

EAST AYRSHIRE COUNCIL

CABINET REPORT - 22 APRIL 2009

HOUSING (SCOTLAND) ACT 2006 CHANGES TO LOCAL AUTHORITY STATUTORY OBLIGATIONS

Report by the Executive Director of Neighbourhood Services

1. PURPOSE OF THE REPORT

- 1.1 To advise Cabinet of proposed changes to the statutory obligations as set out within the Housing (Scotland) Act 2006 in terms of the delivery of works currently funded by Private Sector Housing Grant, and to seek approval of an East Ayrshire Scheme of Assistance for implementation, as set out in Appendix One.

2. BACKGROUND

- 2.1 Under the current legislation, mandatory grants are available to address:
- i. Standard amenity failures, to include additional works to disabled applicants' homes, as defined in terms of section 86 (1) of the Housing (Scotland) Act 1987, as amended by the Housing (Scotland) Act 2001 and 2006,
 - ii. Below tolerable standard failures,
 - iii. An improvement/ repair notice where one has been served.
- 2.2 All other grant assistance is currently discretionary, and may apply to the following type of work:
- i. Re-roofing,
 - ii. Lead main/ pipe replacement,
 - iii. Structural repair,
 - iv. Improvement e.g. to install a damp proof course or solum to an existing house.

3. PROPOSALS UNDER THE LEGISLATION

- 3.1 The Housing (Scotland) Act 2006 introduces a new framework for Local Authorities with regard to the repair, maintenance and improvement of all privately owned housing. It is a fundamental principle of the Housing (Scotland) Act 2006 that the primary responsibility for the ongoing maintenance and improvement of a privately owned property sits in main with the owner. As such, the legislation moves the emphasis away from a grants-based system to a system based on the provision of information and advice.

- 3.2 The Housing (Scotland) Act 2006 further provides for applications for financial assistance to suit the needs of a disabled applicant to be treated separately from applications for assistance for general repairs and maintenance work. Mandatory grant assistance is to be provided for railings over external steps within the boundary of the house, together with mandatory assistance for all standard amenity work.
- 3.3 The legislation also introduces the concept of the Scheme of Assistance. Each Local Authority is to devise its own scheme, based on the guidance issued. The proposed East Ayrshire Scheme of Assistance is set out within the required Section 72 Statement, which is appended (Appendix One) to this report.

4. SCHEME OF ASSISTANCE

4.1 Scheme of Assistance

The Scheme of Assistance has evolved from the findings of the Scottish Executive's Housing Improvement Task Force evaluation of private sector housing. The review was set up to consider housing policy as it relates to the condition of private sector housing stock in Scotland. The findings of this evaluation highlighted that the current system of housing repair and improvement grants only helps a minority of households. Instead, the Scheme of Assistance is to be directed towards assisting all homeowners so as to offer a broader range of assistance to suit individual applicant's needs. Where assistance was previously provided where the identified works qualified for a grant, under the new legislation Local Authorities may actively provide a wide range of assistance thus assisting a greater number of home owners.

4.2 One Stop Shop

The preferred delivery vehicle proposed for both grants assessments and the provision of information and advice by the Scottish Government within the guidance is via a One Stop Shop approach. It is therefore proposed that one direct point of contact through the Local Authority will allow home owners to access all the relevant services. It will therefore be the responsibility of the One Stop Shop to: open a case file for each home owner/ property; refer the case or enquiry on behalf of the client; and follow the enquiry from initial contact to advice provided so as to close off each enquiry while recording the outcomes. It is proposed that the initial point of contact is to be made with the relevant staff within the Housing Service.

4.3 Types of Assistance

The type of assistance to be made available under the terms of the new legislation includes:

- Providing free advice and assistance to any home owner living in East Ayrshire on how to carry out repair and maintenance works to his or her home via telephone, web site, leaflets and organised awareness raising events.
- Arranging site visits to assist owners to identify possible works required and to help prioritise works.
- Providing advice on obtaining quotations from contractors.
- Providing advice on selecting suitable contractors to carry out the correct works identified.
- Referring homeowners to external partner organisations that can offer specific advice, for example Citizens Advice Bureau, Benefits Agency, East Ayrshire Care and Repair.
- Providing advice on how to engage with neighbours to help carry out common works.

5. SIGNIFICANT CHANGES TO MANDATORY GRANT PROVISION

5.1 The significant changes arising from the new legislation are as follows:

- i. Mandatory grant assistance increases from the present 50% to the new level of 80% grant available to carry out adaptation works within an existing property to suit the needs of a disabled occupant. Grant funding of up to 100% will also be provided for those applicants on the list of Scottish Government prescribed passported benefits including:
 - Income Based Job Seekers Allowance
 - Guaranteed Pension Credits
 - Income Support
 - Employment and Support Allowance
- ii. Adaptation works that are eligible for grant assistance as a result of a disability will no longer include any other works to be undertaken to the structure of the property to provide additional living accommodation. In these circumstances, the Local Authority's only duty is to provide mandatory assistance. It will be for the owner to secure the funding required for any living accommodation associated with any proposed extension works.
- iii. There is a new mandatory requirement to provide railings over external steps within the boundary of the house.
- iv. The provision of curved stair lifts may now attract mandatory grant assistance, where a degree of structural work is required to the property to accommodate the lift. A full occupational therapist assessment will require to be carried out for adaptation works of this nature.

- v. Straight stair lifts however will now be classed as equipment and, as such, will not attract mandatory grant assistance. Instead, Local Authorities have discretion to award grants for straight stair lifts so as to meet the needs of individuals under a duty of care.

6. OPTIONS FOR THE EAST AYRSHIRE SCHEME OF ASSISTANCE

- 6.1 It is for each Local Authority to determine its own Scheme of Assistance, which will replace the current repair and improvement grant system, beyond those elements of the legislation that are mandatory. The options provided highlight the main issues, as set out in the Housing (Scotland) Act 2006 and the financial implications associated with each item for East Ayrshire Council.
- 6.2 As reported, mandatory grant raises the level of grant available to carry out adaptation works within an existing property to suit the needs of a disabled occupant from 50% to 80%. The Local Authority has discretion to award a higher level of grant up to 100% for adaptations as a result of a disability through means testing. However, records show that applications and expenditure under the mandatory grant element is significantly greater than other elements of existing Private Sector Housing Grant expenditure. The new legislation extends the scope of the work deemed eligible for assistance under this heading and in order to meet the anticipated expenditure demands, it is therefore proposed that the level of assistance be set at 80% of the approved costs.
- 6.3 Home owners may be signposted to the provision of loan options through local Credit Unions. Council officers have met with representatives of the East Ayrshire Credit Union at which time two options for the provision of loan assistance were highlighted; namely a loan guaranteed fund for high risk loans and a capacity based loan, the level of which would be determined by the applicant's capacity to repay. It is therefore proposed that home owners be signposted to local Credit Unions to explore individual lending options on the basis of a capacity based loan. In this way, there is no requirement for the Local Authority to act as guarantor with any resultant financial commitment as would be the case with a loan guaranteed fund.
- 6.4 Local authorities have a requirement to provide mandatory assistance to respond to standard amenity failures where a property fails to meet the tolerable standard. Historically, there have been limited numbers of applications for this type of assistance. It is therefore proposed that discretionary grant funding on a scale of 0-100% be considered to respond to standard amenity failures subject to means testing.

- 6.5 It is further proposed to make discretionary, the passporting onto 100% grant funding any service/ ex-service personnel who have been injured whilst on active service. Any such passporting would exclude injuries received while on leave in accordance with the Veterans Issues - Scottish Commitments Paper dated July 2008 issued by Scottish Government.
- 6.6 It is not a mandatory requirement for Local Authorities to provide grant assistance to undertake common works. However, in order to promote achieving the Scottish Housing Quality Standard across the council housing stock by 2015, it is proposed that means-tested grant assistance from 0 to 100% be provided for eligible common works to adjoining owners' properties. This test would be applied in conjunction with the Scottish Government passporting benefits which would allow certain applicants in receipt of the relevant benefits to passport to 100% grant assistance.
- 6.7 Further, it is not a mandatory requirement for Local Authorities to provide grant assistance to undertake straight stair lifts. However, in order to meet the needs of individuals where a duty of care exists, it is proposed that means-tested grant assistance from 0 to 100% be provided.

7. IMPLEMENTATION

- 7.1 The duties as set out in the Housing (Scotland) Act 2006 and its associated regulations take effect as at 1 April 2009, regardless of whether or not each Local Authority intends to use the transitional year that is available from 1 April 2009 to prepare to utilise the powers available under the Scheme of Assistance. Guidance on the new arrangements was issued by Scottish Government in March 2009 although specific guidance on the new National Lending Unit is still to be issued. The guidance notes that those authorities that are not yet ready to implement their Scheme of Assistance, and have therefore not yet published their Section 72 Statement of Assistance are to ensure that the new provisions on assistance with adaptations are publicised to potential clients as these mandatory provisions will be effective from 1 April 2009.
- 7.2 Work is progressing to prepare all leaflets and forms that will be required in terms of the provision of both grant assistance and information and advice.
- 7.3 A letter will be issued to all applicants on existing waiting lists to publicise the changes to the legislation, enclosing the relevant information and advice leaflets.

8. CONCLUSIONS

- 8.1 The Housing (Scotland) Act 2006 seeks to respond to the findings of the Scottish Executive's Housing Improvement Task Force evaluation of private sector housing. It promotes a broader range of assistance to home owners so as to suit the needs of each applicant and reaffirms the Scottish Government's view that

responsibility for the ongoing maintenance and improvement of privately owned housing rests with the owner. Further, whilst still providing for mandatory grant assistance in defined circumstances, the legislation promotes the provision of information and advice to empower private owners to source sustainable options to maintain and improve their property conditions.

9. FINANCIAL/ PERSONNEL IMPLICATIONS

- 9.1 The Housing (Scotland) Act 2006 rescinds earlier legislation which contained provisions allowing Local Authorities to provide repair and improvement grants to homeowners. Instead, the Scottish Government is introducing a National Lending Unit. This will be administered by the Scottish Government, and will be funded by Private Sector Housing Grant contributions, which are currently awarded to Local Authorities. Each Local Authority will have its own allocation of funds invested in the National Lending Unit, which will be offered in the form of a loan to the applicant referred to the Unit by the individual local authority.
- 9.2 The initial scheme proposed by the Scottish Government was one of a Home Appreciation Loan which was to be based on the client referred by the Local Authority having a significant amount of equity within his/ her home. Currently, the Scottish Government is reconsidering the loan options to be made available due to the current economic climate. Further guidance will be released to Local Authorities for consideration in due course.
- 9.3 Capacity based loans made by local Credit Unions where there is no need for the Local Authority to act as guarantor could also form an avenue to financial assistance to applicants but would have no financial implication for the Local Authority.
- 9.4 Providing means tested discretionary grant assistance on a proposed scale from 0 to 100% for eligible common works to owners' properties to support achieving the Scottish Housing Quality Standard across the council housing stock by 2015 would incur an estimated cost of £124K within 2009/2010.
- 9.5 For works that attract mandatory or agreed discretionary assistance under disabled adaptations, it is proposed that the level of assistance be set at 80% of the approved costs for all such applications. Qualifying works would include external works within the boundary of a house at an anticipated cost of £53.6K, curved stair lifts requiring a degree of structural work at £70K, straight stairlifts at £30K, adaptations for service/ex-service personnel at £10K and internal works to provide standard amenities to suit the needs of disabled occupants at £316K. A total required budget for these elements within 2009/10 is therefore estimated at £479.6K.

- 9.6 For all works that no longer attract mandatory or agreed discretionary grant assistance, information and advice is to be given to the affected owner to allow them to consider the options available to finance the works required to the property. These options may include: seeking high street bank loans; loans from Credit Unions; investigating charitable trusts for funding eligibility; making application to the National Lending Unit, once it is established; or the release of equity from the house. As the Council does not hold independent financial advisor accreditation, Council officers will not offer any advice as to which lender(s) to approach. Instead, officers will merely make applicants aware of the option to seek financial assistance from a range of providers.
- 9.7 The estimated cost of these proposals can be met from the ring-fenced funding for 2009/10 and the carried forward funding from 2008/09 which has been awarded to the Council by the Scottish Government in the form of Private Sector Housing Grant to resource grant assistance for eligible works to private owners and to set up the Scheme of Assistance. Commencing 2010/11 the ring fencing of this funding will cease and all costs associated with the provision of mandatory grant assistance, and any Local Authority-approved discretionary assistance to be provided under the East Ayrshire Scheme of Assistance, will require to be resourced from the General Fund into which the Private Sector Housing Grant allocation will have then been incorporated.

10. POLICY/ LEGAL IMPLICATIONS

- 10.1 The Housing (Scotland) Act introduces a new framework for Local Authorities with regard to the repair, maintenance and improvement of all privately owned housing, away from a grants-based system to one providing information and advice.
- 10.2 The new legislation makes mandatory the provision of grant assistance at a minimum level of 80% for adaptation works to suit the needs of a disabled applicant, whilst applications for assistance for general repairs and maintenance work will take the form of information and advice.
- 10.3 In addition, financial assistance to provide railings over external steps within the boundary of a house will attract mandatory grant assistance.
- 10.4 Mandatory assistance, not financial, is to be provided for all standard amenity works.
- 10.5 All current waiting list applicants for works to be carried out under the current legislation will receive a letter to advise them of the changes to the legislation, as the waiting list will cease to operate, and will be offered the appropriate information and advice to progress proposed works to their properties.

- 10.6 Where any owner requests financial advice from the One Stop Shop with regard to loans or equity release, in terms of its role to provide information and advice, the applicant will be made aware of the option to seek financial assistance from a range of providers
- 10.7 It is proposed that the Scheme of Assistance be reviewed in twelve months time, and at twelve monthly intervals thereafter. In the short-term, it may also be necessary to review the Scheme following the issue of Scottish Government guidance relating to the setting up and running of the National Lending Unit so as to assess its implications.
- 10.8 It is proposed that the Housing Improvement Team will act as first point of contact for the One Stop Shop, as set out in the Scheme of Assistance under the terms of the Housing (Scotland) Act 2006.

11. COMMUNITY PLANNING IMPLICATIONS

- 11.1 The Housing (Scotland) Act 2006 promotes the provision of information and advice together with mandatory grant assistance in specified circumstances, so as to enable private owners to maintain and improve their properties' condition for the longer term. The framework provided in the form of the new Scheme of Assistance therefore supports the East Ayrshire Community Plan theme "Delivering Community Regeneration", and complements the Housing Improvement Programme works to promote achieving the Scottish Housing Quality Standard across the council housing stock by 2015.

12. RISK MANAGEMENT IMPLICATIONS

- 12.1 The proposals provide a framework for the ongoing repair and maintenance of private owners' homes. The legislation therefore seeks to promote and sustain private sector housing standards through the provision of a range of measures which better target financial assistance to those owners who meet the prescribed eligibility criteria. The Housing (Scotland) Act 2006 aims to make more efficient use of public resources, and provides a range of effective assistance to suit the needs of the applicant enabling private owners to take responsibility for the upkeep of their properties.

13. ASSET MANAGEMENT IMPLICATIONS

- 13.1 The legislative proposals meet the Council's policy objectives in respect of asset management and partnership working in so far as the framework complements the Housing Improvement Programme works to promote achieving the Scottish Housing Quality Standard for East Ayrshire owned housing stock by 2015.
- 13.2 Through the provision of discretionary grant assistance for common works, the proposals will enhance the Councils' ability to ensure the delivery of the Scottish

Housing Quality Standard as set out in the East Ayrshire Single Outcome Agreement and the Local Housing Strategy.

- 13.3 The proposals will also assist private owners to remain in their own homes and communities throughout their life experiences.

14. RECOMMENDATIONS

14.1 Cabinet is asked to:

- (i) Approve the East Ayrshire Scheme of Assistance for implementation once full and final guidance is issued by Scottish Government, as detailed in Appendix One;
- (ii) Note that a further report on progress will be submitted following publication of the Scottish Government guidance on the new National Lending Unit, and at twelve monthly intervals thereafter and;
- (iii) Otherwise note the content of the report.

Chris McAleavey
Head of Housing

25 March 2009

CMCA/MH/DB

LIST OF BACKGROUND PAPERS

- 1 The Housing (Scotland) Act 2006; Guidance for Local Authorities:
Volume 1 Preparing and Delivering
Volume 2 Housing Renewal Areas and Repair, Improvement and Demolition
Volume 3 Maintenance
Volume 4 Tolerable Standard
Volume 5 Scheme of Assistance
Volume 6 Work to Meet the Needs of Disabled People
- 2 The Housing (Scotland) Act 1987; Guidance for Local Authorities on Improvement and Repair Grants
- 3 The Housing Scotland Act 1987, incorporating amendments made by the Housing Scotland Act 2001, implemented from October 1st 2003
- 4 East Ayrshire Council's Housing repair and improvement grant records 2003 to present

- 5 East Ayrshire Council's Capital programme records and reports 2003 to present
- 6 Scottish Government's Stewardship and Responsibility; a Framework for Private Housing in Scotland
- 7 Understanding the Funding Maze; A Guide To Funding For Community Care and Support Services
- 8 Chartered Institute of Housing; A Guide to the Housing (Scotland) Act 2006
- 9 Veterans Issues-Scottish Commitments Paper, July 2008
- 10 How Fit is Your House, Homepoint, 2000, Scottish Homes
- 11 East Ayrshire Community Plan 2003-2015
- 12 East Ayrshire Local Housing Strategy 2004-2009

IMPLEMENTATION OFFICER:

Anyone wishing further information should contact: Chris McAleavey, Head of Housing.
Telephone 01563 576651

Implementation Officer – chris.mcaleavey@east-ayrshire.gov.uk

APPENDIX ONE

EAST AYRSHIRE COUNCIL

HOUSING (SCOTLAND) ACT 2006

EAST AYRSHIRE SCHEME OF ASSISTANCE: DRAFT SECTION 72 STATEMENT 2009/ 10

1. AIMS OF THE ACT

The Housing (Scotland) Act 2006 introduces a new framework for public sector intervention in the repair, maintenance and improvement of all privately owned housing. It is a fundamental principle of the Housing (Scotland) 2006 Act that the primary responsibility for the general maintenance and improvement of residential properties rests with the owner.

The Housing (Scotland) Act 2006 amends the level of financial assistance available with regard to applications to undertake works as a result of a disability. These applications are to be treated separately from applications for assistance with general repairs and renovations. Financial assistance is mandatory for Standard Amenities provision in all cases of applications to undertake works as a result of a disability.

2. STRATEGIC CONTEXT

2.1 East Ayrshire Community Plan and Single Outcome Agreement

The East Ayrshire Community Plan's key themes are incorporated in the objectives of the Local Housing Strategy. East Ayrshire Council and its Community Planning Partners agreed the Single Outcome Agreement with Ministers in June 2008. The housing outcomes within the Single Outcome Agreement are broadly defined and will be kept under review to reflect developments in national housing policies.

2.2 East Ayrshire Local Housing Strategy

Through the Housing (Scotland) Act 2001, the Local Authority has the role of strategic housing enabler, and has a duty to produce a Local Housing Strategy. The Local Housing Strategy must take cognisance of a range of legislation to include the Housing (Scotland) Act 2006, together with the Tenements (Scotland) Act 2004, (Tenements Act) to assist in achieving the Local Authority's aim of ensuring the provision of an ongoing effective supply of quality housing in the East Ayrshire area, that meets future needs and aspirations of local residents.

Future housing supply must also take account of the Scottish Government's policy objective to maximise the independence of disabled people living within each Local Authority's area and to drive down the numbers of unsuitable dwellings

The Scottish Government's policy vision states:

- That there will be a cultural change in attitudes to housing quality in the private housing sector.
- Private owners will become more aware of repair and maintenance responsibilities and more proactive in carrying them out.
- Private owners will invest more to ensure their homes have a sustainable future.

2.3 Housing Improvement Task Force

The Scheme of Assistance evolved from the findings of the Housing Improvement Task Force which was set up by the Scottish Government in 2000 to undertake a comprehensive review of housing policy as it relates to the condition of private sector housing in Scotland. The findings were reported in 2003, and led to the introduction of the Housing (Scotland) Act 2006. The philosophy behind the Scheme of Assistance is to assist homeowners in taking responsibility for their own properties, and to make the most effective use of public funding that is directed to assisting homeowners.

The Scheme of Assistance is directed towards assisting homeowners, private landlords and tenants in some circumstances, and seeks to offer a broad range of assistance that most closely suits their particular needs.

It is acknowledged that offering only grant assistance is not the most productive or sustainable method of promoting proactive property maintenance by private owners. Rather, it may foster a dependency on financial assistance and fail to promote ongoing maintenance, all of which defeats the principles of the Housing (Scotland) Act 2006 which states that home owners should take a more responsible approach to the upkeep and maintenance of their homes.

2.4 Scottish Housing Quality Standard

Tenants of Local Authorities and Registered Social Landlords, such as Housing Associations, are benefiting from new quality standards set out in the Housing (Scotland) Act 2001 in the form of the Scottish Housing Quality Standard which applies to social housing. The Scottish Housing Quality Standard is designed to ensure by that all social rented houses meet the standards as set out in the Scottish Housing Quality Standard by 2015, so that social rented housing:

- Meets the Tolerable Standard
- Is free from serious disrepair
- is Energy Efficient,

- has modern facilities and services and
- is healthy, safe and secure .

A full definition of the Scottish Housing Quality Standard is set out in Appendix 1.

3. PROCESS

East Ayrshire Council is committed to working with home owners to assist in promoting better quality privately owned housing by facilitating ongoing maintenance and repair. Together with the implementation of the Scottish Housing Quality Standard for social rented housing, East Ayrshire Council seeks to support improved housing conditions and standards across all tenures for its residents.

3.1 Scheme of Assistance initial Contact

The underlying objective of the East Ayrshire Scheme of Assistance is to provide applicants with appropriate information that allows them to make informed choices about the repair and maintenance of their homes, and allows them to retain control of the process and outcome of their decisions. Information will also be provided by external bodies funded by the Local Authority, such as East Ayrshire Care and Repair, so that any applicant may decide how much assistance, if any, he or she wishes to utilise.

The first point of access to assistance will be to the Housing Service either by self-referral or by a third party, where consent has been given, by:

- telephone
- e-mail or web contact
- written correspondence
- where appropriate, calling at any East Ayrshire Council office

Having made contact with the Housing Service, an initial assessment by Council officers will determine what type of assistance may be offered, and how best to deliver it. The format of any assistance will be dependant on the needs of the specific applicant, and may involve a referral to a more appropriate service within the Council or an external partner agency.

3.2.1 Adaptation Works as a result of a Disability

Local Authorities have a mandatory duty under the Housing (Scotland) Act 2006 to provide a minimum of 80% grant funding for adaptation work. This percentage may be increased to a maximum of 100% where the applicant receives certain qualifying benefits. These are:

- Guaranteed Pension Credit
- Income Based Job Seekers Allowance

- Income Support
- Employment and Support Allowance

This provision allows for any top-up beyond the 80% grant funding solely at the discretion of East Ayrshire Council. The statutory duty to provide 80% grant assistance extends to tenants living in private rented housing. The aim of including private landlord tenanted property is to assist both homeowners and private tenants to live independently in their own homes, within their own communities.

As well as supporting owners to retain their independence living in their homes, East Ayrshire Council is mindful of the Scottish Government's statement that owners have a personal responsibility for their own housing. East Ayrshire Council has therefore widened the scope of mandatory grant available to include most structural adaptations within the list of eligible works for mandatory grants.

Whilst adaptation works required to extend a property to provide additional living accommodation has been excluded from mandatory grant, extension works to provide additional standard amenities will qualify for grant.

The package of assistance made available to each applicant will therefore be tailored to suit the individual needs of each applicant.

A duty has also been placed on the Local Authorities to ensure that where essential adaptation works are not covered by grant, owners receive proper advice on funding the work required.

Applicants will be given initial assistance to plan how they wish to progress through any adaptation work proposals via a joint visit by Council officers from Housing and Social Work Services.

A list of works that are eligible for assistance is set out in Appendix 2.

3.2.2 Assessment of Circumstances

East Ayrshire Council views adaptations for the needs of disabled persons as only one element of an overall support package. All applications for assistance for adaptations work will therefore be subject to an assessment by the Community Occupational Therapy team. The assessment will match the needs of the applicant to the type(s) of assistance required

The assessment process is set out in Appendix 3

3.2.3 Type of Assistance

The package of assistance that is available through the East Ayrshire Scheme of Assistance relates to the home of the applicant and may be:

- Advice on changing accommodation
- Aids and equipment
- Adaptations to the existing home
- Referral to other appropriate agencies, such as East Ayrshire Care and Repair

3.2.4 Adaptation Work to the Home

On completion of an assessment to determine that the applicant meets the criteria for grant assistance to carry out adaptation work to his or her home as a result of a disability, East Ayrshire Council will:

- Provide 80% grant funding to carry out adaptation works to standard amenities within an existing property to suit the needs of a disabled occupant. Grant funding of up to 100% will be provided for those applicants on the list of Scottish Government prescribed passported benefits:
- Provide 80% grant funding to carry out access adaptations, to include curved stair lifts, to the entrance of a home and/ or within the home so as to reach facilities above entrance level. This funding will include access to upper bathrooms and bedrooms. Funding towards the cost of straight stair lifts is discretionary.
- Provide 80% grant funding to carry out mandatory grant work to supply railings over external steps within the boundary of the house.
- Refer on to a Scottish Government National Lending Unit for financial assistance with extensions to provide living accommodation, such as bedrooms, required to suit the needs of a disabled occupant, as confirmed as being necessary by East Ayrshire Council's Community Occupational Therapy assessment criteria. Councils are presently awaiting final guidance from Scottish Government on how to refer to the National Lending Unit.
- Provide practical assistance to find additional funding from suitable charitable sources for works beyond the remit of grant aided works.
- Explore the possible future provision of grant funding for tenants living in private rented accommodation in East Ayrshire.
- Seek to engage a third party to assist registered private landlords to match potential tenants with particular housing needs to an adapted properties register.
- Provide grant assistance to the registered landlord of a private rented property where no tenant with particular housing needs can be located, so as to reinstate the property to its original condition prior to adaptation works, where the tenant

has previously received grant assistance to carry out adaptation works under the Scheme of Assistance.

- Make discretionary the passporting onto 100% grant funding of any service/ ex-service personnel who have been injured whilst on active service, i.e. war zone as opposed to administrative staff based in this country. Any such passporting would exclude injuries received while on leave, as per the paper "Veteran's Issues-Scottish Commitments", July 2008

3.3 Assistance with Repairs and Maintenance of Houses

The award of grant assistance for repairs and maintenance of houses by East Ayrshire Council over the past twelve years has focused primarily on supporting the Council's Housing Investment Programme through funding eligible works for common owners.

East Ayrshire Council will means test grant assistance, on a scale from 0 to 100%, to facilitate eligible common works to private owners' houses where they contribute to realising the East Ayrshire Housing Improvement Programme, so as to promote achieving the Scottish Housing Quality Standard in East Ayrshire. This should be used in conjunction with the Scottish Government passporting benefits which would allow certain applicants in receipt of these benefits to passport to 100% grant assistance.

As stated, the main theme of the Housing (Scotland) Act 2006 is to make promote owners' awareness of their responsibilities towards the repair and maintenance of their homes. It also allows Local Authorities to move away for the provision of direct grant assistance so as to give more owners access to advice and practical assistance by Local Authorities. The outcome of the legislative changes will be to empower homeowners to gain the confidence to carry out maintenance and repair works themselves, with the right level of advice and assistance being offered by the Local Authorities.

3.4 Types of Assistance to be Provided: Scheme of Assistance One Stop Shop

3.4.1 One Stop Shop

One Stop Shop will:

- Offer free advice to any homeowner living in East Ayrshire as to how to carry out repair and maintenance works to their home, via the telephone, East Ayrshire Council web site, leaflets or awareness raising events.
- Carry out site visits to assist homeowners to identify what works require to be carried out and to assist in prioritising the works.
- Offer homeowners advice on how to obtain quotations from contractors.

- Offer homeowners advice on choosing a suitable contractor for the type of works that have been identified to be carried out.
- Refer to external organisations that can offer specific advice, such as:
 - The Scottish Government National Lending Unit for access to home appreciation loans.
 - Energy Saving Scotland Advice Centre for energy advice.
 - Ownership Options Scotland promoting disabled people to access the owner occupied sector.
 - Citizens Advice Bureau providing free independent advice on legal and money matters.
 - Benefits Advice via the Department of Work and Pensions.
 - East Ayrshire Care and Repair offering assistance to those owners and private landlord tenants over the age of sixty or any owner with a disability.
- Offer advice and assistance to homeowners on how to engage with their neighbours to carry out communal works.
- Offer homeowners advice as to how to maintain their properties.
- Issuing a Maintenance Order in cases of severe disrepair.

The emphasis of the East Ayrshire Scheme of Assistance is to enable homeowners to maintain the ongoing good condition of their own homes. This support will primarily be provided by offering home owners the type of information and advice they need to carry out works required.

In the case of tenement properties, other legislation already exists that provides support to home owners to undertake essential communal repairs to their buildings. Armed with this information, many owners will be more able to encourage their co-owners into taking appropriate action. In short, the intention of the East Ayrshire Scheme of Assistance is to remove the previous reliance on the Local Authority by home owners to take action on their behalf to improve their house conditions.

The enforcement powers available to East Ayrshire Council such as Maintenance Orders and Works Notices are intended for use where the provision of robust information and advice offered to joint owners, or directly from the Council to non-participating home owners has failed to prompt owners into commissioning the appropriate repair or maintenance works. Council officers will therefore seek to work jointly with home owners to achieve a satisfactory outcome before resorting to enforcement powers.

3.4.2 Maintenance Order

East Ayrshire Council will offer advice and assistance to assist home owners to understand the need for repair and maintenance to their homes. The advice and assistance that will be offered will be in accordance with that as set out in paragraph 3.4.1 above.

East Ayrshire Council will however, seek to enforce works where it considers that the home owner(s) are unlikely to maintain the condition of the property to a reasonable standard by means of a maintenance order.

A maintenance order can be issued when home owners have not maintained, or are unlikely to maintain, their properties to a reasonable standard.

The order requires the home owner to develop a maintenance plan to secure the future maintenance of the property for a period of up to five years, and is recorded against the Title Deeds for the property. This record alerts any prospective purchaser to the fact he or she will be committed to meeting all the conditions set within the maintenance plan for its duration. The plan should define:

- what works will be carried out
- how much the works will cost and
- how the works will be funded.

East Ayrshire Council may reject the maintenance plan submitted if it is considered that the plan does not adequately cover the future maintenance of the property. In these circumstances, the Council may out-source this information at a cost to the owners. The Council may also insist that the affected home owners appoint a Managing Agent to oversee the implementation of the plan. The Council may intervene to enforce the plan where the home owner/ owners fail to carry out the maintenance works contained within the plan to a reasonable level, within a reasonable timescale. Where this action is effected, the Council may recover from the affected home owner/ owners any reasonable expense incurred in enforcing the plan, to include any associated administration cost.

Works to be considered for inclusion in a maintenance plan are set out in Appendix 4.

3.4.3 Works Notice

A works notice may be issued by East Ayrshire Council to bring a house that it considers to be sub-standard up to, or maintain it in, a reasonable state of repair. A works notice represents a one-off intervention by the Council which may be used to address a pressing house condition problem.

A works notice carries enforcement powers insofar as the Council may instruct the necessary works identified to be carried out where the home owner or owners fail to

comply with the condition(s) of the notice. The Council will issue a works notice where it is considered that the property meets any the following criteria:

- The building or any parts of a building present a danger to the public
- The owner, or any co-owner, is untraceable

East Ayrshire Council may issue a maintenance order immediately after a works notice has been served where the Council is satisfied that the property is unlikely to be maintained to a reasonable standard, so as to secure the benefit of the notice.

3.4.4 Housing Renewal Areas

East Ayrshire Council will provide advice and assistance through the One Stop Shop service where it has designated a Housing Renewal Area.

East Ayrshire Council may designate a housing renewal area: where a significant level of housing in an area is sub-standard; to bring housing conditions up to a reasonable state of repair; or to remove the housing by demolition, if necessary.

East Ayrshire Council will designate a house as sub-standard if it is in a state of serious repair and is likely to deteriorate rapidly, or possibly damage other premises.

3.4.5 The Tolerable Standard

The Tolerable Standard has been the principle measure of housing quality in Scotland for almost forty years. The Housing (Scotland) Act 2006 extends the current set of standards to include thermal insulation and electrical installations. The link to mandatory grant assistance for a property for failure on the basis of any element contained in the Tolerable Standard has been removed and has been replaced with the provision of mandatory assistance in accordance with that as set out in paragraph 3.4.1 above.

A list of elements contained within the Tolerable Standard is included in Appendix 5.

3.4.6 Financial Assistance

The Housing (Scotland) Act 2006 reverses earlier legislation containing the provisions that allowed Local Authorities to provide repair and improvement grants to home owners for the purpose of carrying out repairs and maintenance to their properties.

Instead, the Housing (Scotland) Act 2006 has introduced the opportunity for Local Authorities to provide a variety of loan packages to enable home owners to carry out repair and maintenance works to their homes. The Scottish Government proposes to provide this service through the formation of a National Lending Unit.

East Ayrshire Council will signpost home owners to the provision of loan options through local Credit Unions for those homeowners who meet set criteria. This option will

allow homeowners to explore individual lending options, on the basis of a capacity based loan. In this way, there is no requirement for the Local Authority to act as guarantor with any resultant financial commitment.

The procedure to be applied in these circumstances is as follows:

- Refer to the National Lending Unit those applicants that meet the set criteria for assisted financial advice. This is dependant on the final arrangements for the National Lending Unit being determined.
- Refer to the National Lending Unit those applicants that meet the criteria for a Home Appreciation Loan subject to final guidance being published on related criteria.
- Refer applicant to the local Credit Union for the applicant's preferred loan scheme.
- Grant assistance to be made available for adaptations as a result of a disability as set out at point 3.2.4: Adaptation Work to the Home
- Grant assistance to be provided for repairs and maintenance in order to support delivery of the Scottish Housing Quality Standard across the council housing stock by 2015.

3.4.7 East Ayrshire Care and Repair

East Ayrshire Council resources the East Ayrshire Care and Repair scheme to assist those home owners and private landlord tenants, dependent on the terms of their tenancy, over the age of sixty and any disabled home owners. This scheme offers assistance in the form of:

- Advice and Assistance with major repair works:
 - assistance to identify necessary repairs
 - maintenance and alteration work
 - prioritising necessary action
 - assistance to prepare schedule of works
 - assistance to obtain quotations from approved appropriate contractors
 - overseeing works on site
 - ensuring works are carried out correctly

- Small Repairs Service:
 - Help with carrying out small essential repairs around the home.

- Home Security Measures:

East Ayrshire Care and Repair also carries out a home safety and security audit, on request. This request may be in the form of a referral from any individual, as

well as from East Ayrshire Council's Community Safety Section, Strathclyde Police and Strathclyde Fire Service.

- Assistance to raise funding shortfalls:
 - Assistance to maximise the uptake of appropriate benefits
 - Assistance to raise charitable funding, where appropriate

Further information on East Ayrshire Care and Repair service is included at Appendix 6.

3.4.8 Energy Advice Assistance

Energy Advice Assistance

East Ayrshire Council is committed to ensuring that everyone has a warm, healthy home. The Energy Advice Unit works to help residents of East Ayrshire with any fuel related problems they may have. The Council offers a free home visit which enables advice to be given which is specific to individual needs and circumstances.

Home owners may benefit from the following initiative from 6 April 2009:

- Scottish Government Energy Assistance Package

This is a new Government-lead scheme which is to be delivered by the Energy Saving Scotland Advice Network. It will provide everyone in Scotland with a convenient One Stop Shop service aimed at eliminating fuel poverty.

The Programme is set in 4 stages:

- Stage 1: Benefit /Tax Credit Check
- Stage 2: Social Tariff Option
- Stage 3: Insulation Measures
- Stage 4; Heating System Upgrades

The first contact will be via telephone, telephone number 0800 512 012. During this initial contact, by answering a few simple questions, it will be decided if the applicant is a likely candidate to be an "Energy Assistance Package" client. If the applicant qualifies for assistance, he/ she will be transferred to one of the advisors. If not, the applicant will be informed during the call, and will be offered advice on energy related matters.

As an Energy Assistance Package client, the applicant will be taken through the four stages, as follows.

Stage 1: The applicant will be referred to the Department of Works and Pensions or the Citizens Advice Bureau to allow them to carry out any benefit checks required. This will take a maximum of ten days.

Stage 2: If the advisor feels the applicant would qualify for the Social Tariff, they will refer the applicant to the appropriate utility company hotline.

Stage 3: If the advisor feels the applicant qualifies for the insulation measures available, he/ she will be signposted to his/ her own utility company for this type of works. The qualifying criteria are as follows:

- 1: On one of the qualifying/ pass porting benefits
- 2: 75 years old or over
- 3: If the applicant has heating and he/ she is between 70 - 74 years of age, the applicant will be a non-Energy Assistance Package priority client, i.e. the applicant may still be eligible for insulation works, but this would be done under the normal channels, and not via the Energy Assistance Package. The advisor will confirm the applicant's options during the call.

Stage 4: To qualify for assistance to improve the applicant's heating system, he/ she must be:

- 1: 60 and over and have no central heating at all
- 2: Have a SAP rating under 39 which is the Standard Assessment Procedure for calculating the energy rating of a home based on the annual energy costs for space and water heating, and one of the following:
 - A: Be over 75
 - B: Be on a qualifying benefit
 - C: Have a child under 5 within the home
 - D: Have a disabled child under 16 within the home
 - E: Have a pregnant women in the house

The applicant must also have been the resident of the property for the period of at least one year and be the owner or private tenant and be planning to stay for at least another additional year.

During each stage in the process, the applicant will receive a confirmation letter to explain what stage he/ she is at with his/ her application for assistance, and how long it should take.

Access to assistance may be made through East Ayrshire Council's One Stop Shop, telephone number 01563 576661, or directly to the Energy Advice Unit of East Ayrshire Council on 01563 555224. In both the above circumstances, the Council will refer applicants on to the new Energy Assistance Package, or alternatively, applicants can go direct to the scheme on telephone number 0800 512 012.

- Fuel Companies' Insulation Schemes

There are various fuel companies which currently offer discounted prices for insulation measures in private homes. Insulation may be installed free of charge for those in receipt of certain Government qualifying benefits. In addition, for those applicants aged 70 years of age or over, some companies will still qualify applicants for the free insulation measures.

Access to assistance may be made through the One Stop Shop, or directly to the Energy Advice Unit, telephone number 01563 555224.

3.4.9 Private Rented Sector

- **East Ayrshire Rent Deposit Guarantee Scheme**

The East Ayrshire Rent Deposit Guarantee Scheme is presently managed by the Community Housing Advocacy Project on behalf of East Ayrshire Council. It provides the 'guarantee' of a rent deposit, which is normally in place for between six to twelve months, claimable by the landlord at the end of the tenancy if any loss or damage is incurred. The deposit enables those on a low income and unable to raise a deposit on their own, to access the private sector.

- **East Ayrshire Register of Private Rented Adapted Property**

East Ayrshire Council may seek to engage a third party to assist registered private landlords to match potential tenants with particular housing needs to an adapted properties register.

SUMMARY OF APPENDICES

- Appendix 1: Scottish Housing Quality Standard Definitions
- Appendix 2: Adaptation Works eligible for Mandatory Grant Assistance as a result of a Disability
- Appendix 3: Community Occupational Therapist Timescales to carry out Assessments
- Appendix 4: Template of a Maintenance Plan / Works that should be considered
- Appendix 5: List of Elements contained within the new Tolerable Standards
- Appendix 6: List of East Ayrshire Care and Repair Small Repairs criteria
- Appendix 7: Useful Links

Appendix 1: Scottish Housing Quality Standard Definitions

The Five Scottish Housing Quality Standard Criteria and Definition

To achieve the Scottish Housing Quality Standard, a property must meet five criteria which are briefly explained below:

Criterion	What it means
Above the Tolerable Standard	The Tolerable Standard is the absolute minimum standard for any property in Scotland. Local Councils are responsible for assessing whether houses meet the Tolerable Standard or not, and for taking immediate action if a house fails. If a house does not meet the Tolerable Standard it automatically fails the Scottish Housing Quality Standard.
Free from serious disrepair	This criterion covers both 'primary' parts of a property (wall, floors, foundations and roof), and 'secondary' parts (for example chimneys, stairs, damp proofing, windows and doors). If any of the primary parts of the property fail, or two or more secondary elements, then the house does not meet the Scottish Housing Quality Standard.
Energy efficient	To meet Scottish Housing Quality Standard, a house must have a full central heating system which is energy efficient, and appropriate insulation of the roof, pipes and walls (if cavity walls). Extra energy efficiency measures should also be taken, where practical, to meet the recognised standard.
Modern facilities	This criterion means that a house should have a bathroom containing a wc, bath or shower and wash basin in good condition; and a range of kitchen facilities and fittings which are usable and safe.
Healthy, Safe and Secure	This criterion covers a range of factors including secure entry systems and safe common entrance areas, lead-free pipes, ensuring a smoke detector is fitted, adequate insulation from noise, and proper ventilation to stop condensation in bathrooms and kitchens.

Appendix 2: Adaptation Works eligible for Mandatory Grant Assistance as a result of a Disability

Grant Assistance Will Be Provided
Bathroom adaptations, (including extensions) including Showers (level access/ wet floor)
Through Floor Lifts
Step-lifts
External stair lifts
Internal stair lifts (straight and curved)
Fixed ceiling track hoists
Fixed ramps
Specialist toilets
Widening of doors when part of a larger adaptation project

Financial Grant Assistance Not Provided/ Advice only
Kitchen adaptations
Any White goods
Driveways
Mono-blocking
Dropped kerbs
Extensions for living accommodation

Appendix 3: Community Occupational Therapist Actions to carry out Assessments

EAST AYRSHIRE COUNCIL

PROCESS FOR ADAPTATIONS TO OWNER OCCUPIER PROPERTY COVERED BY THE SCHEME OF ASSISTANCE

DRAFT

Element	Actions	Targets
Allocation of referral for assessment	The request for assessment is allocated to the Occupational Therapist (Social Work) (OT).	Based on agreed priorities.
Home visit and functional assessment	<p>The OT arranges to visit the service user to identify options essential to meet assessed need. Where a Health based OT is involved, joint working is to be expected.</p> <p>Where service user long term needs cannot be met other than by an adaptation which would be covered within the Scheme of Assistance, an application is passed to the Grants Officer.</p> <p>The Occupational Therapist should advise the Service User of the process in relation to the Scheme of Assistance, the Service User should also be advised of the following:</p> <ul style="list-style-type: none"> • No funding will be paid in retrospect of any costs incurred before funding has been approved • Works undertaken by the Service User over and above basic specifications/works approved will be at their own expense • Service User responsibilities including decoration/soft furnishing costs, additional works beyond what has been assessed as essential etc. 	<p>Within 28 days.</p> <p>At time of first visit</p>

	East Ayrshire Council (EAC) Adaptation guidance should be considered throughout this process.	
Discussion - Feasibility	<p>Where a major conversion is being considered, the Appointed Team Leader should be contacted and should be involved throughout the process.</p> <p>Where an external lift is being considered, the Service Manager (Independent Living and Review) should be involved throughout the process.</p>	Within 5 days
Contact Grants Section	<p>An AD1 pro-forma is forwarded to the Grants Officer to advise of proposed works</p> <p>The Grants Clerical Officer will open an applicant's file</p>	Within 5 days
Initial joint visit	<p>The Grants Clerical Officer will contact the OT to arrange an initial joint visit meeting with the OT, Grants Officer and appointed Team Leader (if required). The joint site visit is to look at best value adaptation to meet essential assessed need.</p> <p>Where a major conversion is being considered, the appointed Team Leader and the OT will mark out the actual dimensions of the possible spatial requirements to ensure that the proposed works will meet the functional requirements.</p> <p>Required documentation for proof of eligibility for application for 100% funding.</p> <p>Advice given to service user on sources of funding available, including information on Loans if appropriate.</p> <p>Service user advised of likely timescales, conditions of assistance given, responsibility for ongoing repairs/maintenance</p>	<p>Initial contact within 3 days. Mutually suitable appointment within 6 weeks</p> <p>Within 5 days</p> <p>At time of joint visit</p> <p>At time of joint visit</p> <p>At time of joint visit</p>
Where Plans are required	It is the responsibility of the service user to obtain architectural assistance if required.	Client responsibility

	The Occupational Therapist and the appointed Team Leader will provide the service user's architect with details of functional requirement and where possible, spatial requirements and specialist equipment needs before any plans are drawn up.	At first contact with the client's Architect
Proposed plans meeting	Meeting with OT, appointed Team Leader, architect and service user to discuss draft scheme and make any amendments required.	Timescale dependent on client and Architect
Planning Permission and Building Warrant application.	Following agreement of any amendments by the Occupational Therapist and appointed Team Leader, the service user arranges all necessary permissions before submitting the plans for agreement by the Grants Officer.	Timescales will be determined by East Ayrshire Council's Building Standards Service
Obtaining competitive estimates	The Service user is responsible for obtaining three competitive quotes for the agreed works required and submitting them to the Grants Officer	Client's responsibility to produce 3 quotations
Approval of Application	<p>The Grants Officer will examine complete applications to ensure all information is valid, including confirmation of property ownership and all parcels of land (through provision to legal Services for examination of the titles. The submitted quotes are examined for both validity and value quotes from other similar applications</p> <p>The Grants Officer confirms with the Occupational Therapist that the estimates in relation to functional suitability.</p> <p>The Grants Officer will advise the Service User of approval granted by letter</p>	14 working days of receipt of complete application(if there are no irregularities/ issues)
Completion of approved works	All arrangements to commence and carry out the works are the responsibility of the service user.	1 year
Examination of ongoing works	<p>Where a major conversion is being undertaken, regular contact between the Occupational Therapist, the appointed Team Leader and the architect and the service user is required.</p> <p>If any amendments to the works are required, due, for example, to unforeseen elements the Service User should contact the Grants</p>	<p>To be determined by work programme</p> <p>Immediate contact required to</p>

	<p>Officer before undertaking these amendments.</p> <p>Any request for interim payments should be made to the Grants Officer who will visit to assess the works.</p>	<p>allow decision on approval</p> <p>Within 5 working days</p>
<p>Examination of approved works</p>	<p>The final account should be submitted to the Grants Officer using the supplied pro-forma.</p> <p>On receipt of the pro-forma, the Grants Officer will arrange to visit the property to ensure all work has been completed competently.</p> <p>The Grants Clerical Officer advises the Occupational Therapist of completion of the works.</p> <p>The Occupational Therapist visits to ensure the works meet assessed functional needs; re-iterate ongoing responsibilities for the Service User in relation to repairs/maintenance as required and to arrange any specialist equipment provision which may be required.</p> <p>Final payment is made upon satisfactory completion of the works</p>	<p>Within 1 calendar month from date of examination</p>

Appendix 4: Works to be considered for inclusion in a Maintenance Plan

Building Maintenance: It is Your Responsibility

Do you own a house, flat or any part of a building?

Did you know that as an owner you are legally responsible for any accidents caused by defects in your building?

Poor building condition can also reduce property values, lead to spiralling repair bills and mean cold or damp living conditions.

Follow the ten steps to being a responsible owner and maintaining the value of your property.

1 Recognise that you are responsible for your building

If you are a flat owner you will be jointly responsible. Your exact responsibilities are set out in your Title Deeds and under the Occupiers Liability Act (Scotland) 1960. Recent changes in property law give you more ways to get co-operation from your co-owners if there are problems with the Title Deeds.

2 If you live in a shared building

Talk to your fellow owners and agree who is responsible for what. Some of them may also have useful skills or contacts that you can use in bringing your building back into shape.

3 Get your building checked regularly

Ideally you should get a building condition survey carried out every five years by an experienced professional such as an architect or surveyor. You should at least carry out a quick survey yourself.

4 Put together a list of past repairs

If you are in a shared building ask your neighbours and check out any surveys carried out in the past. You should try to record what work was done, when, by whom and if there is a guarantee. This is useful information so keep it safe and up to date and pass the file on to another owner when you move.

5 Check out the typical length of life of common building parts

For example, is your roof past its sell by date? See the table at the bottom of the page.

6 Put together a Maintenance Plan

This will help you prioritise the “stitch in time” repairs and help you work out how you can save for big repairs. It should include a schedule of inspection and routine maintenance on the building, a list of reliable contractors and arrangements for paying for the work.

7 Decide which builder to employ

Consider how you are going to choose a builder suitable for any work which needs done. Small builder firms do small jobs well but bigger jobs need bigger firms with the resources for complex work.

8 Plans for future repairs or maintenance

All parts of buildings decay over time so it's best to plan for future repairs and maintenance and not be caught out by emergency repairs which could be expensive

Building Maintenance Schedule

This table shows what you should be doing to maintain your property and how often

Building Element	Frequency
Gutter cleaning	Annually
Slated/tiled roof – inspection & repair	Annually
Flat roof inspection	Annually
Flashings on the roof and cupolas	Annually
Render coatings (e.g. cement)	Annually
Chimneys	Annually
TV aerials and fixings	Annually
Door entry system	2-5 years
External paint work on doors, windows, gutters and down pipes	3-5 years
Mastic around windows	6-10 years
Stair painting	10 years
Pointing – mortar between stone/brick in walls	10-15 years

How Long Should Building Parts Last?

This is a general guide only based on regularly maintained buildings. You should get a survey carried out at least every 5 years to establish the actual condition.

Building Element	Life Span
Render coatings on walls or chimneys	replace after 10-20 years
Plastic gutters or pipes	replace after 15-20 years
Felt roof coverings	repair after 10 years, replace after 20-30 years

Tiles	repair after 20 years, replace after 40 years
Lead roof coverings or flashings	repair after 30 years, replace after 50 years
Slates	re-fix every 30 years, replace after 90 years
Cast iron gutters and down pipes	replace after 35-90 years
Sandstone walls and chimneys	expect some repairs after 50 years
Cast iron or steel railings	replace after 55-90 years
External woodwork	replace after 55-90 years

Appendix 5: List of Elements contained within the new Tolerable Standards

Tolerable Standard

A house meets the tolerable standard if 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.

Most of these criteria have been part of the Tolerable Standard since its introduction in the 1969 Act. The Housing (Scotland) Act 2001 added the bath/ shower and wash hand basin element. Waterless closets were added by administrative order in 2003.

The Housing (Scotland) Act 2006 introduces the most significant change to the criteria; the addition of thermal insulation and electrical installations, and also confirms the addition of waterless closets.

To meet the Tolerable Standard, a house must comply with all the criteria. In other words, the assessment is a simple pass or fail. If a house does not meet even one of the criteria, then it is deemed to be below tolerable standard.

Appendix 6: List of East Ayrshire Care and Repair Small Repairs criteria

East Ayrshire Care and Repair Small Repairs Criteria

Who Qualifies?

You will qualify if you own your home or you are a private tenant over the age of 60 or you are disabled and live in East Ayrshire.

What is a Small Repair?

Small repairs are works that can be completed within 2 hours labour time and may also include in some instances the cost of the materials.

How the Service Works

East Ayrshire Care and Repair service provides free advice and assistance to the elderly and the disabled about repairs and improvements to their own homes.

The East Ayrshire Care and Repair service has a number of locally based contractors on its list of approved contractors who will carry out the works which are processed through the Care and Repair Officer who can be contacted at:

Shire Housing Association Ltd
Netherthird House
Netherthird
Cumnock
Ayrshire
KA18 3DB

Telephone: 01290 428011 or 01290 421130

How much will it cost?

Provided the small repair meets the mentioned criteria, it will be carried out free of charge.

How to Apply

You can contact the East Ayrshire Care and Repair Service by telephoning the contact number, or you can ask someone to contact them on your behalf.

Referral System

Cases can be referred on to East Ayrshire Care and Repair by individuals, community nurses, occupational therapists, community policeman, neighbours or relatives.

The individual is contacted by the East Ayrshire Care and Repair Service, the work is assessed and a contractor is issued with a repair line who will then arrange to carry out the work.

What East Ayrshire Care and Repair can do for you

Provide practical help with those repairs around the home which may be difficult to address if you are old or have a disability and the disrepair may pose an increased risk of an accident.

Appendix 7: Useful Links

East Ayrshire Council has provided a list of useful links related to the development of the East Ayrshire Scheme of Assistance.

It should be noted that this list is not exhaustive.

Scottish Government

<http://www.scotland.gov.uk/Home>

East Ayrshire Single Outcome Agreement

<http://www.eastayrshirecommunityplan.org/>

East Ayrshire Community Plan

<http://www.eastayrshirecommunityplan.org/>

East Ayrshire Local Housing Strategy 2004-2009

<http://www.east-ayrshire.gov.uk/neighbourservs/housing/localhousingstrategy.asp>

Title Conditions (Scotland) Act 2003

http://www.opsi.gov.uk/legislation/scotland/acts2003/pdf/asp_20030009_en.pdf

The Tenements (Scotland) Act 2004

http://www.opsi.gov.uk/legislation/scotland/acts2004/pdf/asp_20040011_en.pdf

The Tenements (Scotland) Act 2004, Prescribed Risks: - Insurance

http://www.opsi.gov.uk/legislation/scotland/ssi2007/pdf/ssi_20070016_en.pdf

The Antisocial Behaviour etc. (Scotland) Act 2004

http://www.opsi.gov.uk/legislation/scotland/acts2004/pdf/asp_20040008_en.pdf

The Housing (Scotland) Act 2006

http://www.opsi.gov.uk/legislation/scotland/acts2006/pdf/asp_20060001_en.pdf

The Building (Scotland) Act 2003

http://www.opsi.gov.uk/legislation/scotland/acts2003/pdf/asp_20030008_en.pdf

The Disability Discrimination Act 1995

http://www.opsi.gov.uk/acts/acts1995/ukpga_19950050_en_1

Caravan Sites and Control of Development Act 1960

<http://www.statutelaw.gov.uk/content.aspx?LegType=All+Primary&PageNumber=70&NavFrom=2&parentActiveTextDocId=1178312&ActiveTextDocId=1178312&filesize=165206>

Open Market Shared Equity Pilot

http://www.communitiesscotland.gov.uk/stellent/groups/public/documents/webpages/cs_021093.hcsp#TopOfPage

Registration of Private Landlords – Guidance for Local Authorities.

<http://www.scotland.gov.uk/Resource/Doc/93140/0022393.pdf>