

Darlington Borough Council

Private Sector Housing Renewal Strategy

Revised January 2008

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Chapter One

Introduction

Darlington has a population of 99,800 comprising 45,100 households with most of the population living in private sector housing. Private sector housing needs to be sustainable, provide good quality housing, choice and be affordable. The local authority has a key strategic enabling role in maintaining the quality and standard of the private sector and ensuring that it is accessible to all, while protecting the most vulnerable members of the community. Improving property conditions is a key priority for local authorities with high incidence of non decency historically in the private sector particularly in the privately rented sector. The local authority work collaboratively in partnership with a range of partners such as private landlords, private owners, registered social landlords and house builders to eradicate non-decency through financial assistance, advice and enforcement action.

According to Government guidelines published in 2004 and updated in 2006¹, a decent home is one which;

- Meets the current statutory minimum standard for housing
- Is in a reasonable state of repair
- Has reasonably modern facilities and services
- Provides a reasonable degree of thermal comfort (related to insulation and heating efficiency)

It is widely recognised that poor quality housing can have an impact on the health and well being of its occupants, leaving them at risk of becoming excluded from the social and economic life of our community. The Acheson Enquiry into health inequalities highlighted the links between poor quality accommodation and increased risk of accidents and illnesses such as asthma and hypothermia (this risk being exacerbated by fuel poverty)². Concentration of poor housing can undermine the sustainability of the neighbourhoods in which they are located. In the Government's Housing Green Paper *Housing: Quality and Choice: A Decent Home for All* (2000) it highlights the 'strong associations between poor housing and poverty, deprivation, crime, educational underachievement and ill health'.

The previous Private Sector Housing Renewal Strategy was published in 2006, but now needs to be updated in the light of further changes taking place in Private Sector Housing and to provide an update on major legislative changes and challenges arising from the Housing Act 2004, the Regulatory Reform (Housing Assistance) Order (England and Wales) 2002 and the surprise deletion of the Government's Public Service Agreement (PSA) 7 in April 2008 which was concerned with reducing the number of vulnerable households in the social housing sector living in decent homes. Locally this is still a priority and our strategy reflects this stance in order that the private sector housing market can continue to contribute towards the Government's overall strategies to tackle fuel poverty, social exclusion, address health inequalities and neighbourhood decline. The publication of the Housing Green Paper 2007, illustrated a shift in Government policy and focus from the private rented sector to the increase in supply of affordable housing nationally, to meet increasing demand. Regional Housing Board funding allocations and subsequent sub-regional allocations reflected this change in priority with smaller budget allocations for private sector housing.

¹ Department for Communities and Local Government: *A Decent Home: Definition and Guidance for Implementation June 2006 Update*

² Independent Inquiry into Inequalities in Health Report – Sir Donald Acheson 1998

³ Housing Green Paper July 2007 – Homes for the Future

⁴ JSU www.teesvalley-jsu.gov.uk

The purpose of this strategy is to set out how Darlington Borough Council aims to continue to tackle the issues of private sector housing renewal within the Borough and thus improve the lives of our most vulnerable residents. It forms an integral part of the Council's overall Housing Strategy and has been developed to reflect local, regional and national policies. It supports and further progresses the four visionary goals of the Darlington Community Strategy, in particular the aims of providing 'a place for living safely and well' and 'a high quality environment with excellent communication links' through targeted interventions aimed at improving housing conditions within the private sector.

The Private Sector Housing Strategy has had an Equality impact assessment to determine the level of accessibility all members of the local community have to the range of financial assistance options. The policy of offering interest bearing loans was initially thought to be restrictive for elements of the Muslim community on the basis of religion. Following consultation with Northern Counties Housing Association (who have a track record of delivering such services in a multi-cultural environment), it was concluded that this factor would not unduly disadvantage the Muslim community. Initial feedback from the financial assistance loans policy has not alerted the Council to any problems in this area. As the policy of offering financial assistance in the form of loans as opposed to grants is new, early local customer feedback was sought and some policy changes were implemented in September 2007 to reflect the views of customers. This ensured the policy remained accessible to those customers who most required assistance, and, that finite resources were appropriately targeted.

Chapter Two – Change Drivers

There are currently a number of national, regional, sub-regional and local factors driving change within private sector housing renewal and influencing the development of strategies. These are considered in further detail below.

National

Housing Act 2004

The Housing Act 2004 introduced wide-ranging measures of reform that will help the most vulnerable³ whilst also creating a fairer housing market for those who own, rent or let residential property. It will also assist in meeting the Government's 2010 Decent Homes Target. Below is a summary of the main provisions of the Act⁴;

- Mandatory licensing of large, high-risk Houses in Multiple Occupation (HMOs) and discretionary powers to license some smaller, multiple-occupied properties
- The introduction of the new Housing Health and Safety Rating System (HHSRS) which replaces the Housing Fitness Standard. This will help local authorities to target those properties in the worst conditions, often housing some of the most vulnerable people.
- The power for local authorities to selectively license private landlords and therefore tackle low housing demand and issues of anti-social behaviour.
- Allowing local authorities to make Interim Management Orders (for HMOs) where the management regulations and property conditions are found to be inappropriate after initial enforcement action, or;
- Special Interim Management Orders for any privately rented property where anti-social behaviour has been highlighted as a persistent issue and remedial action has not been successful, or;
- Empty Dwelling Management Orders where a property has been vacant for 6 months or more (allowing for certain conditions)
- Changes to the Right to Buy Scheme; extending the qualifying period for Right to Buy from two to five years and extending from three to five years the period during which the discount must be repaid when the property is resold
- The introduction of a tenancy deposit protection scheme by which any monies paid in the form of a bond must be paid into a Government scheme until such time as the tenant moves from the property
- Residential Property Tribunals will have the power to impose a Rent Repayment Order (RRO) where a landlord has received Housing Benefit for tenants living in a property which should reasonably be licensed but is not.

³ Vulnerability Definitions under Decent Homes Guidance available from

http://www.communities.gov.uk/pub/191/ADecentHomeDefinitionandguidanceforimplementationJune2006update_id1152191.pdf

⁴ A full copy of the Act and its provisions can be downloaded from the website

<http://www.opsi.gov.uk/acts/acts2004/20040034.htm>

- Home Information Packs and Energy Performance Certificates to improve and “speed up” the selling process for residential properties.
- The requirement to update statutory overcrowding provisions
- Extension of Disabled Facilities Grants (DFGs) to people occupying caravans as their only or main residence

Regulatory Reform (Housing Assistance) Order (England and Wales) 2002

The introduction of the Regulatory Reform Order, which became law on 18th July 2002, removed the highly prescriptive rules relating to home improvement grants, replacing them with a general power to provide assistance for housing renewal. This new system gives local authorities broad discretionary powers to adopt policies tailored to local housing needs and priorities targeted at the most vulnerable members of our society, helping them to repair, renovate or adapt their homes, which otherwise they could not afford to do.

Local authorities now have greater flexibility and are able to set eligibility criteria, decide whether to perform means testing and the type of assistance available. The use of this new power is subject to local authorities formulating and publishing a new policy setting out how it intends to administer financial assistance. Darlington Borough Council produced a new policy for financial assistance in 2006 and this is considered in more detail on page 30.

Public Service Agreement (PSA) Target 7

According to the 2001 English House Condition Survey, only 57% of vulnerable people living in the private sector in England lived in a home that would be classified as decent; 25.9% of all private sector properties in the North East were identified as potentially failing the Decent Homes Standard⁵. Failure to provide an adequate degree of thermal comfort was, and remains⁶, the main reason for dwellings failing to meet the standard. As part of the Government’s 2002 spending review (SR2002) it was agreed that a target would be set to increase the number of decent properties within the private sector to 65% by 2006, 70% by 2010 and 75% by 2020⁷.

Such key groups, which local authorities will consider as ‘vulnerable’ and therefore a priority, are

- Families with children
- Households of older people beyond working age
- Those suffering long-term illness and disability

⁵ A report into the English House Conditions Survey 2001 is available from the Department for Communities and Local Government website at <http://www.communities.gov.uk/>

⁶ English House Conditions Survey Headline Report 2004 available to download from <http://www.communities.gov.uk>

⁷ This element of the target will be measured through the continuous English House Condition Survey. The baseline, set at 1 April 2001, is 57% of vulnerable households in the private sector live in a decent home.. The proportion measured is derived from the number of private sector vulnerable households in decent homes divided by the number of all private sector vulnerable households

The PSA7 target will be deleted in April 2008 and will no longer be a local authority public service agreement target. The principles and values of the PSA 7 will continue to be used within Darlington to reduce levels of non decency in the private sector and be reported as a local indicator for management purposes. The new powers to provide assistance through the Housing Act and the provision of the Financial Assistance Policy will be the key drivers in assisting Darlington Borough Council in raising standards in private sector housing locally.

The Housing Green Paper 2007 – Affordability and Choice

The direction of Government housing policy described in the Housing Green Paper has changed considerably. There is now a much greater focus on increasing the supply of good quality affordable housing in the right places, reducing the environmental impact of new affordable housing and tackling planning constraints which can impact on deliverability. The challenge of increasing the supply of affordable housing nationally and the shift of resources to meet this challenge, means that local authorities are required to explore alternative and more innovative solutions to tackling non-decency within the private sector by developing a range of “toolbox” solutions.

Regional

North East Regional Housing Strategy

An update to the North East Regional Housing Strategy (2005-2021)⁸ was produced in 2005 and was formulated around the framework of four key objectives:

- To rejuvenate the housing stock to meet 21st century aspirations, replacing market failure with high quality housing in the right locations to help create successful, coherent and sustainable communities
- To ensure that the type and mix of new accommodation provides choice, supports economic growth and meets housing need and demand. This will reflect the diversity of urban and rural communities and the needs for affordable, family and prestige housing
- To secure the improvement and maintenance of existing housing so that it meets required standards, investing in sustainable neighbourhoods
- To promote good housing management and targeted housing investment to address specific community and social needs; including an ageing population and the needs of minority communities; this will be integrated with the Supporting People programme and promote greater community involvement. The strategy places emphasis on the need for the development of sub-regional strategic approaches in order to encourage cross boundary working and to consider the common threads of specific housing markets across neighbouring authority areas.

⁸ Available on the NEHB website (also available in Plain English for non-housing professionals)

<http://www.nehb.org.uk/>

Tees Valley Sub Regional Housing Strategy July 2007

Regional Financial Assistance Loans Scheme.

A regional loans scheme is currently being developed across the North East Region by all local authorities to deliver financial assistance loans to improve private sector housing. The loans will be low cost, low interest loans and provide an equity release model to tackle non-decency. A dedicated Project Manager will be appointed in March 2008 and funding for the regional loans scheme will be provided from the Single Housing Investment Programme (SHIP3) bid. Funding has been top sliced from the overall regional SHIP3 allocation to finance the project. It is envisaged that the regional loans will replace individual local authority loans in 2009/10 to provide a consistent financial assistance product and reduce inefficiencies in delivery. Some local eligibility variations will be permitted to allow for some subtle local housing market differences across the region.

Sub-Regional

Tees Valley Sub-Regional Housing Strategy

The Tees Valley Sub-Regional Housing Strategy has been developed and published in July 2007 to consider particular housing issues in the five Tees Valley authority areas of Darlington, Redcar and Cleveland, Hartlepool, Middlesbrough and Stockton on Tees, whilst also considering the wider aims of the Regional Housing Strategy and national policy.

The authorities work in partnership to understand sub-regional demographic and socio-economic drivers that underpin changes in the local housing market. Developing a cross-authority strategic approach to housing has many benefits including sharing best practice and commissioning joint research and bids for funding. A bid to the North East Housing Board (NEHB) for SHIP 2 (Single Housing Investment Pot) funding to tackle housing conditions in the private sector, empty homes and energy efficiency issues across the Tees Valley was successful, gaining the five authorities a total of £5.315 million for the financial year 2006/07 and £5.490 million for 07/08. Darlington has received a proportion of this funding, amounting to £0.776 million for 06/07 and £0.801 million for 07/08. A further £0.284 million for 06/07 and £0.284 for 07/08 has been awarded for the provision of Disabled Facilities Grants (DFGs). During 2006/8 SHIP 2 funding was used to deliver energy efficiency measures in the private sector, provide financial assistance for essential home improvements in the private sector, and, add value to existing Government Office for the North East (GONE) funding allocations for Disabled Facilities Grants (DFGs) to tackle increasing demand.

The five Tees Valley authorities recognise that common private sector renewal issues exist across the sub-region, and, that the joint procurement of common services / products contributes to, and, maximises private sector leverage to, finance improvements in the private sector housing stock across the sub-region. A dedicated sub-regional Private Sector Housing Group has been established to monitor performance and benchmark against the best performing authorities.

A sub-regional bid for SHIP3 resources for the period 2008-11 was submitted in November 2007 which mirrored the strategic priorities contained within the revised sub-regional housing strategy published in July 2007. A range of projects were submitted for consideration as part of the overall bid. The outcome of the submission is due in late January 2008 although indicative indications suggest that funding allocations for private sector housing are likely to be smaller than in previous bidding rounds. The focus of activity is likely to be limited to improving thermal efficiency of private dwellings, financial assistance to tackle non-decency and the provision of Disabled Facilities Grants to private properties.

Sub Regional Empty Property Strategy

As previously mentioned, a sub-regional contract was procured (financed by SHIP2 in 2006-08) with Accent North East. The expertise and knowledge gained and assembled through the project has informed a new more radical and wider approach to empty property management with SHIP3. A sub regional Empty Property Strategy is being developed and will be published in March 2008. This will replace individual local authorities own empty property strategies. The strategy will focus upon delivering common objectives across the sub region and local priorities within each local authority. There will also be a strong emphasis on enforcement within the strategy focussed on long term empty properties. In particular, the new sub-regional strategy will examine different approaches to empty properties including assessing the implications of the new Empty Dwelling Management Orders (EDMOs) and appraising the role they may play in a broader strategic approach to empty property management with key partner agencies where traditional approaches have failed to deliver the desired outcomes.

Chapter Three - Local Issues

Private Sector Housing Conditions in Darlington

A private sector stock condition survey carried out by Darlington Borough Council in 2000 indicated that statutory unfitness within the private sector in the borough stood at 5.8%. This was notably higher than the national average of 4.2% and over double the proportion in the rest of the North East (2.2%). These findings suggest the need for the Council to develop specific measures to combat levels of poor quality accommodation within the private sector in Darlington.

The 2000 stock conditions survey indicated that pockets of significantly poor quality housing were concentrated in the wards of Northgate, North Road, Bank Top, Pierremont and Central. These areas were identified as requiring further in-depth consideration and therefore a further study was commissioned.

The subsequent report, received in 2003, highlighted 5 key areas, concentrated centrally in the Borough, that in addition to concentrations of poor quality dwelling conditions, also exhibited larger numbers of older, pre-1919 terraced dwellings and increased incidence of private renting. Overall, 22.1% of the dwellings in this inner-area study were identified as being unfit. The findings of the report highlighted a need to develop a strategy for intervention in these areas, to address the issues of poor quality dwelling conditions.

The average open market sale price for Darlington during the period 2006/07 was £126,633⁹, with terraced properties retailing at an average of £75,178. It is interesting to note, however, that terraced properties within the 5 identified areas showed an average retail price of £64,089¹⁰. It could be suggested that the low cost of purchasing property within these areas and the high levels of private renting are indicative of the increase in property speculation within recent years, with investors buying up older, pre-1919 properties at the lower end of the market in order to achieve a return through rental income.

In 2004 the Council commissioned David Cumberland Housing Renewal Ltd (DCHR) to carry out further research into housing conditions within the Borough, in order to identify and evidence the nature of current and future housing issues and to underpin a strategic response.

The findings of the research echoed and emphasised those of the earlier stock conditions survey and the inner area housing study in highlighting poor conditions within the private sector. Although in every case the research did not take into consideration each individual property within the Borough, the responses received from residents contacted allowed the DCHR to provide an accurate snapshot of the nature of issues and housing conditions within the private sector.

The research found that properties subject to major disrepair were predominantly within the private rented sector (62.2%) with the remaining proportion (37.8%) owner occupied. These properties were occupied in particular by single people under 60 (31.6%), lone parents (26.3%) and couples with children (23.7%).

⁹ All information on average property prices for Darlington from Land Registry website www.landreg.gov.uk

¹⁰ Average property prices for areas identified in the inner-area study from Land Registry information on website www.ourproperty.com

Of those people surveyed as part of this research, levels of dissatisfaction with property conditions was particularly noticeable amongst those who rented privately. Problems commonly reported were coldness and dampness of properties. Private rented stock tends to be older; around one third of dwellings were built prior to 1919. Private renters account for around one fifth of households in Northgate (20.4%), Pierremont (20.1%) and Central (19.5%) wards.

Although 46.3% of renters were either in full-time or part-time employment, 69.3% of all renters had an income of less than £300 per week. 14.1% were unemployed. This would suggest that those on lower incomes, with no access to property purchase in the housing market are more likely to be accommodated within the private rented sector and thus be at risk of poor housing conditions.

Despite levels of considerable prosperity within the Borough there are some major economical differences between the most and least affluent, with the poorest gravitating towards low-cost private sector stock. Polarisation is occurring because those on the lowest incomes have very limited choices as to where they can live. This leads to concentrations of deprivation within the central core of the Borough, whilst the more affluent move towards the periphery.

Each of these factors acts to further isolate the socially disadvantaged and counter the aims of balanced housing markets and the 'mixed tenure' estates, which are being promoted to eradicate social exclusion, build sustainable communities and promote greater community cohesion. The Tees Valley sub-region commissioned a Strategic Housing Market Assessment (SHMA) in 2007 with ARC4 (previously David Cumberland Housing Regeneration Limited) to update the current housing needs data and assess the local housing market conditions across all housing sectors to ascertain the market's ability to continue to deliver the appropriate level and type of housing to meet local expectations. This work should be completed in April 2008 and will inform the future strategic approach of the Council.

A Building Research Establishment (BRE) private property survey was carried out across the sub region in 2006. This highlighted that private sector property conditions in Darlington were amongst the worst in the sub-region and in urgent need of investment and intervention. Darlington continue to lobby sub-regionally and regionally for additional investment for the private sector housing market, but, although conditions are poor, in the context of wider "deprivation indices", Darlington is not highlighted as a priority for private sector housing market renewal within the sub-region when compared to other sub-regional local authority areas. Although, Darlington recognise that the sustainability of local housing markets should not be assessed in isolation of other key performance indicators, there is a need to reappraise sub-regional investment priorities based on housing conditions and the scale of interventions. This is being addressed sub-regionally by creating new suites of indicators that give a greater priority rating to private sector housing conditions.

Darlington Borough Council recognises that significant inward investment is required to rejuvenate, remodel or improve poor private sector housing stock. The Council are considering a number of options to maximise inward investment while recognising that the Borough does not exhibit such extreme deprivation to qualify for many traditional funding opportunities. More innovative options such as the recycling of Section 106 planning gain commuted sums are being considered. The 'pooling' of Section 106 commuted sums or other 'off-site' affordable housing provision could assist in the improvement or regeneration of poor private sector housing stock. Such increased investment could also be utilised to remodel high density pre-1919 private sector stock to deliver alternative affordable housing options, which will meet the aspirations of local people.

A comprehensive private sector housing stock condition survey will be procured across three sub-regional local authority partners (Darlington, Stockton and Hartlepool) in 2008. This will provide updated private sector stock condition information to inform future targeted areas and, allow for cross local authority comparable data to be shared and analysed informing benchmark performance targets.

Darlington has currently identified four priority investment areas which are the wards of Northgate, North Road, Bank Top and, Central which is where current private sector stock condition data has identified the poorest private sector stock conditions. This local targeted approach is further justified by higher concentrations of enforcement activity in the four identified wards as experienced by the Housing Renewal Team. The locally adopted Financial Assistance Policy administered by the Home Improvement Agency, Care and Repair prioritises financial assistance to the four identified wards to tackle the highest levels of non-decency.

The private sector property stock condition survey carried out in 2000 used Statutory Unfitness as a measure of property condition. This relatively low standard was replaced in 2006 by the Housing, Health and Safety Rating System (HHSRS). This is considered in further detail in page 26 of this document.

The new private sector property stock condition survey will measure property standards precisely using the decent standard. The Housing, Health and Safety Rating System assessment standard will also be used as a measure of decency. It is generally accepted that levels of non decency may be higher than anticipated because of the significantly higher standard a property needs to reach the decent standard. For example properties without adequate heating throughout the entire property will be considered non-decent but would satisfy the old Fitness Standard.

Energy Efficiency

Darlington continue to explore new and innovative approaches to improving the thermal efficiency of private sector homes. Darlington have engaged with the Energy Savings Trust and private utility companies to offer grant aided and subsidised energy efficiency measures such as loft and cavity wall insulation. Over the last two years 1,285 private sector properties have benefited from such measures contributing to the reduction of fuel poor households occupied by vulnerable local people. To promote and market the benefits of such improvements and to highlight the potential savings that can be achieved to annual fuel costs, the Energy Savings Trust attended the Private Landlords Forum on 16th October 2007. The presentation outlined how “lifestyle changes” can have mutual benefits to the environment and household fuel costs.

Growth Areas

Darlington is part of a sub-regional growth bid which was submitted in November 2007. Growth areas were introduced nationally in direct response to the Housing Green Paper 2007 as they were seen as a key delivery vehicle to achieve higher volumes of affordable housing, improve the environmental impact of new housing and creating more balanced, sustainable multi-tenure housing areas. Initially growth areas were restricted to southern parts of the Country where the demand for affordable housing was most acute. This has since been extended to more northern areas as the deliverability of growth in such large numbers was considered to be a major challenge for the south, given the pressures on land availability. Initial indications from Communities and Local Government have been favourable towards the Tees Valley sub-regional bid with the Tees Valley bid being graded as “B” from an overall grading of A to D with no sub-regional bids being graded “A”, and the lowest grading being “D”.

Further, more detailed information, will be submitted to support the growth bid in January 2008 with a final decision likely to be announced in February 2008. Darlington are well positioned geographically to deliver growth with all of the major transport infrastructure in Darlington to serve the Tees Valley sub-region and a number of potential “brownfield” sites to support the growth.

In addition, growth in Darlington could help dampen down the overheated housing markets of North Yorkshire (including assisting in the relocation of some families from the Ministry of Defence barracks at Catterick Garrison) and Durham, who border Darlington, and, for whom Darlington’s housing market seems to have the strongest inter-relationship. Success in the bid for “growth status” would provide an opportunity to tackle single tenure areas and poor unsustainable housing while contributing to wider social and economic growth through investment in local infrastructure such as schools, commercial premises, and transport networks.

Housing Renewal Team

The focus and nature of private sector housing activity has changed. In response to this change, Darlington have reviewed their existing staffing structure and created a new structure which will meet the new demands and expectations of the private sector housing market. Three generic housing renewal officers have been created which will encompass the specialist role of the accreditation scheme alongside normal renewal / enforcement activity. This will enable the Renewal Team to establish a better balance between reactive and proactive work as a positive step towards prevention of non-decency and protection of the most vulnerable.

Chapter Four – Darlington Issues in Context

Table 1 below shows the age distribution of the population of Darlington compared to elsewhere in the region and sub-region.

Table 1: Population Age Demographics

Age	Darlington	Tees Valley	North East
Under 5	5800	36700	132600
5 to 15	13600	93000	341900
16 to 24	10600	77100	303700
25 to 44	26700	174800	671000
45 to Retirement	22900	147700	584300
Retirement to 75	11600	74900	301300
75 and Over	8000	47200	197100

Older Residents

The resident population of Darlington as measured at the 2001 Census was 97,480. The ODPM 2003-based population projections for the period 2003-2021 indicate that the population is expected to increase, with the most marked increase among those aged 60-74 (38.7%) and those aged 75+ (28.4%). Research carried out by the Tees Valley Joint Strategy Unit (JSU) in 2005 (based on 2003 figures) expects that by 2021, the number of those aged 65 and over in Darlington will have increased by 29% from 19,300 in 2003 to 24,900 in 2021.

Table 2: Tees Valley JSU Population Trends

Age Group	Year					Darlington % Change		Tees Valley % Change	
	2003	2006	2011	2016	2021	03-11	03-21	03-11	03-21
0-14	18.3	17.7	16.9	16.4	16.1	-7.7	-12.0	-11.3	-17.1
15-24	11.2	11.7	11.7	11.0	10.4	4.5	-7.1	-2.1	-17.0
25-39	19.7	18.5	17.6	18.3	19.1	-10.7	-3.0	-13.4	-10.4
40-59	27.3	28.6	29.1	29.2	28.0	6.6	2.6	3.7	-5.7
60-74	13.7	14.3	16.3	17.4	19.0	19.0	38.7	13.8	31.4
75+	8.1	8.1	8.5	9.3	10.4	4.9	28.4	13.8	37.1
Total	98.2	98.9	100.1	101.6	102.9	1.9	4.8	-1.2	-2.1

According to research carried out by the Office for National Statistics (ONS), the number of older people living in private rented accommodation is more likely to increase with age; 72% of people in Great Britain aged 65-84 who live in private sector housing are owner-occupiers, compared to only 61% of people aged over 85 and over¹¹. Those who are owner-occupiers are also likely to have a relatively low income and are therefore likely to be unable to carry out repairs and maintenance, and will require some form of assistance. Non-decent housing conditions will impact on their health and wellbeing.

¹¹ Office for National Statistics (2004) *Focus on Older People*, online at <http://www.statistics.gov.uk/cci/nugget.asp?id=877> (November 2005)

Although older people are less likely to report problems with their housing, possibly due to not knowing what, if any assistance is available, the research also shows that 12% of older people said that their homes were too cold in winter. Older people are more likely to live in older housing, and to suffer the consequences of cold and damp through fuel poverty and poor housing conditions. The number of people without central heating also increases with age: in 2001, 93% of people in Britain aged between 50 and 64 had central heating, compared to only 86% of those aged 85 and over¹²

Among households that include older homeowners, some are more likely than others to live in non-decent housing¹³. The housing is more likely to be below standard where;

- Households contain someone aged 75 or above
- Households comprise people aged over 60 living alone, and where people have been living in the same property for over 30 years

The 'Lifetime Homes' concept was developed in the 1990's and considers the accessibility of dwellings for households throughout all stages in life. New building regulations introduced in 1999 stipulate that all newly built properties should take into consideration the 16 design features as set out in the 'Lifetime Homes' concept, that will add flexibility and make homes easy to adapt to people's life changes. The new specification is such that dwellings will remain appropriate to changing needs over time and should reduce the amount spent on Disabled Facilities Grants, used to adapt properties to make them more accessible.

Recent Housing Needs Assessment research carried out in Darlington as to the housing aspirations of older people overwhelmingly showed a desire to remain in their own homes with support; we must ensure that measures are put in place to meet their needs effectively, reducing the incidence of non-decency among older people's housing, which could impact significantly on health and wellbeing.

It is envisaged that this will have significant resource and service implication in the adaptation of older people's housing in order to meet their aspiration to remain independent in their own homes. Linkages will also need to be made with other key strategies; The Supporting People Strategy plans a gradual, low-level increase in older persons' housing support in line with the anticipated demographic change.

Older Persons Housing Strategy 2007

This Strategy has been developed to assist the Council with the needs and aspirations of older people living in the borough. Local demographic projections illustrate rapid increases in the older population in Darlington to 2021 which will pose significant challenges for local services. The private sector housing strategy embraces the health and well being agenda through targeted financial assistance to tackle non-decency for those members of the community deemed to be at most risk and vulnerable. A well established Home Improvement Agency offers independent advice and assistance alongside the provision of a Handyman service for small, low level repairs and improvements to offer greater security and reassurance.

¹² Office for National Statistics (2004) *Focus on Older People*, online at http://www.statistics.gov.uk/downloads/theme_compendia/foop/Olderpeople.pdf (December 2005)

¹³ DWP (2005) *Opportunity Age: opportunity and security throughout life*, vol. 2, online at http://www.dwp.gov.uk/opportunity_age/section_two.asp (June 2006)

15 Older Persons Housing Strategy 2006- Executive Summary of Darlington Borough Council Older Person's Housing Strategy 2007

Older customers with physical disabilities will continue to be supported in their homes through the provision of Disabled Facilities Grants to promote and support independence.

Equality and Diversity and Accessibility – Accessibility for all

Strategies and policies should ensure that all services are accessible to all and reflect the needs and requirements of all service users or potential service users. Consultation should also take place to ensure that the needs of all groups especially minority groups are taken into account. These requirements are a key component of Best Value. Consultation will continue in the development of service provision and delivery. There will also be an increasing focus on communicating and consulting with under represented groups in the community.

Household composition

Table 3: Household Composition

The Table below shows a breakdown of the types of household composition within Darlington.

Household Type	Darlington %	North East %	England %
Single Person	32.4	31.2	28.8
Couple (no children)	33.7	27.8	28.8
Couple (with dependent children)	16.3	21.4	22.8
Lone Parent (with dependent children)	5.9	7.1	6.5
Other Multi-Person Household	11.7	12.5	13.1

Source: 2005 HNS, 2004 ONS Regional Trends

Household projections by Household Type

Table 4 below shows national household projections by household composition for the period 2003-2026. This information is based on estimates made by the Department for Communities and Local Government in 2006 and indicates what would happen if past demographic changes continue.

The information shows that over the next 20 years it is expected that the number of married couples (with or without children) will decrease and the number of couples cohabiting (with or without children) will increase significantly. The most marked increase however, is in the number of people in single-person households (18.7%) between 2003 and 2026.

Although these figures show only the national perspective, it is expected that these trends will be replicated in Darlington and across the Tees Valley sub-region, leading to a major shift in household composition and thus on the housing needs and aspirations of the residents of the Borough. Future housing provision would need to reflect these changes and be considered in any future strategy. Further consideration of future need will be facilitated by the 2008/09 Stock Conditions Survey and will allow the Council to consider more closely what the implications of demographic change will have on future housing development, and what volume and type of housing will be required to address the needs of our residents.

Table 4: National Household Projections

Household Types	Number of Households			Average Annual Change
	2003	2021	2026	2003-2026
Married Couples	9,608,000	8,935,000	8,834,000	-34,000
Cohabiting Couples	1,867,000	3,148,000	3,358,000	65,000
Lone Parent	1,566,000	1,837,000	1,876,000	13,000
Other Multi-Person	1,416,000	1,698,000	1,759,000	15,000
One Person	6,477,000	9,164,000	9,886,000	150,000
All Households	20,904,000	24,781,000	25,713,000	209,000
Average Household Size	2.34	2.14	2.10	-

Housing Tenure

Table 5 below shows the type of housing tenure by ward for the Borough. It should be noted that there tends to be a much higher concentration of private rented accommodation in the Central (23.2%), Northgate (26.1%), North Road (14.4%), and Pierremont (17.2%) wards compared to the Borough average of 8.3%. Again, this information bears out the fact that private rented properties tend to be older, poorer quality housing, concentrated within the central core of the Borough.

Table 5: Housing Tenure by Ward

Ward Name	Tenure % Owner Occupied	Tenure % Rent from LA/HA	Tenure % Private Rent
Bank Top	65.7	18.2	14.1
Central	50.7	22.5	23.2
Cockerton East	77.0	19.6	1.8
Cockerton West	42.7	52.0	3.7
College	85.5	6.3	7.2
Eastbourne	61.4	33.2	4.2
Faverdale	97.0	0.9	1.7
Harrowgate Hill	89.9	4.3	4.7
Haughton East	55.0	40.5	2.9
Haughton North	79.5	17.5	2.1
Haughton West	73.8	21.4	3.5
Heighington and Coniscliffe	79.5	6.9	9.6
Hummersknott	89.8	8.0	1.0
Hurworth	84.0	7.7	5.4
Lascelles	57.9	33.2	7.7
Lingfield	71.2	24.5	2.8
Middleton St George	85.5	8.4	4.3
Mowden	93.9	4.3	2.1
North Road	59.5	23.9	14.4
Northgate	63.5	6.6	26.1
Park East	56.1	30.0	12.2
Park West	86.7	7.8	3.5
Pierremont	79.3	1.5	17.2
Sadberge and Whessoe	79.9	7.7	7.4
Darlington	71.7	18.1	8.3

Information taken from 2001 census

Housing Type and Age

Table 6 overleaf provides details of the types of houses in Darlington per ward. It should be noted that whilst there are wards which have a higher proportion of detached housing such as Faverdale (42.3%), Heighington and Coniscliffe (40.3%) and Hummersknott (41.7%) there are, conversely, areas where there is a much higher proliferation of terraced property such as Northgate (73.0%), Pierremont (72.2%), Bank Top (56.2%), Central (55.0%) and North Road (52.1%).

It is also interesting to note that there seems to be a direct correlation between the number of terraced properties in those wards mentioned above and the concentration of dwellings constructed prior to 1919; Northgate (83%), Pierremont (73%), Central (56%), Bank Top (55%) and North Road (39%) as shown in Table 7. These properties are situated within areas highlighted in the Stock Conditions Survey and the Inner Area Study as having higher than average concentrations of poor quality, non-decent housing. The Financial Assistance Policy introduced in 2007 embraced the new financial freedoms allowed under the Regulatory Reform Order 2002. The Financial Assistance Policy targets financial assistance at those wards identified as having the highest concentrations of non-decent private sector properties. Details of the full range of Financial Assistance available is discussed in more detail of page 31.

Table 6: Housing Type

Ward Name	House Types (% of Dwellings)				
	Detached	Semi-Detached	Terrace	Bungalow	Flat
Bank Top	1.5	15.9	56.2	5.1	21.3
Central	2.0	9.0	55.0	6.2	27.8
Cockerton East	10.6	64.0	9.6	9.9	5.8
Cockerton West	0.4	25.6	46.8	4.6	22.6
College	8.9	37.7	22.7	4.3	26.3
Eastbourne	3.1	60.0	21.7	5.9	9.3
Faverdale	42.3	46.6	5.0	2.6	3.6
Harrowgate Hill	13.3	55.0	25.7	4.5	1.5
Haughton East	11.3	28.2	37.1	10.3	13.1
Haughton North	28.3	34.4	12.7	14.7	10.0
Haughton West	19.6	38.5	24.6	8.3	9.0
Heighington and Coniscliffe	40.3	20.1	19.0	18.8	1.7
Hummersknott	41.7	31.6	1.5	13.0	12.2
Hurworth	25.0	24.1	20.5	22.8	7.5
Lascelles	6.5	29.9	46.6	6.6	10.4
Lingfield	1.8	55.2	22.0	11.2	9.8
Middleton St George	37.4	21.9	23.4	12.2	5.0
Mowden	20.7	50.4	1.3	17.0	10.6
North Road	9.5	14.4	52.1	1.8	22.2
Northgate	0.5	5.0	73.0	0.5	21.0
Park East	2.1	29.8	47.8	2.5	17.9
Park West	21.2	43.1	8.4	15.9	11.5
Pierremont	1.5	22.8	72.2	0.5	3.0
Sadberge and Whessoe	29.4	18.2	21.1	28.4	2.8
Darlington	13.2	32.7	33.4	8.2	12.5

Information from Tees Valley Joint Strategy Unit 2005

Table 7: Housing Age

Ward Name	Age of Housing (Construction Date)			
	% Pre 1919	% 1919 – 39	% 1945 – 72	% Post 1973
Bank Top	55	9	5	31
Central	56	9	9	26
Cockerton East	1	59	1	39
Cockerton West	3	2	82	12
College	31	35	11	23
Eastbourne	0	43	42	14
Faverdale	0	7	3	89
Harrowgate Hill	18	39	19	25
Haughton East	6	12	45	37
Haughton North	0	12	6	82
Haughton West	4	5	33	58
Heighington and Coniscliffe	27	8	34	31
Hummersknott	1	17	41	41
Hurworth	25	7	54	15
Lascelles	16	29	36	18
Lingfield	1	46	33	20
Middleton St George	19	7	25	49
Mowden	2	12	70	16
North Road	39	20	1	40
Northgate	83	2	1	13
Park East	37	19	32	12
Park West	18	50	20	12
Pierremont	73	24	0	2
Sadberge and Whessoe	32	15	32	21
Darlington	25	22	25	28

Information taken from Tees Valley Joint Strategy Unit 2006

Socio-Economic Circumstance

Table 8 overleaf details the average weekly and monthly earnings for Darlington residents, and the nature of their employment.

Research carried out in the 2005 Local Housing Assessment shows that almost half of households (49.1%) receive an income of less than £300 per week. 63% of all those renting privately had an income of less than £300 per week, highlighting the high numbers of vulnerable, low-income families relying on the private rented sector for accommodation.

Only 8% of those renting privately had a weekly income of more than £500. The report also highlighted that there was a relative lack of private rented accommodation for those in higher socio-economic groups. The table below considers the gross weekly and monthly income of all residents in the Borough.

Table 8: Household Incomes 2005

Gross Household Income		Darlington
Weekly	Monthly	% of Households
Under £100	Under £422	8.4%
£100 to under £200	£433 to under £867	21.8%
£200 to under £300	£867 to under £1,300	18.9%
£300 to under £400	£1,300 to under £1,773	14.6%
£400 to under £500	£1,733 to under £2,167	9.9%
£500 to under £600	£2,167 to under £2,600	7.4%
£600 to under £700	£2,600 to under £3,033	6.3%
£700 or more	£3,033 or more	12.7%
Total		100%

Source: 2005 HNS, 2004 ONS Regional Trends

According to the Financial Services Authority, for mortgage purposes a lender can typically borrow three and a half times the main earners income before tax, plus one times any second earner's income, or alternatively two and half times the joint income before tax¹⁴.

As Darlington property prices rose to an average of £129,978 in 2005/06 the aspiration of home ownership is still not attainable for many, regardless of location within the Borough. Calculations based on this information show that as a first time purchase, the average property in Darlington would be beyond the reach of approximately 67% of households.¹⁵

There are also significant demands on social housing. As of 1st April 2006 there were 2848 people on the waiting list and transfer list for Council housing. Increased tenant satisfaction with Council housing, largely due to the scale of capital investment, means that tenants are less likely to move into other tenure properties, and the on-going sales through Right to Buy has resulted in much fewer properties within the Council's stock. For many people within Darlington, privately rented accommodation is the only option. It is the responsibility of Darlington Borough Council to ensure that quality and decency is maintained across all tenures.

Rent Levels

The information overleaf at table 9 shows that average year on year rental levels for each of the Tees Valley authorities. These figures are based on the Local Reference Rent, which reflects the midpoint of the range of all rents for all types of properties within the same locality¹⁶.

¹⁴ Information from www.fsa.gov.uk

¹⁵ Calculation based on average property price of £129,978 with a 10% deposit on a 25 year standard variable rate mortgage based on 3 ½ times gross average income per household

¹⁶ Information gathered from Rent Officer Valuation Reports 2001/02 – 2004/05, available from http://www.therentservice.gov.uk/documents/corporate_publications/TRS-Valuation-Report-BM.pdf

The cost of privately renting in Darlington rose between 2001 and 2005 by 19%, compared to 11% in Hartlepool, 9% in Middlesbrough, 11% in Redcar and Cleveland and 14% in Stockton. This now makes Darlington on average the most expensive place to rent privately within the Tees Valley.

Table 9: Comparative Private Sector Rent Levels

Authority	2003/04	2004/05	2005/06	2006/07
Darlington	79.49	85.10	85.12	86.25
Hartlepool	74.28	76.51	83.75	84.06
Middlesbrough	74.60	77.34	87.50	89.06
Redcar & Cleveland	73.10	79.07	85.94	88.44
Stockton on Tees	79.67	84.44	92.81	93.75

Information taken from Rent Officer Valuation Reports 2003/04 – 2006/07

At the current average rent levels for Darlington, and based on the assumption that rental should not exceed a third of a households gross income, privately renting would be unaffordable for around 40% of Darlington residents if Housing Benefit were not available to them.

Disability and Long Term Ill Health

Table 10 overleaf shows the percentage of those within the Borough who have a limiting and long-term health problem. Attendance Allowance (AA) and Disability Living Allowance Care Component (DLA) are benefits for people who suffer from such disability that they require care or help with their day-to-day lives.

DLA can be claimed by people of all ages, whilst people aged over 65 making their first claim can only receive AA. The percentage of the total population receiving AA or DLA is shown. Incapacity Benefit (IB) or Severe Disablement Allowance is paid to people who are incapable of work due to illness or disability. The percentage of the total population claiming either IB or SDA is also shown.

Table 10: Disability and Long Term Health Data

Ward Name	People Needing Care (AA or DLA) %	People Incapable of Work (IB or SDA) %
Bank Top	14.8	14.2
Central	20.2	21.4
Cockerton East	9.2	7.0
Cockerton West	18.8	16.3
College	6.1	5.6
Eastbourne	13.6	11.9
Faverdale	5.0	4.4
Harrowgate Hill	7.1	5.9
Haughton East	14.8	13.0
Haughton North	9.7	8.0
Haughton West	11.3	8.2
Heighington and Coniscliffe	5.6	4.8
Hummersknott	5.7	4.6
Hurworth	8.2	7.2
Lascelles	13.5	13.9
Lingfield	12.7	10.8
Middleton St George	6.9	6.4

Ward Name	People Needing Care (AA or DLA) %	People Incapable of Work (IB or SDA) %
Mowden	5.0	5.4
North Road	12.2	12.4
Northgate	11.9	13.1
Park East	13.8	12.1
Park West	7.0	6.7
Pierremont	8.4	7.9
Sadberge and Whessoe	5.6	6.4
Darlington	10.5	9.7

Information taken from Tees Valley Joint Strategy Unit 2006

Those with long term and limiting illnesses or disabilities are at a higher risk from poor conditions within the private sector, with the onset and exacerbation of health problems due to non-decent accommodation a particular cause for concern. Many may also find that their properties are not appropriate for their needs and require adaptation to make them more suitable.

Chapter Five - Licensing and Enforcement Issues

The measures introduced by the 2004 Housing Act provided local authorities with wider powers to protect the most vulnerable people living in our community through licensing and enforcement procedures.

Mandatory Licensing

In Darlington there are currently 300 Houses in Multiple Occupation (HMO)¹⁷. These are properties where facilities are shared by a number of households and are likely to provide low-cost, single person accommodation. In the main, HMOs tend to be older, larger properties, which gives rise to a number of issues surrounding housing conditions, fire safety concerns and decency standards. Over a third of HMOs (118) are located in the Northgate ward.

The 2004 Housing Act introduced mandatory licensing for certain types of HMO. Such licensing will aim to ensure that standards of accommodation and management practices within HMOs are raised to a decent level in order to protect the interests of vulnerable residents. The legislation applies only to properties that are over 3 storeys in height and have five or more households in occupation. A license fee for such properties applies. Current fees are set at a £750 deposit followed by a supplement of £250 per room for those landlords who have signed up to the Landlord Accreditation Scheme and £300 per room for those who are not members. 25 HMO's were identified as falling within the guidelines of the legislation and these have now been licensed. Fees collected from this scheme have been recycled in order to finance additional staffing resources within the Housing Renewal Team. On-going work is taking place to identify further HMO's and the total figure may increase to around 30 properties.

The number of properties requiring a mandatory license is smaller than initially considered. This is due to a number of factors. Some landlords of HMOs have reduced the capacity of the property to ensure occupation is under 5 households, others have reconfigured or adapted their properties to reduce the number of households able to occupy, thus avoiding the need for mandatory licensing. In some cases landlords are leaving the HMO housing market entirely. Buildings containing only self contained flats and complying with Building Regulations do not need a HMO licence.

Mandatory licensing has been generally accepted very well by landlords and both landlords and the authority see it a positive step to improving property standards and identifying other landlords who are not complying with legislation.

Additional and Selective Licensing

As part of the 2004 Housing Act, the option of introducing additional licensing for properties which do not fall within the guidelines for mandatory licensing but were seen as presenting a high risk were introduced, along with selective licensing powers to address issues of low demand and anti-social behaviour within the private rented sector. The Government has a strict criteria to meet before permission is granted for selective licensing. It is felt that it is unlikely that such prescriptive criteria are likely to apply to areas of private sector housing in Darlington.

It is expected that any further licensing arrangements will have significant resource implications. Darlington has considered the implications of selective licensing and will not be pursuing selective licensing unless circumstances change in the future.

¹⁷ A full definition of a House in Multiple Occupation is available in appendix 1, page 31

Housing Health and Safety Rating System

In April 2006, the Housing Health and Safety Rating System (HHSRS) replaced the Housing Fitness Standard as set out in the 1985 Housing Act as the new tool in assessing the level of potential risks to the health and safety of occupants in residential properties.

The assessment considers the hazards that are most likely to be present in housing, the likelihood of an incident arising from the condition of a property and the likely harmful outcome¹⁸. Properties will be inspected by Housing Renewal Officers and assessed against 29 potential hazards. If a hazard is found by the inspecting officer, two tests must be applied:

- What is the likelihood of a dangerous occurrence as a result of the hazard?
- If there is a dangerous occurrence, what would the likely outcome be?

The likelihood and severity of the outcome are based on a number of factors considered during a survey and combine to generate a hazard score. Hazard scores are divided into 10 bands; band A is the most hazardous possible outcome and band J the least. Hazards which fall into bands A to C are classified as Category One Hazards and those which fall into bands D to J classified as Category Two. The local authority has a duty to take appropriate action where a category one hazard exists and discretionary power to act where a category two hazard has been identified. Darlington has chosen to take action where a Category 2 hazard exists and poses a risk to an occupier's health and safety. If it is considered the most appropriate course of action the local authority can implement any of the following

- a. Serve an improvement notice requiring remedial works (this is the most likely course of action)
- b. Make a prohibition order, which closes the whole or part of a dwelling or restricts the number of permitted occupants
- c. Serve a Hazard Awareness Notice
- d. Take emergency remedial action
- e. Make an Emergency Prohibition Order
- f. Make a Demolition Order
- g. Include the property in a clearance area

The length of time for completion of the works depends on the local authority but unless the hazard is assessed as needing emergency remedial work, the owner cannot be made to begin work earlier than 28 days. An emergency would constitute a serious hazard and, in the authority's opinion, an imminent risk of serious harm to the occupiers. The authority may impose fines of up to £5000 against any owner, landlord or managing agent who fails to comply with a statutory notice. Although in most circumstances the Council would carry out the repairs on behalf of the landlord or property owner and recharge for the work undertaken. officer time charges undertaking the work is also recovered by the Council in most circumstances.

The powers granted to the Council through the HHSRS allow for non-decent properties to be targeted and brought up to standard through enforcement action. This will improve housing conditions for those within the private sector and ensure that targets to increase the number of vulnerable households living in decent accommodation are met. It is however important to note that the decent standard is not an enforceable standard and only certain components of the standard can be enforced by the Council.

¹⁸ Information for Residents and Landlords on HHSRS available from <http://www.communities.gov.uk/index.asp?id=1164487>

A number of legal notices were served during 2006/7 under the Housing Act 2004 and this resulted in several properties being improved. Numbers of legal notices served are expected to rise during 2007/8 with further improvements being carried out to properties. This highlights that the provisions of the Housing Act 2004 have been successfully implemented and that the provisions are being used to improve housing conditions in Darlington.

Self Regulation

Of key importance to local authorities is to the need to encourage landlords to self-regulate. This is being carried out in Darlington by the success of the Landlord Accreditation Scheme and Landlords Forum. Both of these encourage landlords to improve their tenancy management, improve property conditions, improve fire safety and importantly help reduce antisocial behaviour. This in turn reduces the role of the local authority in carrying out formal enforcement activities.

Better Regulation

The Government announced in the Budget in 2005 that it would be setting up a Better Regulation Commission. The Commission has been set up to reduce unnecessary regulatory and administrative burdens both in the public, private and voluntary sectors. Regulation carried out by local authorities should be proportionate, accountable, consistent, transparent and targeted. These requirements have been adopted in private sector housing enforcement procedures and the Council is signed up the Governments Enforcement Concordat. Any subsequent review and changes will be adopted and implemented.

Empty Properties

The Housing Act 2004 introduced new measures for Local Authorities to tackle the problems posed by empty properties within the private sector. Properties left unoccupied for long periods of time can have a damaging effect on the environment and can devalue surrounding properties, leading to neighbourhood decline and anti-social behaviour. They also represent a lost opportunity for areas where demand for housing is high and housing supply is inadequate¹⁹. There were 373 empty private sector properties in the borough on the 31st March 2007 and work is ongoing to reduce this number further. During 2006/7 the Housing Renewal Team assisted property owners to sell or rent 75 properties and removed these properties from the empty property lists.

Empty Dwelling Management Orders (EDMOs) differ from Compulsory Purchase Orders in that they require Local Authorities to work in partnership with the landlord to bring the property back to a habitable standard and to make it available for rent.

¹⁹ Information on EDMOs from

http://www.communities.gov.uk/pub/997/EmptyDwellingManagementOrdersGuidanceforresidentialpropertyowners_id1503997.pdf

Housing Investment Program (HIP) 2007

Any case where a Council wishes to impose an EDMO must be brought before an Independent Residential Property Tribunal, who will then ascertain whether the authority has grounds for imposing the order and whether it has been empty for at least 6 months, although in many cases it will involve properties that have been empty for a number of years), whether there is a reasonable likelihood that the property will be brought back to a habitable standard by the owner without the intervention of the authority and whether the Council will be able to ensure that the property will become occupied once the EDMO has been granted. EDMOs do not apply where

- a property is going through probate or where probate has been obtained within the last 6 months
- a property is a person's main home but they are currently elsewhere, i.e. working away or being cared for in a residential care home
- a property is a second home
- a property is in the process of being sold or let

In the adoption of these powers, certain issues need close consideration, not least the actual management of the properties once an EDMO has been made. It is considered that the adoption of EDMOs would be resource intensive and would require the appointment of a managing agent. A managing agent is currently being considered by the local authorities within the sub region and one should be appointed in 2008.

EDMO's may be considered in the future but it is considered that for the foreseeable future the problem of empty properties can be tackled through other available regulatory powers and the promotion of financial assistance for private landlords, to enable them to bring the properties up to a decent standard and let them to private tenants under the prescriptions of the Council's Financial Assistance policy. Further information about the policy is available on page 31.

Chapter Six - Private Landlords

Landlord Accreditation Scheme.

Darlington Landlord's Accreditation scheme was launched in February 2006 with the intention of improving relationships between private landlords and the local authority and improving housing conditions within the private sector. It aims to benefit both landlord and tenant by giving recognition to landlords whose properties are well maintained and managed, and confidence to tenants that accommodation, facilities and any furniture provided will meet set standards of health and safety. In order to achieve accredited status, landlords are required to meet management and property standards as set out in a Code of Standards²⁰ and to undergo a property inspection to ascertain condition.

To date, 46 landlords have attained accreditation through the scheme, with a total of 401 properties within the Borough. A further 200 landlords have requested information on the scheme and its benefits, with a view to becoming accredited. Incentives available to landlords under the accreditation scheme include a direct line contact with the Housing Benefit Service in order to resolve difficulties in benefit processing and a model tenancy agreement.

It is envisaged that by building better relationships with private landlords, incentivising the Landlord Accreditation scheme and engaging landlords in consultation through the quarterly Landlord's Forums and regular newsletters, conditions within the private sector will be improved. The Landlord Accreditation scheme continues to be successful and popular with landlords and tenants and publicity about joining the scheme will continue.

Landlords Forum

Since the launch of the Landlord Forum in February 2006 there have been eight forum events attended by several hundred landlords. The events are very popular with landlords and a large number of different speakers have attended including Communities and Local Government to provide both advice and training. The Darlington Private Landlords Forum is regarded very highly by other local authorities and many neighbouring authorities have attended Forum events and are seeking to mirror Darlington's approach to private landlord engagement. A Landlords Forum survey carried out in October 2007 highlighted very high satisfaction levels with the quality and content of the forums. The forum events will continue in the future and focus on topical issues which are deemed to be of most interest to private landlords.

Landlord Newsletters

The Housing Renewal Team also produce a quarterly newsletter for landlords. The newsletter provides landlords with useful information such as updates in housing legislation and other landlord and property focussed information. The newsletters have been very popular with landlords and are an excellent way of consulting with landlords.

²⁰ The Code of Standards for Landlord Accreditation is available from the Housing Renewal Team of Darlington Borough Council and is also available on the internet at www.darlington.gov.uk. This Code of Standards is due to be reviewed in November 2006.

Consultation Undertaken

Private Landlord Questionnaire

As part of the development of this strategy, extensive consultation was carried out with landlords who have private properties for rent in Darlington. A questionnaire was sent to landlords with the aim of raising awareness of issues brought about by the 2004 Housing Act and also of finding out how landlords felt about these changes. 130 responses were received, providing a comprehensive view of the issues facing private landlords in the light of new legislation arising from the Housing Act.

When asked whether they were aware of changes to legislation surrounding the improvement of private sector accommodation, most of the landlords questioned had some knowledge of these changes but felt that further guidance from the local authority was required on what their responsibilities would be. A number of landlords were concerned about levels of bureaucracy involved, with one even suggesting that this would lead some landlords with a minimal property portfolio to sell up, thus reducing the overall stock available. It was widely acknowledged however, that poor dwelling conditions and management standards within the private sector should be tackled, with bad landlords incurring penalties. Many landlords questioned suggested property inspections and monitoring by the local authority would remedy issues of unfitness, and some that awareness should be further raised with tenants as to what enforcement action can be taken against landlords who do not raise the standard of their accommodation to an appropriate level.

A large number of the landlords who responded said that financial assistance from the local authority should be made available to private landlords, in the form of grants and loans in order for them to improve dwelling conditions. Financial assistance was also seen as a positive step in encouraging landlords to improve energy efficiency within their properties in order to meet set minimum standards.

The subject of the return to use of empty dwellings through Empty Property Management Orders (EDMOs) provoked a mixed response from landlords. Some were supportive of the idea that the local authority could step in to take over management of the property, improve standards and bring it back to use. Others were vehemently against what they saw as the Council's interference in their business. They argued that they should not be forced into compliance with these regulations and that they should be free to do whatever they wish with their properties as long as they are in a decent condition.

Many landlords felt that the introduction of mandatory licensing for Houses in Multiple Occupation was a positive step in improving dwelling conditions and management standards. When asked their opinions on the licensing of properties beyond these mandatory measures, some landlords felt that this would impose undue pressure on the sector and felt again, that bureaucracy and perceived interference would lead many landlords to sell their properties, leading to a shortage within the Borough. Many of those questioned felt that while the relationship between the Council and private landlords was being greatly enhanced through the introduction of the quarterly Landlords' Forum and regular newsletters, more information should be available to them on prospective tenants to reduce the incidence of failed tenancies through rent arrears and damage to their properties.

Private Landlords Forum

The Private Landlords Forum held quarterly continues to be extremely well attended with in excess of 50 private landlords regularly attending. The agenda for the Forum meetings is agreed with the Private Landlords to ensure the Council continue to meet the requirements of local private landlords and that each Forum event is informative and interesting.

Agenda items have been diverse, including housing benefits, household insurance, Housing Options Service, energy efficiency, local housing allowances and Choice based lettings to name a few. The Forum has also been privileged to receive representation from Communities and Local Government who have advised private landlords of the new arrangements for rent deposit schemes. Forum events are publicised through targeted flyers, articles in “Hot News” (Darlington’s local Council magazine), engagement with private landlords through day to day advice and assistance and through the media. The Forum events have also been attended by neighbouring local authorities within the region who seek to establish their own private landlord Forum events while sharing best practice and working in partnership towards common objectives.

Holistic Private Sector Service

The Private Sector Renewal team operate in an integrated way that ensures joint working with other key Council departments such as Planning, Environmental Health, Adult Services, Supporting People and the Housing Options team. This close partnership working is extended to include key stakeholder partners in the voluntary and social housing sectors to deliver positive tailored outcomes to meet individual needs. Collective responses and actions are agreed with all partner departments, and external agencies to achieve positive long term sustainable solutions. Under represented community groups such as the gay, lesbian and transgender local group have been engaged, and, private sector services planned and provided around specific community requirements in partnership and consultation with them. Dedicated surgeries and workshop events are now planned within community settings increasing accessibility, to provide reassurance, and increase confidence in the service the Council delivers.

New Rent Deposit Scheme

A new rent deposit scheme is planned in partnership with the 700 Club (local voluntary sector organisation who represent the interests of local homeless people), alongside the Private Landlord accreditation scheme, Supporting People and the Housing Options service for early 2009. This will replace the existing rent bond scheme, embrace the new legislative requirements, provide enhanced “value for money”, and, achieve voluntary sector leverage of £5,000 alongside Council funding of up to £10,000 supported through the annual Homelessness grant from Communities and Local Government. The scheme will deliver measurable improvements to the quality of life and well being of vulnerable disadvantaged local people living in poor housing conditions and contribute to the homelessness preventative agenda.

Chapter Seven - Financial Assistance Policy

The Regulatory Reform (Housing Assistance) Order (England and Wales) 2002 granted Local Authorities far more flexibility in the delivery of housing renewal assistance, enabling them to take a more localised approach to tackling problems within their own authority areas. The order removed detailed provisions governing housing renewal grants and broadened authorities' powers to provide more cost-effective solutions such as loans. It is this course of action that Darlington Borough Council has taken. This will enable the authority to help those within the private sector to make improvements to their own homes, bringing them up to a decent standard as set out in the Decent Homes Guidance published in 2006 and to meet the minimum legal standard for housing as set out under the regulations of the Housing Health and Safety rating system.

For those authorities intending to implement these new powers there are certain legislative requirements that must be adhered to. The authority must:

- Publish a policy, setting out how they intend to use the new powers
- Consider each applicant's ability to afford the repayments of any loan for housing renewal assistance
- Ensure that any person receiving assistance is aware of the financial commitment that they are undertaking by providing written terms and conditions under which assistance will be given
- Undertake to confirm that the owner of the property being repaired gives their consent to any assisted works (in cases where a tenant of a rented property applies for assistance)
- Give notice if it varies the assistance or works

In 2006 Darlington Borough Council reviewed and developed a new Financial Assistance Policy within the guidelines of this legislation. The new loans based scheme will be administered on behalf of the authority by the Home Improvement Agency, Care and Repair Darlington. The service is monitored, and, performance assessed in accordance with a Service Level Agreement between the Home Improvement Agency and the local Primary Care Trust, Adult Services and Housing Services. The Policy was developed in partnership with Private Landlords, Darlington Building Society, Citizens Advice Bureau and the Home Improvement Agency. Information on each of the types of assistance available is provided below. The Home Improvement Agency supply detailed information on customers accessing the service, any private financial contributions made towards improvements, and, the nature and scope of adaptations undertaken. This customer profile information is used to inform future service planning. The Council is purchasing dedicated Geographical Information Software (GIS) in 2008 to assist with this "mapping" process.

Unfortunately, due to a change in national policy and the publication of the Housing Green Paper in July 2007, there has been a shift in focus towards the increased supply of affordable housing which has reduced funding allocations through the Regional Housing Board for private sector housing within Single Housing Investment Programme funding (SHIP3) 2008-11. As a result, local authorities have had to explore more innovative solutions to tackling non-decency in private sector housing and maximising inward investment through private sector leverage.

Disabled Facilities Grants (DFG's)

DFG's are given towards the cost of providing adaptations or facilities to enable a disabled person to continue living in a property.

The 2002 Order altered the regulation surrounding Disabled Facilities Grants, extending qualification for assistance to those living in houseboats or park homes. Also, parents of disabled children who are applying for DFGs will no longer have to undergo a means test as part of the application procedure. Otherwise the system for making Mandatory Disabled Facilities Grants remains the same²¹.

The maximum amount payable is £25,000 in respect of each individual DFG. Unless the case involves a disabled child a means test will take place to find out whether they have resources of their own that could be used for any adaptations or provision of facilities. Households of any tenure can apply for a DFG. The main purposes set out in the Housing Act 1996 for which a DFG can be granted are detailed below

- Facilitating access to the property
- Making a dwelling or building safe
- To provide a room useable for sleeping
- To facilitate access to a WC and bathing facilities
- To facilitate the preparation and cooking of food
- Heating, lighting and power
- Adaptations to common parts of a dwelling.

An assessment will be made by an Occupational Therapist and then appropriate recommendations will be made to Care and Repair Darlington. All clients will be handled through a waiting list process, unless they are deemed by the Adult Services division of Community Services or Children's Services as meeting the fast track criteria. Common Disabled Facilities Grants works such as stairlifts and ramps have been the subject of joint sub-regional procurement processes to achieve greater value for money and ensure a consistent quality product. In December 2007, Darlington successfully bid for additional Disabled Facilities Grant resource and secured £25,000 from Government Office for the North East (GONE) over and above the originally allocated budget.

Disabled Facilities Discretionary Top-Up Assistance

The maximum funding available under this financial assistance package is £10,000. The aim of the Disabled Facilities Discretionary Top-Up Assistance is to help to provide any facilities or adaptations that have been identified as part of the DFG process but for those people for whom the cost of work needed is more than the maximum of £25,000 available under the DFG scheme. Applicants will be required to go through a means testing process. The extra monies provided by this loan will 'top-up' the Disabled Facilities Grant. Again, this assistance is available through a waiting list process unless the applicant is deemed as meeting fast-track criteria.

Priority Area Decent Homes Package

The priority areas defined for the purposes of the financial assistance policy are the wards of Northgate, North Road, Central and Bank Top. All owner-occupiers within these wards can apply for the Priority Decent Homes Package, but only if they are to continue living in the property. The purpose of this financial assistance package is to increase levels of decent private sector houses in these areas where stock conditions

²¹ The key legislation that governs the provision of Disabled Facilities Grants is contained within the Housing Act 1996 (Housing Grants, Construction and Regeneration Act 1996) – the full Act is available from <http://www.opsi.gov.uk/acts/acts1996/1996053.htm>

have been identified as being problematic. The Government Definition of a decent home is detailed in Chapter One of this strategy.

The maximum amount available under the scheme is £20,000 as a combination of 75% financial assistance loan and 25% normal repayment loan over a period of up to 15 years. A 'financial assistance loan' is one where the loan amount plus interest is not repayable until the property is sold. Average loan amounts are expected to be £10,000

Non Priority Area Decent Homes Package

Funding of up to £20,000 available to top up applicants' identified resources, on the basis of 100% loan, repayable over a period of up to 15 years, for dwellings and applicants who are not vulnerable and do not live in priority areas. This funding is aimed at ensuring a dwelling is wind and watertight and is free of any Category 1 and 2 Hazards as defined in the Housing, Health and Safety Rating System as outlined in the Housing Act 2004, and meets Decent Homes Standards,

Emergency Assistance

Available to people with very limited resources throughout the Borough, with funding of up to £10,000 available on the basis of 100% financial assistance loan. This funding is aimed at ensuring a dwelling is wind and watertight and is free of any Category 1 Hazards as defined in the Housing, Health and Safety Rating System as outlined in the Housing Act 2004.

The Emergency Assistance package is available to those people who are defined as vulnerable by the Decent Homes guidance 2006 in order to bring their homes up to a decent standard²²

Landlord Assistance

Recognising the important strategic role that Private Sector rented accommodation will play in delivering appropriate responses to housing needs in the future, financial assistance to meet decent homes standards within priority areas will be available to those private landlords who are members of the Landlord Accreditation Scheme. Funding of up to £20,000 will be available on a 100% loan basis, repayable over a period of up to 15 years.

The Financial Assistance Policy was reviewed in September 2007 to increase demand for the service and ensure that more residents would be able to access and qualify for financial assistance. Interest rate levels were reduced to 2% from Bank of England Base rates and repayable periods for the loans were increased from 5 years to 15 years.

²²Decent Homes Implementation Guidance 2006 available from http://www.communities.gov.uk/pub/191/ADecentHomeDefinitionandguidanceforimplementationJune2006update_id1152191.pdf

Appendix 1

Houses in Multiple Occupation (Definition)

A House in Multiple Occupation, or HMO is a building, or part of a building (e.g. a flat), which;

- Is occupied by more than one household and in which more than one household shares an amenity (or the building lacks an amenity) such as a bathroom, toilet or cooking facilities; or
- Is occupied by more than one household and which is a converted building which does not entirely comprise self contained flats (whether or not there is also a sharing or lack of amenities); or
- Comprises entirely of converted self contained flats and the standard of conversion does not meet, at a minimum, that required by the 1991 Building Regulation and more than one third of the flats are occupied under short tenancies

And is occupied by more than one household:

- As their only or main residence; or
- As a refuge for people escaping domestic violence; or
- During term-time by students; or
- For some other purpose that is prescribed in regulations

And the household comprises:

- Families (including foster children or children being cared for) and current domestic employees
- Single persons
- Co-habiting couples (whether or not of the opposite sex)

Action Plan

Appendix 2

Action and Outcome	Targets and Milestones	Resources	Progress	Officer
Commission a Private Sector Stock Conditions Survey, which will provide the evidence base we need to consider longer-term strategic aims	Invite submissions to tender	75k from within Capital Programme	Tender documentation to be sent out by March 2008	Housing Strategy and Renewals Manager
	Commission survey	-	Survey commissioned by May 2008	Housing Strategy and Renewals Manager
	Final report available	-	September 2008	Housing Strategy and Renewals Manager
Review and appraise the Financial Assistance Policy	Advertising campaign to make residents aware of financial assistance policy	Existing Resources	New information campaign about FAP to be carried out February 2008.	Housing Renewal Manager
	Ensure private landlords are aware of financial assistance available to bring properties up to habitable standard	Existing Resources	Continual publicity, newsletters and posters to be produced annually	Housing Renewal Team
	Monitor the take up of Financial Assistance Policy by members of BME community	Existing Resources	Monitoring to take place by March 2009	Housing Strategy Officer
	Ensure that older people are aware of financial assistance available	Existing Resources	Targeted promotional campaigns to be scheduled throughout 2008-09.	Housing Renewal Manager.
Monitor performance of Housing Renewal Service against key National Indicators, best performing authorities and Tees Valley Partners	Monitor service against National Indicators quarterly	Existing Resources	Quarterly	Housing Renewal Manager
Consult and engage with service users to ensure that they have a role in formulating and reviewing the new policy and strategy	Attend Community Partnership Meetings	Existing Resources	Quarterly	Housing Renewal Manager
Impact assess any new strategy to ensure that it is accessible to, and meets the needs of all of our residents, regardless of their ethnicity, age, disability or vulnerability	Impact assessment to take place before the new Private Sector Housing Renewal Strategy is published	Existing Resources	Impact assessment to be completed by May 2008.	Housing Strategy Officer
Adopt the principles and values of the Housing Green Paper	Review Housing Renewal Strategy to ensure compliance	Existing Resources	December 2008	Housing Strategy Officer
Promote and assist in the bid for Growth Area status	Provide necessary resources to support bid	Existing Resources	April 2008	Housing Strategy and Renewals Manager

Action and Outcome	Targets and Milestones	Resources	Progress	Officer/Partner
Develop formalised policies and procedures, ensuring that we have appropriate and accessible public documents	Electronic policy documents developed and available on the internet	Existing Resources	Documents available on Council website by April 2008	Housing Strategy Officer
Promote the work undertaken, ensuring that all information available to the public is up to date, relevant and accessible	Review website information bi-annually to ensure that it is up to date and appropriate	Existing Resources	Information to be available on the internet by April 2008 – this will be reviewed bi-annually	Housing Strategy Officer
	Review customer information leaflets	Existing Resources	Leaflets printed and available to the public by June 2008	Housing Renewal Manager
Examine best practice approaches to ensure equality of access for all customers within the community and ensure that their needs are met through the Private Sector Housing Renewal Strategy	Plan and deliver services in accordance with the local customer profile and develop the strategy to meet specific community needs.	Existing Resources	Identify any specific community groups currently disengaged, through coordinated local research and consultation.	Housing Strategy Officer
Further develop good relationships with private sector landlords	Provide and promote 3 landlord forum events and 2 landlord newsletter per annum	Existing Resources	Quarterly progress monitored	Housing Renewal Manager and forum members
	Continue to encourage landlords to become accredited. Review Landlord accreditation scheme.	Existing Resources	Options for further incentives to be explored by July 2008	Housing Renewal Manager
Sub regional empty property strategy	Assist in the development of the sub regional empty property strategy	Existing Resources	April 2008	Housing Renewal Manager and Tees Valley partners
Sub regional financial assistance policy	Assist in the development of the sub regional financial assistance	Existing Resources	Quarterly	Housing Renewal Manager and regional partners
Older person housing strategy	Ensure that the principles of the Older persons strategy are adopted in all housing renewal activities	Existing Resources	Quarterly	Housing Strategy Officer
Enforcement and legislation	Ensure that the enforcement procedures and legislation are reviewed and updated to meet change and service requirements	Existing Resources	Quarterly	Housing Renewal Manager and Tees Valley partners.

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Housing Green Paper 2007 – Homes for The Future

Tees Valley Sub Regional Housing Strategy 2007

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