

Dover District Council

**PRIVATE SECTOR  
HOUSING STRATEGY**  
2010 – 2015

## TABLE OF CONTENTS

<b>FOREWORD</b>	<b>4</b>
<b>EXECUTIVE SUMMARY</b>	<b>5</b>
<b>1.0 INTRODUCTION</b>	<b>9</b>
What is this strategy about?	9
Our Overall Vision and Objectives	9
<b>2.0 THE WIDER PICTURE – THE STRATEGIC CONTEXT</b>	<b>11</b>
National Policies	11
Regional, Sub Regional and County Strategies	13
Local Strategies	14
<b>3.0 DOVER - THE LOCAL CONTEXT</b>	<b>16</b>
Location, Population and General Characteristics	16
<b>Housing Market</b>	<b>18</b>
Tenure, Age and Build Type Profiles	18
Empty Homes	19
Housing Market Assessment	19
<b>Housing Conditions in the Private Sector</b>	<b>20</b>
Dover House Condition Survey 2008	20
Unfitness and The Housing Health and Safety Rating System	21
The Decent Homes Standard	22
The PSA7 Target	23
Energy Efficiency and Fuel Poverty	24
Retrofitting	24
The wider effects of each measure	25
The bigger picture	25
Lineages to an area-wide strategy	25
An approach tailored to different housing types	25
A whole-house approach	25
Households Where There is a Person With A Disability	25
<b>4.0 WHAT WE DO NOW</b>	<b>26</b>
<b>Inspection Of The Housing Service</b>	<b>26</b>
<b>Offering Information, Advice and Specialist Support</b>	<b>26</b>
Engaging with Landlords	26
Home Improvement Agency/Handyperson	27
<b>Inspection and Enforcement</b>	<b>28</b>
General Approach	28
Houses in Multiple Occupation (HMOs)	29
Empty Homes	30

<b>Financial Assistance</b>	<b>30</b>
Mandatory Assistance	30
Discretionary Financial Assistance	30
<b>Diversity and Inclusivity</b>	<b>33</b>
<b>Consultation</b>	<b>33</b>
<b>5.0 FUTURE PRIORITIES</b>	<b>34</b>
<b>Improve our effectiveness at meeting our Statutory Responsibilities</b>	<b>34</b>
<b>Reduce the Number of Long Term Empty Homes</b>	<b>34</b>
<b>Increase the number of Decent Homes for Vulnerable Households</b>	<b>35</b>
<b>Develop a neighbourhood renewal policy to improve areas containing poor housing</b>	<b>35</b>
<b>How We Will Address These Priorities</b>	<b>36</b>
Offering Information, Advice and Specialist Support	36
Inspection and Enforcement	37
Offering Financial Assistance	38
<b>Resourcing The Priorities</b>	<b>40</b>
<b>Implementation and Review</b>	<b>40</b>
<b>ACTION PLAN</b>	<b>I</b>
<b>APPENDIX 1: THE DECENT HOMES STANDARD</b>	<b>A</b>
<b>APPENDIX 2: THE HOUSING HEALTH AND SAFETY RATING SYSTEM</b>	<b>D</b>
<b>APPENDIX 3: CONSULTATION</b>	<b>A</b>

## FOREWORD

Owner occupied and privately rented properties make up over 85% of homes in Dover District. It is very important for the health and well-being of the community that we try to ensure that residents and especially vulnerable people are living in decent homes. We want every resident of Dover to live in a property that allows them to be healthy and safe, and have the opportunity to live in a good quality, affordable home which is decent, warm and secure.

Our recent house condition survey shows that we face a number of challenges in reaching this objective. In particular over 41% of Private Sector Homes do not meet the Decent Homes standard. Most of our private housing stock is over 50years old with over 55% built before 1944. Despite recent initiatives a relatively high proportion of the stock remains in poor condition with a concentration in a small number of wards in Dover town. We also have a higher % of long term empty homes in the district compared to the rest of the country.

Over the last decade we have seen an increase in the number of privately rented homes in the District. Whilst this presents challenges we must also explore the opportunities it may offer and try to ensure that this sector plays a full role in meeting local housing needs.

The proportion of older people living in the district is growing with the overwhelming majority living in the private sector. Older people form the most significant group of vulnerable people living in non decent homes and this is a particular issue in the private sector where we are seeing an increasing demand for disabled adaptations and essential home repairs to enable people to continue living in their own homes.

The Strategy therefore sets out our priorities over the next five years to address these and other challenges and to secure improvements across the private housing sector. It supports and links directly to a wide range of other strategies that seek to improve the opportunities, health and well being of local people and its importance is reflected in the Council's overarching Housing Strategy which the Strategy underpins.

The strategic priorities and objectives have been developed in consultation with stakeholders in the private and voluntary sectors and through wider public consultation. By working closely together with a range of partners we will be in a stronger position to achieve its objectives

However, we also fully appreciate that delivering the Strategy will require resources from both within and from outside of the Council and that our future priorities have to be based on a realistic assessment of the resources that will be available to us. The Strategy has been prepared during a period of financial uncertainty and while we are committed to exploring every funding opportunity that will enable us to achieve our objectives, we recognise that the Strategy will need to be reviewed in the light of any significant changes in the amount of funding available.



**Councillor Frederick Scales**

Deputy Leader of the Council & Portfolio Holder for Economy and Special Projects

# DOVER DISTRICT COUNCIL

## PRIVATE SECTOR HOUSING STRATEGY 2010 – 2015

### EXECUTIVE SUMMARY

#### Introduction

We believe that all residents, whether in public or private sectors, should have the opportunity to live in a good quality, affordable home which is decent, warm and secure. Over 85% of housing in the district is in the private sector, either owner occupied or privately rented. Despite recent initiatives much of this stock remains in poor condition and as much as 41% requires improvement. This strategy, covering the period 2010-2015, sets out our priorities over the next five years to secure improvements in Dover district private sector housing.

#### The Condition of Dover's Private Housing Stock

Private Houses in Dover District are much older compared with most other areas and there is an above average percentage of rented accommodation. Both these factors are associated with poorer housing conditions. Our House condition Survey in 2001 found that we had the highest percentage of unfit homes in the south east.

In 2008 a further survey was carried out. Comparisons with the 2001 figures are difficult to make as the condition of housing is now measured in very different ways based on a hazard rating system rather than unfitness measure. However, this new system shows that the rate of serious (category 1) hazards at 25.2% is above the national average of 21.7% and the overall rate of non decency at 41.2% is worse than the national figure of 35%. Of particular concern is the low number of vulnerable households living in decent homes which is only 50.6% compared with the target for 2010 of 70%. An estimated 3,040 homes occupied by vulnerable households would have to be made decent to meet the 2010 target set previously by Government.

The district also has above average levels of empty private sector homes compared to England and the South-East and the problem has been getting worse. From 2005 to 2009, the number of long term empty homes rose by 41%. These issues are covered in more detail in our recent Empty Homes Strategy

#### Our Key Objectives

In delivering private sector housing services, we have seven key objectives. These are to:

- target resources at areas having the worst housing condition and support and link into other national ,regional and local regeneration projects
- take appropriate and necessary action to ensure that properties are free of serious hazards and meet statutory standards;
- provide services which assist older and disabled residents to maintain independent living in their homes;
- bring long term empty homes back into use;
- improve energy efficiency in homes and reduce fuel poverty;
- provide financial assistance in the areas of greatest need to help provide decent, safe, secure homes.
- give effective advice and information to residents with housing problems

## **The Strategic Context**

No Council strategy will be effective unless it is consistent with policies at national, region and local level, and this strategy has been developed to achieve that.

At national level, there are three key policy drivers:

1. The Regulatory Reform Order 2002, which allowed local authorities flexibility to offer discretionary financial assistance taking into account local needs and resources.
2. The Housing Act 2004, which replaced the housing fitness standard with the Housing Health and Safety Rating System (HHSRS), introduced mandatory licensing for higher risk houses in multiple occupation and gave local authorities stronger powers to deal with long term empty homes.
3. The Decent Homes Standard, which requires a property to meet the minimum legal standard to be in reasonable repair, have modern facilities and amenities and reasonable thermal comfort.

This strategy also has to fit with plans developed by the South East region, the East Kent sub-region, Kent County Council and all other local plans. A number of consistent themes emerge from the regional and local strategies:

- reducing the number of non-decent homes;
- reducing the number of long term empty homes;
- promoting equity release;
- improving energy efficiency and reducing fuel poverty;
- supporting vulnerable people and promoting independent living;
- regenerating run down Dover town centre areas;
- increasing the number of affordable homes;
- reducing homelessness and promoting access to the privately rented sector

The Core Strategy of our Local Development Framework identifies a need for 10,100 new local homes by 2026 but making best use of existing housing is also a priority in order to achieve our corporate aim of *"providing a wide range of quality and accessible housing which meets the needs of the whole community"*.

We have endeavoured to reflect all of these themes in our revised approach to the private sector.

## **What We Do Now**

The strategy looks at what we do now and there are many areas where we feel that we deliver services well;

### **Grants and loans for cold homes and other improvements**

In recognition of the poor condition of much of its private stock the district has received over £5.4m in project funding allocations from the Regional Housing Board since 2006 to address cold homes and houses needing substantial improvements. These programmes continue to 2011 and to date 361 homes have been improved and a further 288 will be by 2011.

Whilst this has made a significant difference to the lives of many individuals, it is recognised that a great deal still needs to be done and that in some areas, especially in urban Dover, wholesale area renewal would be the best solution.

## **Enforcement**

Between 2007/8 and 2008/09 we more than trebled from 26 to 88 the number of notices served on properties in poor condition or with hazards and these are set to be increase again in 2009/10

## **Empty homes**

For the two year period 2007/09 we have enabled 44 empty homes in the district to be brought back into use and for 2009/10 we have a target of 25 homes being brought back into use which we are on course to exceed.

## **Waiting times for disabled facilities grants in the Private Sector.**

These have been substantially reduced to the point where following an approved application no more than 5 months should elapse before the work is completed, depending on the nature of the adaption.

## **SAP Rating**

The SAP is the Government's recommended system for energy rating of dwellings. The SAP average for this district is 57, higher than the national average of 50 despite high numbers of older properties with solid walls in this area.

## **The Future**

The strategy introduces changes in the ways we offer information, advice & specialist support, financial assistance and for further improvements in our enforcement procedures. We have been mindful of the resources currently available to us and of the fact that we are likely to be entering a period of reduced public spending. Major progress since 2006 has been made because of substantial additional funds from the Regional Housing Board, allowing us to assist many property owners with decent homes loans. Whilst this funding remains in place for the next financial year, we will explore new ways to facilitate equity release.

Over the next five years, we will keep focused on our statutory responsibilities – category 1 hazards, houses in multiple occupation, long term empty homes and mandatory DFGs. Disabled Facilities Grants) We will look closely for and at opportunities for area based housing renewal to tie in with wider regeneration programmes in Dover. However, our main driver will be to increase the number of vulnerable households living in decent homes, and we aim to take action to make 400 properties occupied by such households decent each year. This will be achieved through enforcement, housing assistance and warm front activity. These figures will be reported to the quarterly Homes Improvement Board.

*Information, advice and specialist support:* We will increase access to energy efficiency information focusing on those in greatest need, review and seek to expand Handyperson services, explore way to offer advice to offer repairs and maintenance advice to householders and also link the Bond Guarantee Scheme to accreditation standards.

*Inspection and Enforcement:* We will adopt a fast track approach to enforcement, introduce charging for statutory notices, dedicate Officer time to planned inspections in areas of unsatisfactory housing, link proactive work to regeneration and continue to enforce high standards in Houses in multiple occupation.

We will increase staff resources for at least two years to tackle long term empty homes by using the performance reward grant we recently obtained and increase the budget for compulsory purchase and introduce and follow all measures in our 2010-2015 Empty Homes Strategy.

*Financial assistance:* We will continue to target financial assistance on arrears of unsatisfactory housing and link this to planned enforcement inspections, look at the introduction of a minor works loan, explore the opportunities to offer energy efficiency under the Community Energy Savings Programme and start looking now at alternative ways to facilitate equity release drawing on private sector funds.

These aims are spelt out in more detail in the action plan attached to this strategy, which will be reviewed annually.



# DOVER DISTRICT COUNCIL PRIVATE SECTOR HOUSING STRATEGY 2010 – 2015

## 1.0 INTRODUCTION

### What is this strategy about?

- 1.1 Owner occupied and privately rented properties make up over 85% of homes in Dover district, and over half were built before 1945. This strategy sets out our plans for achieving good quality housing across the existing private sector stock - we believe that all residents should have the opportunity to live in a decent home.
- 1.2 This strategy explains:
- where the Council may offer financial help to repair, improve and/or adapt homes;
  - how the Council will provide advice, assistance and specialist support to householders and landlords;
  - how the Council will use, where appropriate, enforcement powers to ensure unsatisfactory properties meet minimum legal standards.

### Our Overall Vision and Objectives

- 1.3 Research has shown clear links between sub-standard homes and poor health.<sup>1</sup> Damp homes can lead to allergic disease such as asthma, rhinitis and eczema. Cold homes make the circulatory system work harder; studies have shown that heart attacks and strokes increase significantly during the winter months. The condition of a home can also present a serious hazard to its occupants – falls, burns, scalds, electric shock, carbon monoxide poisoning, etc. The new Housing Health and Safety Rating System<sup>2</sup> has been introduced to help local authorities tackle hazards in residential properties.
- 1.4 This strategy is important not just because it sets out action to deal with poor quality housing but because it will help to tackle health inequalities.
- 1.5 *We want every resident of Dover to live in a property that allows them to be healthy and safe, and we want to give all Dover residents the opportunity to live in a good quality, affordable home which is decent, warm and secure.*
- 1.6 Like all local authorities, what we can do is limited by resources. Although there are constraints, our key objectives are to:
- 1.7 Take appropriate and necessary action to ensure that properties are free of serious hazards and meet statutory standards;

---

<sup>1</sup> Good Housing Leads to Good Health Sept 2008-CIEH/BRE  
Housing and public Health Evidence Briefing December 2005 NHS- NICE

<sup>2</sup> Details of the Housing Health and Safety Rating System (HHSRS) are set out in Appendix 2.

- 1.8 Provide services which assist older and disabled residents to maintain independent living in their homes;
- 1.9 Bring long term empty homes back into use;
- 1.10 Improve energy efficiency in homes and reduce fuel poverty;
- 1.11 Provide financial assistance in the areas of greatest need to help provide decent, safe, secure homes;
- 1.12 Target resources at areas having the worst housing condition and support and link into other regeneration projects.
- 1.13 Give effective advice and information to residents with housing problems

## 2.0 THE WIDER PICTURE – THE STRATEGIC CONTEXT

### National Policies

- 2.1 The Regulatory Reform Order 2002<sup>3</sup> abolished most of the national framework for offering grants and other assistance (apart from mandatory Disabled Facilities Grants) and gave local authorities much greater flexibility to offer financial assistance tailored to local needs, circumstances and resources. The Government has emphasised that the prime responsibility for the condition of a private sector home rests with its owner. In particular, the Government now feels that in most cases the equity in private sector homes should be used to finance essential repair and improvement works. Since 2006, the majority of the discretionary financial assistance offered by Dover Council has been through a combination of interest free loans with a limited grant element.
- 2.2 Along with moves to improve housing, the Government brought out its 2003 Sustainable Communities Plan aimed at building cohesive communities, updated in January 2005 with “Sustainable Communities: Homes for All” and “People, Places, Prosperity”. These highlighted the need to:
- Promote sustainable home ownership;
  - Provide quality and choice for those who rent;
  - Revive communities and housing markets;
  - Support those who need it – promotion of independent living and reduction of homelessness.
- 2.3 The Housing Act 2004 introduced a number of substantial changes including the Housing Health & Safety Rating System (HHSRS)<sup>4</sup> to replace the out of date housing fitness standard, mandatory licensing of higher risk HMOs, and stronger powers to deal with long term empty homes.
- 2.4 The Decent Homes Standard is key part of Government policy and is an important benchmark. To meet the standard<sup>5</sup> a home has to:
- a. be free of serious hazards under the HHSRS;
  - b. be in a reasonable state of repair;
  - c. have reasonably modern facilities & services; and
  - d. provide a reasonable degree of thermal comfort (effective insulation and efficient heating).
- 2.5 The Public Service Agreement (PSA) 7 target for the private sector set targets relating to the numbers of vulnerable households (essentially those in receipt of income or disability related benefit) living in decent homes:
- 70% living in decent homes by October 2010
  - 75% living in decent homes by October 2021
- 2.6 Although since April 2008 this target is no longer a national indicator for private sector housing, all Councils are still required to provide this information annually and we feel the target acts as an essential benchmark on our past and future performance. It also remains important to funding applications and so will remain an important feature of this strategy. The 2008 House Condition Survey report showed

---

<sup>3</sup> The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002

<sup>4</sup> Details of the HHSRS are set out in Appendix 2

<sup>5</sup> Full details of the Decent Homes Standard are given at Appendix 1

that we fell short of the 2010 target and this strategy sets out what we intend to do to deal with this.

- 2.7 “Lifetime Homes, Lifetime Neighbourhoods”<sup>6</sup> sets out the Government’s response to the challenges posed by a society with increasing numbers of older people. It included significant changes to Disabled Facilities Grants (DFGs), an expanded role for home improvement agencies and further promotion of equity release schemes.
- 2.8 The strategy links closely with the “Independent Living Strategy”<sup>7</sup> which commits the Government to increasing funding for DFGs and other measures to promote independent living. The need for a coherent approach linking housing, health and care is also emphasised in the White Paper “Our Health, Our Care, Our Say”<sup>8</sup> and the cross Government statement “Putting People First”<sup>9</sup>.
- 2.9 Government policies continue to reinforce the role of home improvement agencies (as in Lifetime Homes, Lifetime Neighbourhoods) and also rapid repairs and adaptations services.
- 2.10 Energy efficiency and especially fuel poverty (where a household has to spend 10% or more of its income on domestic fuel<sup>10</sup>) are growing Government priorities. The Government wants to eradicate fuel poverty by 2016 and realistically progressively harder targets for energy efficiency will be set as concern over climate change grows. Thermal comfort is a criterion in the Decent Homes Standard and, as nationally, ‘excess cold’ is the most common HHSRS hazard in Dover district.
- 2.11 The Audit Commission has released a report “Lofty Ambitions: The role of councils in reducing CO<sub>2</sub> emissions”<sup>11</sup>. The document examines the role of local authorities in seeking to both improve domestic energy efficiency and drive down CO<sub>2</sub> emissions. It contends that spending has not always been well targeted or sustainable. It states in particular:
- funding to address domestic energy could be better targeted at areas or households most in need of support;
  - spending on fuel poverty that does not also tackle CO<sub>2</sub> emissions is not sustainable.
- 2.12 As well as dealing with its own stock, the report urges local authorities to:
- use planning powers to set standards for sustainable energy use;
  - ensure building regulations are enforced;
  - use the powers in the Housing Health and Safety Rating System to improve energy efficiency.
- 2.13 The Race Relations (Amendment) Act 2000, the Disability Discrimination Act 2005 and the Equality Act 2006 all impose duties on local authorities to ensure fair treatment. This strategy has been prepared in accordance with these requirements, including the preparation of equality impact assessments.

---

<sup>6</sup> February 2008 (Department for Communities and Local Government, Department of Health, Department of Health, Department for Work and Pensions)

<sup>7</sup> March 2008 (Office for Disability Issues)

<sup>8</sup> March 2006

<sup>9</sup> December 2007

<sup>10</sup> Fuel poverty statistics estimate the number of households that need to spend more than 10 per cent of their income on fuel to maintain a satisfactory heating regime, as well as meeting their other fuel needs (lighting and appliances, cooking and water heating) Office National Statistics.

<sup>11</sup> September 2009

## **Regional, Sub Regional and County Strategies**

- 2.14 Dover is one of 55 district authorities in the South East region (there are 7 county councils and 12 unitary authorities).
- 2.15 The region is very diverse and has been divided into nine sub-regions. Dover falls into the East Kent and Ashford sub-region along with Canterbury, Thanet, Dover, Shepway, and parts of Swale and Ashford. The South East Plan recognises that this sub-region is a key international gateway to Europe. However, it is relatively remote from both London and the rest of the region and includes some of the poorer economic areas.
- 2.16 The South East Plan (Regional Spatial Strategy) focuses very much on the provision of new affordable housing but also specifically targets making better use of the existing stock. Policies that are particularly relevant are:
- Producing empty homes strategies to bring properties back into use
  - Adopting policies and programmes to improve or redevelop areas that are becoming outworn
- 2.17 The South East Regional Housing Strategy 2008-11 describes the task of ensuring that everyone in the region has access to a decent home at a price they can afford as 'an enormous challenge'. The main focus of the strategy is again on the provision of affordable housing but it also highlights the considerable problem with non decency in the private sector, especially in properties with vulnerable households.
- 2.18 The strategy supports strongly:
- moves to develop the equity release approach;
  - energy efficiency measures
- 2.19 The Regional Housing Strategy recognises that absence of an effective heating system is the main reason for failure of the Decent Homes Standard in private sector homes in the region; improving energy efficiency in dwellings has a positive effect in terms of both non decency and fuel poverty.
- 2.20 Strategies at County level are highly relevant to this strategy, in particular Vision for Kent, the community strategy produced by the Kent Partnership. Shorter term priorities in the vision document include:
- increasing the proportion of homes, in both the public and private sectors, that meet or exceed the Decent Homes standard;
  - creating incentives and enforcing responsibilities that drive homeowners and private landlords to repair and maintain their property;
  - increasing the number of long-term empty homes that are returned to use as homes;
  - improving energy efficiency and affordability in the home, minimising waste and the consumption of natural resources;
  - working towards a situation where no vulnerable household is in temporary accommodation
- 2.21 The Kent Partnership is also responsible for the Kent Agreement 2 which contains the cross Kent performance indicators agreed with Government. Indicators particularly relevant to this strategy are NI 141 (number of vulnerable people achieving independent living) and NI 187 (fuel poverty - people receiving income based benefits living in homes with a low energy efficiency rating)

- 2.22 The Kent Supporting People Strategy 2005 – 2010 is very relevant, not least because of the contribution made towards the cost of the In Touch Home Improvement Agency as is the county wide Affordable Warmth Strategy (due for updating) delivered in partnership with the Energy Saving Trust.
- 2.23 The No Use Empty campaign is a collaboration between Kent County Council and all District and Unitary Council. Launched in November 2005, Dover was one of the four founding members. Using a range of methods primarily about giving advice and assisting with finance, but also about effective use of enforcement powers, the campaign has seen over 620 properties brought back into use in East Kent.
- 2.24 ‘Lighting the Way to Success’ is the Sustainable Community Strategy 2009 produced by the East Kent Local Strategic Partnership (Canterbury, Dover, Shepway and Thanet along with the County Council, Police and Fire Authorities and other partners). The Strategy highlights affordability issues, the high proportion of fuel poverty and the high proportion of properties failing the former housing fitness standard (with Dover having the highest rate in the South East). It sees the regeneration of acutely deprived neighbourhoods (especially in Dover town) including the upgrading of poor housing as a key priority.
- 2.25 The five East Kent authorities along with their home improvement agencies also work together as the East Kent Triangle. It is this body which was responsible for the bid to the Regional Housing Board which led to the substantial increase in capital funding to meet the Decent Homes Standard.

### **Local Strategies**

- 2.26 This strategy has to link effectively with strategies at local level. Key amongst these are:
- Dover Corporate Plan 2008 - 2020
  - Dover Core Strategy 2006 – 2026
  - Dover Pride Regeneration Strategy and Action Plan 2004
  - Dover Masterplan 2006
  - Dover Housing Strategy 2005 – 2009 (currently being revised)
  - Dover Housing Assistance Policy 2009
  - Dover Draft Empty Homes Strategy 2010-2015 (Subject to approval)
- 2.27 The Dover Corporate Plan sets out a number of challenging targets, with a particular emphasis on regeneration, spanning the period up to 2020. Specific objectives relevant to private sector housing are:
- By 2012, to have*
- started a major housing renewal for urban Dover
  - enough good quality housing to meet the ambitions of Dover residents, including the most vulnerable residents
- By 2015, to have*
- no long term empty dwellings within the district<sup>12</sup>

---

<sup>12</sup> The usual definition of ‘long term empty’ is a property that has been vacant for 6 months or more. In practice, many properties empty for this length of time may still be undergoing renovation, improvement or sale and so as described in Part 5 we focus action on properties vacant for 12 months or more.

- 2.28 In its portrait of Dover as it now is, the Core Strategy Document again emphasises the sharp contrast between the generally prosperous South East region and the pockets of severe deprivation in parts of Dover district (in common with other parts of East Kent). The Core Strategy also highlights the fact that the Dover's population shows a much stronger than average trend of aging, with the proportion of people over 65 set to double over the life of the strategy with the proportions of children and people of working age set to shrink. This does have significant implications for future housing strategies (as well, of course, as for the sustainability of the economy and local communities).
- 2.29 Housing issues raised in the Document include:
- a weaker housing market than in Kent and the region;
  - very significant affordability problems;
  - lack of choice with significantly more terraced housing than the norm;
  - high levels of long term empty homes;
  - a significant amount of the housing stock is in poor condition.
- 2.30 The Core Strategy emphasises that the problems are of the greatest magnitude in Dover town and that this is where a high degree of changes is needed.
- 2.31 Building on the Dover Pride Regeneration Strategy and Action Plan, the Dover Masterplan 2006 sets out a challenging vision:
- 'By 2035 Dover will be one of the most prosperous towns on the South Coast characterised by a highly skilled and enterprising community that is proud of its town, its port and its heritage.'*
- 2.32 The Masterplan sets the scene for major regeneration activity, with housing a key element in this. The plan highlights two large residential communities in need of renewal – Tower Hamlets and St Radigunds. It also says that clear action should be taken to deal with empty homes.
- 2.33 The Housing Strategy has been in place since 2005 and is now being reviewed. It set out six strategic priorities which remain highly relevant to this strategy:
- meeting the need for affordable housing;
  - raising standards in the private sector because of urgent need;
  - supporting the increasing numbers of older people;
  - preventing homelessness (with lack of access to the privately rented sector a particular problem because of deposits and high rents);
  - supporting vulnerable people – many vulnerable households living in poor quality rented accommodation and many have difficulty maintaining their tenancies;
  - meeting Audit Commission recommendations for improvement in the quality of the housing service.

### **3.0 DOVER - THE LOCAL CONTEXT**

#### **Location, Population and General Characteristics**

- 3.1 Dover District lies at the eastern most point of the East Kent peninsula. It adjoins the districts of Thanet to the north, Canterbury to west and Shepway to the south west. Dover town is situated at the narrowest point of the English Channel, and is major focus for continental surface travel. Covering 315 sq kilometres (121 sq miles), our current population was estimated to be 106,900 in June 2008, an increase of 2.2% since the Census in 2001.
- 3.2 Dover District remains a mix of rural and urban areas (over 84% of the District remains rural). Dover and Deal are the two main urban population centres, with the market town of Sandwich and the many villages in rural hinterlands housing approximately one third of the population. Whilst containing areas of great natural beauty, our District also has the legacy of areas of derelict land resulting from earlier industrial and mining activity, in particular the former East Kent coalfield.
- 3.3 The South East region is generally seen as affluent. However, as acknowledged in regional, sub regional and local strategies, East Kent and Dover district in particular are to an extent isolated from and have weaker economies than the rest of Kent and the region. There are significant pockets of deprivation. Whilst Dover acts an international gateway with millions of domestic and commercial users each year, few of them actually visit the town.
- 3.4 The District is served by major road routes (A20/M20, A2/M2 and A256) although traffic congestion around Dover town is a major problem and the District has the only remaining single carriageway sections of the A2. There are good rail links, although the service to London remains slow, although this will of course change with the arrival of the High Speed Rail Link. Whilst there are reasonable bus services between population centres, there is heavy reliance on the car in rural areas.
- 3.5 Dover is close to Ashford and the Thames Gateway areas where major growth is planned; the centres of Dover and Deal also have to compete with Folkestone, Ashford, Westwood Cross and especially Canterbury. These centres tend to draw people from Dover and they have been improving at a faster rate than the two Dover towns.
- 3.6 In July 2008 Dover was successful in gaining Growth Point Status following a bid to the Community Infrastructure Fund with a number of partners including the South East England Development Agency (SEEDA), Homes and Community Agency, Kent County Council, Dover Harbour Board and Dover Pride. This will help support an anticipated 10,100 new homes.
- 3.7 The economy in Dover District has improved from the difficult times in the 1980s caused by the closure of the coal field and the contraction in Port activities. The pharmaceutical, ferry and manufacturing industries have all grown (especially Pfizer) but the level of unemployment in Dover (currently 3.5%<sup>13</sup>) is equivalent to that in Kent although higher than the region figure of 3.1%.
- 3.8 In three wards the unemployment rates are particularly high; the rate in Castle is 8.3%, Tower Hamlets 7.4% and St Radigunds at 6.9%. Castle ranks 6th of 305

---

<sup>13</sup> Kent County Council Monthly Unemployment Bulletin August 2009



wards in Kent, Tower Hamlets 11th and St Radigunds 17th. The rate has shown generally signs of increasing, although at a lower rate than the other East Kent authorities and there were recent falls in the Castle and St Radigunds wards.

- 3.9 However, along with our neighbours in East Kent, the District performs worse than the rest of Kent and the region in terms of indicators such as business start ups, economic activity rates and especially skill levels.
- 3.10 The Government publishes Indices of Deprivation, built up from information about levels of income, employment, health, education, crime, barriers to housing, etc to indicate the relative extent of deprivation in different areas. These again show the sharp contrasts between different parts of our District.
- 3.11 Information is commonly shown by Lower Layer Super Output Areas (LSOAs - typical population 1,500). Of the 1,047 LSOAs in Kent and Medway, 14 fall within the top 20% nationally. These are concentrated in the St Radigunds, Tower Hamlets, Town and Pier and Castle wards in Dover. Some of the LSOAs also lie in parts of the Maxton, Elms Vale and Priory and the Buckland wards in Dover town, in parts of the Sholden and Middle Deal wards in Deal and in part of the largely rural Aylesham ward. The majority of the LSOAs are located in a small geographic area close to the centre of Dover town, another factor highlighting the need for an effective regeneration programme.
- 3.12 The Kent & Medway Public Health Observatory produced an inequalities profile for Dover district in 2008. This showed that life expectancy figures also varied significantly between wards (8.7 years difference between the highest and lowest). The average District life expectancy is 77.8 years, the live expectancy in the three worst wards was Tower Hamlets (74.1 years), St Radigunds (73.9 years) and Castle (73.5 years). This illustrates clearly the importance of a strategy which includes reducing health inequalities within its aims.
- 3.13 A major issue in the District, and for this strategy, is the age profile of the Dover population. The table<sup>14</sup> below shows the distribution by age band:

**Figure 1 – Age Profile & Profile**

Age Band	Dover (%)	England (%)
Pre-1919	37.6%	21.5%
1919-1944	17.1%	17.4%
1945-1964	19.4%	19.6%
1965-1980	14.7%	21.7%
Post 1980	11.2%	19.9%

- 3.14 The table shows clearly that the proportions of residents in the age bands over 60 years are higher than both the regional and national positions, with proportionately lower figures for working age adults and for children. Obviously this has major implications for the sustainability of the local economy in future years but also for this strategy because older residents are often less able to maintain their home and are much more likely to require assistance to maintain an independent lifestyle.

<sup>14</sup> ONS population estimate June 2008

## Housing Market

### Tenure, Age and Build Type Profiles

- 3.15 There are currently an estimated 49,340 dwellings in Dover<sup>15</sup>. The table below shows the tenure profile contrasted with the national position:

**Figure 2 – Tenure Mix**

Tenure	Dover (%)	England (%)
Owner Occupied	70.5%	70.1%
Privately Rented	14.9%	12.3%
Local Authority	9.4%	9.0%
RSL	5.2%	8.6%

- 3.16 Owner occupation is at a very similar level to the national average, although the proportion of privately rented properties is over 20% higher than the national figure. The proportion of social housing is appreciably lower than nationally, which does have implications for Dover people seeking affordable housing.
- 3.17 The table below<sup>16</sup> shows the age profile is significantly different:

**Figure 3 – Age Profile**

Age band	Dover (%)	South East (%)	England (%)
0 - 14 years	17.2	17.7	17.6
15 - 24 years	11.9	12.8	13.3
25 - 49 years	30.1	34.4	35.1
50 - 59 years	13.4	12.3	12.0
60 - 74 years	17.6	14.6	14.2
75 - 84 years	6.8	5.8	5.6
85 years and over	2.9	2.5	2.2

- 3.18 We have substantial numbers of private sector homes built before the First World War, nearly 75% more than the national average. The figures show that almost 55% of our private sector homes were built before the Second World War compared with 39% nationally. A consequence of an older housing stock is that many are likely to have architectural features of importance that need preserving. In the Dover District area there are around 2800 listed building most of which are residential and 56 conservation areas. More than 10% of the private housing stock is subject to these designations. This does have major implications for this strategy as older houses generally require more maintenance, are often harder to heat and improvements will be more challenging where the character of the building has to be protected.

<sup>15</sup> HSSA 2008 and House Condition Survey 2008; English House Condition Survey 2007

<sup>16</sup> House Condition Survey 2008; English House Condition Survey 2007

- 3.19 Lastly, as would be expected from the age profile, the proportions of build types also vary significantly from the national position:

**Figure 4 – Build Type**

Build Type	Dover (%)	England (%)
Detached	23.8%	17.9%
Semi-detached	30.3%	27.5%
Terraced	36.7%	28.1%
Flat/maisonette	9.2%	17.0%
Bungalow	Included in the above	9.5%

- 3.20 The most striking feature about the private sector stock in Dover district is the high proportion of terraced homes, substantially higher than the national average and the low proportion of flats. These factors have implications for the housing market in terms of choice.

#### Empty Homes

- 3.21 Short term empty homes are part of the normal housing market. However, long term empty homes are a wasted resource, have a negative impact on neighbouring properties and often act as a focus for anti social behaviour. Using June 2008 figures<sup>17</sup>, overall the proportion of empty homes in the district at 3.7% is above the national average of 3.1% and the figure for the South East region of 2.5%. However, when private sector properties only are considered, the rate rises to 4% (compared with 2% in public sector properties only).
- 3.22 More significant is the rate of long term empty homes (empty for 6 months or more). In Dover district the overall rate in the private sector was 2.1% (870 properties).. This is significantly above the national average of 1.6% and is the second highest rate in Kent. These long term empty homes are a very significant wasted resource and are a major priority for the Council and for this strategy. We are about to finalise an Empty Homes Strategy to focus resources on this problem.

#### Housing Market Assessment

- 3.23 The Core Strategy acknowledges that the housing market in Dover district is weaker than in Kent and the South East as a whole with average lower house prices and the lowest sales price per square metre in Kent. The average Dover house price in the second quarter of 2009 is £176,400 compared with the Kent average of £209,800, the South East region average of £240,600 and the national average of £224,000<sup>18</sup>. Of the thirteen councils, only Swale, Thanet and Medway have lower average prices.
- 3.24 The low average house prices reflect in particular the weaker economy. The East Kent Strategic Housing Market Assessment (please see paragraph 2.21) identified a number of issues which affect the overall East Kent housing market:
- An increasingly aging population (homes need to be made attractive to those of working age whilst also meeting the needs of older residents);
  - Increasing numbers of single person households;

<sup>17</sup> HSSA June 2008

<sup>18</sup> Land Registry Figures April – June 2009

- A weak, low wage local economy;
  - A 'two tier' wage levels – many households on lower incomes than Kent and South East averages but with some high income households through access to well paid jobs and savings;
  - The rural dimension – high house/land prices hand in hand with low wage local households.
- 3.25 Whilst the overall average price is low, there are areas within our District with very high house prices, with implications for affordability. Sandwich in particular experienced very high house price inflation during the recent house price boom.
- 3.26 The Strategic Housing Market Assessment identified four market areas covering most of the Dover District :
- Dover
  - Deal
  - Sandwich
  - Rural
- 3.27 The assessment showed that the Dover town has a poor market image as a place to live, although there were elevated prices in parts of the rural area, especially in the east. There are particular problems in the inner areas of concentrated terraced housing. Part of the plan to improve these areas in the Core Strategy is the allocation of four areas for new housing to encourage people to migrate into the area.
- 3.28 The housing market in Deal, a coastal urban area surrounded by rural areas, was more robust with higher house prices than Dover town but with the aging population and affordability both matter of concern. The Core Strategy does not envisage any major economic ambitions for Deal.
- 3.29 Sandwich has higher house prices, driven by a large local employer, but affordability is a particular problem with development constrained by flood risk, difficult access and the landscape.
- 3.30 In all three cases the Strategic Housing Assessment recommended high targets for contributions for planning gain (under Section 106 of the Town and Country Planning Act 1990).
- 3.31 As in many areas, the growth of the privately rented sector has had a marked impact on the housing market. The Housing Strategy described the increase in the privately rented sector because of national interest in the buy to let market and the fact that this sector was further stimulated by the decline in the guest house trade.
- 3.32 Privately rented properties are concentrated in the urban centres of Dover and Deal, with high proportions of poorer quality rented accommodation especially in the more deprived areas of Dover. Higher levels of houses in multiple occupation (HMOs - normally properties where facilities such as kitchens and bathrooms are shared between different households within one house) were found in the Castle ward.

### **Housing Conditions in the Private Sector**

#### Dover House Condition Survey 2008

- 3.33 Stock condition surveys are carried out to give an accurate picture of housing conditions in a district using a sample of properties chosen at random. The overall

results are analysed to give a clear picture of housing issues – hazards, disrepair, compliance with Decent Homes Standard, etc, along with information on social issues. The Government carries out a national stock condition survey every year now with the English Housing Survey (EHCS).

- 3.34 A House Condition Survey covering all tenures was carried out by a specialist survey firm on behalf of the Council during 2008. House condition surveys will normally draw a sample of 1,000 dwellings; 1,016 dwellings were in fact inspected.
- 3.35 This was the first house condition survey carried out since 2001 and the first to look at the impact of the new Housing Health and Safety Rating System (HHSRS). The new survey could not give a direct comparison with the results from the 2001 survey because the housing fitness standard that applied in 2001 has now been replaced in 2006 by the Housing Health and Safety Rating System (HHSRS), which also affects assessment under the Decent Homes Standard.
- 3.36 As described already, there are significantly more older and more terraced properties in Dover district than nationally and this is reflected in the findings of both the 2001 House Condition Survey and the findings of the 2008 House Condition Survey.

#### Unfitness and The Housing Health and Safety Rating System

- 3.37 The first criterion of the Decent Homes Standard is that a property should meet the minimum legal standard for housing. Up until April 2006, this was that a property should be fit for human habitation. A standard which dated back 80 years, it has now been replaced by the HHSRS.
- 3.38 The 2001 House Condition Survey did not measure conditions against the Decent Homes Standard as the standard was not formalised when the field work was done. However, it did measure unfitness and found that 13% of the private sector housing stock was unfit, three times higher than the national rate at the time of 4.2%<sup>19</sup>. There was a strong association with property age; 20% of pre-1919 properties were unfit. With property type, 15% of terraced properties were found to be unfit with the rate 36% in converted flats.
- 3.39 The replacement for the fitness standard, the HHSRS concentrates on assessing the potential hazards that a dwelling may present to potential occupiers and visitors of a property (i.e. not just actual occupiers at the time of the inspection). Details of how the system works are given at Appendix 2.
- 3.40 As with unfitness, a local authority has a *duty* to take statutory action to deal with a Category 1 hazard (i.e. it is mandatory). With Category 2 hazards, an authority has a discretionary *power* to statutory action.
- 3.41 The 2008 condition survey found the overall proportion of properties with category 1 hazards is 25.2% (10,765 homes) compared with a national average of 21.7%<sup>20</sup> (23.5% in the private sector only). Obviously this is a priority for future action.

---

<sup>19</sup> English House Condition Survey 2001

<sup>20</sup> English House Condition Survey 2007

3.42 Key findings from the 2008 house condition survey in respect of category 1 hazards are:

- the main reasons for category 1 hazards were excess cold and falling on stairs etc;
- the rate in the privately rented sector at 40.4% was higher than for the owner occupied sector (22.0%) – the national figures are 30.5% and 22.2% respectively;
- the rate in properties built pre-1919 was 55.6% and in interwar properties 12.5% - the rate was 7% or less in all other property types (the national figures are 44.5% and 24.0% respectively); and
- the rate in terraced properties varied between 23.3% and 39.5% (nationally the rate in terraced properties varies between 23.3% and 28.0%)

#### The Decent Homes Standard

3.43 The Decent Homes Standard is the main Government benchmark of housing condition. Paragraph 2.4 set the four criteria of the standard; the detail is set out at Appendix 1.

3.44 The survey found that 17,600 dwellings (41.2%) failed the Decent Homes Standard. This is appreciably higher than the national average of 35%<sup>21</sup> (36% in the private sector only) from the EHCS 2007.

3.45 The table at below shows the reasons for failure of the standard. Category 1 hazards are the main reason for failure; as already described, the main reason is the presence of a category 1 hazard. This is followed by properties that fail criterion (b) because of disrepair – at 20.8% this is almost three times greater than the national average. The other two indicators are significantly below national averages.

**Figure 5 – Reasons for Failure of the Decent Homes Standard**

Reason	Dwellings	Dover 2008 % Private Sector Stock	EHCS 2007 % Stock (All Tenures)	EHCS 2007 % Private Sector Stock Only
Category 1 Hazard	10,765	<b>25.2%</b>	21.7%	23.5%
In need of repair	8,890	<b>20.8%</b>	7.1%	7.3%
Lacking adequate facilities	330	<b>0.8%</b>	3.2%	2.9%
Poor degree of thermal comfort	2,390	<b>5.6%</b>	15.4%	15.9%

3.46 Key findings by tenure, property age and build type were as follows:

- as nationally, the rate of non decency in the private rented sector at 65.7% is significantly higher than in the owner occupied sector at 36.0% (national figures 45.4% and 34.1%<sup>22</sup> respectively);
- The rate of non decency in pre-1919 properties was 73.1% in pre-1919 properties and 32.3% in interwar properties. Surprisingly a rate of 38.2% was found in properties built between 1981-1990, with the rates below 20% in all other age bands. The national figures are 57.9%, 38.3% and 24.3%

<sup>21</sup> English House Condition Survey 2007

<sup>22</sup> English House Condition Survey 2007

respectively. The high proportion of non decent properties in the 1981-1990 age band is probably due to a combination of electric heating and inadequate insulation.

- The rate of non decency in terraced properties varied between 39.1% and 56.6%. Nationally figures in terraced properties vary between 38.2% and 39.2%.

3.47 The findings in respect of the non decency and category 1 hazards in particular in privately rented and in older, terraced properties are obviously very significant factors in the formulation of new strategy.

#### The PSA7 Target

3.48 The Government set a very clear target for all homes in the social housing sector to be made decent by 2010. In the private sector, the targets related to the numbers of vulnerable households<sup>23</sup> in non decent homes. In Dover district, the survey estimated there to be 15,670 vulnerable households.

3.49 In April 2008, the Government removed the requirement for local authorities to meet the PSA7 target. However, it remains relevant to funding applications and we also feel that it is a very useful benchmark to gauge our performance.

3.50 The first PSA7 target was 65% to be achieved by 2007, followed by a target of 70% by 2010. The 2008 House Condition Survey gave the following results in respect of vulnerable households in non decent homes; the figures show the numbers of vulnerable heads by tenure, the proportions in decent homes and the number of properties occupied by vulnerable households that need to be made decent to meet the 70% target.

**Figure 6 – Vulnerable Households in Non Decent Homes**

Tenure	Number Vulnerable Households	Number Vulnerable Households in Decent Homes	Percent Vulnerable Households in Decent Homes	Shortfall for 70% Target
Owner occupied	11527	6868	59.6%	1,200
Privately rented	4146	1062	25.6%	1,840
<b>Total</b>	<b>15673</b>	<b>7930</b>	<b>50.6%</b>	<b>3,040</b>

3.51 The figures show very clearly that that a major priority for this Strategy has to be to increase the numbers of vulnerable households living in decent homes, especially in the private rented sector, where only 25.6% of vulnerable households live in decent homes. At 3,040, the shortfall is substantial, especially the 1,840 shortfall in the private rented sector and presents a challenging target.

3.52 The table also emphasises very clearly the message from the figures in respect of overall non decency and category 1 hazards that the private rented sector must also be a very clear priority. The figures for the shortfall in pre-1919 properties (2,710 of the 3,040 total shortfall) and for terraced properties (1,660 of the 3,040 total shortfall) also emphasise the earlier messages that older terraced homes must be a priority.

<sup>23</sup> Households in receipt of income or disability related benefits

- 3.53 The cost of making homes decent does present a very big challenge – the survey estimated the cost of works just to put right failures of the Decent Homes Standard at just over £78 million. The cost just to make the PSA7 target shortfall is over £17 million. These potential costs reinforce the our view that we should increase measures to facilitate equity release and bolster enforcement.

#### Energy Efficiency and Fuel Poverty

- 3.54 The house condition survey looked closely at energy efficiency issues and in particular at fuel poverty. Key findings were:
- The mean SAP rating<sup>24</sup> (an energy efficiency score running from 0 – 100) for Dover is 57 higher than the national figure of 50. (The Government target SAP rating is 65).
  - The least energy efficient homes are older homes (pre-1919 homes have an average SAP of 50) and maisonettes. Privately rented homes are less energy efficient than owner occupied dwellings (54 compared with 58)
  - The cost to rectify failures of the thermal comfort criterion of the Decent Homes Standard is over £13 million (average cost per dwelling £2,390).
  - There are an estimated 2,910 households (7%) in fuel poverty (2006 national estimate 14%).
  - Fuel poverty was highest with households in the private rented sector and in pre-1919 properties.

#### Retrofitting

- 3.54 Despite the significant new housing planned for the district, the existing homes that were designed and built with much lower fuel efficiency measures in mind, will continue to form the greatest proportion of the housing stock in the district. Typically, an existing home gives off more than double the carbon emissions (and has twice the fuel costs) of a new house.
- 3.55 In order for the government to achieve its target of cutting carbon emissions in the UK by 80% by 2050 attention will have to be given to how these existing homes can be made more energy efficient.
- 3.56 Retrofitting existing housing to improve energy efficiency, reduce carbon emissions and help tackle fuel poverty provides gives better energy and carbon savings per pound spent than any new build measure or renewable technology. Key retrofit measures we may want to consider are:
- controlling ventilation by draught proofing, blocking up unused chimneys, sealing leaky timber ground floors and introducing humidity controlled extractor fans where needed;
  - insulating solid walls, replacing single glazed windows with new high performance double glazed windows, filling cavity walls, and insulating lofts and roofs;
  - installing new highly efficient gas condensing boilers with thermostats and programmers and thermostatic radiator valves.

---

<sup>24</sup> (A SAP rating for a dwelling is a score from 0 - 100 derived from survey information on the heating system and controls, type of fuel, construction details, levels of insulation, etc; the higher the score the better)



- 3.57 As part of any retrofitting approach we will need to consider more than the physical changes to an individual house including:

The wider effects of each measure

- 3.58 Retrofitting measures need to be considered as a package. This will achieve maximum energy savings but will also avoid adverse effects such as increasing dampness and mould by excessively reducing ventilation or creating cold bridges (areas that are especially cold, as partial insulation of some areas can result in others becoming colder than before).

The bigger picture

- 3.59 Experience suggests that the greatest efficiencies can be made by taking a wider approach to refurbishment with a focus on the desired overall outcome. Some of the worst housing in energy terms is also occupied by the poorest people, both low income renters and homeowners. Carbon reduction may be the priority but retrofitting can also have a positive impact on individual and community well-being and water use.

Lineages to an area-wide strategy

- 3.60 It may be more economically viable to undertake retrofitting on a large scale. Studies suggest that greater financial savings (and equivalent carbon savings) can be achieved by retrofitting a 'cluster' of homes.

An approach tailored to different housing types

- 3.61 There is no 'one-size-fits-all' approach to retrofitting existing homes. The large variety of different house types means that different approaches may be necessary in terms of the planning consent that will be required.

A whole-house approach

- 3.62 This can result in cost savings as trades can work together to ensure works are undertaken in the most logical order. Using multi-skilled professionals can also create cost savings, for example one tradesperson may be able to install both wall and loft insulation.

Households Where There is a Person With A Disability

- 3.63 The house condition survey found that 22% of households (9,230) felt that there was at least one household member who had a disability. This does indicate that the current high demand for Disabled Facilities Grants (please see paragraph 4.36) will not reduce.

## **4.0 WHAT WE DO NOW**

### **Inspection Of The Housing Service**

- 4.1 Changing times and challenges mean that we have adapted our services to deliver more within existing resources. The private sector services we currently offer cover informing, advice & specialist support, inspection and enforcement and financial assistance.
- 4.2 The Housing Inspectorate of the Audit Commission carried out an inspection of our strategic housing service in April 2008. This covered the work of the Private Sector Housing Team as well as the Housing Needs and Strategy Teams. Overall, their report concluded that the service was fair, but with uncertain prospects for improvement
- 4.3 With regard to the private sector housing service, the Inspectorate acknowledged the success of the programmes to offer financial assistance, the handyman service and aspects of the enforcement work. However, the Inspectorate did state that:
- Enforcement activity was limited compared to the demands upon the service
  - Empty homes are not being tackled effectively
  - Vulnerable people have to wait a long time for disabled adaptations to be fitted.

The action and plan recommended by the audit commission has been completed and substantial improvements made in all these areas.

### **Offering Information, Advice and Specialist Support**

- 4.4 The overriding aim of our Private Sector Housing Team is to secure the best possible standards in private sector housing. The Team's core function is to ensure that statutory standards are met using enforcement powers when necessary. However, its work goes beyond that, advising and intervening to help tenants, owner occupiers and landlords with a wide range of housing issues.

### Engaging with Landlords

- 4.5 As in many parts of the country, the privately rented sector makes a very valuable contribution to the supply of affordable housing. At 14.9% of the total stock, the districts privately rented sector is larger than the 14.6% of the Council stock and RSL stock combined. We think a well managed, well maintained private rented sector can play a very valuable role in Dover in helping:
- to make more properties available to vulnerable households;
  - help vulnerable households to find suitable accommodation;
  - to reduce homelessness.
- 4.6 In recent years, Officers in both the Private Sector Housing Team and the Housing Needs Team have worked to develop a positive working relationship with landlords who want to deliver good quality housing. A Landlords Forum is run jointly with Shepway District Council and there is an annual Landlords Forum with the other East Kent authorities. The Forum allows a positive exchange of information on housing issues and standards.

- 4.7 Deposits required by landlords are often a major obstacle to potential tenants. The Deposit Bond Scheme run by the Housing Needs Team underwrites the risk of rent default and/or damage to the property. The scheme makes a significant contribution to matching homeless households or those threatened with homelessness with suitable, affordable housing, as acknowledged by the Audit Commission report.
- 4.8 Accreditation schemes are increasingly used by local authorities. Here, advice and assistance is given to both landlords and tenants to promote satisfactory management standards. Dover is now part of the Kent Landlord Accreditation Scheme, KLAS. Landlords participating in the scheme:
- attend a one day development course to obtain or reinforce the knowledge/skills important in ensuring their business meets necessary standards;
  - agree to follow a code of conduct and
  - demonstrate they are a 'fit and proper person' to act as a residential landlord.

#### Home Improvement Agency/Handyperson

- 4.9 The drive to encourage equity release is linked with moves to promote independent living and a coherent approach linking housing, health and care. It is clear that home improvement agencies must play a key part in this. For some years now, the administration of most financial assistance has been assisted by the In Touch Home Improvement Agency, part of the Hyde Housing Association. The service is jointly funded by the County Council, the Occupational Therapy Service and the Council.
- 4.10 In addition to the home improvement agency service, In Touch also provide the Handyperson Service. This is now funded jointly by The County Council, the East Kent PCT and the Council. This offers direct assistance with minor, low cost jobs for householders who are over pension age or who are disabled. Most older people want to remain in their own home but as health and mobility decline many need occasional help with minor jobs such as changing tap washers, putting up curtain rails, etc. The householder is charged the cost of materials and a low labour charge of £5.00 per hour if not in receipt of benefit. There is no labour charge if a person is in receipt of benefit. The service is proving very popular.
- 4.11 The service has recently been expanded to 2 handypersons each with a fully equipped van after success in applying for additional funding offered by the Government. The funding for the additional post, however, is not permanent and we will need to consider other possible options in the event that this is not renewed.
- 4.12 The Agency also operates the Homesafe Handyperson service offering a conventional Handyperson service to vulnerable households who have been a victim of crime or potential target of crime (including domestic abuse where there are appropriate referrals from external organisations). A Handyperson would assess security and fit a variety of security and safety products including window locks, door locks, spy holes, door chains, smoke alarms and fire proof letter boxes.
- 4.13 *Energy Efficiency:* The Council takes positive action to promote home energy efficiency and has a specialist Climate Change Officer. Domestic energy efficiency especially fuel poverty is a growing Government concern, particularly in the context of global concern over climate change and we intend to drive further improvements forward. The success of action so far is shown in the fact that the average SAP rating in Dover district is 57 compared with the national average of 50. Dover would be expected to have a lower than average score because of the high numbers of

older properties with solid walls. The Housing Inspectorate report noted that we were performing well in this area.

- 4.14 Nonetheless, we still have to acknowledge that there is still a substantial amount of work to do to improve energy efficiency in our private sector stock – and also that the recent House Condition Survey estimated that there are almost 3,000 households in fuel poverty.
- 4.15 We have close working partnerships with other Kent local authorities and Energy Saving Trust
- 4.16 We are currently looking at proposals for the Community Energy Savings Programme where funding is likely to be available for local areas which are in the top 10% of the most deprived areas in the country. Parts of the St Radigunds ward fall within this category.
- 4.17 Our work goes beyond just informing and advising; we give both grants and loans for energy efficiency works.
- 4.18 Improving energy efficiency is vital for health reasons; there are very clear links between cold homes and ill health, especially heart attacks, strokes and respiratory problems. However, policies at national, regional and local level are increasingly directed at moves to help reduce the impact of climate change and the Council believes strongly that it should give a lead in this area, and a formal Carbon Reduction Plan has been prepared.

## **Inspection and Enforcement**

### General Approach

- 4.19 Enforcement is a core function of the Private Sector Housing Team. Under the Housing Acts and related environmental health and building legislation, local councils have both legal powers and duties to deal with unsatisfactory housing conditions in the private sector.
- 4.20 Statutory notices can be served on both owner occupiers and landlords to require work to be carried out or in extreme cases for properties to be closed or demolished. In practice, nationally the great majority of notices are served on landlords to require repairs or improvements to be carried out for the benefit of tenants.
- 4.21 As outlined in Part 3, the main enforcement tool now is the Housing Health and Safety Rating System (HHSRS). Subject to certain mandatory requirements (for example dealing with Category 1 hazards) local authorities do have wide discretion in the way they use these powers. Appendix 2 sets out details of how the HHSRS operates and sets out a framework to be incorporated in our enforcement policy.
- 4.22 The approach to enforcement can be reactive (i.e. responding to complaints made) or proactive (inspections on a planned, regular basis). The proactive approach is recognised as being more efficient and effective and authorities generally seek now to make a significant proportion of inspections proactive. Because of previously limited staffing resources, the bulk of inspections in the district have been reactive, although a proactive approach has been taken to mandatory licensing.
- 4.23 It is usual to adopt an informal approach with landlords before statutory notices are served, with contact through telephone and letters and this approach is encouraged

by the Government through the national Enforcement Concordat. Our approach has been mainly informal, as in most cases property owners tend to carry out work after an informal approach.

- 4.24 In 2008/09, 226 complaints about housing conditions were made and it was necessary to serve Housing Act notices in 26 cases. (Since 2006, there have generally been around 210 – 230 complaints per year excluding empty homes).
- 4.25 We do not currently charge for statutory notices as allowed by the Housing Act 2004.
- 4.26 The prime responsibility for dealing with complaints of illegal eviction and harassment currently rests with the Housing Needs Team.
- 4.27 We recognised in 2007 that staffing levels were not adequate for enforcement and an additional specialist officer was appointed in April 2008. From the table below you can see the effect has been to increase the number of enforcement notices served. This increased enforcement activity increased the number of homes made decent from 17 in 2007/08 to 70 in the following year 2008/09.

Year	Housing Act Notices	Other	Total
2007 -8	3	23	26
2008-9	26	62	88
2009 (9 months only)	31	41	72

#### Houses in Multiple Occupation (HMOs)

- 4.28 Across the country, conditions in houses in multiple occupation (HMOs)<sup>25</sup> tend to be less satisfactory than in homes occupied by single households, especially in terms of fire safety. In such properties, residents commonly share facilities such as kitchens and bathrooms, although some converted flats<sup>26</sup> now come within the definition. The total number of HMOs in the District is estimated at around 200, with the majority converted flats rather than properties with shared facilities. Many of the properties were formerly guest houses serving the holiday trade.
- 4.29 At around 0.5% of private sector properties, the proportion of HMOs is less than the national average but this is still a key staff responsibility. Over past years, the Council has inspected many of the HMOs, focusing in particular on fire safety issues and the majority now comply with necessary standards. The limited numbers of complaints now received from HMO residents appears to reflect this.
- 4.30 There are significantly greater risks associated with houses in multiple occupation and additional powers and duties exist for HMOs. These include mandatory licensing provisions for higher risk HMOs (where there are three or more storeys, five residents in at least two households).
- 4.31 Prior to mandatory licensing, we operated a registration scheme for higher risk properties and we have generally good information on such properties. We have currently licensed 32 higher risk HMOs. The Housing Inspectorate report acknowledges our understanding of the HMO position in the District.

<sup>25</sup> Houses containing bed sits, or non self contained flats or flats described below in footnote 26.

<sup>26</sup> Generally converted flats where the conversion was carried before the 1991 Building Regulations and the conversion work does not meet the standard required in those Regulations.

### Empty Homes

- 4.32 At an estimated 2.1%, the proportion of long term empty homes in the District is a significant concern. It is significantly above the national average of 1.6% and the estimated 870 properties represent a substantial wasted resource. They are also a potential source of nuisance and anti social behaviour. Our focus on tackling such properties was an area criticised by the Housing Inspectorate.
- 4.33 Whilst we have taken informal and formal action to bring long term empty homes back into use (including the offering of financial incentives) and have played a very active role in the county wide 'No Use Empty' campaign, we recognise that this area needs greater priority and we set out later in this section our proposals for doing so, including the introduction of a formal Empty Homes Strategy.

### **Financial Assistance**

- 4.34 For many years, financial assistance offered by local authorities to home owners to repair, improve or adapt properties took the form of grants. The Regulatory Reform Order 2002 gave local authorities much greater freedom to tailor a framework for offering financial assistance taking into account the specific needs and resources of their area. In addition, the Government has emphasised strongly its view that the prime responsibility for the repair and/or improvement of a home should rest with the owner. In guidance, the Government continues to make it clear that it wants to see equity release schemes promoted.
- 4.35 Since 2004, the majority of financial assistance offered by Dover has been by way of loans. In 2006, we were successful in obtaining from the Regional Housing Board 3.5 million for 2006/2008. A successful bid has provided a further 1 million for subsequent years. This allowed us to increase substantially the assistance offered.

### Mandatory Assistance

- 4.36 The majority of adaptation works to a property where there is a person with disabilities remain mandatory. Disabled Facilities Grants (DFGs) account for a substantial capital spend each year. The number of grants was typically around 50 to 60 each year between 2004 – 2008 with total expenditure around £420k; in 2008/09 there were 86 grants with a spend of £600k and we anticipate that in 2009/10 the number of grants will rise to over 90 with an estimated spend of £680k. We do not currently impose any charge on a property where a mandatory DFG is given.
- 4.37 In recent years delays were experienced by many DFG applicants mainly due to lack of grant funding. We have taken steps to address this both with our own procedures and with the In Touch Home Improvement Agency and there is currently no waiting list.

### Discretionary Financial Assistance

- 4.38 In addition to mandatory DFGs we offer a range of discretionary loans and grants. Where loans are offered, these are interest free. The assistance falls into four broad groups:
- discretionary assistance for households where there is a person with disabilities;

- decent homes assistance;
- energy efficiency assistance; and
- empty property assistance

- 4.39 There are two types of discretionary assistance for a person with disabilities.
- 4.40 Disabled Home Loan Assistance: A person receiving a mandatory DFG can receive an interest free loan of up to £6,000 to carry out essential ancillary works for example electrical works. The loan is repayable on sale of the property.
- 4.41 Disabled Relocation Loan: On occasions a property may be unsuitable for adaptation and a move to an alternative property may be much more cost effective. Where the applicant would otherwise be eligible for a DFG, a loan of up to £10,000 may be offered to cover legal and moving costs. The loan can also include any agreed figure for additional purchase cost and is repayable on sale of the property.
- 4.42 There is now just one form of Decent Homes Assistance. This is not restricted by geographical location but we do target information and publicity campaigns on the inner areas of Dover town where housing condition problems are concentrated. The Housing Inspectorate report acknowledged that we had focussed effectively on distributing this form of assistance.

Decent Homes Loan: Properties have to fail the Decent Homes Standard. Owner occupiers in receipt of means tested or disabled benefit can apply for a loan of up to £30,000 repayable on sale. Landlords can apply for a loan of up to £15,000 repayable after 10 years with accredited landlords and after 3 years with non accredited landlords.

- 4.43 There are now two main forms of energy efficiency assistance:

Heating and Insulation Grant: Properties have to fail the thermal comfort criterion of the Decent Homes Standard. This is a non repayable grant available to certain owner occupiers and tenants (predominantly householders over 60 years or with dependent children or pregnant) in receipt of specified means tested benefits. The maximum grant is £4,000 (£8,000 in hard to heat rural homes). In rural locations, works can include the provision of renewable technologies such as solar heating. The grant can be given in association with other forms of assistance. The scheme is managed for the Council by Creative Environmental Networks (CEN), part of the Energy Saving Trust.

Heating and Insulation Loan: Again properties have to fail the thermal comfort criterion of the Decent Homes Standard. This is a loan available to owner occupiers in receipt of less than £30,000 gross income and to landlords who agree to let to tenants in receipt of specified benefits for heating and insulation works. The maximum loan is £5,000 (£8,000 in hard to heat rural properties). In rural locations, works can include the provision of renewable technologies such as solar heating and again the scheme is managed by CEN. The loan is repayable by owner occupiers on sale within 10 years, after 10 years by accredited landlords and after 3 years with non accredited landlords.

- 4.44 Currently there is only one form of empty property assistance:
- 4.45 Empty Property Assistance: This is a grant to pay the interest incurred on a Kent County Council No Use Empty Loan. (These loans are made available to properties

owners to bring long term empty homes back into use. They are repayable on completion of the works.)

- 4.46 The table below shows the broad pattern of expenditure on financial assistance over the past 4 years and anticipated expenditure over the remainder of this financial year.

**Figure 7 – Financial Assistance Expenditure**

Financial Year	2006/07 (£k)	2007/08 (£k)	2008/09 (£k)	2009/10 (£k)
Mandatory DFGs	382	439	600	680
Discretionary Disabled Assistance	0	24	6.6	15
Decent Homes Assistance	110	374	1245	1670
Energy Efficiency Assistance	180	224	126	700
Empty Property Assistance	64	0	27	30

- 4.47 The table shows clearly the increasing spend pattern on mandatory DFGs and the very substantial expenditure on Decent Homes Assistance after the successful bid for additional funding. The Decent Homes Assistance has proved very successful in making homes decent – 89 properties in the first six months of this financial year.
- 4.48 As described at paragraph 3.54, the 2008 House Condition Survey did show that 22% of households felt there was at least one member with a disability and realistically demand for mandatory DFGs will not reduce, particularly as the proportion of older households increases.
- 4.49 Whilst the spend on Empty Property Assistance appears low, this is the catalyst that makes the No Use Empty loans work effectively. Now that the downturn in the property market appears to be easing, the numbers of properties brought into use with this assistance is increasing sharply – 12 properties have been brought back into use in the first six months of this year using this route (and a further 12 through advice alone).
- 4.50 Almost all loans and DFG grant applicants are assisted through the In Touch Home Improvement Agency, although applicants are not required to use the agency. The Council still inspects, approves all grants and loans and authorises payments. The agency currently deals with around 240 live cases at any one time (roughly half and half DFGs and Decent Homes loans). In Touch charges a fee rate of 10%, for which a non repayable grant is given.
- 4.51 With the sudden increase in workload after the additional decent homes funding was obtained, problems with backlogs and other issues were experienced. The Agency and the Council have worked together to resolve these backlogs and there are no longer waiting lists. Applications are processed immediately and once verified normally wait no longer than 5 months for the work to be completed depending on the scale of the job.



- 4.52 Neither the Council or the agency offer independent financial advice when discussing loans; residents are always advised to seek their own independent financial advice.

### **Diversity and Inclusivity**

- 4.53 The Council is committed to ensuring that there is equal access to all services by all residents of the District. This Strategy concerns the delivery of services and allocation of resources to many vulnerable groups including low income households, households with older residents, residents with disabilities and residents from minority communities. The Strategy has been developed to ensure that limited resources are allocated as fairly as possible and delivery will be in accordance with the principles of the Council's Equality and Diversity Policy.
- 4.54 We already have in place procedures to assess customer satisfaction and diversity in respect of financial assistance and complaint investigation. We also record customer information upon receipt of a request to determine if we are reaching all diverse groups.
- 4.55 Neighbourhood meetings are attended by officers of the Private Sector team such as the Folkestone Road group which includes local residents and representative from a non British ethnic group.
- 4.56 It is believed that some of the worst rented accommodation is occupied by non British ethnic groups in the town centre of Dover. Unfortunately we rarely receive enquiries from them. We work with the Community Liaison Officer to help identify these residents and a more pro-active approach in the roads believed to house these groups should help us target them for help in the future.
- 4.57 The requirements of the Race Relations (Amendment) Act 2000, the Disability Discrimination Act 2005 and the Equality Act 2006 including the preparation of Equality impact assessments have been met in the preparation of this Strategy

### **Consultation**

- 4.58 We have consulted widely and taken into account views received when preparing this new strategy. Initial consultation was with a group of invited stakeholders. Those who attended included representatives of local landlords, letting agents, The National Landlords Association, RSLs, Municipal Charities of Dover, the Dover Society and In Touch. Votes were taken on a series of structured questions giving options for future action in respect of housing assistance, enforcement action, empty homes, engaging with landlords, energy efficiency assistance and disability adaptations.
- 4.59 A draft strategy was circulated to a wide stakeholders group and was also made available for comment on the Council's website. Again, views received were taken into account in drafting the final version.
- 4.60 A summary of the views received during consultation is given at Appendix 3; they cover a range of issues we should adopt we offer advice and financial assistance and our approach to enforcement.

## **5.0 FUTURE PRIORITIES**

5.1 To achieve our previously stated objectives and in response to the findings from the Private Sector Stock Condition survey and consultation feedback, we have identified the following priorities for action over the next five years:

- Improve our response to meet statutory responsibilities.
- Reduce the number of long term empty homes
- Increase the number of decent homes for vulnerable households.
- Develop a neighbourhood renewal policy to improve areas containing poor housing

### **Improve our effectiveness at meeting our Statutory Responsibilities**

5.2 It is clear that priorities from national, regional and local plans drive this Strategy, along of course with the consultation outcomes. However, whilst seeking to meet the strategic priorities within resources which will always be limited, we cannot lose sight of the fact that we have to meet a range of statutory obligations: category 1 hazards, mandatory licensing, and responding to complaints which will take a substantial volume of our staff time.

5.3 The House Condition Survey showed that 25.2% of properties (an estimated 10,765 homes) have category 1 hazards. The House Condition Survey figures show that the proportions of these hazards are high in privately rented homes, in pre-1919 properties and in terraced properties.

5.4 Effective enforcement is crucial as 21.6% of privately rented properties contain a category 1 hazard. Advice, specialist support and offering financial assistance all play important roles, especially as the majority of category 1 hazards are excess cold where financial assistance is often the key to removing the hazard especially for the 2000 homes in the owner occupier sector.

5.5 Whilst we feel that previous work has ensured that we have maintained effective control over standards in houses in multiple occupation, and that we have dealt effectively with mandatory licensing, the numbers in Dover district mean that this will always be a significant part of our work. We intend to maintain the standards that now prevail in this sector.

5.6 Our Service Plans already set a number of specific targets for the Private Sector Housing Team. These cover areas such as homes made decent through financial assistance and enforcement, category 1 hazards dealt with (and timescales), empty homes brought back into use by direct local authority action, and HMO licensing. We have reinforced these targets (especially in respect of empty homes) as part of this Strategy.

### **Reduce the Number of Long Term Empty Homes**

5.7 Our statutory powers also extend to dealing with long term empty homes and we acknowledge that this is a major priority for Dover. Our actions have increased the numbers of long term empty homes brought back into use but the overall numbers continue to rise and we have higher percentage of long term empty homes than the rest of England.

- 5.8 Our empty property strategy for 2010-15 sets out our priorities and actions to deal with empty homes which includes more resources and a focus of action on the worst properties.

#### **Increase the number of Decent Homes for Vulnerable Households**

- 5.9 The House Condition Survey showed that only 50.6% of vulnerable households live in decent homes, well below the 70% PSA7 target for 2010. In the privately rented sector, the proportion of vulnerable households in decent homes is only 25.6%.
- 5.10 At the moment, we need to make 3,040 properties occupied by vulnerable households decent to meet the 70% target. Of this shortfall, 1,840 properties are in the privately rented sector and 1,200 in the owner occupied sector. Even allowing for the numbers of properties that will have been made decent since the House Condition Survey was carried out last year and those that will be made decent before the new Strategy takes effect, to do this over the five year life of this Strategy we will need to make 400 such properties decent each year.
- 5.11 Reducing the number of vulnerable households in non decent homes requires a fully comprehensive approach. Even acknowledging that effective enforcement will be a key factor because of the concentration of vulnerable households in non decent privately rented homes, a mix of advice, financial assistance and informal and formal enforcement to tackle category 1 hazards, disrepair, lack of modern facilities and inadequate thermal comfort will be required. The overall target therefore informs and drives all aspects of the work of our Private Sector Housing Team.

#### **Develop a neighbourhood renewal policy to improve areas containing poor housing**

- 5.12 The house condition surveys especially the 2001 survey indicated that poor housing was concentrated in particular wards in Dover urban areas. The health inequalities of deprived areas can be illustrated by the Dover Health Profile 2009 produced by the Department of Health which states the life expectancy for women living in the most deprived areas is nine years lower for those in the least deprived area of Dover.
- 5.13 The Council has already identified areas such as St Radigunds will require regeneration as being the most deprived ward in Dover. Local community concerns with Folkestone Road area and the condition of properties particularly those rented are regularly voiced to the Council. Both these areas have a high percentage of rented accommodation and older housing.
- 5.14 It is recognised that not all homes can be improved economically to meet current and future standards. Improvements could also include clearance and redevelopment. This would require considerable resources.
- 5.15 The need to carry out area renewal is considered a priority to tackle the poor conditions in Dover. Although it is recognised that currently there is insufficient resources to carry out this work we need to explore ways of funding this work and take advantage of possible funding. We also need to see how improvements to private sector housing can be undertaken to support and compliment other regeneration projects in the area.

## **How We Will Address These Priorities**

### Offering Information, Advice and Specialist Support

- 5.16 We feel that in general terms our teams offer very valuable information, advice and specialist support to private sector residents but we need both to take account of change and also to look to improve where this is possible.
- 5.17 With energy efficiency, we will continue to increase public access to good information and in particular to target energy efficiency information on fuel poverty households. We will continue to promote access to grants such as Warm Front and our own assistance packages. In particular, we are now working with estate agents to link with the Home Information Packs (HIPs) produced with new sales and lettings.
- 5.18 In line with the Audit Commission “Lofty Ambitions” report, we will seek to ensure that advice is targeted in particular at those in greatest need.
- 5.19 The Handyperson service has proved popular and successful in giving specialist support to vulnerable households. The addition of the second Handyperson has been of great value. We wish to see this service maintained and reinforced and, given the uncertainties over future funding, we intend to work with our partners involved with this project at the charging regime. Other local authorities charge rates which, whilst still well below commercial rates (especially in terms of no minimum callout fee), make reliance on public funding much less.
- 5.20 In Touch is currently trialling ways of extending the Handyperson approach to gardening and decorating through social enterprise schemes. If these prove successful and can be funded at low cost in Dover, we will work with the agency to promote the service. We will also explore ways of giving householders advice on repairs and home maintenance.
- 5.21 The Deposit Bond Scheme is proving very successful in allowing vulnerable households access to suitable affordable housing. Many local authorities link bond schemes, which do benefit landlords, with accreditation. We see the advantage in this especially where the accreditation involves property standards<sup>27</sup>. Equally we do not want to discourage responsible landlords who may not wish to become accredited. As a first step, we shall introduce a requirement that landlords should be accredited or meet accreditation standards. We may move this on to require properties to reach set standards.
- 5.22 Continue to promote the Kent Landlord Accreditation Scheme and landlords training schemes to encourage best practice. Explore ways of encouraging landlords to become accredited by linking to other initiatives such as the bond guarantee scheme.

---

<sup>27</sup> A practice recommended in the May 2001 DETR Good Practice Guide on developing voluntary accreditation schemes

#### Information, Advice and Specialist Support - we will:

- Increase public access to energy efficiency information targeting households in greatest need especially those in fuel poverty.
- With our partners, review the charging for the Handyperson service to bolster its funding.
- Support the low cost gardening and decoration services to vulnerable households through the Handyperson service.
- Explore ways to give householders advice on repairs and maintenance
- Link the Bond Guarantee Scheme to accreditation standards.

#### Inspection and Enforcement

- 5.23 We are always seeking improvement to improve housing standards and feel that some positive changes can be made. In line with the Enforcement Concordat, informal action is the most appropriate approach in the great majority of cases where residents are concerned about unsatisfactory housing. We also believe strongly in engaging positively with those landlords who recognise and observe the considerable responsibilities involved in letting out residential property.
- 5.24 We also recognise that we have a duty to deal with unsatisfactory housing and in particular to take action with category 1 hazards under the Housing Health and Safety Rating System. The importance of this has been heightened by the figures from the House Condition Survey in respect of non decency and category 1 hazards in the private rented sector.
- 5.25 We shall now be adopting a more fast track approach to housing enforcement, moving promptly to take formal action using the Housing Act 2004 powers where it is clear that this is warranted – a policy of being fair but firm. We will review our service standards to reflect this and will monitor enforcement work to ensure the tighter timescale are adhered to.
- 5.26 We shall at the same time introduce charging for statutory notices. Investigating housing complaints does take time and resources and if property owners do not respond to informal action we feel it is appropriate that we should recover the reasonable costs incurred as allowed by the Housing Act 2004. Details of the circumstances in which we will charge are set out in Appendix 2.
- 5.27 The Housing Health and Safety Rating System does allow a great deal of discretion. We will now revise our Enforcement Policy to clarify the guidelines to be used by our Officers when exercising powers under the HHSRS. The guidelines are set out in Appendix 2.
- 5.28 The majority of Officer time is spent in reactive work (responding to complaints) rather than proactive work (planned inspections). There are areas in Dover town centre (in particular parts around Folkestone Road and parts of London Rd) where there are concentrations of poor housing. We feel that planned inspections would be appropriate in these areas. We intend to have Officer time dedicated to carrying out inspections on a planned basis in areas where unsatisfactory housing is concentrated. This will be linked with targeting advice on energy efficiency and on financial assistance.

- 5.29 The move to a proactive approach in the areas where unsatisfactory housing is concentrated will link with the broader regeneration proposals as set out in the Dover Corporate Plan and the Dover Master plan. If the proactive inspections show that housing conditions warrant some form of area based intervention, detailed area assessments may be undertaken to determine whether we should consider any Renewal Area declarations. We recognise that to go down this route will involve securing extra capital resources and will also require additional staffing to be successful.
- 5.30 We feel that great progress has been made in recent years in dealing with HMOs. Regular inspections will continue to build on this and an accurate database of all known HMO's produced.
- 5.31 We have produced a new Empty Homes Strategy for 2010-15. By implementing the strategy we expect to increase our achievements in reducing the number of long term empty homes
- 5.32 The Private Sector Officers already work closely with the Officers of the Housing Needs Team when dealing with homeless or other vulnerable households. This can involve dealing with cases of illegal eviction or harassment by landlords. One change we will make is for closer working in such cases. Where prosecution is warranted, in some cases the Private Sector Housing Team Officers will take the lead.

**Enforcement - we will:**

- Adopt a more formal approach to enforcement – fair but firm.
- Introduce changing for statutory notices.
- Dedicate the time of Officers to proactive planned inspection work focused on areas of unsatisfactory housing.
- Take steps to ensure that prosecution is used where warranted in cases of alleged illegal eviction and harassment.
- Carry out proactive work in areas of regeneration.
- Ensure sufficient resources are devoted to HMOs to maintain current standards.
- Implement new Empty Property Strategy.

Offering Financial Assistance

- 5.33 Our Housing Assistance Policy has been regularly revised and we feel that in general terms the framework for discretionary financial assistance gives a very good balance between the needs of the District and the resources available. Very substantial progress has been made both with making homes decent and with energy efficiency improvements since the additional Regional Housing Board capital funding which started in 2006/07.
- 5.34 The eligibility criteria targets vulnerable households and, whilst we no longer target specific geographical areas with ring fenced allocations, in practice the majority of financial assistance is given in areas of poorer housing because of information and advice campaigns. This will be reinforced through the designation of an Officer to carry out planned inspections in areas of unsatisfactory housing We will also seek additional funding streams to carry out any area based intervention.

- 5.35 One area which the present Housing Assistance Policy does not cover is any form of replacement for the former Home Repairs Assistance. This was a flexible grant aimed at vulnerable older householders who needed small scale urgent works – a broken boiler, leaking roof, dangerous electrics, etc. Most local authorities retain assistance of this type in some form or other. The full Decent Homes Assistance involves a time consuming procedure to put a full charge on the property to secure the loan.
- 5.36 Consultation indicates that we should look at revising the Housing Assistance Policy to include for a Minor Works Loan available to low income households with a maximum limit of £4,000 for these type of works. The loan could be offered quickly as it would be secured with a Local Land Charge only.
- 5.37 Whilst our Housing Assistance Policy has worked very well since 2006/07 in increasing the number of decent homes and improving energy efficiency, we recognise that it is heavily reliant on the additional Regional Housing Board funding . This appears to be secured for 2010/11 but it is realistic to suppose that any future Government will seek to make significant reductions in public sector spending. It is also realistic to suppose that future cuts will have a significant impact on additional funding of this type.
- 5.38 Our loans are consistent with the Government policy to promote equity release as in effect the money lent is recycled when the property changes hands. However, in practice it is often many years before the money is available to lend again. Any significant reduction in the Regional Housing Board funding would have a major impact. Because of this, we think it is prudent to start exploring other forms of equity release that make available funds from private sector lending funds.
- 5.39 Whilst the Heating and Insulation Grants and Loans come from our capital programme, much energy efficiency assistance comes from other sources such as Warm Front or from partnerships with other organisations. We shall look thoroughly at opportunities to provide assistance to areas of high deprivation in the new Community Energy Savings Programme (CESP). This is totally consistent with the recent Audit Commission “Lofty Ambitions” report which urges local authorities to focus energy efficiency assistance on the most deprived areas.

**Financial Assistance - we will:**

- Continue to target areas of unsatisfactory housing and link this with the work done on planned enforcement inspections.
- Seek additional funding stream to enable area renewal to be carried out.
- Consider the introduction of a Minor Works Loan at the next review of the Housing Assistance Policy.
- Examine thoroughly the opportunities to provide assistance to households in areas of deprivation through the Community Energy Savings Programme.
- Start exploring now alternative ways to facilitate equity release that draw on funds from private sector sources.

## **Resourcing The Priorities**

- 5.40 Clearly our future priorities have to be based on a realistic assessment of the likely resources that will be available to us. The total estimated cost of bringing homes up to decent homes standard is £66m which is clearly far more than can met through finance by Local and Central Government alone.
- 5.41 In 2008 – 2009 we spent £2,005,000 on mandatory and discretionary financial assistance. This was made of £1,245,000 specifically targeted at assisting property owners to meet the Decent Homes Standard, and £30,000 from the Council's Capital Programme. The £600,000 spent on mandatory DFGs was funded 60% by Specified Capital Grant from the Government and 40% from the Council's Capital Programme. Provision of £87,000 is also included in our Capital Programme to fund the compulsory purchase and resale, if necessary, of long term empty homes. We will also have £150,000 from the Performance Reward Grant.
- 5.42 We shall benefit in future years as the Decent Homes loans made since 2005 are redeemed; however, as these become repayable on sale of the property it is unlikely that significant sums will be available for relending for some years.
- 5.43 We currently have the benefit of empty property loans through the Kent County Council No Use Empty campaign . During 2008/09 and 2009/10 this amounts to a current annual value of approximately £600k. Unless the scheme is extended this assistance will finish in 2013.
- 5.44 The KCC through the No Use Empty Campaign also offer a consultant dedicated to empty property work and capital to undertake the purchase of empty homes.
- 5.45 Whilst Regional Housing Board funding for our loan programme for 2010/11 appears to be in place, we have been informed this will be reduced. This trend may well continue in a climate where any future Government may be seeking to achieve significant reductions in public spending. This could obviously have a profound effect on the delivery of this Strategy and we describe at paragraph one the approach we will explore to minimise the risk of this.
- 5.46 There are currently 3 full time equivalent members of staff working offering advice and financial assistance which includes two temporary staff posts (one post until March 2010 and the other until March 2011) and 3.5 full time equivalent members of staff engaged in enforcement. Using the performance reward grant we intend to strengthen the staffing resource to deal with long term empty homes by an additional part time post for up to two years.
- 5.47 The majority of the changes can be accommodated within existing staff resources. Additional staffing will be required if area renewal proposals are developed and implemented.

## **Implementation and Review**

- 5.48 The following pages set out the Action Plan the Council will follow to implement the changes described in this Private Sector Housing Strategy.
- 5.49 The Council is committed to improving private sector housing standards. We will review progress against the targets set out in the Action Plan on a quarterly basis. There will be a formal annual review as part of the Corporate Planning process.



5.50 We already have in place procedures to assess customer satisfaction after completion of financial assistance and complaint investigation. We will monitor the responses from this as part of our review process.

## ACTION PLAN

Ref	Specific Objective	Priority	Links to Other Strategies / Legislation	Work to be Done	Resources Required	Target Date	Indicator(s) of Outcome Achieved/Performance Measure	Lead Officer
<b>1. INFORMING, ADVICE AND SPECIALIST SUPPORT</b>								
PSHS 1.1	Increase public access to energy efficiency by signposting householders to information about financial help.	High	Home Energy Conservation Act 1995; Decent Homes Standard; Audit Commission: Lofty Ambitions; Regional Housing Strategy; Lighting the Way to Success; NI 187	Increase publicity campaigns using leaflets, newspaper advertisements and internet presence targeted at households most in need. Work with benefits section to target publicity	Provided through existing budget for leaflets and advertisements. Time input from Climate Change Officer	1 April 2011	Ensure sufficient promotion of Warmfront to provide for 300 heating and insulation measures.	Climate Change Officer
PSHS 1.2	Review operation of Handyperson service.	Medium	Lifetime Homes, Lifetime Neighbourhoods; Independent Living Strategy; Regional Housing Strategy	Review existing charging regimes, with partners review alternative charging regimes, test customer reaction.	Officer time	1 December 2010	Revised charging regime introduced.	Private Sector Housing Manager
PSHS 1.3	Improve ways to give householders advice on repairs and maintenance	Low	Lifetime Homes, Lifetime Neighbourhoods	Contact other local authorities offering and/or publishing such advice to research	Officer time	1 December 2011	New advice service developed.	Private Sector Housing Manager

Ref	Specific Objective	Priority	Links to Other Strategies / Legislation	Work to be Done	Resources Required	Target Date	Indicator(s) of Outcome Achieved/Performance Measure	Lead Officer
				delivery mechanisms.				
PSHS 1.4	Link the Rent Deposit Scheme to accreditation standards	Medium	Decent homes standard; DETR: Good Practice Guide on Voluntary Accreditation	Develop framework for assessing compliance, consult with local landlords and landlord representative organisations.	Officer time	1 April 2011	Bond Scheme amended to include requirement for landlords to meet accreditation criterion	Private Sector Housing Manager; Housing Needs Manager
<b>2. INSPECTION AND ENFORCEMENT</b>								
PSHS 2.1	Adopt a more fast track approach to enforcement	High	Housing Act 2004; Decent Homes Standard; Regional Housing Strategy	Publicise new enforcement policy, review existing service standards relating to enforcement action, monitor performance against revised standards	Officer time	1 October 2010	Publicity measures undertaken, service standards revised, monitoring arrangements in place.	Private Sector Housing Manager
PSHS 2.2	Introduce charging for statutory notices	High	Housing Act 2004; Regional Housing Strategy	Develop new charging criteria, revise literature and statutory notices, establish charging & recovery procedures,	Officer time	1 October 2010	New charging regime in place and publicised, recovery procedures in place.	Private Sector Housing Manager

Ref	Specific Objective	Priority	Links to Other Strategies / Legislation	Work to be Done	Resources Required	Target Date	Indicator(s) of Outcome Achieved/Performance Measure	Lead Officer
				publicise changed policy.				
PSHS 2.3	Identify and target resources at areas of worst housing using proactive inspections	Medium	Housing Act 2004; Decent Homes Standard; Regional Housing Strategy	,Devise programme of planned inspections focusing on areas of unsatisfactory housing	Officer time	1 December 2010	Planned inspections programme in place.	Private Sector Housing Manager
PSHS 2.4	Take more formal action of illegal eviction and harassment.	Medium	Protection from Eviction Act 1977; Protection from Harassment Act 1997	Review working arrangements between Officers of Private Sector Housing Team and Housing Standards Team	Officer time	1 November 2010	Effective arrangements in place to ensure that prosecution initiated where warranted with illegal eviction and harassment	Private Sector Housing Manager; Housing Standards Manager
PSHS 2.5	Link proactive work to development of area regeneration proposals	Medium	Housing Act 2004; Decent Homes Standard; Dover Corporate Plan, Dover Pride Regeneration Strategy and Action Plan; Dover Masterplan	Ensure programme of planned inspections as set in Objective 7 above is in place. Establish procedures to feedback information from planned inspections to	Officer time	1 December 2010	Arrangements for both planned inspections and information feedback procedures in place	Private Sector Housing Manager

Ref	Specific Objective	Priority	Links to Other Strategies / Legislation	Work to be Done	Resources Required	Target Date	Indicator(s) of Outcome Achieved/Performance Measure	Lead Officer
				identify neighbourhoods where area intervention warranted				
PSHS 2.6	Ensure HMOs meet current standards	Medium	Housing Act 2004; Decent Homes Standard; Regional Housing Strategy	Review existing HMO records and compile up to date database. Programme inspections based on risk assessment.	Officer time	1 August 2011	Updated database in construction and pro active inspections are carried out.	Private Sector Housing Manager
<b>3. FINANCIAL ASSISTANCE</b>								
PSHS 3.1	Continue to target financial assistance to areas with high levels of unsatisfactory housing.	Medium	Regulatory Reform Order 2002; Housing Act 2004; Decent Homes Standard; Regional Housing Strategy	Monitor awareness campaigns and take up of financial assistance; link monitoring information with information from planned inspections and identify neighbourhoods where area intervention warranted	Officer time; significant additional capital resources if potential area intervention identified	1 April 2011	Increased number of loan applications in targeted areas.	Private Sector Housing Manager
PSHS	Evaluate the		Regulatory	Review take up	Officer time	1 April	Decision taken whether	Private

Ref	Specific Objective	Priority	Links to Other Strategies / Legislation	Work to be Done	Resources Required	Target Date	Indicator(s) of Outcome Achieved/Performance Measure	Lead Officer
3.2	introduction of Minor Works Loans at next review of Housing Assistance Policy	Low	Reform Order 2002; Lifetime Homes, Lifetime Neighbourhoods; Independent Living Strategy; Regional Housing Strategy; Decent Homes Standard	of existing financial assistance and resource; determine whether provision for Minor Works Loan can be made		2011	to implement.	Sector Housing Manager
PSHS 3.3	Investigate opportunities to provide assistance to households areas of deprivation through CESP	Medium	Home Energy Conservation Act 1995; Decent Homes Standard; Audit Commission: Lofty Ambitions; Regional Housing Strategy; Lighting the Way to Success; Decent Homes Standard	Consider funding opportunities in CESP, develop a bid carry out research for application, and devise assistance programmes	Officer time	1 October 2010	Funding bids made and assistance programmes in place	Climate Change Officer
PSHS 3.4	Explore alternative ways to facilitate equity release drawing on private sector funds	Medium	Regulatory Reform Order 2002; regional Housing Strategy	Research and evaluate opportunities for assisting property owners to release equity from their property to carry out works	Officer time	1 December 2012	Research done, evaluation of alternative opportunities in place and recommendation for future action made	Private Sector Housing Manager

Ref	Specific Objective	Priority	Links to Other Strategies / Legislation	Work to be Done	Resources Required	Target Date	Indicator(s) of Outcome Achieved/Performance Measure	Lead Officer
				without reliance on public sector funding				
<b>4. EMPTY HOMES</b>								
PSHS 4.1	Increase staff resources devoted to tackling long term empty homes	High	Housing Act 2004; Regional Housing Strategy; Dover Draft Empty Homes Strategy	Establish funding available for additional staff (Performance Reward Grant), recruit additional staff resource	Officer time and Performance Rewards Grant funds.	1 August 2010	Additional staff resource in place	Private Sector Housing Manager
PSHS 4.2	16 Explore the possibility of additional resources to carry out area renewal.	Medium	Housing Act 2004; Regional Housing Strategy;	Research availability of funding	Officer time additional staff to implement	1 July 2011	Additional funding in place	Private Sector Housing Manager
PSHS 4.3	17. Introduce and follow measures in Empty Homes Strategy	High	Housing Act 2004; Regional Housing Strategy; Dover Corporate Plan	Complete development and approval of Empty Homes Strategy; review all procedures for delivery of information and specialist support, financial assistance and enforcement	Officer time and Performance Rewards Grant funds.	1 August 2010	Strategy approved and implementation procedures in place	Private Sector Housing Manager

## APPENDIX 1: THE DECENT HOMES STANDARD

### 1.0 Introduction

- 1.1 The Government has introduced the Decent Homes Standard in order to link increased funding for housing with clear improvements in standards. The first guidance on the Decent Homes Standard was issued in July 2001, with revised guidance in February 2004 and June 2006.
- 1.2 The Decent Homes Standard was originally applied only to homes owned by local authorities and registered social landlords. However, the standard was then applied by the Government to vulnerable households in the private sector by Target 7 of the Public Services Agreement. Although now formally dropped as a target by the government, it remains a relevant benchmark.
- 1.3 “Vulnerable” groups are considered by the Government to be those who may suffer health problems as a result of living on poor housing conditions which they do not have the resources to remedy themselves. Examples include those over 60, people with long term illness or disability or families with young children. In addition they are in receipt of income or disability related benefits.
- 1.4 Measurement of progress against the target is achieved through the annual English Housing Survey (formerly the English House Condition Survey). The EHS measures both property condition and the social circumstances of the household. To measure progress against the decent homes target in the private sector, the Government target refers to analysis of EHCS results in two consecutive years (to give robust figures).
- 1.5 The target applicable to private sector homes is:-
- To secure a year on year increase in the proportion of vulnerable households in decent homes;
  - Proportion of vulnerable households in decent homes to be more than 65% in 2006-07;
  - Proportion of vulnerable households in decent homes to be more than 70% in 2010-11;
  - Proportion of vulnerable households in decent homes to be more than 75% in 2020-21

### 2.0 What is the Decent Homes Standard?

- 2.1 The most recent definition of the Decent Homes Standard was given in guidance from the Office of the Deputy Prime Minister in June 2006. The guidance is based on four main principles:-
- a) It meets the current minimum standard for housing;
  - b) It is in a reasonable state of repair;
  - c) It has reasonably modern facilities and services;
  - d) It provides a reasonable degree of thermal comfort.
- 2.2 The standard is a *minimum* standard. The Government expects both social landlords and local authorities responsible for securing standards in the private sector to aim for the best standards attainable. The meaning of the individual criteria are explained in more detail below:-



a) *It Meets The Current Statutory Minimum Standard For Housing*

- 2.3 Previously the minimum standard for housing was the “fitness standard” set by the Housing Act 1985. The Act listed nine factors to take into account when a local Council is deciding whether a home is “reasonably suitable for occupation” and so “fit for human habitation”. (The factors included freedom from damp, structural stability, lighting, ventilation and amenities.)
- 2.4 The standard, which dates back 80 years and was last revised in 1989, is described in detail at Appendix E
- 2.5 The fitness standard has now been replaced by the Housing Health and Safety Rating System, prescribed method of assessment which applied risk assessments to hazards to health and safety found in the home. The system is described in detail at Appendix C.

b) *It Is In A Reasonable State Of Repair*

- 2.6 A home is in a reasonable state of repair unless:
- One or more key building components are old **and** because of their condition need replacing or major repair; **or**
  - Two or more other building components are old **and** because of their condition need replacing or major repair.

**What are ‘key’ and ‘other’ building components?**

- 2.7 Building components are the
- Structural parts of a dwelling (e.g. wall structure, roof structure),
  - Other external elements (e.g. roof covering, chimneys) and
  - Internal services and amenities (e.g. kitchens, heating systems).
- 2.8 **Key building components** are those which, if in poor condition, could have an immediate impact on building integrity and cause further deterioration in other components. They are the external components plus internal components that have potential safety implications and include external walls, roof structure and covering, chimneys, windows/doors, chimneys, fixed heating appliances and electrics.
- 2.9 If any of these components are old and because of their condition need replacing, or require immediate major repair, then the dwelling is not in a reasonable state of repair and remedial action is required.
- 2.10 **Other building components** are those that have a less immediate impact on the integrity of the dwelling. The standard takes into account their combined effect - a dwelling is not in a reasonable state of repair if 2 or more are old and need replacing or require immediate major repair.

**What is old and in poor condition?**

- 2.11 A building component is treated as '**old**' if it is older than its expected or standard life. The Government lists the lifetimes that may typically be expected for individual building components e.g. 50 years for a roof structure.

2.12 Components are in poor condition if they need major work, either full replacement or major repair. Again the Government sets out definitions for different components. For example, with a wall structure this would mean replacing 10% or more or repairing 30% or more, and with a wall finish replacing or repointing more than 50%.

2.13 One or more key components, or two or more other components, must be both old and in poor condition to render the dwelling non-decent on grounds of disrepair. Components that are old but in good condition or in poor condition but not old would not, in themselves, cause the dwelling to fail the standard e.g. a roof structure that was less than 50 years old but which had failed because of a fault.

c) *It Has Reasonably Modern Facilities And Services*

2.14 A dwelling is considered non decent under this heading if it lacks three or more of the following facilities:

- A kitchen which is 20 years old or less
- A kitchen with adequate space and layout
- A bathroom which is 30 years old or less
- A bathroom and WC located in an appropriate place
- Adequate noise insulation
- Adequate size and layout of common entrance areas for blocks of flats

2.15 These standards have been measured in the English House Condition Survey (EHCS) for many years. Examples in practice would be:-

- A kitchen with adequate space and layout would be too small to contain all the required items (sink, cupboards cooker space, worktops etc) appropriate to the size of the dwelling.
- A main bathroom or WC located in a bedroom or accessed through a bedroom (unless the bedroom is not used or the dwelling is for a single person).
- A dwelling would also fail if the main WC is outside or located on a different floor to the nearest wash hand basin - or if a WC without a wash hand basin opens onto the food preparation area.

d) *It provides a reasonable degree of thermal comfort*

2.16 The revised definition requires a dwelling to have both **efficient heating** and **effective insulation**.

2.17 Efficient heating is defined as any gas or oil programmable central heating or electric storage heaters or programmable LPG/solid fuel central heating. Heating sources which provide less energy efficient options fail the decent home standard.

2.18 Because of the differences in efficiency between gas/oil heating systems and the other types of system, the level of insulation considered appropriate also differs:

- For dwellings with **gas/oil programmable heating**, at least 50mm loft insulation (if there is loft space) and cavity wall insulation (if there are cavity walls that can be insulated effectively)
- For dwellings with the less efficient **electric storage heaters/LPG/programmable solid fuel central heating**, at least 200mm of loft insulation (if there is a loft) and cavity wall insulation (if there are cavity walls that can be insulated effectively). Loft insulation thickness of 50mm is an absolute minimum which will trigger action.

## **APPENDIX 2: THE HOUSING HEALTH AND SAFETY RATING SYSTEM**

- 1.1 Part 1 of the Housing Act 2004 replaced the housing fitness standard set out in the Housing Act 1985. The fitness standard is now to be replaced with an evidence-based risk assessment process, carried out using the Housing Health and Safety Rating System (HHSRS). Local authorities now base enforcement decisions in respect of residential premises on the basis of assessments under HHSRS.
- 1.2 Action by authorities will be based on a three-stage consideration:
- a. the hazard rating determined under HHSRS;
  - b. whether the authority has a duty or power to act, determined by the presence of a hazard above or below a threshold prescribed by Regulations (Category 1 and Category 2 hazards); and
  - c. the authority's judgement as to the most appropriate course of action to deal with the hazard.
- 1.3 The Act contains new enforcement options which are available to local authorities. The choice of the most appropriate course of action is for the authority to decide, having regard to statutory enforcement guidance.

### **2.0 The Assessment System**

- 2.1 The purpose of the HHSRS assessment is not to set a standard but to generate objective information in order to determine and inform enforcement decisions. Technical guidance is given by DCLG in the February 2006 document "Housing Health and Safety Rating System: Operating Guidance".
- 2.2 HHSRS assesses twenty nine categories of housing hazard, including many factors which were not covered or covered inadequately by the housing fitness standard. It provides a rating for each hazard. It does *not* provide a single rating for the dwelling as a whole or, in the case of multiply occupied dwellings, for the building as a whole.
- 2.3 The HHSRS scoring system combines the probability that a harmful occurrence (e.g. an accident or illness) will occur as a consequence of a deficiency (i.e. a fault in a dwelling (whether due to disrepair or a design fault)). If a harmful occurrence is very likely to occur and the outcome is likely to be extreme or severe (e.g. death or a major injury) then the score will be very high.
- 2.4 The hazard rating is expressed through a numerical score which falls within one of ten bands. Scores in Bands A to C (score 1,000 or above) are Category 1 hazards. Scores in Bands D to J (score below 1,000) are Category 2 hazards. The 29 hazard types are as follows:

#### **A. Physiological Requirements**

- Damp and mould growth etc
- Excessive cold
- Excessive heat
- Asbestos (and MMF)
- Biocides
- CO & Fuel combustion products
- Lead
- Radiation
- Uncombusted fuel gas

- Volatile organic compounds

#### B. Psychological Requirements

- Crowding and space
- Entry by intruders
- Lighting
- Noise

#### C. Protection Against Infection

- Domestic hygiene, pests & refuse
- Food safety
- Personal hygiene sanitation & drainage
- Water supply

#### D. Protection Against Accidents

- Falls associated with baths etc
- Falls on the level
- Falls associated with stairs and steps
- Falls between levels (e.g. from windows),
- Electrical hazards
- Fire
- Hot surfaces and materials
- Collision and entrapment
- Explosions
- Poor ergonomics
- Structural collapse and falling elements

2.5 The HHSRS assessment is based on the risk to the *potential occupant who is most vulnerable to that hazard*. For example, stairs constitute a greater risk to the elderly, so for assessing hazards relating to stairs persons aged 60 years or over are the most vulnerable group. In contrast, the most vulnerable group for falling between levels are children under 5 years. The very young as well as the elderly are susceptible to low temperatures. A dwelling that is safe for those most vulnerable to a particular hazard is safe for all.

### 3.0 The Enforcement Framework

3.1 Local authorities have a duty to act when Category 1 type hazards are found. They have a discretionary power to act in respect of a Category 2 hazard. The courses of action available to authorities where they have either a duty or a power to act are to:

- Serve an improvement notice requiring remedial works;
- Make a prohibition order, which closes the whole or part of a dwelling or restricts the number or class of permitted occupants;
- Suspend Improvement or Prohibition notices.
- Serve a Hazard Awareness Notice
- Take Emergency Remedial Action\*
- Serve an Emergency Prohibition Order\*
- Make a demolition order\*
- Declare a clearance area

\* Only in respect of Category 1 hazards

3.2 While the HHSRS hazard rating is based on the most vulnerable potential occupant, authorities will be able to take account of the circumstances of the actual occupant in deciding the most appropriate course of action. Where an authority takes action and the property owner does not comply, the Act retains the powers available to authorities to act in default (i.e. carry out the work themselves and recover the cost from the owner of the property) and/or to prosecute. It also enables them to charge and recover charges for enforcement action.

#### **4.0 Use of Discretionary Power: Decision Rules**

4.1 *The Housing Health and Safety Rating System: Enforcement Guidance*, statutory guidance made under section 9 of the Housing Act 2004 gives advice on how local housing authorities should use their discretionary powers.

4.2 An authority must take appropriate action in respect of a Category 1 hazard and may do so in respect of a Category 2 hazard. In deciding what is the most appropriate course of action, the statutory guidance states that they should have regard to a number of factors. It is important to note that in both cases an authority is obliged to give a formal statement of reasons for the action it intends to take.

4.3 It is also important to stress that for the purposes of assessing the hazard, it is assumed that the dwelling is occupied by the most vulnerable household (irrespective of what household is actually in occupation or indeed if it is empty). However, for the purposes of deciding the most appropriate course of action, regard is had to the actual household in occupation.

4.4 An authority has to take account of factors such as:

- Extent, severity and location of hazard
- Proportionality – cost and practicability of remedial works
- Multiple hazards
- The extent of control an occupier has over works to the dwelling
- Vulnerability of current occupiers
- Likelihood of occupancy changing
- Social exclusion
- The views of the current occupiers

4.5 Having regard to the statutory guidance and to the provisions of the Enforcement Concordat which Dover District Council has adopted, in addition to the Council's duty to take action where a Category 1 hazard exists, the Council will generally exercise its discretion to take the most appropriate course of action where a Category 2 hazard exists in the following situations:

#### **The Most Appropriate Course of Action – Category 2 Hazards**

##### **A. Band D Hazards**

There will be a general presumption that where a Band D hazard exists, Officers will consider action under the Housing Act 2004 unless that would not be the most appropriate course of action

B. Multiple Hazards

Where a number of hazards at Band D or below appear, when looked at together, to create a more serious situation, or where a property appears to be in a dilapidated condition, the Private Sector Housing Manager may authorise the most appropriate course of action to be taken.

C. Exceptional Circumstances

In exceptional circumstances where A and B above are not applicable, the Private Sector Housing Manager may authorise the most appropriate course of action to be taken.

**Level To Which Hazards Are To Be Improved**

The Housing Act 2004 requires only that the works specified when taking the most appropriate course reduce a Category 1 hazard to Category 2 hazard. For example Band C and Band A hazards need only be reduced to Band E. The Council will generally seek to specify works which, whilst not necessarily achieving the ideal, which achieve a significant reduction in the hazard level and in particular will be to a standard that should ensure that no further intervention should be required for a minimum period of twelve months.

**Tenure**

In considering the most appropriate course of action, the Council will have regard to the extent of control that an occupier has over works required to the dwelling. In normal circumstances, in most cases taking the most appropriate course of action against a private landlord (including a Housing Associations) and will involve requiring works to be carried out. With owner occupiers, in most cases they will not be required to carry out works to their own home and the requirement to take the most appropriate course of action will be satisfied by the service of an Hazard Awareness Notice.

However, the Council may in certain circumstances require works to be carried out, or serve a Prohibition Order, or use Emergency Remedial Action or serve an Emergency Prohibition Order, in respect of an owner occupied dwelling. This is likely to be where there is an imminent risk of serious harm to the occupiers themselves or to others outside the household, or where the condition of the dwelling is such that it may adversely affect the health and safety of others outside the household. This may be because of a serious, dangerous deficiency at the property. Another example is a requirement to carry out fire precaution works to a flat on a long leasehold in a block in multiple occupation.

**Enforcement Concordat**

The Council has adopted the Enforcement Concordat and observes its principles. With specific regard to Part 1 of the Housing Act 2004, the principles of the Enforcement Concordat mean that the Council will take an informal approach to the Act. However, this will not be appropriate where:

- a. there is a risk to health and safety from a hazard of a nature which requires prompt formal action, or
- b. there is evidence of previous non compliance with statutory provisions made under the Housing Acts or other housing related legislation

## **Charging for Notices**

In accordance with Sections 49 and 50 of the Housing Act 2004, the Council reserves the right to charge and recover the reasonable costs incurred in taking the most appropriate course of action.

The Council will charge where:

- a. A formal notice is required to remove a serious threat to health and safety unless the threat arose because of circumstances outside the control of the person receiving the notice, order or action, and/or
- b. There is evidence of previous non compliance with statutory provisions made under the Housing Acts or other housing related legislation, and/or
- c. No adequate action has been taken in response to informal requests from the Council to take action or do works.

### APPENDIX 3: CONSULTATION

At the consultation meeting held on the 12 October 2009, the following stakeholders attended:

P G Sherratt	– The Dover Society
Glen Virtue	– Private Landlord
D Matika	– Southern Housing Group
Mr Bob Humphreys	– Bank House Property
L J Brooman	– Municipal Charities of Dover
Marion Money	– N L A
Simon Crowley	– Tersons
Julie Curtin	– Cherry Tree Property Services
Donna Crozier	– In Touch
Karen Leslie	– In Touch

Following a presentation, delegates were asked to vote on 14 specific decision points and the following options were preferred – that the Council should:

1. Assist vulnerable homeowners where major repairs are required with mixture of grants and loans.
2. Focus offers of affordable loans on combination of areas with poorest quality housing and older/vulnerable people.
3. Offer an interest free or low interest loan for small works (up to £4k).
4. Focus assistance with minor works on urgent repairs.
5. Provide advice on repairs and home maintenance to home owners to help them maintain their home.
6. With Category 2 hazards Council should serve notices where score is close to 1,000 or otherwise serious.
7. Encourage owners to return long term empty homes back into use but use EDMO if not successful.
8. Give long term empty homes high priority.
9. Charge for service of statutory notices.
10. Offer advice and help to landlords and tenants.
11. Assist people in fuel poverty, but not on benefits.
12. Offer assistance discretionary assistance for DFG works by grant repayable when property is sold.
13. Place a charge when mandatory DFG given (equal split on whether when home is extended or work other than stairlift).
14. Not to offer assistance to cost of renewable technologies with energy efficiency grants (but fair support of idea for yes where no access to mains gas).