Council's consent must be obtained beforehand, and a new estimate from the new contractor must be submitted. However, any additional costs resulting from the change in contractor must be covered separately by the applicant.

The Council will not accept an invoice, demand, or receipt if it is issued by the applicant or a family member. If the applicant or a family member carries out the work, only the cost of materials used will be eligible for financial assistance.

## **Completion of the works**

Payment of the grant is conditional on the eligible works being completed within 12 months from the date of approval of the grant. The Council may extend this period if there is a valid reason, and such requests must be made in writing before the 12-month period ends.

The payment of the grant depends on the work being done to the Council's satisfaction and upon receiving a satisfactory invoice or receipt for the works and any related services or changes.

The Council will make payments directly to the contractor on behalf of the applicant, not to the applicant themselves – subject to a satisfactory inspection carried out by the Council. If there is any disagreement about a payment made to the contractor, no payment will be made until the dispute is resolved.

However, the Council may make payment directly to the applicant if they have provided the necessary information before grant approval.

## **Maintenance**

A discretionary Disabled Facility Grant is in effect a one off, good faith payment, to provide a specific adaptation. Any ongoing maintenance, servicing or guarantees becomes the responsibility of the grant recipient on completion of the grant works.

All building work provided through a mandatory and/or discretionary grant will be covered by a standard 12-month warranty. After the expiration of this period, any ongoing maintenance and repairs are the responsibility of the applicant.

Any equipment provided through a mandatory and/or discretionary grant will be covered by a 5-year extended warranty covered by the grant – subject to funding availability - and after this time all maintenance and repairs are the responsibility of the applicant.

The grant will also cover the call out fees, if contacted by the applicant, including any repairs up to £500.



# Appendix B - Discretionary Grants

## Purpose of Assistance

Discretionary Disabled Facilities Top-Up Grants shall only be made available to complement Mandatory Disabled Facilities Grants, and shall be limited to:

- 1) Contributing to the cost to repair and make good to wall, ceiling or floor finishes disturbed by work to provide adaptations funded by mandatory Disabled Facilities Grants. In the interests of clarity, it is not always possible to match finishes back into existing finishes appropriately or to a reasonable standard, for example, colour, finish type, or tile type may be obsolete.
- 2) Contributing towards the cost of an applicant's means test where the means test has established that the applicant has to pay a contribution and yet they don't have savings of over £6,000.
- 3) Contributing an additional amount towards works that are recommended by the Occupational Therapist and those works will cost more than the mandatory grant limit of £30,000. For example, a ground floor extension to provide a bedroom and level access shower room is deemed the most reasonable and practical way of meeting the applicant's needs but the cost of this work is above £30,000. The Discretionary Disabled Facilities Top-Up Grant can be used to top up the maximum grant award possible.

Where this is the case, the Council will include such work as eligible discretionary works that are complementary to those identified as mandatory.

## Maximum Assistance

The maximum contribution that the Council shall make towards the cost of discretionary works shall be:

- £1,000 in total for points 1 and 2 listed above.
- £20,000 in total for point 3 listed above.

In the interest of clarity, no applicant can receive more than £1,000 in total towards points 1 and 2 listed above. Furthermore, no applicant that qualifies under point 3 listed above can receive more than £20,000 worth of Discretionary Top-Up Grant. Any award of Discretionary Disabled Facilities Grant (Discretionary Top-Up Grant or Clients Support Contribution) shall be shown separately to an award of Mandatory Disabled Facilities Grant.

## Process for Discretionary Disabled Facilities Grants

Additional specifications shall be included along with those eligible works identified under a Mandatory Disabled Facilities Grant. The award shall be made by Council officers authorised to approve a mandatory Disabled Facilities Grant at the time the mandatory grant is awarded. These works shall not be considered as extras to any mandatory Disabled Facilities Grants and must be approved at the same time as the mandatory Disabled Facilities Grant.

## Terms and Conditions Applicable

Discretionary Disabled Facilities Grants will be subject to the same terms and conditions as mandatory Disabled Facilities Grants. They will only be available subject to budget allocation, and on a priority needs basis. As these are discretionary grants, they may be withdrawn at any time.

# Appendix C – HomeMove Grants (Private Sector)

## The applicant

The applicant must:

- Be aged 18 or over on the date of application (If the person with a disability is a child the applicant should normally be the parent or legal guardian).
- Be either the owner of a dwelling or be a tenant of a private landlord or Registered Provider.
- Be eligible for a mandatory Disabled Facilities Grant.
- Satisfy a means test as prescribed by the Housing Renewal Grants Regulations 1996 (as amended), if the disabled person is an adult, unless the application is being made on behalf of a child. No additional means test to the Mandatory DFG.
- Be a person who is 'disabled' as defined within the criteria in section 100 of the Housing (Grants, Construction and Regeneration) Act 1996.
- Be a resident of North Northamptonshire and intend to move to a suitable alternative accommodation located within or outside of North Northamptonshire.

## The Eligible Works

The eligible works - to be covered by the HomeMove discretionary grant - are for the purpose of funding more cost-effective alternatives to providing a mandatory Disabled Facilities Grant. If it is not possible, necessary, appropriate, practical, or reasonable to adapt someone's current home, a HomeMove Grant may be obtained to assist with the costs of relocating to a more suitable property.

For example, the relocation costs for a disabled applicant to move to an alternative home that is more appropriate for their immediate and long-term needs. This move together with any costs of adapting the new home should be more cost effective compared to remaining in their own home and receiving a DFG at their current address.

The specific eligible relocation expenses are:

- Estate agent fees
- Solicitor costs
- Survey costs
- Stamp duty
- Removal expenses
- Disconnection/reconnection of appliances
- Occupational therapy assessment costs for assessing properties

## Maximum Assistance

The Council must be satisfied that there are tangible benefits for the HomeMove Grant (Private Sector) to be awarded as an alternative to an adaptation funded by a mandatory Disabled Facilities Grant. Such benefits will either be as a cost saving to the Council, or if the cost of each option is broadly similar, tangible benefits to the disabled applicant.

The maximum amount payable as a HomeMove Grant (Private Sector) will not exceed £6,000. The total amount payable will be based on the cost of adaptations to the new home up to a maximum of £5,000, together with up to £1,000 to cover other expenses.

## Access Criteria for a HomeMove Grant (Private Sector)

The applicant must be eligible for a mandatory Disabled Facilities Grant as outlined in the criteria above. The Council will assess the costs of adapting the existing dwelling as well as the proposed dwelling to establish the costs and benefits of pursuing a HomeMove Grant (Private Sector) compared to a mandatory Disabled Facilities Grant.

Full cost estimates will be presented in a report to an Officer with appropriate delegated authority under the Council's constitution to decide whether the HomeMove Grant will be approved.

## Process for HomeMove Grants (Private Sector)

Given the flexible nature of this option, any decision to award or refuse the HomeMove Grant (Private Sector) will be taken by an officer with appropriate delegated authority under the Council's constitution, following the submission of a report compiled by a case officer.

The decision shall be made within 6 months of the completed submission (the date at which the case officer confirms they have sufficient information to compile the report) and shall be in writing. In the event of a refusal, the letter shall include the reason for that refusal.

Any applications for this assistance will be supported by a social care occupational therapist (OT recommendation) and options regarding adaptations to the current home will already have been explored. The Council will reserve the right to consult with an Occupational Therapist from the Occupational Therapy Service in respect of the suitability of this option.

## Terms & Conditions

- Applicants must be moving from a property which is their main residence and is within the North Northamptonshire Council area to another property which will become their main residence.
- Assistance will not be given towards the purchase price of a property.
- Relocation costs – maximum £1,000.
- Cost of adaptations at the new property – maximum cost of £5,000.
- Applications must be supported by a Social Care Occupational Therapist who must confirm that the new property will meet the needs of the disabled person or be suitable for more cost-effective adaptations – alternative to providing a mandatory DFG - at a maximum cost of £5,000.
- If the move is aborted at the fault or choice of the applicant, costs will not be paid.
- The HomeMove Grant (Private Sector) is payable at the discretion of the Council and will only be awarded where there are tangible benefits for both the applicant and the Council.
- A local land charge is not applicable for this type of grant.

# Appendix D – Home Repair Grants

## The applicant

The applicant must:

- Be aged 18 or over on the date of application.
- Be the owner/occupier of a dwelling.
- Satisfy a means test.
- Be a resident of North Northamptonshire.

## The Eligible Works

The eligible work - to be covered by the Home Repair discretionary grant - is for the purpose of funding repairs and improvements to the homes of vulnerable households on low incomes.

The specific eligible works are to:

- Prevent a category 1 hazard in a dwelling as defined in Part 1 of the Housing Act 2004.
- Provide adequate thermal insulation, improve energy efficiency and provide affordable warmth.
- Replace a condemned boiler or provide a central heating system or night storage heaters where none exist, or it is beyond repair.
- Repair or replace an existing old, unreliable central heating boiler for owners on means tested benefits not qualifying for the ECO scheme.
- Provide essential minor repairs and safety improvements.
- Enable security work recommended by the Community Safety/Crime Prevention Officer.
- Upgrade re-wirable fuse boxes / consumer units and electrical earthing.

## Maximum Assistance

The maximum grant payable is £15,000 per property.

## Access Criteria for a Home Repair Grant

The applicant must be eligible for a Home Repair Grant as outlined in the criteria above. The Council will assess the costs of improving the property and/or removing Category 1 hazards, as outlined in the eligible works above.

The costs of the work will be presented to an Officer with appropriate delegated authority under the Council's constitution to decide whether the Home Repair Grant will be approved.

## Process for Home Repair Grants

Given the broad nature of this option, any decision to award or refuse the Home Repair Grant will be taken by an Officer with appropriate delegated authority under the Council's constitution, following the submission of a suitable quote from either the case Officer or the applicant.

The decision shall be made within 6 weeks of the completed application (the date at which the case officer confirms they have sufficient information to compile the report) and shall be in writing. In the event of a refusal, the letter shall include the reason for that refusal.

## Terms & Conditions

1. Owner occupiers and leaseholders (of more than 5 years) will be subject to the means-test detailed in the Housing Grants Regulations 1996 (as amended) with the following adjustments:
  - The value of the applicant's home will be taken into account where the application relates to another property which is to be occupied by the applicant and/or their family.
2. Making good damage to decoration resulting from grant work will not be included.
3. Work that is normally covered by building insurance (with the exception of the retention sum) is not eligible for grant assistance.
4. The full cost of the Home Repair Grant will be registered as a local land charge.

# Appendix E – Empty Property Scoring Matrix

Address: Score

## Length of time vacant (max 80 points)

Less than six months	0
6 months – 1 year	10
1 year – 2 years	20
2 years – 3 years	40
3 years – 4 years	50
4 years – 5 years	60
5 years plus	80

## Property type (max 20 points)

Flat in private block	5
Flats over shops	10
House	20

## Appearance (max 15 points)

Good	0
Overgrown	10
Poor repair	15

## Enforcement action already taken (no maximum)

Notices – points awarded per notice	10
Enforcement by other agencies per action	10

## Council tax arrears (max 40 points)

0-1,000	5
1,000 – 2,000	10
2,000 – 3,000	20
3,000 – plus	40

## Dangerous structure notice served (assessed by building control) (max 50 points)

No	0
Yes	50

## Complaints (max 20 points)

One score per complainant (up to maximum of 4)	5
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Total  
Date

# Appendix F – HMO Amenity and Space Standards

## Using this Guide

Not all the standards contained within this document are legal requirements. However, the standards contained within this guide have been adopted by the majority of Local Authorities in the East Midlands. This includes Derbyshire, Leicestershire, Lincolnshire, Northamptonshire and Nottinghamshire.

The standards are usually regarded as a **MINIMUM** but are a guide only. Other factors or compensatory features will be taken into account when inspecting a property, therefore allowing for a degree of flexibility in certain circumstances. These factors could include the shape of the usable living space, or the needs and wishes of the occupants.

## Kitchens

- All kitchens shall be of such a layout and size to adequately enable those sharing to safely store, prepare and cook food.
- Shared kitchens must be suitably located, normally not more than one floor away from any living accommodation except where dining room is provided next to kitchen.
- All equipment and facilities in kitchens shall be fit for purpose.

## Bathrooms

- Any person with access to an en-suite facility shall be excluded from the calculations.
- Bathrooms and WCs must be of an adequate size and layout and be adequately heated and ventilated and should include humidistat-controlled extraction.
- All rooms in which a WC is located shall have a wash hand basin in the same room.
- All baths, showers and wash hand basins shall be fit for purpose and have taps supplying an adequate supply of hot and cold water.
- Bathrooms and WCs must be suitably located, not more than one floor away from any living accommodation.

## General

- HMOs with 5 or more occupants require a license, please contact the Licensing Unit on 01832 742057.
- Accommodation must have adequate means of space heating.
- All areas should be fitted with appropriate fire detection and fire precaution equipment. Please contact your local Fire Officer to arrange an inspection.
- HMOs with 6 or more occupants and those requiring any kind of building works may require building control approval.
- HMOs of 7 or more occupants will require planning consent. Please contact the Planning and Building Control Departments for more information.

# Amenities

Minimum requirements for Houses in Multiple Occupation (HMOs):

## Bathroom Requirements

Bathrooms				
Occupiers	Up to 4	5-6	7-10	11-15
Shared WC with wash hand basin with splash-back	1	2	2	3
Shared Bath or Shower	1	1	2	3
		1 x WC must be in separate room.	1 x WC must be in separate room.	2 x WC must be in a separate room.

## Kitchen Requirements

Kitchens				
Occupiers	Up to 4	5-6	7-10	11-15
Cooker	Oven, grill & 4 ring cooker	Oven, grill & 4 ring cooker plus additional microwave	2 ovens, 2 grills & 8 ring cooker.	3 ovens, 3 grills & 8 ring cooker.
Microwave	Optional – may allow extra sharing of cooking facilities at the Council's discretion			
Kitchen Sink	Sink and drainer with hot & cold water	Sink and drainer with hot & cold water	2 sinks and drainers with hot & cold water or 1 set with a dishwasher	3 sinks and drainers with hot & cold water or 2 sets with a dishwasher
Worktop	Depth – minimum 500mm, length 2 metres	Depth – minimum 500mm, length 2 metres	Depth – minimum 500mm, length 2 metres per 6 people plus 0.5m per person thereafter	Depth – minimum 500mm, length 2 metres per 6 people plus 0.5m per person thereafter



Electrical Sockets over Worktop	4 sockets (excluding those in use for fridge, washing machine etc)	5 sockets (excluding those in use for fridge, washing machine etc)	6 sockets (excluding those in use for fridge, washing machine etc)	8 sockets (excluding those in use for fridge, washing machine etc)
Dry Food Storage	Single wall unit per occupant	Single wall unit per occupant	Single wall unit per occupant	Single wall unit per occupant
Fridge (with freezer compartment or separate freezer)	Suitably sized fridge(s) so each occupant has one shelf and a separate freezer compartment	Suitably sized fridge(s) so each occupant has one shelf and a separate freezer compartment	Suitably sized fridge(s) so each occupant has one shelf and a separate freezer compartment	Suitably sized fridge(s) so each occupant has one shelf and a separate freezer compartment
Refuse Disposal	Please follow your Local Authorities waste disposal scheme			
Ventilation	A mechanical extraction fan in accordance with Building Regulation requirements			

## Space Standards

### General requirements

Rooms used for sleeping are not suitable for occupation by more than two people. No persons should share a room unless:

- They are married or living together as if married.
- They are a parent or close relative and child (as long as the child is the same sex as the parent, or the child is under 10 years of age if opposite sex).
- They are related children of the same family and are both of the same sex, e.g., two brothers (if under 10 years of age, opposite sexes can share a room).
- The room meets the minimum size as given below
- The number of people sharing includes babies and children. Everyone must have their own allocation of space.
- Close relative means: parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece, or cousin.
- All rooms, including kitchens, bathrooms and toilet compartments shall have a minimum floor to ceiling height of 2.13m. In the case of rooms with sloping ceilings, there shall be a minimum height of 2.13m over half of the floor area of the room. Measurements shall be taken on a plane, 1.5m above the floor. Any floor area where the ceiling height is less than 1.5m high shall be disregarded.
- The room sizes outlined in the tables below are minimum sizes. Only usable space may count towards the room size. If a room is of an unusual shape, it has a sloped ceiling or a

ceiling height of less than 1.5m some of the floor area may not be counted. The space directly behind the door may not be counted. A staircase, landing, or any room which is used as a kitchen or bathroom, shall not be used as sleeping accommodation.

<b>Bedroom Requirements</b>				
<b>Room Capacity</b>	<b>1 Person Room</b>	<b>2 Person Room</b>	<b>3 Person Room</b>	<b>4 Person Room</b>
Bedroom with lounge or dining space elsewhere and cooking facilities not provided in bedroom	6.51 square metres	10.22 square metres	15 square metres	20 square metres
Bedroom with <u>no</u> adequate lounge or dining space & cooking facilities not provided in bedroom	8 square metres*	12 square metres*	17 square metres	22 square metres
Bedrooms (bedsits) with lounge and cooking facilities provided in the room	12 square metres	16 square metres	21 square metres	26 square metres

\* The minimum legal requirement for a 1-person room is 6.5 sq. metres. This measurement does not include en-suites or built-in cupboards in the floor size

<b>Living Areas</b>	
<b>Kitchens</b>	7sqm if used by 1-5 persons
	For over 5 persons an additional 3sqm per person sharing the kitchen
<b>Dining Areas</b>	Any dining space (shared or for exclusive use) shall be suitable, and conveniently located (normally not more than one floor from the living unit)