NORTH LANARKSHIRE COUNCIL

SCHEME OF ASSISTANCE
HELP FOR HOME OWNERS

February 2019.
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1. Introduction and background

Section 72 of the Housing (Scotland) Act 2006 introduced a requirement that local authorities prepare and publish a ‘Scheme of Assistance’ which details how the Council will help homeowners to repair and maintain their homes. Local schemes should set out how the Council will promote responsible homeownership and assist disabled residents to live independently at home.

North Lanarkshire Council’s Scheme of Assistance aims to assist owners to meet their maintenance and repair obligations through a mix of information, advice and assistance. Assistance is subject to Council priorities, available resources and is tailored to individual needs and circumstances. Where a disabled person’s home no longer meets their need, financial assistance may be available, depending on the type of work required to make their home suitable for their needs.

2. Status and Lifespan

There will be ongoing review of the Scheme of Assistance and, subject to committee approval, it may be amended as required.

3. Vision and Strategy

The Scheme of Assistance plays a key role in delivering on the priorities set out in North Lanarkshire’s Local Housing Strategy for 2016-2021:

- Priority 1: Promote supply of good quality affordable housing across all tenures
- Priority 2: Contribute to regeneration and sustainability of places
- Priority 3: Homelessness is prevented and appropriate housing support provided to sustain living arrangements
- Priority 4: Ensure there is a range of housing solutions and appropriate support to meet the needs of older households and those with other specific needs
- Priority 5: Tackle Fuel Poverty and contribute to meeting Climate Change Target
- Priority 6: Improve stock condition across all tenures.

Delivery of the Scheme will also contribute to wider objectives, including the Council’s ambitions to regenerate North Lanarkshire, by increased investment in the area’s built environment.

The Scheme is underpinned by the five guiding principles for the Council’s work set out in the Council Business Plan for 2017 to 2020:

- Improving our targeting of resources towards communities and individuals most at need
- Enable communities and individuals to help themselves
- Focus on preventative and early intervention activities
- Better use of intelligence and observations
- Encourage creative and innovative solutions across the organisation
4. Executive Summary

North Lanarkshire Council’s Scheme of Assistance aims to support homeowners to repair and maintain their homes by providing high-quality information, advice and assistance.

The Scheme sets out the types of information, advice and assistance which will be made available and the circumstances in which the Council may be able to help homeowners. This help will be made available subject to Council priorities, available resources and individual needs and circumstances. Two homeowners experiencing the same problem may therefore receive a different assistance package.

Information and advice will be made available to all private homeowners, landlords and tenants in North Lanarkshire. Assistance, both practical and financial, will only be available to five priority groups. These are:

1. Disabled people who are assessed as requiring a mandatory adaptation
2. Disabled people who are assessed as requiring an alternative housing solution
3. Owners with a shared responsibility for common repairs
4. Owners of properties which require major works and which are below the Tolerable Standard or are in a state of serious disrepair
5. Owners of properties subject to enforcement action by the Council.

An abbreviated summary identifying the Council’s priorities and the types of assistance that may be available can be found in the table on the following page.
5. Scheme of Assistance – Summary Table

<table>
<thead>
<tr>
<th>Priorities</th>
<th>Info &amp; advice</th>
<th>Practical assistance</th>
<th>Other housing options</th>
<th>Financial assessment</th>
<th>Mandatory 80% or 100% grant (benefit dependant)</th>
<th>Discretionary 50% grant</th>
<th>Discretionary 50% grant of the cost of works capped at £20,000 per property</th>
<th>Discretionary 75% grant for owners on income based benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disabled people - Critical (P1) or Substantial (P2) needs</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Mandatory 80% or 100% grant (benefit dependant)</td>
<td>Discretionary 50% grant</td>
<td>Discretionary 50% grant of the cost of works capped at £20,000 per property</td>
<td>Discretionary 75% grant for owners on income based benefits</td>
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<tr>
<td>Disabled people with Moderate (P3) needs</td>
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<td>✓</td>
<td>Discretionary 50% grant of the cost of works capped at £20,000 per property</td>
<td>Discretionary 75% grant for owners on income based benefits</td>
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<td>Disabled people with Low (P4) needs</td>
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<td>NLC Capital Programme/RSL Common Repairs</td>
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<tr>
<td>BTS/Serious Disrepair-Common Works</td>
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<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Discretionary 75% grant for owners on income based benefits</td>
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<tr>
<td>Below Tolerable Standard (BTS) – sole responsibility</td>
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<td>✓</td>
<td>✓</td>
<td>Discretionary 75% grant for owners on income based benefits</td>
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<tr>
<td>Serious Disrepair – sole responsibility</td>
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<td>✓</td>
<td>Discretionary 75% grant for owners on income based benefits</td>
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<td>Housing Renewal Area (HRA)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Discretionary details in scheme</td>
<td>Discretionary details in scheme</td>
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<td>General Disrepair/Maintenance</td>
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</tbody>
</table>

Note for disabled people: **All** service provision for disabled persons is subject to the Council’s Priorities which are based on the level of assessed need.
SCHEME OF ASSISTANCE – Part 1
Types of Assistance Available

6. Information

Information will be made available on a wide range of subjects related to adapting, repairing and maintaining homes. The provision of information aims to support owners to carry out the necessary activities themselves, or to guide them towards services which may be able to help.

Currently, the Council published information relating to:

- Paying for repairs and maintenance
- Employing tradespersons and professional services
- Common repairs and responsibilities
- Factoring services
- Private landlords
- The Tolerable Standard
- Enforcement powers
- North Lanarkshire Care and Repair Service
- Energy advice

This information will be reviewed periodically to ensure its accuracy.

Individuals seeking information should check the Council’s webpage or contact the Council’s specialist Private Sector Solutions team on 01698 274179 or at PrivateSectorHousing@northlan.gov.uk and make a request. Where the Council cannot provide the required information, it may refer the individual on to another service agency for assistance (and will make contact on the enquirers’ behalf if they are unable to do so).

7. Advice

The Council and its partners will provide advice to owners, private landlords and private tenants where they have a specific enquiry. Advice may be provide on a wide range of subjects including on:

- The Community Care assessment process
- The options available to an owner in receipt of a work notice
- The options available to disabled owners seeking a solution to their housing needs
- What owners can expect from property managers
- Where owners can find title deed information

Individuals seeking advice should contact the Council’s specialist Private Sector Solutions team on 01698 274179 or at PrivateSectorHousing@northlan.gov.uk. Where the Council cannot assist with an enquiry, it will refer the individual on to another service agency for assistance (and will make contact on the enquirers’ behalf if they are unable to do so).
8. Practical Assistance

The Council can assist owners with carrying out some or all of the tasks involved in adapting, repairing or maintaining their home, in limited circumstances. This includes where owners cannot carry out tasks themselves, or where the owner requires assistance to progress essential common repairs.

Practical assistance will be provided subject to Council priorities, available resources and individual needs and circumstances. It will only be provided to owners within the following five priority groups:

1. Disabled people who are assessed as requiring a mandatory adaptation
2. Disabled people who are assessed as requiring an alternative housing solution
3. Owners with a shared responsibility for common repairs
4. Owners of properties which require major works and which are below the Tolerable Standard or are in a state of serious disrepair
5. Owners of properties subject to enforcement action by the Council

Examples of practical assistance may include:

- An assessment of works required to repair and maintain the property
- Assistance in drawing up maintenance plans
- Completing forms to allow for repair works
- Corresponding with owners who share responsibility for common repairs
- Help for disabled people to adapt their home or find an alternative housing solution

Individuals seeking practical assistance should contact the Council’s specialist Private Sector Solutions team on 01698 274179 or at PrivateSectorHousing@northlan.gov.uk. Where the Council cannot assist with a request for practical assistance, it may refer the individual on to another service agency for help (and will make contact on the enquirers’ behalf if they are unable to do so). This may include the North Lanarkshire Care and Repair service (see Section 15 for further information).

9. Financial assistance – for disabled people

Local authorities have a statutory duty to assist disabled people whose homes are no longer suitable to meet their needs. The assistance provided can take different forms and may include:

- The provision of information, advice and signposting to other organisations to support people to find their own housing solutions
- Practical and financial assistance to move to a more suitable property
- Financial assistance to adapt the person’s current home

The type of assistance that will be offered will depend on whether the person’s assessed need is deemed to be eligible for support and is also a priority for assistance through the community care assessment and planning process.

Where an applicant receives an 80% mandatory grant (further details on eligibility are available under Section 17) and is unable to fund the shortfall, they will be referred for financial advice (see Section 11) to help them find the remaining funding.
For more information on how to ask for a community care assessment please see the Guide to Social Work Services information booklet (hard copies are available from Social Work Reception Services - see contact information in Appendix 4).

10. Financial Assistance – repair and maintenance

North Lanarkshire Council supports the vision of the 2006 Act, which aims to promote responsible homeownership (i.e. owners are ultimately responsible for repairing and maintaining their homes). The Council does however recognise that, in some circumstances, owners may require some financial help to meet their responsibilities and it has identified priority categories where grant funding may be available.

Local authorities do not have to provide financial assistance to owners. All grants paid by the Council are discretionary, and are subject to available resources and Council priorities. The Council will only provide financial assistance prior to works starting; no grant funding can be paid after works have begun.

Owners who owe any outstanding debts to the Council for work to any property, including (but not limited to) repayment charges for enforcement work, missing shares or notices of potential liability, will not be considered for grant funding. Any private landlords applying for grant funding must additionally be registered with Landlord Registration Scotland.

Grant may only be paid where:

- Works are required and owners shared responsibility for repair (including with other homeowners, the Council or Registered Social Landlords).
- Properties require major or significant repair works (see below).
- The Council is taking enforcement works
- Large scale maintenance works

Where an owner is unwilling to cooperate in progressing with essential works and the Council is required to step in to enforce works by serving a statutory notice, or contributes a missing share, no grant will be offered to the unwilling owner.

Individuals seeking financial assistance should contact the Council’s specialist Private Sector Solutions team on 01698 274179 or at PrivateSectorHousing@northlan.gov.uk. Where the Council cannot assist with a request for practical assistance, it may refer the individual on to another service agency for help (and will make contact on the enquirers’ behalf if they are unable to do so). This may include the North Lanarkshire Care and Repair service (see Section 11 for further information).

11. Financial advice

Owners should consider all options to finance the repair, maintenance and improvement of their properties. This may include maximising their incomes, making use of savings, accessing a loan or other financial products and releasing equity from their property.

Where an owner occupier or the owner of an empty home requires financial advice they may be signposted to other services and agencies, including:

- Charitable organisations, where appropriate
- Home Energy Scotland
- Independent Financial Advisors
- Local credit unions
• The Council’s debt advice team
• The Council’s income maximisation team
• The Department for Work and Pensions

Signposting for financial products is not normally available to private landlords who are acting as a business, although all cases will be looked at on a case by case basis.

12. Grant conditions

To ensure that funds are used effectively and for the purpose intended, legislation requires four conditions are attached to all grants, for 10 years from the date that grant is paid. These are:

a) The house must be used as a private dwelling; but that does not prevent the use of part of the house as a shop or office or for business, trade or professional purposes
b) The house must not be occupied by the owner or a member of the owner’s family (within the meaning of section 83 of the 1987 Act) except as that person’s only or main residence
c) The owner of the land or premises must take all practicable steps to keep it in a good state of repair
d) The owner of the land or premises must, if required to do so by the local authority, certify that conditions A to C are being observed.

For repair and maintenance grants, a further condition is attached and applies for a period of 3 years from the date that grant is paid:

i. Grant will be fully repaid if the house is sold within 3 years of the grant being paid.

The Council is legally required to register all grant awards on the titles to the properties. The cost of this must be paid for by the grant recipient. The cost for registration is set by the Registers of Scotland. As at 1 September 2018 this cost is £60. In addition, an administration fee of £50 will be charged by the Council for repair and maintenance grants only.

The payment of all fees will be deducted from the grant award. For example, if a grant award for repair and maintenance is calculated as £3,500, owners will receive £3,390 in payment from the Council.

Any breach of grant conditions will result in the grant having to be repaid in full. Any associated costs incurred by the Council in recovering the grant will be applied to the final balance recovered.

The Head of Housing Solutions has delegated powers to waive non-statutory conditions where sufficient evidence is provided to show that recovery could have a severe detrimental impact on the owner. This might include where recovery will result in owners having negative equity on sale of their property, or where owners will become homeless due to inability to remain in their own home or to purchase or rent another property. It would not include reduced surplus from any sale of the house.
13. **Missing Share Conditions/Requirements**

The 2006 Act as amended allows for the Council to pay ‘missing shares’ where repair and maintenance works are being carried out by the owners of two or more houses forming part of the same premises.

The Housing (Scotland) Act 2014 amended the terms of the Tenements (Scotland) Act 2004 (“the Tenements Act”) to include legislation that allowed local authorities to pay a missing share when the majority of owners in a tenement block agree to carry out works to repair or maintain their property, where one or more of the owners is unable or unwilling to pay their share and those owners cannot be identified or found.

The changes to the 2014 Act also allowed for missing shares to be paid on behalf of the owner of commercial properties within a tenement.

A missing share can be provided where:

i. An owner is unable to pay

ii. It is unreasonable to ask owners to pay

iii. An owner cannot be identified or found, by reasonable inquiry.

iv. An owner is unwilling to pay

The Council may pay missing shares, subject to available resources and Council priorities, where it is a better use of Council resources to assist in this way than to carry out work in default following the serving of statutory notices.

Where a missing share is paid on behalf of a non-co-operating owner in any circumstance, the Council will seek to recover all expenses incurred including administration costs by means of a Repayment Charge which will be recoverable when the owner sells or transfers their property if not paid before then.

Where a missing share payment has been made under the Housing Scotland Act 2006 as amended, interest at a rate of 10% per annum will be charged on the outstanding balance until fully paid. However, where a missing share is paid using the Tenements Act 2004 as amended, interest cannot be charged on the outstanding balance.

Although the Council may make a payment of missing share to assist owners in progressing essential works, there is no obligation to do so. Where an application is submitted for missing shares by owners, the specific procedures set out within the appropriate act are required to be followed before an application can be made, irrespective of the legislation being used to pay the missing share. More information on the process is available from the Private Sector Solutions team on 01698 274179 or at [PrivateSectorHousing@northlan.gov.uk](mailto:PrivateSectorHousing@northlan.gov.uk).

Where a missing share is being paid to cover an owner’s costs, that owner will not be entitled to any other form of financial assistance from the Council i.e. 100% missing share will be paid as an alternative to grant funding.
14. Loans

With the exception of possible loan assistance for a disabled person as defined under the ‘Assistance to Move’ section on page 18, the Council does not provide loans and cannot advise an owner directly on specific financial products which may be available to them on the financial market. It may however signpost to other services or agencies which can provide this advice.

15. North Lanarkshire Care and Repair

North Lanarkshire Care and Repair currently provides assistance to older and disabled people living in private sector housing. It offers a small repairs service to owner occupiers who are disabled or of state pension age. The handyperson service provides a service to pensioners whether they own their home or not. The current service is managed by Horizon Housing Association, a member of the Link Group, and funded by North Lanarkshire Council and NHS Lanarkshire. See below for further details:

- Small Repairs Service

The Small Repairs team is made up of fully qualified tradespersons and provides repairs to homeowners who have a disability or are of state pension age. This service has a small charge of £12 plus the cost of any materials used.

- Handyperson Service

Volunteers are trained to provide help with general handyperson type tasks within the home. This service is free of charge, although the cost of any materials required is not covered. It is available to all pensioners whether you own your home or not.

North Lanarkshire Care and Repair can be contacted on 0330 303 0301; alternatively, for further information and to request the service please see https://www.northlan.care-and-repair.org/.

16. Enforcement Powers

The powers within the Housing (Scotland) Act 2006 as amended enable local authorities to act where it is recognised that an owner or common owners are not fulfilling their maintenance and repair obligations for any property in their ownership. The powers can be used to stop problems escalating thereby removing the need for larger works and costs for owners at a future date.

Available powers are:

- Designation of Housing Renewal Areas (HRA)
- Serving of Work Notices
- Serving of Demolition Notices
- Serving of Maintenance Orders and decision notices.
- Serving of Defective and Dangerous Buildings notices.

The Council’s potential use of these powers is discussed in the following sections
Housing Renewal Area (HRA)

The designation of a Housing Renewal Area (HRA) allows enforcement action to be taken on poor quality housing issues on an area basis. An HRA can be designated on either or both of the following grounds:

1. where a significant number of houses have been identified as sub-standard
2. where the appearance or state of repair of houses is adversely affecting the amenity of an area

The Act defines a house as being sub-standard if it is:

- below the tolerable standard;
- in a state of serious disrepair; or
- in need of repair and is likely to deteriorate rapidly or damage other premises if nothing is done to repair it.

In declaring an HRA an associated action plan for the area is required to be put in place. Both the HRA and action plan would be subject to a public consultation process and if these steps are being considered the Council will liaise with affected owners throughout the drafting and consultation process as appropriate.

Where the Council requires works to be done to properties within an HRA, it must serve a work notice or demolition notice to enforce the works.

The Council sets out its policy on designating Housing Renewal Areas in the North Lanarkshire Local Housing Strategy for 2016-21, which states that:

‘The Council will use all powers available to deal with areas where housing and/or environmental issues are affecting the impact of the area and people living there. This may include use of Housing Renewal Area (HRA) powers. However, it is felt that the use of alternative powers are available to ensure works are enforced and carried out in default as necessary is a more suitable and quicker course of action at this time.’

This policy is subject to ongoing review.

Work Notice

A work notice is a statutory notice served on a property requiring that the owner of that property must carry out works. The notice will set out the works required to be done to the property.

Work notices may be used to enforce works in the following circumstances:

- In an HRA where properties are substandard or affecting the amenity of the area.
- On an individual property or a group of properties which are sub-standard irrespective or not of whether they are located within a Housing Renewal Area.
- To otherwise improve the security or safety of any house (whether or not situated in an HRA)

The work notice will be registered within the Building Standards Register and will not be revoked until the required works are completed to the property.
Where a work notice is served assistance will always be provided at least in the form of information and advice. Notices will only be served where the Council’s Private Sector Solutions team (and colleagues in other services, as appropriate) establish that their use is merited in the circumstances and that there is no other reasonable option available to resolve the issue. The serving of notices is subject to available resources and Council priorities.

**Demolition Notices**

Local authorities have powers to serve a demolition notice on properties within a Housing Renewal Area. To do this the relevant HRA action plan would require to identify a house for demolition or closure because it:

- Fails to meet the tolerable standard or is an obstructive building under Part 6 of the Housing (Scotland) Act 1987;
- Is a dangerous building under section 29 of the Building (Scotland) Act 2003; or
- Is in a state of serious disrepair and ought to be demolished under the Housing (Scotland) Act 2006.

**Maintenance orders and decision notices.**

Maintenance Orders are statutory orders which a local authority can serve where the owner of a property has not maintained or is unlikely to maintain a property to a reasonable standard, or where a work notice has been served in relation to a house and no certificate has been granted confirming that the work has been completed. The order is registered on the title to any property affected requiring that it is brought up to and kept in a reasonable standard of maintenance for a period of up to 5 years. Maintenance orders can be served on properties where owners have sole or common responsibilities for repair and maintenance.

When served with a maintenance order the owner or joint owners are required to prepare a maintenance plan for the property. The plan will detail the maintenance to be carried out to the property within the defined period of the plan. The plan must be submitted to, and approved by, the Council and will be available for the public to view on the Building Standards Register. In the event that the owner(s) fail to prepare a plan the Council can devise a plan in default of the order served, the council can recover all expenses incurred including administration costs by means of a Repayment Charge which will be recoverable when an owner sells or transfers their property if not paid before then. Interest will be also be charged on any outstanding balance.

**Maintenance Order Decision Notices.**

Once the maintenance plan is in place owners are then given the opportunity to carry out the works identified in the plan. Where owners fail to carry out the essential maintenance identified within the plan, the Council can serve a maintenance order decision notice, this notice allows the Council to step in to enforce some or all of the works.

Maintenance orders or decision notices will not be used for minor or individual items of work, or as a means to settle disputes over repair and maintenance between owners.
Dangerous/Defective Buildings Notice

Defective Buildings Notices.

Where it is evident that a premises has a evident defect for a particular item the Council may use the Building Scotland Act 2003 as amended to serve a Defective Buildings Notice. This notice requires that the owner(s) corrects and makes good the building element as detailed within the notice.

Dangerous Buildings Notices.

Where a report is received that a potential danger exists at a premises the Council will use the Building Scotland Act 2003 as amended and service a Dangerous Buildings Notice. This notice requires that the owner(s) make safe the building. In the event that action is not taken the Council will step in and make the premises safe.

Recovery of expenses where enforcement action is being taken

Where the Council are using any of the enforcement powers stated above and have to step in to take further action where owners have not complied with a statutory notice, order or plan served, the Council can recover from the owners all expenses incurred in the enforcement process including administration costs by means of a Repayment Charge. A repayment charge is recorded on the owner’s title and is recoverable when an owner sells or transfers the property if not paid before then. Interest will be charged on any outstanding balance until fully paid.

The Housing (Scotland) Act 2014 introduced changes to allow the Council to recover costs in connection with carrying out works in default of enforcement action taken on a non-residential/commercial properties where these are included within the curtilage of the block. The act also introduced changes that allowed for recovery of the cost of carry out works in default where a Defective or a Dangerous Buildings Notice has been served and allows for a repayment charge to be placed upon the owner(s) title.
SCHEME OF ASSISTANCE – Part 2

The circumstances in which assistance will be offered

17. Assistance for disabled adaptations

In order to find out if a person is eligible for assistance, they must have an assessment of their needs. This is carried out by an assessing officer (often an occupational therapist from their local Social Work office). An assessment will look at all areas of the person’s life to help them plan for the future. This will include looking at whether provision of equipment or possible changes to the current home will provide the necessary support, or whether other housing options should be explored, for example the Assistance to Move package. Details of local Social Work offices and contact numbers can be found in the ‘Contact Information’ in Appendix 4.

As there are many more assessed needs than available resources to meet those needs, it has to be decided which needs should receive the greatest priority. This is done by assessing the risks if needs are not met, into one of four categories:

- Critical (Priority 1)
- Substantial (Priority 2)
- Moderate (Priority 3)
- Low (Priority 4)

These categories refer to needs and not people. Not all of a person’s needs will fall into the same category. Where needs fall into Priority 1 or 2, they will be eligible for support by way of direct intervention. Where needs fall into Priorities 3 and 4, other assistance, including information and advice, will be provided to see if their needs can be met in other ways.

More details of the assessment process can be found in the ‘Guide to Social Work Services’ and on the ‘Support at Home – Equipment and Adaptation Services’ web page available at https://www.northlanarkshire.gov.uk/index.aspx?articleid=13195 which set out the range of help available and identifies the eligibility criteria and processes involved in meeting community care outcomes. To obtain copies of the above please contact your local Social Work Reception Services office as detailed within the ‘Contact Information’ in Appendix 4
**PRIORITIES**

Disabled Adaptations – Standard Amenities (Priority 1 & 2 Needs - Critical and Substantial Priority)

*See Appendix 2 for examples of standard amenity and essential adaptation works.*

<table>
<thead>
<tr>
<th>ASSISTANCE</th>
<th>SUMMARY</th>
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<tr>
<td>Subject to assessment of priority need, mandatory grant assistance of 80% of the cost of works will be provided to eligible applicants. Where the following qualifying benefits are received by the applicant or their spouse/civil partner, the applicant will be entitled to grant assistance of 100% of the cost of works. The qualifying benefits are: -</td>
<td>Mandatory Grant</td>
</tr>
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</table>
| - Income support  
- Income based jobseeker’s allowance  
- Pension credit (guarantee element)  
- Employment support allowance (income related)  
- Universal Credit | |
| Other assistance  
- Information  
- Advice to assist with meeting housing needs  
- Practical assistance  
- Financial assessment to increase income | |
<table>
<thead>
<tr>
<th>PRIORITIES</th>
<th>SUMMARY</th>
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<tbody>
<tr>
<td><strong>Property not suitable for adaptation (Priority 1 &amp; 2 Needs - Critical and Substantial Priority)</strong> Subject to assessment confirming home would not meet existing needs following a standard amenity adaptation via mandatory grant</td>
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</tr>
<tr>
<td><strong>ASSISTANCE</strong></td>
<td>Loan assistance to move</td>
</tr>
<tr>
<td>Where a person’s assessed needs are identified as falling within the Critical (Priority 1) or Substantial (Priority 2) categories of the Council’s priority framework and their home has been determined unsuitable for their needs or cannot be suitably adapted within its existing footprint the Council may provide the following assistance:</td>
<td></td>
</tr>
<tr>
<td>• Loan of up to £20,000 for house purchase and/or reasonable associated fees and costs associated with moving to a more suitable house in the private sector. Funding would be recovered at re-sale or transfer of the purchased, or part-purchased home through a standard security registered on the title to the property.</td>
<td>Shared equity</td>
</tr>
<tr>
<td>• Grant may also be offered to fund any reasonable standard amenity adaptation within the new home and to make the property accessible to meet an eligible assessed need.</td>
<td>Housing options</td>
</tr>
<tr>
<td>• Referral to appropriate Registered Social Landlord for application for shared equity housing</td>
<td>Income maximisation</td>
</tr>
<tr>
<td>• Referral to Housing Options Scotland to find appropriate housing solution.</td>
<td>Practical assistance</td>
</tr>
<tr>
<td>• Financial assessment to increase income</td>
<td></td>
</tr>
<tr>
<td>• Support from the Equipment and Adaptation service</td>
<td></td>
</tr>
</tbody>
</table>
### PRIORITIES

#### Disabled Adaptations – Standard Amenities Moderate Priority (P3) Needs

Subject to Community Care assessment

*See Appendix 2 for examples of standard amenity and essential adaptation works.*

<table>
<thead>
<tr>
<th>ASSISTANCE</th>
<th>SUMMARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discretionary grant funding</td>
<td>Assistance as detailed</td>
</tr>
</tbody>
</table>

Subject to assessment of priority need, discretionary grant of 80% of the cost of works will be provided to eligible applicants.

Where the following qualifying benefits are received by the applicant or their spouse/civil partner, the applicant will be entitled to grant assistance of 100% of the cost of works. The qualifying benefits are:

- Income support
- Income based jobseeker’s allowance
- Pension credit (guarantee element)
- Employment support allowance (income related)
- Universal Credit

Other assistance
- Information
- Advice
- Practical Assistance

Financial assessment to increase income

### PRIORITIES

#### Disabled Adaptations – Standard Amenities Low Priority (P4) Needs

Subject to Community Care assessment

<table>
<thead>
<tr>
<th>ASSISTANCE</th>
<th>SUMMARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assistance to be offered:</td>
<td>Assistance as detailed</td>
</tr>
</tbody>
</table>

- Information
- Advice
18. Further information on Assistance with Adaptations

Mandatory Grant Levels

Where an applicant has been identified as having an eligible need following assessment and the adaptation works fall within mandatory grant provision, the Council will provide a minimum 80% grant to applicants living in a privately owned or privately rented home where that home is their main residence.

Where the following benefits are received by the applicant or their spouse/civil partner, 100% grant assistance of the cost of works will be provided. The eligible benefits are:-

- Income support
- Income based jobseeker’s allowance
- Pension credit (guarantee element)
- Employment support allowance (income related)
- Universal Credit

Where an applicant receives an 80% mandatory grant and is unable to fund the shortfall, they will be referred for financial advice (see Section 11) to help them in funding the shortfall.

In addition, all applicants in receipt of mandatory grant will be given access to advice, information and practical assistance if required.

The Council retains discretionary powers to provide loan assistance where no other options are available for owners with an assessed need. This assistance will only be made available in exceptional circumstances and subject to funding and approval of the Enterprise and Housing Committee.

Extension to provide a toilet or bathroom

Grant will be considered for an extension to provide bathroom or toilet facilities to meet assessed needs which fall into the Critical (Priority 1) and Substantial (Priority 2) categories, but only when no other options are available to provide these facilities within the existing footprint of the home, where the cost of extension to provide the facilities is deemed to be the more cost effective option as no suitable alternative properties can be found. Only reasonable costs will be paid in these circumstances.

Extension to provide additional living or bedroom accommodation

The Council does not provide grant funding to extend a house to provide additional living or bedroom accommodation but instead provides the other assistance described within this scheme.

Adaptations which include provision of major equipment items

Some recommended adaptations will include the installation of major items of equipment. Examples might include a specialist bath or toilet, a through floor lift or step lift. These items will be funded via the grant process and be subject to the same funding criteria and Council priority framework. Except where advised otherwise, applicants will
be responsible for servicing and maintaining such items and the Council will not fund their removal if they are no longer needed.

Other Housing Options for disabled applicants

(i) Assistance to Move Package

When an assessment has identified that a person’s needs fall within the Critical (Priority 1) and/or Substantial (Priority 2) Priorities and the person’s existing property either cannot be suitably adapted within the mandatory scope (i.e. with a standard amenity) or the cost of adapting the home is likely to be in excess of £25,000, then an ‘Assistance to Move’ package may be offered. This will consist of a loan up to a maximum of £20,000 which will be secured on the property into which the person with the assessed need moves. The loan can be used for any reasonable costs associated with selling the applicant’s current home and buying a suitable new home suitable, such as a down payment, legal fees, surveys and moving costs.

To qualify for this assistance, prior to purchase of the new home and approval of the agreed amount of loan, officers from the Council - typically an occupational therapist and a technical officer - will have to visit and confirm that the intended home will meet the disabled person’s needs. In recognition that any new home is unlikely to be completely suitable to meet the person’s needs, the Council will provide grant assistance for standard amenities and access in the new home if required.

Any assistance to move loan awarded will be secured by a standard security registered on the title to the new home, interest free, and not due for repayment until the house is sold or the title transferred.

(ii) Referrals

a) An owner can be considered for social housing and placed on the Council and other registered social landlords housing waiting lists in order to find a more suitable property. The current housing allocations policy operated by North Lanarkshire Council and its partners recognises the needs of disabled people wishing to move to more suitable accommodation by awarding points under the Health and Housing needs category of the pointing framework. Other Registered Social Landlords operate similar policies.

b) A referral may be made to a Registered Social Landlord responsible for administering the Scottish Government’s Low-cost Initiative for First Time Buyers (LIFT) and Open Market Shared Equity (OMSE) schemes.

c) A referral may be made to Housing Options Scotland to identify an appropriate housing solution.

Where a person purchases a more suitable home via the shared equity schemes, Housing Options Scotland or via the Council’s Assistance to Move package, mandatory grant to adapt the new home for access and/or standard amenities will be provided.

Contact details of the organisations to whom an applicant may be referred are provided at under ‘Contact Information’ at Appendix 4.
**Additional works/proposals beyond the assessed need**

Grant will only be calculated on the approved expense of providing the adaptation(s) identified as required to meet the disabled person’s assessed needs. If a person wishes to carry out additional work they can do so, but would have to fund the additional costs.

An example of this would be where a disabled person may need to have a height adjustable work surface and sink unit in their kitchen but would also like to make other changes to their kitchen layout. Grant funding would only be offered for the height adjustable features identified as necessary by the assessment process.

**Alternative Works to those identified as an Assessed Need**

There may be circumstances where a person wishes to carry out adaptations other than those recommended. Providing that the alternative work(s) would also meet the disabled person’s assessed needs as approved by an assessing officer, the disabled person will be provided with a contribution towards the cost of the selected works. In these circumstances, grant will be provided based on the lower of either the approved expense of the original recommendation or the cost of the alternative works being carried out by the applicant.

An example of alternative works might be where the recommendation is for provision of a through floor lift with alterations on the upper floor to create an accessible bedroom and shower facility. However, the disabled person may decide they would prefer to extend their home with an additional bedroom and bathroom. Grant will be based on the lower value works.

**Adaptations for private tenants**

Where a person lives in a privately rented property, they are still entitled to assistance to meet their assessed needs. Where a private landlord agrees to an adaptation for a tenant and prior to its installation makes a written request that the property be re-instated if the tenant subsequently leaves the property, the Council will confirm in writing whether any grant aid will be provided towards such re-instatement costs.

Grant will only be considered for such works likely to affect the landlord’s ability to rent out the property in the future. For example, if a bath has been replaced with a wet floor area, this would not be expected to impact on future ability to let the property to another tenant. If however a specialist WC or bath had been fitted, consideration may be given to the offer of grant towards replacement of these non-standard items.

Landlords will be expected to firstly seek tenants who can benefit from the adaptation before re-instating. No grant will be provided for reinstatement where this has not been previously agreed. However information and advice will be given in all instances.

**Reinstatement/Removal of adaptations**

The Council will not provide grant funding to remove an adaptation, except where prior agreement exists to reinstate a private landlord’s property (as detailed above).

The Council will however provide all other owners with information and advice to help with removal/reinstatement if requested.
19. Assistance for owners in Council and Registered Social Landlord programmes of work

Assistance is provided within this priority category to private owners who are requested to participate in works being carried out by the Council or other Registered Social Landlord on elements of a building where all owners have common responsibility for the works. Consideration will also be given to awarding assistance where a Local Housing Services office of the Council are progressing major works that meet the grant criteria.

<table>
<thead>
<tr>
<th>PRIORITIES</th>
<th>SUMMARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Programme Works - where owners share responsibility for major works with the Council or with a Registered Social Landlord (RSL)</td>
<td>DISCRETIONARY GRANT: 50% of the cost of work, minimum grant of £500 and maximum grant of £15,000 per property</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ASSISTANCE</th>
<th>SUMMARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grant aid of 50% of the cost of the major works will be offered. The eligible cost of major works is £1,000 minimum and £30,000 maximum i.e. between £500 and £15,000 grant per property will be offered subject to available funding, subject to the conditions set out in Section 10 above.</td>
<td>75% grant for owners on certain income based benefits.</td>
</tr>
</tbody>
</table>

75% grant funding where applicants can provide financial evidence of income based benefits to support such an application.

Other assistance available:
- Information
- Advice
- Financial assessment to increase income

Grant will only be provided to private landlords who are registered with Landlord Registration Scotland. A work notice may be served if an owner refuses to take responsibility for essential repairs. The Council may at their discretion and subject to funding undertake or enable works and recover all necessary expenses through a repayment charge secured on the title deeds to the property.

To further encourage participation in capital programmes, owner occupiers will be given the opportunity to repay the outstanding balance of the cost of works by instalments by up to 5 years of the account being issued. Landlords will only be offered a payment plan, subject to meeting the criteria noted below.

The Council and other Registered Social Landlords (RSLs), like other owners, carry out major repair or improvement works to their properties. Where programmed large scale capital works are being carried out by the Council or an RSL and there is mixed tenure within the block (i.e. a mix of private and social homes), the ability to do the works may depend on the participation of a number of owners, as specified within the title deeds to the blocks.
Non-participation of owners in capital programmes can result in tenants not benefiting from major works and social landlords having to spend more time and resources carrying out ongoing repairs before recovering owners’ shares.

To support these capital works programmes, a grant of 50% of the cost of such works will be awarded to participating owners. 75% grant will be offered where all owners of the property are in receipt of the following qualifying benefits:

- Income support
- Income based jobseeker’s allowance
- Pension credit (guarantee element)
- Employment support allowance (income related)
- Universal Credit

Grant will only be made available where the eligible costs of works are £1,000 or over up to a maximum of £30,000. Grant funding will therefore be awarded between £500 and £15,000 to owners who share repair responsibilities with the Council or an RSL in capital programme works. Owners are required to pay the remaining share of their cost of works.

To further encourage participation in Council capital programmes, owner occupiers will be given the opportunity to repay the outstanding balance of the cost of works by instalments by up to 5 years of the account being issued.

Grants for private landlords with common repair responsibilities will only be considered if those owners of rented properties are registered with Landlord Registration Scotland. In some circumstances, landlords may apply for a debt instalment plan but only where:

a) they provide evidence that all owners of the property are in receipt of one of the following income replacement benefits:

- Income Support
- Income Based Jobseeker’s Allowance
- Pension Credit (guaranteed element)
- Income Related Employment and Support Allowance
- Universal Credit

or

- they own a second property other than their home but no more. The Council will carry out any necessary checks to confirm ownership of any other properties.

Once verified and approved, landlords who meet the necessary criteria as identified above, will be given the opportunity to repay the balance of the cost of works within 2 years of the account being issued. This timescale will be extended to 3 years where the balance due to be paid after grant is over £3,000.

There is an additional administration charge to set up a debt instalment plan. This charge is currently £50. If an owner fails to pay, or defaults on repayments under any debt instalment plan, the Council will take steps to recover its costs through court action.

Owners participating in other RSL’s contracts should contact the landlords to find out whether similar debt repayment terms are available to them.
Works carried out under the Tenement Management Scheme

The Tenement Management Scheme allows a majority of owners to make decisions about repairing and maintaining their homes, where there are gaps or defects in their title deeds. The Council may use this legislation to process works in blocks where we hold common repair responsibility with other owners. Where works have been agreed under the Scheme and the council takes the lead in arranging the required works the council will arrange for other owners to be billed for their share of the costs. In the event that an owner’s debt has not been paid, a Notice of Potential Liability can be placed on the non-paying owner’s title deeds. The Council has the right to put such a Notice on an owner’s property only where it owns another property in the block. A Notice of potential liability lasts for 3 years and would then be renewed by the Council unless an owner has re-paid their debt. Where a notice is placed on the property the owner may also need to pay any additional fees incurred by the Council.

Works carried out under a Works Notice

Where an owner in a block prevents essential works from being progressed the Council may step in to enforce works through the serving of a work notice. In these circumstances the non-paying owner’s share of costs will be recovered through a repayment charge registered on the title to their property. Grant will not be provided retrospectively.

Any repayment charge placed will recover all expenses incurred by the Council in enforcing works, the cost of registering the charge on the title and in addition interest at 10% per annum will apply until the charge is fully paid or recovered at the point of resale of the property by the owners.
20. Assistance for owners with shared responsibility for major common repairs – where property is below tolerable standard or in serious disrepair

This priority category aims to assist owners with common works whose properties fail the tolerable standard or are in serious disrepair. The following provides a summary of how the Council will help such owners. All assistance in this category is discretionary and subject to funding and resources, with priority given to assisting in bringing properties up to the tolerable standard.

### PRIORITIES

**Serious Disrepair or BTS - Owners with shared responsibility for common repairs**

Subject to assessment and extent of disrepair.

<table>
<thead>
<tr>
<th>ASSISTANCE</th>
<th>SUMMARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grant aid of 50% of the cost of the major works will be offered. The eligible cost of works is £1,000 minimum and £30,000 maximum i.e. between £500 and £15,000 grant per property will be offered subject to available funding, subject to the conditions set out in Section 10 above.</td>
<td>Discretionary Grant: 50% of the cost of work, minimum grant of £500 and maximum grant of £15,000 per property</td>
</tr>
<tr>
<td>75% grant will be offered where all owners of the property are in receipt of the following qualifying benefits:</td>
<td>75% grant for owners on income based benefits.</td>
</tr>
</tbody>
</table>
| • Income support  
• Income based jobseeker’s allowance  
• Pension credit (guarantee element)  
• Employment support allowance (income related)  
• Universal Credit | |

Grant assistance will only be considered for the items detailed below, subject to available funding. Priority for funding will be given for properties below the tolerable standard or in serious disrepair in the following categories:

- Full roof replacement - where the roof is beyond reasonable repair
- Re-rendering - where current element is beyond reasonable repair or it is affecting the integrity of the building
- Installation of a damp-proofing course where none exists at present, or renewal where the current one has broken down and any associated rot works at common areas
- Major structural works required to stabilise a property
- Provision of a wholesome water supply where current supply is inadequate
- Surface water drainage

Assistance as detailed
- Confirmed unsafe electrical system
- Installation or replacement of door entry systems

Landlords with occupied properties will only be given assistance if they are registered with Landlord Registration Scotland and do not have outstanding debts relative to other property matters such as a Notice of potential liability or other property related matter.

Other assistance provided may include:
- Information
- Advice
- Practical assistance
- Financial assessment

To encourage effective maintenance of large scale common works a contribution of 50% of the cost of eligible works is provided to owners in approved areas when carrying out repair/maintenance works to common blocks. The minimum level of costs which is proposed as eligible for this contribution will be £500 i.e. a £250 contribution towards the costs. The maximum eligible cost is proposed as £1,000 i.e. a £500 contribution towards works.

A work notice may be served if any owner refuses to take responsibility for essential repairs. The Council may at their discretion and subject to funding undertake or enable works and recover all necessary expenses through a repayment charge secured on the title deeds of the properties where payment has not been met.

Where an owner/owners make an application under this priority category, the entire block will be subject to assessment by a Private Sector Solutions Officer and/or an Environmental Health Officer to determine whether the properties are below tolerable standard and/or within serious disrepair.

Where an applicant is applying for assistance to undertake major structural works, a full independent structural report must be provided to the Council. An application for assistance related to electrical works will require to be supported by an Electrical Installation Condition Report. In both circumstances the owner(s) will be responsible for obtaining and paying for such reports; no grant will be payable towards the cost of these fees. The Council may request that owners provide additional specialist reports to support applications where it is not possible for an officer to determine the problem through visual inspection alone. The cost of any such reports will be paid by the applicant and will not normally attract assistance in the form of grant funding.

Owners will require to obtain their own legal advice regarding any factoring conditions that may be contained within their title deed, how these can be applied or over ridden or how a factor can be appointed if the titles are silent on this matter.
Where any owner prevents essential works from being progressed the Council may consider paying a missing share where the majority of other owners are willing to progress with works. Alternatively, the Council may use one of its enforcement powers. Please see previous section on enforcement for more information.

**21. Assistance for owners with sole responsibility for repair – where properties are below the Tolerable Standard or in Serious Disrepair**

This priority category aims to assist owners whose properties fail the tolerable standard or are in serious disrepair. The following provides a summary of how the Council will help such owners. All assistance in this category is discretionary and subject to funding and resources, with priority given to assisting in bringing properties up to the tolerable standard.

<table>
<thead>
<tr>
<th>PRIORITIES</th>
<th>ASSISTANCE</th>
<th>SUMMARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Properties identified as being below the Tolerable Standard or within Serious Disrepair (non-communal works) and in need of major works as identified.</td>
<td>Grant aid of 50% of the cost of the major works will be offered. The eligible cost of works is £1,000 minimum and £30,000 maximum i.e. between £500 and £15,000 grant per property will be offered subject to available funding, subject to the conditions set out in Section 10 above.</td>
<td>Other assistance</td>
</tr>
<tr>
<td></td>
<td>75% grant will be offered where <strong>all</strong> owners of the property are in receipt of the following qualifying benefits:</td>
<td>Discretionary grants</td>
</tr>
<tr>
<td></td>
<td>• Income support</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Income based jobseeker’s allowance</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Pension credit (guarantee element)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Employment support allowance (income related)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Universal Credit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grant assistance will only be considered for the items detailed below, subject to available funding. Priority for funding will be given for properties below the tolerable standard or in serious disrepair in the following categories:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Full roof replacement - where the roof is beyond reasonable repair</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Re-rendering - where current element is beyond reasonable repair or it is affecting the integrity of the building</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Installation of a damp-proofing course where none exists at present, or renewal where the current one has broken down and any associated rot works at common areas</td>
<td></td>
</tr>
</tbody>
</table>
• Major structural works required to stabilise a property
• Provision of a wholesome water supply where current supply is inadequate
• Surface water drainage
• Confirmed unsafe electrical system
• Installation or replacement of door entry systems

Landlords with occupied properties will only be given assistance if they are registered with Landlord Registration Scotland and do not have outstanding debts relative to other property matters such as a Notice of potential liability or other property related matter.

Other assistance provided may include:

- Information
- Advice
- Practical assistance
- Financial assessment

A work notice may be served if any owner refuses to take responsibility for essential repairs. The Council may at their discretion and subject to funding undertake or enable works and recover all necessary expenses through a repayment charge secured on the title deeds of the properties where payment has not been met.

### 22. Assistance for non-grant eligible works

The works detailed below will not be eligible for grant assistance, but will be eligible for other assistance as detailed:

<table>
<thead>
<tr>
<th>WORKS REQUIRED</th>
<th>SUMMARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disrepair that affects or could affect the integrity of the house</td>
<td>Assistance as detailed</td>
</tr>
<tr>
<td>Subject to inspection and the extent of disrepair</td>
<td>Enforcement – work notice)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ASSISTANCE</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Assistance may include:</td>
<td></td>
</tr>
<tr>
<td>• Information</td>
<td></td>
</tr>
<tr>
<td>• Advice</td>
<td></td>
</tr>
<tr>
<td>• Practical/Technical assistance</td>
<td></td>
</tr>
<tr>
<td>• Signposting for financial advice</td>
<td></td>
</tr>
</tbody>
</table>

A work notice may be served if an owner refuses to take responsibility for essential repairs.
<table>
<thead>
<tr>
<th>General Repairs/Maintenance</th>
<th>SUMMARY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ASSISTANCE</strong></td>
<td><strong>As detailed</strong></td>
</tr>
</tbody>
</table>
| For those wishing to undertake general repairs and maintenance the following assistance may be provided:-  
  - Information  
  - Advice | North Lanarkshire Care & Repair referral |
| Where an owner is elderly or disabled they can be referred to North Lanarkshire’s Care & Repair Service for further assistance as available under that scheme | |
SCHEME OF ASSISTANCE – Part 3
Enforcement powers

23 a). Housing Renewal Areas

An area can be designated a Housing Renewal Area (HRA) to tackle issues of poor quality housing where either housing is substandard or the appearance or state of disrepair is adversely affecting the amenity of the area.

The Council sets out its policy on designating Housing Renewal Areas in the North Lanarkshire Local Housing Strategy for 2016-21, which states that:

‘The Council will use all powers available to deal with areas where housing and/or environmental issues are affecting the impact of the area and people living there. This may include use of Housing Renewal Area (HRA) powers. However, it is felt that the use of alternative powers are available to ensure works are enforced and carried out in default as necessary is a more suitable and quicker course of action at this time.’

In the event that a Housing Renewal Area is designated, the following assistance will be offered:

<table>
<thead>
<tr>
<th>ACTION</th>
<th>ASSISTANCE</th>
<th>SUMMARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing Renewal Areas (HRA)</td>
<td>A full consultation exercise will take place with owners prior to a Housing Renewal Area being designated.</td>
<td>50% of the cost of works up to a maximum of £30,000 per house/flat (discretionary and subject to funding)</td>
</tr>
<tr>
<td></td>
<td>Grant will be awarded at 50% of the cost of identified repair works up to a maximum of £30,000 per house/flat. Where the work is required to a block of 6 or more flats the award of funding is subject to a factoring arrangement being in place or put in place before works commence.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Where all owners are in receipt of one of the following income replacement benefits they will be entitled to apply for grant funding of 75% towards the cost of works identified in the HRA action plan:</td>
<td>75% grant for owners on income based benefits.</td>
</tr>
<tr>
<td></td>
<td>• Income Support</td>
<td>Assistance as detailed</td>
</tr>
<tr>
<td></td>
<td>• Income Based Job Seeker’s Allowance</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Pension Credit (guaranteed element)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Income Related Employment and Support Allowance</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Universal Credit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other available assistance will include:</td>
<td>Enforcement - work notice (Mandatory Assistance)</td>
</tr>
<tr>
<td></td>
<td>• Information</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Advice</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Practical assistance</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Financial assessment</td>
<td></td>
</tr>
</tbody>
</table>
Where the Council serves a work notice on owners within an HRA and owners do not comply with the notice, the Council has discretion to carry out the required works. Enforcement works will be undertaken subject to funding. Any expenses incurred by the Council enforcing works will be recovered from the owners through the serving of a repayment charge on the title to the properties.

Landlords with occupied properties will only be given assistance if they are registered with Landlord Registration Scotland and do not have outstanding debts relative to other property matters such as a Notice of potential liability or other property related matter.

Demolition works may also be required within an HRA. Assistance packages for those affected will be developed in line with available resources and will be specific to the problems identified and the scale of demolition.

There are two circumstances where work notices are used to enforce works within an HRA. These are where:

1. housing is substandard, and the HRA requires that work is done to bring a property into and keep it in reasonable state of repair (which must at least meet the tolerable standard); or
2. the appearance or state of repair of houses is adversely affecting the amenity of the area, to enhance it

Where a work notice is served to enforce works within an HRA, the following assistance will be provide to owners:

- Information
- Advice
- Practical assistance where eligible
- Financial assessment
- Grant assistance

23 b) Demolition notice

Where an owner fails to carry out the works required by a demolition notice, the Council can step in to enforce the works, recovering all expenses incurred through a repayment charge served on the title to the site of the demolished house.

Assistance packages for properties served with a demolition notice will be developed further in line with available resources, and will be specific to the properties identified and the scale of demolition.

23 c) Works Notices (served out with an HRA area)

Where an owner fails to carry out works to bring a property up to the tolerable standard the Council may step in to enforce works through the serving of a work notice. Following enforcement the owners share of costs will be recovered through a repayment charge registered on the title to their property. Any expenses incurred by the Council in
enforcing works, and interest of 10% per annum will apply until the charge is fully paid or recovered at the point of re-sale of the property by the owner.

Where a work notice is served on a property the Council can provide advice, information, and practical assistance (where eligible) to owners.

Where an owner is unwilling to co-operate in progressing with essential works and the Council are required to step in to enforce the works by serving a statutory notice, the option of applying for grant will be withdrawn from the unwilling owners.

Grant funding at 50% may be available subject to the type and extent of work being carried out and subject to the availability of funding. 75% funding will be available subject to owners being in receipt of the relevant qualifying benefits. 100% missing share funding may also be available as an alternative to grant subject to conditions being met. See section 12 & 13 for grant and missing share conditions.

Where owners fail to take work forward and the Council carry out essential works, all expenses incurred by the Council will be recovered through a repayment charge registered on the title to the property. Fees and interest of 10% will apply on the charge until it is fully paid or until re-sale of the property by the owners.

24. Maintenance Works

Maintenance orders may be served on the owner of a house or joint houses requiring them to prepare and implement a plan known as a “maintenance plan” to ensure that the property is maintained to a reasonable standard for a period defined within the order but not exceeding 5 years.

As this is resource intensive, the Council will determine priorities and where orders will be used which will be subject to the scale and extent of disrepair.

<table>
<thead>
<tr>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance Works – subject to Council priorities</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ASSISTANCE</th>
<th>SUMMARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>To encourage effective maintenance of large scale common works a contribution of 50% of the cost of eligible works is provided to owners in approved areas when carrying out repair/maintenance works to common blocks. The minimum level of costs which is proposed as eligible for this contribution will be £500 i.e. a £250 contribution towards the costs. The maximum eligible cost is proposed as £1,000 i.e. a £500 contribution towards works.</td>
<td>50% contribution offered on eligible costs of between £500 and £1,000</td>
</tr>
</tbody>
</table>

Landlords with occupied properties will only be given assistance if they are registered with Landlord Registration Scotland and do not have outstanding debts relative to other property matters such as a Notice of potential liability or other property related matter.

Maintenance orders will be served where enforcement powers are deemed necessary to deal with larger scale maintenance issues in priority areas. These orders will only be used where

Enforcement - maintenance order
there is evidence that properties are not being maintained and there is evidence of substantial and long term disrepair.

In order to qualify for a maintenance contribution, conditions will apply and funding will be provided in line with Council priorities. Funding will only be available for properties in approved areas.

In the event that the Council serves a Maintenance Order and has to step in to devise or vary a maintenance plan the Council propose to recover all administration expenses it incurs in carrying out this work up to a maximum of £50 per property. Any associated legal registration fees and any other additional expenses the council incurs in enforcing works will be recovered in addition to these costs.

Maintenance plans will be recorded on titles of properties for 5 years.

It is recognised that many owners in flatted blocks wish to carry out maintenance works to common elements of their building but are prevented from doing so due to the reluctance or inability of other owner(s) with a shared responsibility agreeing to the works.

In order to encourage owners with shared responsibilities to carry out maintenance works to prevent further deterioration of a block the Council can provide 50% contribution funding towards the costs. The amount will range between £250 and £500 for maintenance works i.e., between £500 and £1,000 eligible costs. Any contribution awarded in this category is always subject to prioritisation and available resources.

A number of areas have already been identified within North Lanarkshire where the use of maintenance order powers should prove beneficial in making owners, including private landlords, take greater responsibility for maintaining their homes and the surrounding areas. These will be prioritised according to need and resources.

Private landlords must be registered on the Landlord Registration Scheme to qualify for any financial assistance and not have outstanding debts relative to other property matters such as a Notice of Potential Liability or any other property related matters.

25. Other circumstances

There may be times when situations arise that have not been covered in the Scheme of Assistance either where owners are progressing with works, the Council are using enforcement powers, or where there are special mitigating circumstances that require discretion on the part of the Executive Director of Enterprise & Communities as delegated by their authority to provide assistance in the circumstances.

Where the Council has a mandatory duty to provide grant assistance e.g. for eligible adaptation works, this will always be provided. In all other circumstances, assistance is subject to available resources and Council priorities.
SCHEME OF ASSISTANCE – Part 4
Application Process – How to Apply for Assistance

26. How to Apply for Assistance

An application for housing assistance should be made to the Private Sector Solutions team on 01698 274179.

Applications for assistance with a disabled adaptation should be made to the local Social Work office. Contact details for the relevant offices can be found within the ‘Contact Information’ in Appendix 4.

27. Complaints

Any complaints made to North Lanarkshire Council are handled in line with the Public Services Reform (Scotland) Act 2010. Wherever possible we want to be able to resolve an issue on the spot at stage one, although more complex issues may require to be escalated to the investigation stage. The Council’s complaints policy can be downloaded at www.northlanarkshire.gov.uk/complaints

A response to a Stage One complaint will be issued within 5 working days. However if we can’t resolve your complaint at this stage, we will explain why and tell you what you can do next. If this involves taking your complaint to Stage 2 for investigation we will:

• acknowledge receipt of your complaint within three working days
• give you a full response to the complaint as soon as possible and within 20 working days.

After we have fully investigated, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

Complaints can be made by completing a web form on North Lanarkshire Council’s website www.northlanarkshire.gov.uk/complaints or in person, by letter, email, telephone, or by contacting:

Private Sector Solutions
Municipal Buildings
Kildonan Street
Coatbridge
ML5 3In
Tel: 01698 274179
Email: PrivateSectorHousing@northlan.gov.uk

Or

General Enquiries
Finance and Customer Services
52-60 Merry Street
Motherwell
ML1 1LZ
Tel: 01698 403200
Email: complaints@northlan.gov.uk
APPENDIX 1

This table provides details of the type of assistance which may be provided under North Lanarkshire Council’s Scheme of Assistance. It also provides further information on terminology which has been used throughout the document.

All assistance will be subject to application of the Council’s priorities, available funding and resources.

<table>
<thead>
<tr>
<th>Information</th>
<th>The provision of information will be via guides covering topics such as common repairs, property maintenance, property management, house purchase, owner responsibilities and enforcement powers. Information and leaflets will also be provided via the Council’s <a href="#">website</a> and promoting awareness of property issues in the community.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advice</td>
<td>A personalised response to specific enquiries. Assistance of this nature will include referrals to other agencies such as North Lanarkshire Care and Repair, Home Energy Scotland as well as referrals to other Council Services where appropriate.</td>
</tr>
<tr>
<td>Practical Assistance</td>
<td>Assistance with obtaining estimates/quotations and checking those obtained by owners for specification and price; assistance to identify and carry out repairs; identification of owners with shared responsibilities; assistance to complete forms/applications; pre and post inspections of work and preparation of work specifications.</td>
</tr>
<tr>
<td>Financial advice</td>
<td>Assistance of this nature may include supporting owners to complete applications for charitable assistance and directing them to money advice services including the Council’s Debt Advice and Income Maximisation teams, the Department for Work and Pensions, Independent Financial Advisors and local Credit Unions.</td>
</tr>
<tr>
<td>Factoring agreements</td>
<td>Where owners with common responsibilities appoint an agent to co-ordinate the repair and management of the property on behalf of all owners.</td>
</tr>
<tr>
<td>Assistance to Move</td>
<td>Practical assistance and loan award of up to £20,000 offered to an owner to move to a more suitable home (where a disabled person’s home cannot be suitably adapted or where cost of adaptation is prohibitive)</td>
</tr>
<tr>
<td>(only where supported by assessment and planning by Social Work)</td>
<td></td>
</tr>
<tr>
<td>Grant</td>
<td>Mandatory Grant – only for disabled people whose needs are identified as Critical (Priority 1) and/or Substantial (Priority 2) Discretionary grant – grant for disabled people whose need are identified as Moderate (Priority 3) and to owners to encourage participation in capital programme or where properties are in serious disrepair or below tolerable standard.</td>
</tr>
<tr>
<td>North Lanarkshire Care and Repair</td>
<td>Assistance for elderly and disabled home owners or tenants in the private sector. Small Repairs provided to owner occupiers who have a disability or are of state pension age.</td>
</tr>
</tbody>
</table>
Handyperson service provided to pensioners whether they own their home or not.

| Housing Renewal Area (HRA) | Where action is taken on an area basis to tackle issues of poor quality housing where either:  
|                          | i. Housing is substandard  
|                          | ii. The appearance or state of disrepair is adversely affecting the amenity of the area.  

A house is deemed substandard if it is:  
|                          | i. Below the tolerable standard  
|                          | ii. In a state of serious disrepair or  
|                          | iii. In need of repair and is likely to deteriorate rapidly or damage other premises if nothing is done to repair it  

| Work Notice | A statutory notice served on a property providing details of the work to be carried out to bring the property up to an appropriate standard. Can be used in an HRA where a house is substandard or adversely affecting the amenity of an area. Can also be used where a house is substandard or to otherwise improve the security or safety of any house out with an HRA. Where owners do not comply with the notice the Council has discretion to enforce the works and recover all expenses incurred from owners.  

| Demolition Notice | A statutory notice served on a property within an HRA where:  
|                  | i. it fails to meet the tolerable standard or is an obstructive building under Part 6 of the Housing (Scotland) Act 1987;  
|                  | ii. it is a dangerous building under section 29 of the Building (Scotland) Act 2003; or  
|                  | iii. it is in a state of serious disrepair and ought to be demolished under the Housing (Scotland) Act 2006.  

| Maintenance Order | A statutory order served where owners have not, or are unlikely to maintain their property to a reasonable standard. Can also be used where the benefit of a work notice has been reduced or lost due to lack of maintenance. The order requires that owner(s) prepare a Maintenance Plan detailing future maintenance of the property for a period of up to 5 years.  

| Repayment Charge | Where an enforcement notice or order has been served and the owner(s) fail to carry out work, the Council has discretion to carry out necessary works and recover expenses from the owner(s) through a Repayment Charge served on the title to the property. The Housing (Scotland) Act 2014 enables the Council to place a repayment charge on the titles of non-residential/commercial properties. Expenses recovered can include:  
|                  | • expenses incurred in carrying out the works including professional expenses of all relevant departments or agents employed by the Council;  
|                  | • any administrative expenses which the Council has incurred in connection with the works, or with the payment for the works; and interest, at such reasonable rate as the local authority determines.  

This can apply from the date when it serves a demand for payment until the whole amount is paid.

<table>
<thead>
<tr>
<th>Housing Options Scotland</th>
<th>A charitable organisation which provides specialist housing advice to disabled people, older people and military veterans.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shared Equity</td>
<td>Where an RSL (or other body) provides equity to assist an applicant in purchasing a home they could not otherwise afford. The RSL does not have any ownership rights however they will be entitled to recover the percentage equity stake they contributed to the property at the future point of sale.</td>
</tr>
<tr>
<td>LIFT Scheme</td>
<td>The name given to the national shared equity scheme for first time buyers operated by the Scottish Government.</td>
</tr>
<tr>
<td>Landlord Registration Scotland</td>
<td>A national scheme whereby all private landlords must apply for registration with the local authority in whose area they let residential property out. The scheme aims to ensure that landlords are ‘fit and proper’ to act as landlords.</td>
</tr>
<tr>
<td>Assessment and Planning Process</td>
<td>The process of engaging and communicating with an individual to identify their strengths, needs, risks, capacity and aspirations to determine how Social Work intervention could assist meeting desired outcomes.</td>
</tr>
<tr>
<td>Outcome</td>
<td>The impact, effect or consequence of help received.</td>
</tr>
<tr>
<td>Council Priorities</td>
<td>How Social Work decides which needs should receive greatest priority. There are four categories which refer to needs and not people and not all of a person’s needs will fall into the same category – some needs may be a higher priority than others.</td>
</tr>
</tbody>
</table>
APPENDIX 2

Examples of Standard Amenity and Essential Adaptation Works

A major adaptation can be defined as:

Work that addresses complex needs and involves expensive permanent structural changes to a person’s home, such as provision of shower facilities, ground floor toilet, or installation of a through floor lift.


• Wet floor shower
• Automatic WC
• Specialist bath
• Overbath shower
• Reasonable access arrangements such as a ramp
• Door widening (where costs likely to exceed £500)
• Preparation work to accommodate essential equipment
• Through floor lift
• Step or platform lift
• Formation of bathroom within existing footprint of existing house including internal garage
• Kitchen adaptation to include rise and fall hob and sink unit, one base unit and a small work surface
• Extension to provide toilet/bathroom/shower
• Change from solid fuel heating to gas/electric/oil

Examples of Works not covered by Grant

• Fencing
• Safe play area
• The cost of servicing/maintaining equipment
• Driveway or parking facilities
APPENDIX 3

THE TOLERABLE STANDARD

A house is deemed to meet the tolerable standard when it:-

- is structurally stable;
- is substantially free from rising or penetrating damp;
- has satisfactory provision for natural and artificial lighting, for ventilation and for heating;
- has satisfactory thermal insulation;
- has an adequate piped supply of wholesome water available within the house;
- has a sink provided with a satisfactory supply of both hot and cold water within the house;
- has a water closet or waterless closet available for the exclusive use of the occupants of the house and suitably located within the house;
- has a fixed bath or shower and a wash-hand basin, each provided with a satisfactory supply of both hot and cold water and suitably located within the house;
- has an effective system for the drainage and disposal of foul and surface water;
- in the case of a house having a supply of electricity, complies with the relevant requirements in relation to the electrical installations for the purposes of that supply;
  - “the electrical installation” is the electrical wiring and associated components and fittings, but excludes equipment and appliances;
  - “the relevant requirements” are that the electrical installation is adequate and safe to use
- has satisfactory facilities for the cooking of food within the house; and
- has satisfactory access to all external doors and outbuildings.

SERIOUS DISREPAIR.

The following will be used as a framework for serious disrepair in terms of Part 1 of the Housing (Scotland) Act 2006.

<table>
<thead>
<tr>
<th>Criteria Definition</th>
<th>Criteria Elements</th>
<th>Failure Assessed By:</th>
</tr>
</thead>
</table>
| Primary Building Elements | • Wall structures  
• Internal floor structures  
• Foundations  
• Roof Structure | Single Primary Element Failure. A element fails where it requires repair or replacement of more of more than 20%. |
| Secondary Building Elements | • Roof covering  
• Chimney stacks  
• Flashings  
• Rainwater goods  
• External wall finishes  
• Common Access stairs/landings  
• Individual dwelling balconies/verandas  
• Damp proof course  
• External windows/ doors/ skylights | Failure by two or more secondary building elements. An element fails where it requires repair or replacement of more than 20%. |
APPENDIX 4

Contact Information

Applicants can find out general information about the Scheme of Assistance and apply for assistance by getting in touch with:

Private Sector Solutions
Municipal Buildings
Kildonan Street
Coatbridge
ML5 3LN
Tel: 01698 274179
email: PrivateSectorHousing@northlan.gov.uk

or by visiting the North Lanarkshire Council website www.northlanarkshire.gov.uk under “Housing”.

Specific information

For more information about specific parts of the Scheme of Assistance, the following services and organisations can be contacted for advice:

1. Social Work Services

To make a referral for an assessment applicants should contact their local social work office (contact details below).

The Council also offers a self-assessment service for people whose needs can be met with simple equipment solutions or minor adaptations. This internet based service is called “Making Life Easier”.

For more information, NLCs Disability Information Officers can be contacted on 01698 332822 or 01698 332029 or by email at MakingLifeEasier@northlan.gov.uk

Airdrie
Floor 2, Coats House
Gartlea Road
Airdrie
ML6 9JA
Tel: 01236 757000
email: AirdRecServices@northlan.gov.uk

Bellshill
303 Main Street
Bellshill
ML4 1AW
Tel: 01698 346666
email: BellRecServices@northlan.gov.uk

Coatbridge
Municipal Buildings
Kildonan Street
Coatbridge
ML5 3BT
Tel: 01236 622100
email: CoatRecServices@northlang.gov.uk

Cumbernauld and Kilsyth
Bron Chambers, Bron Way
North Carbrain Road
Cumbernauld
G67 1DZ
Tel: 01236 638700
email: CumbRecServices@northlan.gov.uk
2. Private Sector Standards/Landlord Registration

Questions about the Tolerable Standard and the Landlord Registration Scheme can be directed to:

**Private Sector Solutions**
Municipal Buildings
Kildonan Street
Coatbridge
ML5 3LN
email: KildonanPS@northlan.gov.uk

Tel: 01698 403110

All private landlords in Scotland letting out residential property are legally required to register with the Landlord Registration Scheme. It is an offence to let or advertise residential property with having registered. To register, a landlord must pass a fit and proper person test.

www.landlordregistrationscotland.gov.uk

3. Local Homes Energy Section

For more information on all aspects of energy efficiency contact:

Energy team
7th Floor
Fleming House
Cumbernauld
G67 1JW
email: Energy@northlan.gov.uk
Phone: 01698 274526

4. North Lanarkshire Care and Repair

Elderly and disabled owners and private tenants can contact North Lanarkshire Care and Repair for assistance in undertaking small repairs and improvements to their homes.

Care and Repair North Lanarkshire
5. Home Energy Scotland

Home Energy Scotland offers free expert energy advice on 0808 808 2282.

6. Housing Options Scotland

To find out further information on how this charity can help disabled persons contact:

Housing Options Scotland
The Melting Pot
5 Rose Street
Edinburgh EH2 2PR
Tel: 0131 247 1400
Fax: 0870 123 1597
www.housingoptionsscotland.org.uk

7. The Scottish Property Factor Register

All residential property and land managers are required to join the Register of Factors run by the Scottish Government. It is an offence to operate as a factor within being registered. The legislation that introduced the requirement to register aims to set minimum standards of practice for the residential property and land management industry and to provide increased protection for homeowners who use the services of a property factor.

www.scotland.gov.uk/propertyfactorregister

8. Letting Agent Register

All letting agents in Scotland must have applied to have joined the register by 1 October 2018. If not applied or registered by that date, it is an offence for agents to undertake letting works. The Register of Letting Agents is run by the Scottish Government and to register, a letting agent must pass a fit and proper person test.

www.lettingagentregistration.gov.uk

If you need this information in another language or format please contact us to discuss your needs:

Private Sector Solutions
Municipal Buildings
Kildonan Street
Coatbridge
ML5 3LN
Tel: 01698 274179
email: PrivateSectorHousing@northlan.gov.uk

Mandarin
如果你需要用其他语言或者其他格式表示这些信息，请与我们联系以便讨论你的要求。

Polish
Jeżeli potrzebujesz tą informację w innym języku lub formacie, proszę, skontaktuj się z nami, żeby przedyskutować Twoją potrzebę.

Punjabi
ਜੋ ਦੋ ਹੀ ਮਨ ਵਿੱਚ ਸਭ ਤੋਂ ਵੀ ਵੀਡੀਓ ਦਾ ਕਖ਼ਾਰ ਧਿਆਨ ਦਿੱਤਾ ਹੋਇਆ ਹੋਵੇ ਤਾਂ ਜੁਹਾਣ ਨਹੀਂ ਕਰਵਾਂਦੇ।

Hindi
यदि आप को यह जानकारी किसी और भाषा में मान्य हो तो कृपया हमारे साथ इस पते पर संपर्क करें।

Urdu
اگر آپ کو دوسری زبان میں معلومات تاکید کرتے ہیں میں سے مفت ہیں۔

Cantonese
如需其他語言的資料，請致函下址與我們聯絡。