

Private Sector Housing Strategy 2010-13

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Foreword

This strategy describes how the Council is going to address the housing needs of residents in the private sector. The strategy has been developed for private homeowners, including mobile homes, and those that live in privately rented accommodation.

In particular it explains how the Council is implementing private sector housing strategy with regard to national, regional and sub-regional strategies. It is also designed to be read in conjunction with the Council's overall Housing Strategy for 2009 -11.

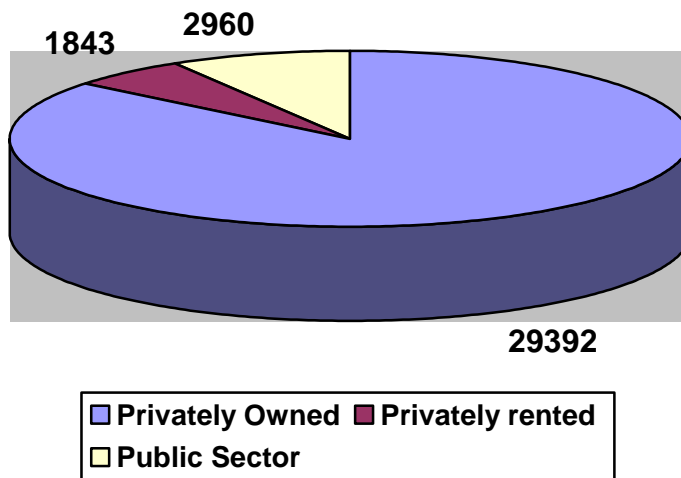
Introduction

The Rochford district occupies an area of 65 square miles in the south-eastern part of Essex. The area is predominantly rural with land use principally devoted to arable farming. The main centres of population are located in the towns of Rayleigh, Hockley and Rochford, and the village of Great Wakering. The district is also included in the Thames Gateway South Essex regeneration area.

Currently, the population is around 82,200. The district has been earmarked for the construction of 4,600 additional homes by 2021, by which time the population is predicted to be 87,000.

There are 34,195 dwellings in the district, the majority of which are privately owned. Approximately 5.9% of privately owned dwellings are let to private tenants. 2,960 dwellings are in public ownership, that include 1,750 transferred from Council ownership to a Housing Association in 2007.

Local tenure profile



Strategic Context

1. National Strategy

In 2000, the government carried out the first comprehensive review of housing for 23 years. The review was initiated by the publication of a Green Paper entitled “Quality and Choice: a Decent Home for All” in April 2000. In December 2000, after responses to the Green Paper had been received, the government published a policy document called “The way forward for housing” that provided the framework for government housing policy for the following decade.

This document contained several key proposals that have shaped the way local authority private sector and other housing services are delivered.

Those that concern the local authority private sector function were:

- A stronger more strategic role for local authorities, across all housing in their area, public and private;
- Measures to raise the standards of private rented housing, encourage new investment and tackle problems at the bottom end of the sector;
- Introduction of a standard for housing conditions called the ‘decent homes’ standard. This was originally aimed at social housing and was later extended to the private sector;
- Greater discretion and flexibility in the use of grants and loans to support home repair;
- Introduction of landlord accreditation schemes;
- Licensing of Houses in Multiple Occupation;
- Introduction of the housing health and safety rating system;
- Tackle fuel poverty through a new Home Energy Efficiency Scheme, and other programmes;

In the years following 2000, the government published a number of housing related strategies and introduced new legislation to develop and implement the proposals outlined in ‘The Way Forward for Housing’.

A key strategy document published in 2003 was “Sustainable Communities – Building for the future”. Implications for private sector housing were:

- Additional funding allocated for private sector renewal, and to Home Improvement Agencies;

- Announcement of a Housing Bill (later enacted as the Housing Act 2004) to introduce licensing of Houses in Multiple Occupation (HMOs) and licensing of landlords in 'low-demand' areas;
- Proposal to reduce VAT on the costs of renovating an empty home;
- Allocation of capital to fund development in the Thames Gateway area;
- Mechanism for devolvement of housing responsibilities to regional assemblies announced;

2. Regional and sub regional strategy

Until it dissolved on 31 March 2010, regional housing strategy was formulated by the East of England Regional Assembly (EERA). In July 2005 it published its latest regional housing strategy for 2005-10, with a private sector focus on decent homes, empty homes, fuel poverty, disabled facilities grants and overcrowding. These themes have been repeated in the Regional Assembly's latest strategy document called 'People, Places, Homes – Priorities for Housing and Regeneration in the East of England 2010 -14'.

National and regional housing strategy is frequently driven by planning policy. In 1995 the government published regional planning guidance note (RPG) 9a that set out proposals for regional development in the Thames Gateway – a corridor of land stretching from east London to the north-east Kent and south-east Essex coasts.

Although the provision of new housing is one of the major features of RPG 9a, it also recognises that the majority of the Gateway's inhabitants will live in existing housing stock. Housing improvement and refurbishment therefore feature prominently in the Gateway development strategy.

The Thames Gateway South Essex housing strategy published in 2008, for the period 2008-11, mirrors the latest EERA strategy, and highlights the need for the sub-region to continually monitor the condition of its housing stock.

Stock condition surveys

An essential precursor to establishing a local housing strategy is a stock condition survey. This normally takes the form of a sample survey of existing housing stock from which conclusions about the overall condition of the stock can be drawn. The results of the survey should:

- allow the local housing authority to identify deficiencies in the condition of the housing stock;
- provide a basis for estimating the cost of maintenance and repair;
- highlight areas where housing action is needed;

Rochford's latest stock condition survey was carried out in 2007, in conjunction with the partner local authorities of Thurrock and Basildon.

Housing standards

Poor housing conditions can lead to adverse effects on the health, safety and wellbeing of occupants. Defective and unsafe or overcrowded housing increases the risk that residents will suffer ill health or injury. Vulnerable groups including the elderly, disabled and families with young children are of particular concern as they may be more susceptible to these risks.

Whilst the primary responsibility for maintenance of a property lies with the owner, many, especially those in vulnerable groups do not have the resources to keep their houses in good repair. Those living in privately rented homes may find that their landlords are slow, or reluctant to carry out maintenance and repairs.

The Council has a number of means available to improve housing conditions that include providing financial aid to home owners, and in the private rented sector, enforcement action.

The next thing to consider is how judgements can be made about housing conditions – what determines whether a home is safe and healthy to live in?

There are two systems in place that local authorities use to assess housing conditions:

1. Decent Homes Standard

This standard was originally devised by central government in 2000 to apply to homes in the social sector (those provided by local Councils, and Housing Associations). In 2002 the government extended the application of the standard to housing in the private sector.

The standard sets out four criteria that a home should meet, in order for it to be “decent” or acceptable to live in:

- It meets the current statutory minimum standard for housing;
- It is in a reasonable state of repair;
- It has reasonably modern facilities and services;
- It provides a reasonable degree of thermal comfort;

To be termed “non-decent”, a dwelling only needs to fail one of the above criteria.

2. Housing Health and Safety Rating System

This system of assessing housing conditions was introduced by the Housing Act 2004, replaced a previous “fitness standard” and is used primarily as a precursor to enforcement action against a landlord, where the Council has identified housing defects that pose a risk to the health and safety of the tenant. To assess a dwelling using this system, the Council is required to consider a range of hazards that the occupier(s) could be exposed to, and the likelihood that they will occur within the next twelve months. Regulations made under the Housing Act 2004 outline 29 different hazards for consideration. Hazards that are commonly the subject of complaints about housing conditions are: damp and mould growth; excess cold; crowding and space, and electrical defects .

Once the various hazards have been identified, a calculation is carried out to provide a hazard score that enables them to be rated. Hazards that pose a serious risk to the health and safety of an occupant, and are high scoring are classed as “category 1”. Those that are a less serious risk and lower scoring are classed as “category 2”.

If a complaint is received by a tenant regarding defective housing, the Council is required to carry out a full survey of their dwelling and assess all possible hazards that may be a health and safety risk. The Housing Act 2004 gives the Council a range of enforcement options to deal with the hazards identified.

The government has chosen to incorporate the Housing Health and Safety Rating System into the Decent Homes Standard where a dwelling is required to “meet the current statutory minimum standard for housing”. For the purposes of the decent homes criteria this is taken to mean that a dwelling is free from any Category 1 hazards as assessed under the Housing Health and Safety Rating System.

Decent Homes and the Rochford picture.

There are 31,235 dwellings locally in the private sector. In 2007, across all tenures 5,524 or 18% of these were found to fail the decency standard for the following reasons:

Reasons for failing the decency standard

1	Category 1, HHSRS deficiencies	1121
2	Reasonable state of repair	2403
3	Reasonably modern facilities	53
4	Reasonable degree of thermal comfort	2320
	Number of dwellings failing one or more of the above	5524

Source: House Condition and Energy Efficiency Report 2007

The House Condition and Energy Efficiency Report 2007 found that there were 4051 vulnerable households in the Rochford district, of which 665 were living in non-decent housing. This represents a proportion of 16.4%. Alternatively it can be said that 83.6% of vulnerable households locally, live in decent housing.

In 2002 the government set a target for local authorities in relation to vulnerable households and decent housing that requires a minimum of 70% of vulnerable households should be living in decent homes by 2010, and 75% by 2020. Whilst the target is currently exceeded by 13.6% locally in relation to the 2010 target, the proportion of vulnerable people is growing, mainly due to an ageing population.

Vulnerable households are those in receipt of at least one of the principal means tested or disability related benefits¹.

The proportion of the local population aged 65 or over, currently stands at 18%, and is predicted to increase by 17% over the next 5 years².

The age profile of the housing stock will also be a factor in determining the level of repair activity necessary in future years

Age profile of local property

Age	Percentage of stock
Pre 1945	18.6
1945-1964	29.1
Post 1964	52.3

Source: House Condition and Energy Efficiency Report 2007

15,300 dwellings in the district are 44 years old, or older, the majority of them being privately owned.

Stock profile of local property

Type of dwelling	Percentage of stock
Detached house	21.5
Semi-detached house	36.5
Terraced house	11.3
Bungalows	23.3
Flats	7.4

Source: House Condition and Energy Efficiency Report 2007

92.6% of local property is either houses or bungalows. The level of private property ownership is amongst the highest in the country at 86%³. There is therefore a high likelihood that property owners will be seeking help from the Council to repair their homes.

1. A Decent Home: Definition and guidance for implementation (DCLG 2006)

2. South East Essex Primary Care Trust: Rochford Joint Strategic Needs Assessment – April 2008

3. Rochford District Council Corporate Plan 2010-15

Maintaining and improving housing standards

There are various ways that the Council can deal with sub-standard homes in the private sector.

1. Privately owned homes

The Council can provide home owners receiving a means tested or disability benefit, with a Rochford Home Maintenance and Repairs Grant (RH MAG). This is a grant available to a vulnerable owner occupier including an owner of a mobile home, to enable them to carry out repairs to their dwelling so that it meets the Decent Homes Standard. An RH MAG grant is also available to help disabled persons and to top-up a Warm Front grant (see the later sections on Disabled Facilities Grants and Home Energy Conservation for further details). Since 2005, the Council has delivered the RH MAG service in conjunction with its Home Improvement Agency (HIA), Springboard.

A maximum of £10,000 within any two year period is available to householders who own their property and have lived there for at least two years.

Typically, RH MAGS attract applications for roof repairs, replacement windows and doors, electrical rewiring, and 'top-ups' for Warm Front grants.

The HIA act as an initial point of contact for grant enquiries, carry out decent homes surveys, submit grant applications on behalf of service users, and oversee the completion of works once the Council has approved a grant offer.

To qualify for a grant the home must be non-decent, as determined by the Improvement Agency. Once grant works have been carried out the home must be decent, by comparison to the governments decent homes standard.

RH MAG grant activity 2005-2010

Year	Number of grants
2005/6	30
2006/7	48
2007/8	36
2008/9	55
2009/10	28

The RH MAG budget is composed annually of a capital input from the Council and an allocation from the government, received via Go East, the government's regional office for the East of England.

For the period 2009-2011, the budget will be supplemented by monies from the Thames Gateway Decent Warm Healthy Homes project. This project arose from a successful bid to Go East for funding to carry out home heating

improvements and home repairs by the partner authorities – Basildon, Castle Point, Rochford, Southend-on-Sea and Thurrock. However, this project is dependent on continued funding availability.

The bid has been successful and is likely to provide the Council with an increase in government funding to tackle non-decent homes.

Strategic objective: *To provide 50 RHMAGs to vulnerable residents in 2010/11 and 50 in 2011/12, subject to available budget.*

2. The private rented sector

The Housing Act 2004 introduced, in conjunction with the Housing Health and Safety Rating System (HHSRS), a range of enforcement measures that local authorities can use to address housing conditions that may pose a threat to the health and safety of those in the private rented sector, including houses in multiple occupation (HMOs). Enforcement options include the service of statutory improvement or prohibition notices, and emergency action where housing conditions pose an imminent risk of serious harm to occupants.

Dwellings found to have one or more Category 1 hazards will also fail the decent homes standard. As the Council does not currently provide grants for landlords to improve their properties, use of enforcement powers under the Housing Act 2004 is the principle means of remedying non-decency in the private rented sector.

The Council has a statutory duty to investigate complaints from tenants regarding disrepair and poor housing conditions. Officers from the Private Sector Housing Team can serve notice of intended entry into a landlord's property for the purposes of investigating a tenants allegations. A Schedule of Required Works will be produced and forwarded to the landlord for action. If the landlord fails to carry out repairs, the Council will exercise its powers to take enforcement action where category 1 and 2 hazards exist. A landlord may be prosecuted for failing to comply with formal enforcement action.

Strategic objective: *To respond to all incoming complaints and requests for advice and assistance within 5 working days.*

Landlord Accreditation

The Government is promoting Landlord Accreditation schemes as an effective means of improving the privately rented sector for the benefit of all.

Most Private Sector Housing departments of Local Authorities are working with landlords and Managing/Letting agents to improve management skills and drive up standards in the private rented sector. This can be achieved through partnership working, education and raising awareness, however, there will always be a percentage of properties which are badly managed and in poor disrepair for which enforcement action needs to be taken.

Landlord Accreditation schemes seek to recognise and reward those landlords who manage well and achieve a good standard of repair.

The Council, working with its partners in the Thames Gateway South Essex region, will be launching a voluntary landlord accreditation scheme in September 2010.

The scheme will be managed and administered by the London Landlord Accreditation Scheme (www.londonlandlords.org.uk).

The principle objective of the scheme is to recognise good landlords who have the skills needed to run a successful rental business and provide good quality and safe accommodation.

The scheme being launched in this Region will accredit the landlord who will agree to 10% random annual inspection of his portfolio by the Private Sector Housing Team. Where deficiencies and disrepair are identified, a Schedule of Works is produced and forwarded to the landlord for action.

The scheme will be developed to promote energy efficiency in the private rented sector and to link in with fuel poverty and housing strategies generally.

The development of the accreditation scheme will help to raise the standard of housing and encourage landlords to improve energy efficiency. We aim to achieve this by providing the opportunity for landlords to accredit their individual properties progressively over time. They will have the option of accrediting a property to either a Bronze, Silver or Gold star rating. The rating achieved will depend on the standard of accommodation based on general amenity provision, annual gas safety records, type of heating provision, level of insulation, draught proofing and so on.

There can be numerous benefits to being an accredited landlord, including:

- Discounts on goods and services from suppliers such as insurances, mortgages, building materials,
- Discounts on letting fees
- Market advantage
- Tenant confidence in management skills

<p><i>Strategic objective;</i> to promote the Landlords Accreditation Scheme to accredit as many local landlords as possible.</p>
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3. Houses in Multiple Occupation (HMOs)

This type of tenure includes dwellings where two or more tenants typically rent a single room each and share bathroom and kitchen facilities (commonly known as 'bedsits'). HMOs typically have poorer physical and management standards than other types of rented accommodation. However, for the most vulnerable and disadvantaged members of society, they are often the only housing option.

Due to the often limited space available in HMOs, the potential for overcrowding, insufficient amenities, and lack of fire safety is ever present. It has been estimated that the overall risk of death from fire in bedsit accommodation is six times higher than in other tenures⁴. In HMOs of 3 stories or more, the risk increases to sixteen times higher. Consequently there is a need to ensure that HMOs are properly managed, and that fire and other risks are properly controlled.

4. Fire Risk in Houses in Multiple Occupation, Research Report. DETR 1998

These aims are achieved by the application of the Housing Health and Safety Rating System, the relevant provisions of the Housing Act 2004, fire safety legislation (in conjunction with Essex County Council Fire and Rescue Service), and The Management of Houses in Multiple Occupation (England) Regulations 2006.

As they are seen as 'high-risk' premises, the Housing Act 2004 made provision for local authority licensing of HMOs consisting of three stories or more with 5 or more occupants. A licence applies stringent management and safety rules to an HMO and will specify the maximum number of people who may occupy it, together with fire and other safety requirements that must be met. Before a licence can be issued, the local authority will check whether the licence applicant is a 'fit and proper' person.

As may be expected in a predominantly rural area, there are a small number of identified HMOs in the Rochford district. Currently there are three established HMOs, none of which are licensable.

The established HMOs are inspected annually to ensure that they are being properly managed and fire safety standards are being met.

It is likely that there are more HMOs across the district that the Council are not aware of. We therefore aim to develop a pro-active approach to seeking out HMOs and shared houses using information provided by members of the public and information that is available from our own in-house records. Our website will be updated to include an area where members of the public, neighbours etc can report a suspect HMO anonymously.

Suspect HMOs will be inspected to ensure that they meet the Essex Amenity Standards for HMOs, to ensure that appropriate fire safety precautions and alarms are present and that there is a good standard of management.

Where appropriate, owners of licensable HMOs will be required to submit a licence application.

Strategic objective: *to identify new HMOs in the district and to inspect the existing HMOs to ensure they are being properly managed and safe for habitation.*

Independent living

1. Disabled facilities grant (DFG)

The Housing Grants, Construction and Regeneration Act 1996 places a duty on local authorities to provide grant aid for the adaptation of private dwellings occupied by disabled persons of any age. For the purposes of the Act, persons are said to be disabled if they suffer from a sensory, mental or physical disability.

Nationally, about 21% of the adult population are disabled. As the population ages, levels of disability will increase sharply. Research suggests that older people are generally free of prolonged disability until they reach their 70s, after which they are likely to suffer from increasing levels of disability. The number of severely disabled people is also likely to increase amongst the youngest age groups due to improvements in neonatal health care⁵.

Applications for a DFG can be considered from:

- A home owner who is disabled;
- A disabled person who is in privately rented accommodation;
- A disabled person living at home with their family;
- The parent or guardian of a disabled child;

5. South East Essex Primary Care Trust: Rochford Joint Strategic Needs Assessment – April 2008

The Council receives over 20 applications annually for disabled facilities grants.

DFG applications received 2004-2009

Year	Applications received
2005-6	44
2006-7	20
2007-8	25
2008-9	20
2009-10	26

This figure is likely to rise in future years as the population ages.

Persons aged 65 and over in the Rochford District

Year	Persons aged 65 and over
2001	13,704
2006	14,634
2012 predicted	17,122

Source: National Statistics Office

The House Condition and Energy Efficiency Report 2007 predicted that there were 3,145 households in the Rochford District containing at least one person who was disabled. The current cost to provide all necessary adaptations is estimated at £4.6m

Disabled facilities grants can be given for a variety of adaptations, but the most common ones locally are:

- Level access shower rooms;
- Stair lifts;
- Kitchen extensions and alterations;

Currently the statutory maximum that the Council can offer for a DFG is £30,000. However the average cost of providing an adaptation is £4,755.00 (based on 2009-10 statistics).

Funding for DFGs consists of an annual allocation from the government's regional office Go East, together with a capital contribution from the Council.

The Council works in partnership with its Home Improvement Agency and Essex County Council Occupational Therapist's team to operate the system for providing the disabled with adaptations to their homes. Prior to offering a DFG, the Council is legally required to ascertain that the adaptation is necessary and appropriate, and is also reasonable and practicable, considering the age and condition of the home to be adapted.

The Council relies on the OTs to determine whether an adaptation is necessary and appropriate, and will make its own investigations, by way of a home visit, to assess whether proposed works are reasonable and practicable.

Briefly, the way in which a DFG proceeds is as follows:

- The disabled person makes an enquiry to Essex County Council's Occupational Therapy service;
- An Occupational Therapist (OT) makes a home visit to the client and provides a recommendation for an adaptation to the Council;
- The Council also makes a home visit to the client to check feasibility of OT recommendation;
- If the works are feasible, the Council raises a schedule of works and sends it to the Home Improvement Agency (HIA);
- The HIA obtains estimates for the works and supporting documents from the client and submits a grant application to the Council;
- If the application is satisfactory, a grant offer is made to the client;
- The HIA arrange and oversee the works to be carried out;

- When the works are completed, the OT and the Council check them to make sure they meet the client's needs.

The Rochford Home Maintenance and Repairs Grant can also be used to help the disabled in the following ways:

- To provide adaptations to a residential property to enable an elderly or disabled person or their carer to remain in their home;
- To supplement a Disabled Facilities Grant where the cost of works exceeds the statutory maximum;
- To assist a disabled person with the purchase of alternative accommodation where the Council, in consultation with the Social Services Authority, considers the existing home is not suitable for adaptation;

Strategic objective: *to provide at least 30 disabled facilities grants in 2010-11 and 2011/12 subject to the receipt of the appropriate number of applications and available budget..*

2. Handyperson and Gardening Service

These two services are available to local residents who are over 60 and/or disabled, and in receipt of an income related benefit or are on a low income.

The services are provided in conjunction with the Council's Home Improvement Agency and have proved very popular since they started in 2003.

Handyperson Service

This service was established to provide improvements to home safety and security and minor repairs to eligible householders. It also extends to the supply and fitting of minor adaptations, such as grab rails. The service user pays for any materials used, and a subsidised hourly rate for labour, that currently stands at £6.00 per hour.

The Handyperson Service is funded by Essex County Council and Rochford District Council, the District Council being the major funding partner.

Handyperson Service – annual performance

Year	Number of People Helped
2003/4	47
2004/5	269
2005/6	280
2006/7	350
2007/8	397
2008/9	320
2009/10	387

Gardening Service

The gardening service provides the following types of help to eligible householders:

- Clear and maintain overgrown gardens;
- Repair fencing;
- Clear garden waste that is not retained for composting;

The overall aims are:

- to help maintain dwellings occupied by vulnerable people in a neat, tidy and safe condition so that they are less likely to be a target for crime;
- to help vulnerable people feel that they are in control of maintenance and can continue enjoying their gardens and living independently in their own homes;

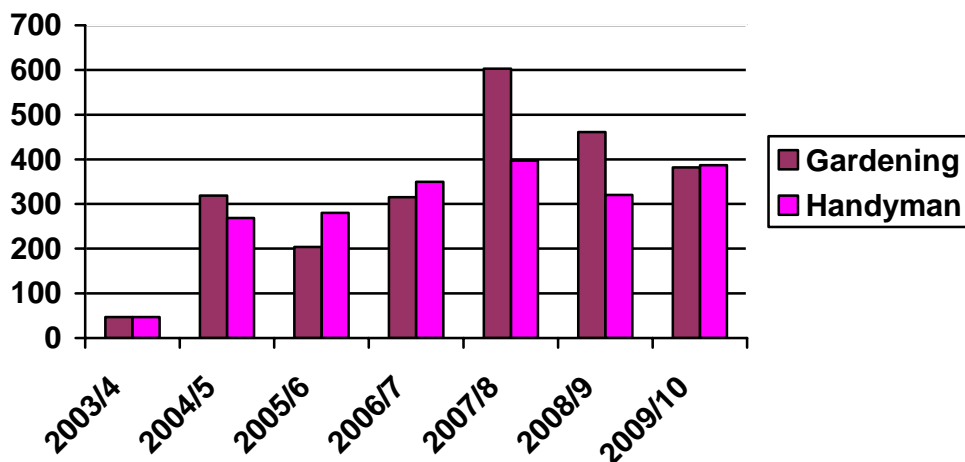
The service users are asked to pay a subsidised hourly cost of £9.00 for gardening help. The service is funded by the Council and the Rochford Crime and Disorder Partnership.

Gardening service – annual performance

Year	Number of jobs completed
2003/4	47
2004/5	319
2005/6	204
2006/7	315
2007/8	603
2008/9	461

2009/10	382
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Gardening and Handyman performance 2003 to date



Strategic objective: To maintain funding support for both services, to enable the current levels of service provision to be maintained.

Empty Homes

Empty homes (classified as those dwellings that have remained empty for six months or more) pose economic, environmental and social costs to the community. As empty homes deteriorate they can become visually unattractive, creating the impression of neglect and decline. This can encourage local devaluation of property prices by as much as 20%. Empty homes can also be an attraction for vandalism and anti-social behaviour, posing a risk to neighbouring residential properties, and increasing the work of the local emergency services.

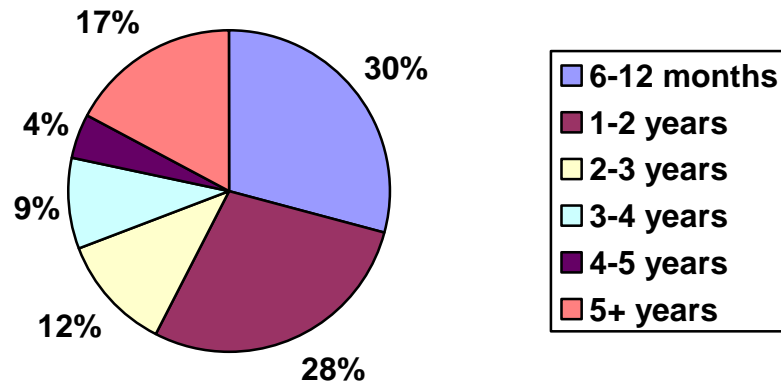
Properties can become, and be left empty, for a variety of reasons. In many cases, those responsible for them do not have the resources to invest in bringing them back into use, and may be unaware of any financial assistance, or advice that is available. It can be shown that it is less expensive to bring an empty property back into use, rather than leave it empty. An owner of an empty home can currently expect to lose about £8,000 per annum in lost revenue, including lost income from rental, costs of taxes and insurance, dilapidation, and costs of maintaining security.

Bringing empty homes back into use provides benefits to the owner and the community:

- Gives owners of empty properties an income;
- Eradicates eyesores and sources of nuisance;
- Contributes to meeting local housing needs;
- Eliminates the need to build on undeveloped land;

The local picture

On 1st April 2010 there were 520 homes locally in the privately owned sector that have been empty for 6 months or more.



This represents 1.6% of the private sector housing stock, which is just above the national average for the private sector, of 1.26%⁶. From the chart it can be seen that about a third of empty property has been empty for more than two years. This sector is of particular concern as empty dwellings will start to deteriorate, and make it harder for owners to either let and/or renovate their properties.

6. Empty Homes Agency

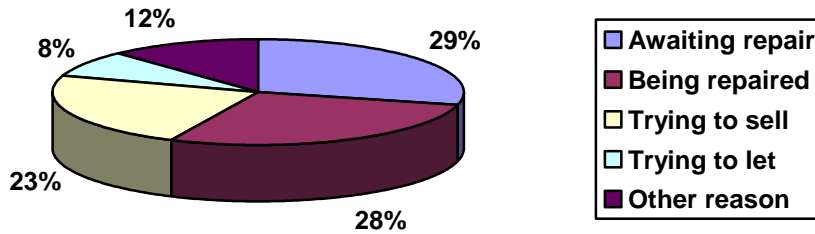
Attitudes of owners

In 2006 the Private Sector Housing Service surveyed owners of empty homes to find out how they acquired their properties, the reasons they were empty, and what would encourage them to put their properties back into use.

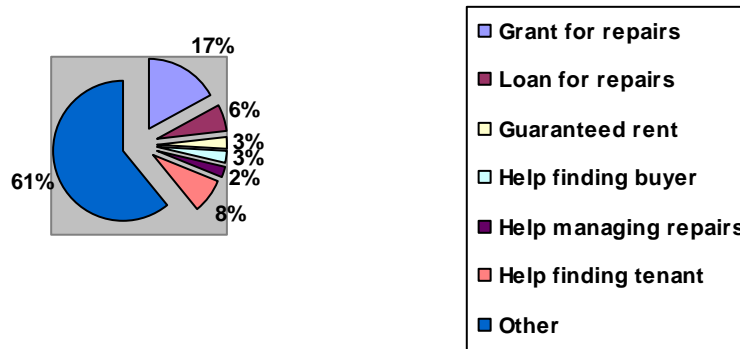
Reasons for acquisition

Reason	Percent of owners
Bought to live in by owner	38
Bought for family/friends to live in	7
Bought as an investment	16
Dwelling included with other property	7
Property inherited	15
Property managed for someone else	7
Other reasons	10

Reason for being empty



Incentives to return property back into use



The survey indicated that the majority of owners of empty properties had bought them to live in themselves, and the reason they were empty was that they were awaiting renovation. The small number of owners trying to let, suggests that those who had bought for investment purposes, would simply sell them on at a later date. This pattern also indicates that the local “buy to let” market is very small, probably due to relatively high local property values.

For example the “median” selling price of a house in the first quarters of 2006 (year of the survey) and 2010 were as follows:

Region	2006 Price (£)	2010 Price (£)
England	160,000	183,000
Essex	180,000	205,325
Rochford	196,000	210,000

Options for bringing an empty property back into use

- Local authority grant aid
- Leasing
 - direct by owner
 - through a letting agent
 - through a housing association
- Selling
 - to a housing association
 - to a private developer
 - on the open market
- Local authority enforcement action
 - Empty Dwelling Management Order under the Housing Act 2004

Previously the Council has relied upon providing advice, and rarely, enforcement action to bring empty homes back into use. However opportunities have arisen that will enable the Council to increase its resources to deal with empty homes.

In 2008, the Council, in conjunction with its Thames Gateway sub-regional partners was successful in a bid to GO-East (Government Office for the East of England) to secure funding to tackle empty homes. The funding, for the period 2009-11 will:

- Provide grant aid to owners of empty homes, who are unable to complete repairs that would allow them to be brought back into use. (The scheme offers a 50% grant 50% loan to owners for refurbishment works);
- Owners will be tied to a leasing scheme, with nomination rights for a fixed period of 5 years, so that accommodation can be provided for the homeless, and those on the local authority housing register;

The Housing Act 2004 introduced the Empty Dwelling Management Order however, there is a financial implication to enforce the EDMO. Such enforcement action can be lengthy and expensive, and compared to other methods is the least effective way of bringing empty homes back into use.

Strategic Objective: *To identify and bring a minimum of 5 long term empty homes per annum back into use. We will initially aim to target homes which have been empty for 5 years or more*

Develop a strategy to set out the framework of how the Council intends to deal with problems associated with empty homes and how to encourage owners to bring properties back into use.

To establish and maintain an empty homes register.

To give appropriate advice to owners of empty homes and others affected by them

To use enforcement powers to minimise or abate nuisances and other problems caused by empty homes to the local neighbourhood.

To promote the existing grant scheme available to owners of empty homes in exchange for the properties being leased for a period of 5 years.

Mobile Homes

For many people a mobile home represents an affordable alternative to living in conventional housing and can be bought or rented for sums considerably less than a house or a flat. The use of land for the siting of mobile homes proliferated after the second World War to fulfil an immediate housing need created by wartime destruction of permanent dwellings, and the lack of house building during the war years. Originally conceived as a temporary housing solution, over time, they have become firmly established as a means of low cost housing provision.

The Caravan Sites and Control of Development Act 1960, for the first time introduced a requirement for the proprietors of permanent caravan sites to hold a site licence (The Act set out a range of licensing exemptions generally concerned with temporary sites). Section 5 of the Act, gave the government power to specify “model standards” relating to caravan sites that are essentially concerned with the safety and welfare of those that occupy permanently sited caravans for either permanent residential or holiday use.

Mobile homes are primarily wooden structures resting on a wheeled steel sub-frame and are often clad in aluminium or finished with an aggregate coating to protect them from the weather. The roof material is commonly felt, or specially designed interlocking tiles. There is an increased risk of fire damage where mobile homes are concerned, due to the extensive use of wood in their construction. Consequently many licence conditions focus on fire safety at the sites where mobile homes are located.

The government has published standards to cover residential and holiday use. Local Authorities have a duty to have regard to such standards when deciding what conditions to attach to a site licence. In practice Local Authorities have incorporated all the model standards into site licences together with conditions of their own that they may think it necessary to impose – a power also provided by Section 5 of the Act.

Before a site can be licensed, it must firstly have been granted planning consent. The consent normally sets out basic conditions such as the area and location of land than can be used for siting of caravans, and the duration for which the land can be used for this purpose.

Within the Rochford District there are 6 sites licensed for permanent residential use and 2 for holiday use. Holiday use means recreational use between 1st March and 31st October in any calendar year.

Permanent Residential Sites

Name of site	Address	Number of caravans
Tower Caravan Park	Pooles Lane, Hullbridge	250
Crouch Caravan Park	Pooles Lane, Hullbridge	83
Halcyon Caravan Park	Pooles Lane, Hullbridge	126
Shangri-La West	Kingsmans Farm Road, Hullbridge	29
The Dome	Lower Road, Hockley	123
Hockley Park	Lower Road, Hockley	81
	Total	692

Holiday Caravan Sites

Name of site	Address	Number of caravans
Brandy Hole Yacht Club	Kingsmans Farm Road, Hullbridge	10
Riverside Village Holiday Park	Creeksea Ferry Road, Canewdon	182
	Total	192

Enforcement of licence conditions

The Council has adopted a risk based approach to the full inspection of licensed caravan sites. Those with a good record of compliance with their site licences being inspected less frequently than those with a poorer record. Inspection frequencies vary between 1 and 3 years. Ad hoc inspections are made where a complaint is received relating to a breach of licensing conditions.

Enforcement of licensing conditions is shared between the Council's Health and Safety Inspectors, and officers of the Private Sector Housing Team*. The latter deal with those relating to fire safety, and the former address those relating to the majority of other health and safety matters such as site lighting, safety of liquid petroleum gas (LPG) installations and maintenance of roads and footpaths. This arrangement is in place because breaches of licence conditions relating to health and safety issues, other than fire safety, will also constitute failures to comply with the Health and Safety at Work Act 1974.

*The Regulatory Reform (Fire Safety) Order 2005 cites the fire authority as the enforcing authority for fire safety issues identified in 'public' areas on caravan sites. The Councils Private Sector Housing Team monitor compliance with fire safety conditions and report any deficiencies to Essex Fire and Rescue Service for enforcement.

Failure to comply with licence conditions can result in a site owner being prosecuted.

Disrepair of mobile homes

As is the case with all dwellings, the fabric of the structure will deteriorate in time. The Rochford Home Maintenance and Adaptation Grant is available to all vulnerable owners, to enable them to carry out repairs to their mobile homes to bring them up to a reasonable standard, including improvements to their heating systems where a Warm Front “top-up” grant is required.

Strategic objective: *to inspect licenced caravan sites to ensure that relevant safety standards are being maintained*

Home Energy Efficiency

The Home Energy Conservation Act 1995 became operative in 1996 and required all local authorities to produce an annual report setting out measures that they think will result in a significant improvement in the energy efficiency of residential accommodation in their area. The Housing Act 2004 contains a target for improving energy efficiency in residential accommodation in England: compared to 2000, the general level of energy efficiency should rise by at least 20% by 2010. Locally, to date it has risen by 17%.

SAP Ratings

The Standard Assessment Procedure (SAP) is a means of calculating the energy efficiency of a building, taking into account the efficiency of space, and water heating systems and fuel type they use, the amount of thermal insulation, and the ventilation and solar gain characteristics of the structure.

The results of the calculation are expressed as a rating, on a scale from 1-120, the higher the number, the better the standard. According to the English House Condition Survey 2006, the average SAP rating in the UK is 49. Rochford’s latest stock condition survey found the local average to be 56. By comparison a new house is expected to have a SAP rating of 80 or higher.

Whilst the average local SAP rating is higher than the national average, opportunities should be taken to increase the SAP rating of the housing stock as it will help to reduce fuel poverty (see below) and reduce overall carbon emissions.

The latest stock condition survey showed that SAP ratings were generally lower in privately rented sector, suggesting that voluntary (Warmfont Scheme) and enforcement action should be targeted at this type of tenure.

Excess cold is one of the hazards assessed during a survey of a dwelling using the Housing Health and Safety Rating System (HHSRS). Where necessary, enforcement action can be taken to prevent excess cold and thus raise the SAP rating of a particular dwelling.

Improving home energy efficiency

There are clearly strong incentives for local authorities to increase the energy efficiency in their local residential properties. Various mechanisms are available to achieve this aim:

- Local promotion of energy efficiency issues;
- Supporting the government schemes;
- Partnership working with utility companies, and other promotional agencies;

Local promotion

The Council promotes home energy efficiency mainly by participating in road shows, and placing articles in the Council newspaper distributed to local residents. In 2008 the Council teamed up with an advertising agency to produce a folding leaflet to be distributed annually to all households in the district, outlining simple but effective measures that residents themselves can take, to improve the energy efficiency of their homes. The leaflet was delivered to local residents in 2009 and 2010, and has been produced at no cost to the Council

Home energy efficiency will be promoted by our active involvement in the Councils Environment days throughout the summer and energy efficiency week in the Autumn.

In the private rented sector, when investigating tenants complaints of housing disrepair, the Private Sector Housing Officer will, where found to be deficient, recommend improvements such as loft and cavity wall insulation to landlords.

Supporting government schemes

The Council supports the government's Warm Front scheme in two ways:

- by referring clients;
- by providing grant aid to "top-up" Warm Front grant awards where there is a client contribution, which the client is unable to pay;

Partnership working with utility companies and other agencies

1) Thames Gateway South Essex Regional Partnership (TGSE)

The TGSE, consisting of the local authorities serving Rochford, Thurrock, Castle Point, Basildon, and Southend on Sea were successful in obtaining funding from Go East to support a Decent Warm Healthy Homes project to run from April 2009 until March 2011 but this will be dependent on continued availability of funding.

The aims of the project are to relieve fuel poverty, and to provide vulnerable home owners with the means to meet the Decent Homes standard, where their properties are in need of repair and/or thermally inefficient. Energy efficiency improvements commonly provided free consist of loft and/or cavity wall insulation, boiler replacements, and 'first-time' central heating systems. Grants can also potentially be available to accredited landlords for improvements related to Home Energy Efficiency Improvements such as loft and cavity wall insulation.

The project also runs in tandem with the government's Warm Front scheme, to 'top-up' Warm Front grants where the cost of works to the householder exceeds the Warm Front grant maximum of £3,500.

There has been a slow uptake to grant assistance to date and we aim to address this by increasing public awareness by actively participating in the Councils Environment Days in the summer and energy efficiency week in the autumn.

We will explore the options for including leaflets in council tax mailings, ensure a supply of leaflets in the Main Reception at our offices, libraries, sports centres, GP surgeries, dentists and health centres.

2) CAN - East

An officer from the Private Sector Housing Team regularly attends meetings of the regional Carbon Action Network – CAN - East. Officers involved in home energy conservation issues, from all over East Anglia, meet to exchange information and discuss topical issues relating to home energy conservation.

3) CORE

An officer from the Private Sector Housing Team also attends meetings of the CORE group. This is composed of representatives from all Essex local authorities, and meets to co-ordinate carbon reduction strategies and seek ways to reduce fuel poverty within the county of Essex.

Fuel poverty

Households who spend more than 10% of their income to provide an adequate standard of warmth, are said to be in fuel poverty. An adequate standard of warmth is defined by the World Health organisation as 21°C in living rooms, and 18°C in other occupied rooms. Those that cannot maintain this standard are likely to suffer a variety of adverse health effects.

Effect of temperature on health (Source: Department of Health)

Indoor temperature	Effect
21°C	Recommended living room temperature
18°C	Minimum temperature with no health risk
Under 16°C	Resistance to respiratory diseases may be diminished
9-12°C	Increases blood pressure and risk of cardiovascular disease
5°C	High risk of hypothermia

The above effects are more probable during the winter months, and can contribute to a raised level of mortality, particularly amongst the elderly. This excess level of mortality is measured by a statistic called “excess winter deaths”. This statistic measures the number of deaths in the population that are higher than expected during the months of December, January, February and March. Consequently the number of excess winter deaths will rise during a cold winter.

It follows that the number of excess winter deaths will be related to the level of fuel poverty, since there is a relationship between the ability of an individual to heat their home, and the condition of their health.

Causes of fuel poverty

Energy efficiency

The cost of heating a home will naturally depend on how effectively it conserves heat. Simple measures to improve home energy efficiency include draught-proofing, improving loft insulation, and cavity wall insulation.

Income

Those on a low income will use a greater proportion of it to meet heating costs.

Energy costs

The proportion of household income used for home heating will increase if energy prices rise. For every 1% rise in energy costs, it is estimated that nationally, 40,000 households are pushed into fuel poverty.

Under occupation

This occurs when an individual lives in a home that is too large for their needs, and too large for them to afford to heat effectively.

Those on low incomes suffer the most, since they are unable to absorb increases whenever fuel prices start to rise. Those in the private rented sector are particularly at risk as the energy tariffs applied to coin or key operated meters are significantly higher than those used to calculate meter-read quarterly accounts.

For example pre-payment meter customers can pay up to £70 per annum more than customers who pay by quarterly billing, and £560 per annum more than customers who pay by online direct debits .

The English House Condition Survey has also found that properties in the private rented sector typically have the lowest levels of energy efficiency, making a high spend on space, and water heating a probability for those living in this sector.

However, fuel poverty is not confined to the private rented sector and will affect families in privately owned dwellings who are in receipt of means tested state benefits, or otherwise on a low income.

There are no recent statistics for the numbers of households affected by fuel poverty. However there are forecasts of what it may currently be. Data that could be used to provide an indication of the level of fuel poverty was collected by the 2001 Census and in the English House Condition Survey of 2003. In 2007, this data was processed by the University of Bristol and the Centre For Sustainable Energy to predict the occurrence of fuel poverty at regional and local level.

For the Rochford district the prediction showed that there was a higher level of fuel poverty in the eastern half. This is to be expected, as Hockley and Rayleigh are most affluent parts of the area. From the prediction, the number of households in fuel poverty was found to range from 5.6% in the western half of the district to 7.2% in the east. Overall this suggests that 2055 households in the district may be suffering from fuel poverty.

Tackling Fuel Poverty

There are a number of measures available to the Council to help reduce fuel poverty:

- grant aid for energy efficiency improvements
- partnership working with other agencies
- awareness campaigns
- enforcement measures in the private rented sector

Grant aid for energy efficiency improvements

The Rochford Home Maintenance and Improvement Grant (RHMAG) can be used to provide financial aid where the recipient of a Warm Front grant requires a “top-up”. This can occur when the cost of Warm Front works exceeds the Warm Front grant maximum. In these instances, the applicant is requested to pay any excess costs. The Council’s grant policy allows an RHMAG to fund a Warm Front top-up where the Warm Front works are needed to make a property “decent” (see the earlier section on the Decent Homes Standard).

Partnership working with other agencies

The partnerships identified under Home Energy Efficiency above, all contribute to the reduction of fuel poverty, since improving home energy efficiency should reduce fuel bills.

The partnership with other Thames Gateway South Essex (TGSE) local authorities is effective in helping to reduce fuel poverty, as it combines a targeted awareness campaign with follow-up action to assist vulnerable householders in securing improvements to the energy efficiency of their homes, and other home repairs.

Awareness Campaigns

The Council has information available to the public on home energy efficiency at its reception areas in Rochford and Rayleigh. It also promotes home energy efficiency by placing relevant articles in the Council Newspaper – “Rochford District Matters”, and by organising roadshows in various parts of the district. The Councils home improvement agency – Springboard, also provides relevant advice to home owners.

In 2009, an energy efficiency guide was distributed to all households and businesses in the Rochford District. In addition details of the government’s Warm Front scheme are being sent to over 400 benefit claimants who have recently responded to a home energy efficiency survey.

Strategic objective: *To ensure a minimum of 350 homes per annum are provided with measures to improve energy efficiency through the Warm and Healthy Homes Scheme.*

We aim to continue to improve home energy efficiency across the district by promoting the above scheme. We will also actively participate in the Councils Environment Days throughout the summer and energy efficiency week in the Autumn to raise public awareness.

We have 18 home energy monitors which will be distributed between all of the district libraries. These can be borrowed in the same way as books, DVD’s etc for a 3 week period. The monitors enable home owners to see how much energy they use in the home and how much it is costing them and where they can make savings.

Signpost residents to sources of financial assistance with fuel debts.

Harassment and illegal eviction

Tenants who live in privately rented accommodation are legally protected from being harassed or illegally evicted by their landlords. Harassment can take the form of the landlord entering a property without the tenant's consent, interfering with gas, water or electricity supplies, or threatening the tenant with violence.

Illegal eviction commonly occurs when a landlord locks a tenant out of their rented accommodation without following the proper procedures required to terminate a tenancy. Fortunately, incidents of harassment and illegal eviction are rare in the Rochford district, but where they do occur, the Council will investigate, with the aim of preventing the harassment, or illegal eviction.

The Council also has powers to prosecute a landlord who has harassed or illegally evicted a tenant and will investigate cases brought to their attention.

Strategic objective: *to investigate reported cases of harassment and illegal eviction within the district.*