



Cabinet Meeting

19 July 2017

Report title	Change of Criteria to the Affordable Warmth Grant Agreement	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Peter Bilson City Assets and Housing	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All	
Accountable director	Lesley Roberts Strategic Director, City Housing	
Originating service	City Housing	
Accountable employee(s)	Mandy Findlay	Housing Improvement Officer
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Report to be/has been considered by	Place Leadership Team	3 rd July 2017
	Cabinet Member Briefing	11 th July 2017

Recommendation(s) for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the changes to the Affordable Warmth Grant Criteria to refine the health conditions to complement NICE guidelines <https://www.nice.org.uk/guidance/ng6>, with some minor alterations to take into account local needs as set out in appendix 2.
2. Approve changes to the Affordable Warmth Grant Criteria to include applications from the private rented sector within the City, subject to specific conditions as set out in appendices 3 and 4.

3. Approve changes to the wording of the Affordable Warmth Grant Criteria for the purpose of clarification and to ensure that the Councils outcomes are met.

1.0 Purpose

- 1.1 To seek approval to change the criteria for the Affordable Warmth Grant Assistance to refine the qualifying health criteria to complement National Institute for Health and Care Excellence (NICE) guidelines, to extend the service to include applications from the private rented sector within the City and to clarify the wording of the qualifying criteria with regards to income to ensure that it is inclusive of the target groups.

2.0 Background

- 2.1 In March 2015 NICE published its guidelines regarding excess winter deaths and illness and the health risks associated with cold homes <https://www.nice.org.uk/guidance/ng6>. Within the document, it identifies those groups of people who are vulnerable to living in a cold home and the types of illnesses and disabilities that can make them more vulnerable. The City of Wolverhampton Council's Affordable Warmth Grant Assistance programme targets assistance to vulnerable groups and includes certain illnesses and disabilities in its current qualifying criteria (current health criteria appendix 1).
- 2.2 Wolverhampton has 13,558 fuel poor households which equates to 13.1% of the total households across the City. Nationally, 1/5 of these households are in private rented sector (*DECC figures 2014*).
- 2.3 The City's Affordable Warmth Grant Assistance delivers energy efficiency measures to the most vulnerable private sector households in the City. However, the approval criteria currently restricts assistance to owner occupiers. The grant has been in existence for 17 years and assists 200 homes annually. The grant is City wide and available to any age group with a chronic health condition. There is an annual capital budget of £500,000 to deliver the works. The City of Wolverhampton has already exceeded its target "to reduce fuel poverty by 10% on 2010 levels (24.3% households in fuel poverty) by 2020" by 1.2%, with the CWC's Affordable Warmth Grant Assistance is cited as best practice in the Parliamentary Fuel Poverty & Energy Efficiency Group's Prospectus for Universal Affordable Warmth (<http://www.nea.org.uk/wp-content/uploads/2017/01/Prospectus-for-Universal-Affordable-Warmth-FINAL.pdf>).

3.0 Proposals

- 3.1 In March 2015 NICE published its guidelines regarding excess winter deaths and illness and the health risks associated with cold homes. It is proposed to amend the qualifying health criteria for the Affordable Warmth Grant Assistance so that it complements this guidance, with minor alterations to consider local needs. This will ensure that assistance continues to be targeted towards those private sector households where the most positive impact will be achieved. The revised Health Conditions Qualifying Criteria for Affordable Warmth Grant Assistance is given in Appendix 2.
- 3.2 It is also proposed to extend the criteria to households in the private rented sector where the qualifying criteria will have 2 elements, with both the tenant and the landlord having to meet specific conditions. In addition, the landlord will be required to support the existing tenants' tenancy, ensure that the property is available to rent within the private rented

sector for a set period of time and sign up to CWC's "Rent with Confidence scheme" and be assessed as meeting 3 star or above within that scheme. The aim is to improve standards and choice in the private rented sector, improve the overall housing offer in the City and improve health outcomes for residents of the City in line with Wolverhampton's Health and Wellbeing Board's Joint Health and Wellbeing Strategy 2013 – 2018. The landlord's and tenant's qualifying criteria are outlined in Appendices 3 and 4 respectively.

3.3 It is further proposed to amend the wording of the criteria from

'Be in receipt of one or more income related benefit (list available) or any benefit linked to disability, if that plus state pension are the only form of income into the household.'

To read

'Be in receipt of one or more income related benefit (list available) or any benefit linked to disability, if that plus any pension income do not take the total household income above the threshold for working tax credits (currently £18,000 p/a for a couple, £13100 p/a for a single person).'

(Full Tenants criteria Appendix 4)

4.0 Financial implications

- 4.1 The approved Housing Capital Programme has a budget of £0.4 million in 2017/18 to fund the Capital Provision for the Affordable Warmth programme of the Private Sector Housing Assistance programme. The proposed amendments to the Affordable Warmth approval criteria can be accommodated within this capital allocation.
[JM/05072017/V]

5.0 Legal implications

- 5.1 The Regulatory Reform Order 2002 (RRO) provides that local housing authorities may for the purpose of improving living conditions provide to its residents any form of assistance, including loans, to enable them to improve their homes. Further, local housing authorities may secure loans by a Legal Charge or mortgage on a property.
- 5.2 For local housing authorities to utilise these powers they must have adopted a policy detailing the assistance to be provided.
- 5.3 Legal advice will be provided in respect of the drafting granting and discharge of the Legal Charge.
[RB/23052017/B]

6.0 Equalities implications

- 6.1 A full equalities impact assessment has been undertaken in the development of this policy revision which indicates that there are no adverse impacts.

7.0 Environmental implications

- 7.1 The affordable warmth grant supports the reduction of CO₂ emissions. At a national level this is in support of the Climate Change Act, 2008 and the government's Carbon Plan. At a local level this supports the Climate Local initiative, to which the council has become a signatory, the council's current Climate Change Strategy and its emerging Sustainability Strategy & Implementation Plan.

8.0 Human resources implications

- 8.1 There are no human resources implications arising from this report.

9.0 Corporate landlord implications

- 9.1 There are no Corporate Landlord Implications arising from this report as all assisted households are within the private sector.

10.0 Schedule of background papers

- 10.1 Report to Cabinet 10 April 2013 'Revisions to the Housing Assistance Policy'.

Appendix 1

Current Health Conditions Qualifying for AWG Assistance:

Be judged to be at risk of **serious** ill health due to living in a cold/damp home. Health conditions will be judged against criteria to access the free NHS Flu jab in the first instance, with seriousness of the illness then assessed via information provided by the client or obtained from the clients G.P. – ***please note the Council cannot cover any cost incurred from obtaining written proof from G.P's.***

Appendix 2

Revised Health Conditions Qualifying for AWG Assistance

- cardiovascular conditions
- respiratory conditions (to include chronic obstructive pulmonary disease and serious asthma that is not controlled by medication)
- people with mental health conditions – including dementia (consideration needed to how we assess referrals)
- people with disabilities – including mobility issues and Arthritis
- older people – 80+ (in line with higher winter fuel payments)
- households with young children (new-born to school age) – who are premature (born at 32 weeks or below and/or considered low birth weight – 2.5kg or 5.5lbs)
- Other life changing or limiting illnesses including cancer, Parkinson's Disease, diabetes type 1, blindness, TB

Appendix 3

Landlord Qualifying Criteria

Landlords, who own a property where the Council Tax is paid to the City of Wolverhampton Council and the vulnerable tenant meets all criteria placed on them to receive the grant, must meet all **9** criteria for the property to qualify for Affordable Warmth Grant Assistance:

1. The property must be in council tax band A, B or C – properties in a higher band will only receive assistance in exceptional circumstances. Council tax banding can be checked on <http://www.voa.gov.uk/cti/InitS.asp?lcn=0>
2. Agree to a charge being placed on the property for a 3-year period - any breach of terms and/or criteria will trigger the charge on the property being collected

3. Provide evidence or sign a disclaimer to say that a suitable mortgage and insurance are in place.
4. Agree to keep the property within the private rental sector for the full 3-year period unless a sale is required due to unavoidable circumstances.
5. Agree to secure the tenancy of the original tenant (where possible but also acknowledging that tenants may need to move for a number of reasons)
6. They must register with Rent with Confidence and be assessed as meeting 3 star rating or above.
7. If they do not meet 3 star or above, they must make such improvements to achieve this rating before any grant will be awarded.
8. They must consistently maintain this 3 star or above rating for the full three years with no enforcement notices or improvement notices being served on them for the period.
9. The landlord will be responsible for installing low cost installation measures (Cavity Wall and/or Loft Installation) before any heating measures are installed.

Restrictions apply:

- Boilers and associated works will be fitted in the most practical way to provide affordable warmth and not purely for cosmetic reasons or client choice
- Under the Affordable Warmth Assistance, a boiler will be faulty or broken. A boiler may sometimes be replaced if it over 20 years old, dependent on the circumstances.
- The benefits received must be the only/main source of income into the household – evidence may be required to support this, such as pension or benefit books, utility bills and other financial information
- Affordable Warmth Assistance will not be provided if the property is being marketed for sale or if there is reasonable cause to believe the property will be sold within 3 years.

Appendix 4

Private Rented Sector Tenants Qualifying Criteria

Tenants, who rent a property where the Council Tax liability is to be paid to the City of Wolverhampton Council, must meet all **6** criteria to qualify for Affordable Warmth Grant Assistance:

1. Be a Private Rented Sector Tenant with a valid, written tenancy agreement
2. Have resided at the property for a minimum of 12 months

3. The rented property must be the tenant's only residence
4. Be in receipt of one or more income related benefit (list available) or any benefit linked to disability, if that plus any pension income do not take the total household income above the threshold for working tax credits (currently £18,000 p/a for a couple, £13100 p/a for a single person). They must also have less than £6000 in savings or £10,000 if they are pensioners. Eligible benefits include (subject to provision of proof from claimant):
 - Guaranteed Pension Credit
 - Child Tax Credit
 - Job Seekers Allowance
 - Employment Support Allowance
 - Disabled Child Premium
 - Working Tax Credit
 - Disability Living Allowance
 - Personal Independence Payment
 - Universal Credit
 - Disability Premium
 - Disabled Worker Element
5. Suffer from one of the below health conditions:
 - cardiovascular conditions
 - respiratory conditions (to include chronic obstructive pulmonary disease and serious asthma that is not controlled by medication)
 - people with mental health conditions – including dementia (consideration needed to how we assess referrals)
 - people with disabilities – including mobility issues and Arthritis
 - older people – 80+ (in line with higher winter fuel payments)
 - households with young children (new-born to school age) – who are premature (born at 32 weeks or below and/or considered low birth weight – 2.5kg or 5.5lbs)
 - Other life changing or limiting illnesses including cancer, Parkinson's Disease, diabetes type 1, blindness, TB
6. All conditions under the landlord's criteria are met.

Restrictions apply:

- Boilers and associated works will be fitted in the most practical way to provide affordable warmth and not purely for cosmetic reasons or client choice
- Under the Affordable Warmth Assistance, a boiler will be faulty or broken. A boiler may sometimes be replaced if it over 20 years old, dependent on the circumstances.
- The benefits received must be the only/main source of income into the household – evidence may be required to support this, such as pension or benefit books, utility bills and other financial information

- Affordable Warmth Assistance will not be provided if the property is being marketed for sale or if there is reasonable cause to believe the property will be sold within 3 years.

Appendix 5

Owner Occupiers Qualifying Criteria

To qualify for the affordable warmth grant assistance the client must meet all **5** criteria:

1. be an owner occupier or a private rented sector tenant - *those who are privately renting may only be entitled to insulation measures unless circumstances are exceptional, in which case heating may be installed with terms and conditions attached.*
2. have resided at the property for a minimum of 12 months
3. be in receipt of one or more income related benefit (list available) or any benefit linked to disability, if that plus any pension income do not take the total household income above the threshold for working tax credits (currently £18,000 p/a for a couple, £13100 p/a for a single person). They must also have less than £6000 in savings or £10,000 if they are pensioners.
4. be judged to be at risk of **serious** ill health due to living in a cold/damp home. Health conditions will be judged against criteria to access the free NHS Flu jab in the first instance, with seriousness of the illness then assessed via information provided by the client or obtained from the clients G.P. – ***please note the Council cannot cover any cost incurred from obtaining written proof from G.P's***
5. the property must be in council tax band A, B or C – properties in a higher band will only receive assistance in exceptional circumstances Council tax banding can be checked on <http://www.voa.gov.uk/cti/lnitS.asp?lcn=0>

Only in exceptional circumstances will permission to award a grant without meeting all the above criteria be sought – by way of an Individual Executive Decision Notice

Restrictions apply:

- Boilers and associated works will be fitted in the most practical way to provide affordable warmth and not purely for cosmetic reasons or client choice
- Grants will not be awarded for draught proofing as a single measure
- Under the Affordable Warmth Assistance, a boiler will be faulty or broken. A boiler may sometimes be replaced if it over 20 years old, dependent on the circumstances.
- Tenants must seek permission from their landlord before works can be done

- The benefits received must be the only/main source of income into the household – evidence may be required to support this, such as pension or benefit books, utility bills and other financial information
- Owner occupiers may be asked to prove that the property is their sole residence.