

**TONBRIDGE & MALLING BOROUGH COUNCIL**  
**COMMUNITIES and HOUSING ADVISORY BOARD**

**26 February 2019**

**Report of the Director of Planning, Housing and Environmental Health**

**Part 1- Public**

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)**

**1 HOUSING ASSISTANCE POLICY AMENDMENTS**

**Summary**

**This report proposes some minor amendments to the Housing Assistance Policy to update our Warm Homes Assistance scheme eligibility criteria to reflect the changes to the Government's Energy Company Obligation (ECO) scheme.**

**It also proposes providing Warm Homes Assistance to private sector landlords where the Energy Performance Certificate (EPC) rating for the property is band F or G and there is a Category 1 Excess Cold hazard under the Housing Health and Safety Rating System (HHSRS) assessment of the property.**

**1.1 Background**

1.1.1 Members will recall that the current Housing Assistance Policy and funding arrangement was agreed for the three year period 2016 to 2019. A budget of £60,000 per year is allocated for the Housing Assistance Policy. This is made up of £30,000 Council funding and £30,000 from Housing Assistance repayments coming back into the Council.

**1.2 Revisions to Housing Assistance Policy**

1.2.1 The existing Warm Homes Assistance scheme is able to help those most vulnerable and in need to provide affordable warmth. In particular we have been able to provide 'top-up' funding for heating and insulation works for those residents in receipt of certain means tested ECO benefits.

1.2.2 The Government has reviewed ECO eligibility and the next phase that runs until March 2022 will focus solely on affordable warmth to support low income, vulnerable and fuel poor households.

1.2.3 Eligible households will now include where a member of the household is in receipt of a disability related benefit as these households may be more vulnerable

to cold. The verification process has also been simplified by removing the universal credit/child tax credit and working tax credit income cap. Child benefit has also been added as an eligible benefit with maximum income caps based on the number of dependent children in the household.

- 1.2.4 We are proposing changes to the Warm Homes Assistance eligibility criteria to reflect the changes to the ECO eligibility criteria. Eligible ECO benefits are listed in the table below:

Pension Credit (Guaranteed)	Carers Allowance
Income Based Job Seekers Allowance	Severe Disablement Allowance
Income Related Employment Support Allowance	Industrial Injuries Disablement Benefit
Income Support	War Pensions Mobility Supplement (MOD)
Universal/Child/Working Families Tax Credit	Constant Carers Allowance (MOD)
Disability Living Allowance	Armed Forces Independence Payment (MOD)
Person Independence Payment	Child Benefit (with maximum income caps based on no of children in household in receipt of child benefit)
Attendance Allowance	

- 1.2.5 We are also proposing to extend the eligibility criteria for Warm Homes Assistance to those residents eligible for Local Authority Flexible Eligibility ECO as defined by the Council's Statement of Intent published on our website:

[https://www.tmbc.gov.uk/\\_data/assets/pdf\\_file/0008/654452/Flexible-Eligibility-Statement-of-Intent-Version-3.pdf](https://www.tmbc.gov.uk/_data/assets/pdf_file/0008/654452/Flexible-Eligibility-Statement-of-Intent-Version-3.pdf)

- 1.2.6 From the 1 April 2018 landlords of relevant domestic private rented properties may not grant a tenancy to a new or existing tenant if their property has an EPC rating of band F or G unless they have a valid exemption. From the 1 April 2020 this will apply to all existing tenancies. Those properties with an EPC of band F or G are often older properties with solid wall construction and do not have gas central heating because of not having access to the gas network, for example in rural areas. These less efficient properties result in higher tenant energy bills and increase the likelihood of living in fuel poverty.

- 1.2.7 In addition to the existing Warm Homes Assistance for private landlords working with the council by accepting nominated tenants, we are proposing extending the funding available to include private landlords undertaking heating or insulation improvements where the EPC rating for the property is band F or G and there is a Category 1 Excess Cold hazard under the Housing Health and Safety Rating System assessment.
- 1.2.8 For those private landlords not accepting nominated tenants and where the EPC rating for the property is 'F' or 'G' and there is a category 1 excess cold hazard we are proposing funding fifty percent of the eligible costs (minus ECO funding, if applicable) up to a maximum of £5,000 to improve the energy efficiency of the property to a minimum EPC of band E.
- 1.2.9 A minor amendment to the wording of the Warm Homes Assistance scheme is also proposed to clarify that assistance to ensure that homes are adequately heated is available for the provision of an **affordable** efficient heating system although this does not alter the focus of the work.
- 1.2.10 A full copy of the revised Housing Assistance policy is attached at **ANNEX 1**.

### **1.3 Conclusions**

- 1.3.1 The proposed changes to the Warm Homes Assistance mentioned in paragraphs 1.2.1 to 1.2.10 will ensure the limited housing assistance funding is targeted to those fuel poor, vulnerable households most in need.

### **1.4 Legal Implications**

- 1.4.1 The Council is required to publish a policy on how it intends to use the powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to provide housing assistance.

### **1.5 Financial and Value for Money Considerations**

- 1.5.1 An annual budget of £60,000 is agreed for the Housing Assistance Policy of which £30,000 is to be met from the Council's own resources and £30,000 by way of grant repayments. The amendments proposed within this report will be managed within the existing budget.

### **1.6 Risk Assessment**

- 1.6.1 As a statutory Housing Authority the Council has a duty to review and report on the housing conditions in the area. It is important that where funding is offered to improve housing conditions it is spent wisely and to best effect to achieve the desired outcomes.
- 1.6.2 Failure to provide housing assistance to private sector homeowners and landlords may contribute to rising levels of poor quality private sector housing and result in households with limited incomes exposed to risks to their health and safety.

## 1.7 Recommendations

- 1.7.1 Members are asked to **APPROVE** the proposed amendments to the Housing Assistance Policy.

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

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Nil

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