



Housing Renewal Area Policy

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1. Introduction

- 1.1 This policy sets out how Aberdeenshire Council proposes to deal with sub-standard¹ housing. It ensures that Aberdeenshire Council meets the requirements of Section 10 of the Housing (Scotland) Act 2006 which requires local authorities to set out a policy for how it will identify parts of its area for designation as a Housing Renewal Area.
- 1.2 This policy links with Aberdeenshire Council's wider Scheme of Assistance and Below Tolerable Standard Policy of encouraging homeowners to take responsibility for the repairs and maintenance of their homes.

2. Background

- 2.1 Primary responsibility for repairs and maintenance of homes rests with the owner. In Aberdeenshire over 81% of the housing stock is owner occupied or privately rented. Inevitably some of these homes will fall into disrepair through inadequate maintenance regimes. The Scottish House Conditions Survey 2015-17 reported 38% of housing stock in Aberdeenshire to be in disrepair. Local Authorities have a number of powers to address poor quality housing, the designation of a Housing Renewal Area is one of these powers.

3. Strategic Outcome

- 3.1 The Aberdeenshire Local Housing Strategy 2018-2023 sets out our key housing plans. This policy links to the Local Housing Strategy and will assist in delivering the outcome

“The quality of private sector housing is maintained and improved to promote health and wellbeing by addressing disrepair and enhancing energy efficiency “.

¹ Sub-standard housing is defined in Section 68 Housing (Scotland) Act 2006.

4. Lifespan of policy

- 4.1 The Housing Renewal Area policy forms part of the Local Housing Strategy 2018 - 2023. The delivery of the strategy will be measured by the performance indicators included under each priority in the strategy. These are reported annually to Communities Committee and to Area Committees.
- 4.2 The Housing Renewal Area policy has been approved by Communities Committee on the 1st April 2021 and will be reviewed in 2024. If significant changes are made, the policy will be submitted to Communities Committee for further approval.

5. Policy Statement

The Housing (Scotland) Act 2006 stipulates that local authorities can designate Housing Renewal Areas to improve the quality of private sector housing.

Aberdeenshire Council will consider using these powers if:

- There is a significant number of sub-standard housing; **and/or**
- The appearance or condition of the housing is adversely affecting the area; **and**
- It is believed to be the most appropriate action to take to address these issues.

Supplementary Guidance

6. Criteria for determining a Housing Renewal Area

6.1 A Local Authority can designate a Housing Renewal Area when it considers:

- A significant number of houses in a locality are sub-standard; **and/or**
- The appearance or state of repair of any house in the locality is adversely affecting the area; **and**
- Officers believe it to be the most appropriate action to take to address these issues.

6.2 For the purposes of this policy, a “significant number” will be determined on a case by case basis, but would generally mean an individual property or a number of properties within the area under discussion that has been identified as sub-standard or where the state of repair or appearance of the properties is/are affecting the quality of the neighborhood. Aberdeenshire Council's criteria for determining a Housing Renewal Area will also include:

- The views of residents and other interested parties
- Complaints relative to public health and/or housing
- The level of below tolerable standard housing
- The level and condition of disrepair
- The level of empty homes
- Evidence of increased antisocial or criminal behavior
- The impact of taking no action to address this

6.3 Where individual houses are sub-standard, we will adopt a proactive approach and engage with owners to encourage them to take responsibility for the repairs and maintenance of their home. Information, advice, and practical assistance will be offered through the Scheme of Assistance to facilitate repairs or engagement with the Empty Homes Officer. If this fails, we will consider enforcement action through the use of Work Notices or Maintenance Orders. Enforcement powers will only be used when all other avenues have been explored.

7. Identification of Housing Renewal Areas

7.1 According to the Scottish Housing Conditions Survey (SHCS), the level of Sub-standard privately-owned properties across Aberdeenshire is relatively low (2%). The table below details the findings from the SHCS last 3 surveys for Aberdeenshire as well as the Scottish average. It should be noted that the SHCS is a continuous sample survey and measurements only relate to occupied housing. The sample sets for the only represent around 0.23% of Aberdeenshire's housing stock.

SHCS	2014-16	2015-17	2017-19	Scottish Average
Rising Damp	6%	1%	3%	3%
Disrepair	61%	59%	58%	71%
Urgent Disrepair	30%	30%	23%	28%
Extensive Disrepair	4%	5%	5%	6%
Critical Repair	39%	38%	18%	20%
BTS	5%	4%	2%	2%

7.2 We believe that there are not a substantial number of sub-standard houses or houses in a state of serious disrepair in any localised area to warrant declaring a Housing Renewal Area within Aberdeenshire. However, this will be monitored, and the position may change depending on if it is felt that this is no longer an accurate reflection of the situation.

7.3 Our approach will be proactive, and evidence led. Any assessment of a potential Housing Renewal Area will be led by the Private Sector Housing Team with support from Environmental Health, Building Standards, and any other relevant service.

7.4 Triggers that warrant further investigation of a potential Housing Renewal Areas will include:

- Complaints/Concerns received by Housing, Environmental Health, Building Standards, Planning, or other Council Service.
- Evidence of relevant issues (e.g., substandard condition of housing or amenity areas)
- Locally collected data relating to house conditions (e.g., Below Tolerable Standard data, Scottish House Condition Survey etc.)
- Locally collected data in relation to empty homes
- Areas that council officers or partner organisations have identified as having high concentration of substandard housing or poor visual amenity areas.

7.5 In addition to the proactive approach, awareness of the rights and responsibilities of homeowners will be raised through the Scheme of Assistance and will link in with any regeneration initiatives that are undertaken through the framework for Regeneration to improve the quality of private sector housing.

8. Assistance for dealing with sub-standard housing

8.1 Homeowners

8.1.1 We will seek to address sub-standard housing through the provision of advice, information and practical assistance. In some cases, financial assistance (Subject to resources) may be available. This will be delivered through the Council's Scheme of Assistance.

8.1.2 Private Tenants

8.1.3 The Housing and Property Chamber, First Tier Tribunal for Scotland aims to address poor house condition in the private rented sector. All private rented properties must meet the “Repairing Standard.” If a rented property does not meet the standard, and the landlord refuses to carry out the necessary repairs, the tenant or the Local Authority can apply to the Housing and Property Chamber for a tribunal hearing. Ultimately, if the tribunal decides that a landlord has failed to comply with their duty, they will issue a Repairing Standard Enforcement Order which compels the landlord to carry out the required repairs. Various penalties apply if the landlord fails to do so including the tribunal issuing a Rent Relief Order (RRO). An RRO reduces any rent payable under the tenancy by whatever amount the tribunal decides up to a maximum of 90%.

8.1.4 Landlords are required to ensure that their properties meet the Repairing Standard and are maintained in a reasonable state of repair. A house meets the Repairing Standard if:

- It is wind and watertight
- The structure and exterior of the house (including drains, gutters, and external pipes) are in a reasonable state of repair and in proper working order
- The installations in the house for the supply of water, gas, and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in proper working order
- Any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order
- Any furnishings provided by the landlord under the tenancy are capable of being used safely for the purpose for which they are designed, and
- The house has satisfactory provision for detecting fires and for giving warning of fire or suspected fire.

9. Monitoring, Evaluation & Review

9.1 The Local Housing Strategy 2018-2023 aims to assist homeowners and landlords to improve the quality of housing in the private sector. Progress will be monitored by regularly evaluating the locally agreed performance indicators for each priority within the LHS.

9.2 The Housing Renewal Area policy will be reviewed in 2024.

10. Resources

10.1 Resources are available to encourage homeowners to take responsibility for the repairs and maintenance of their homes through the Scheme of Assistance. Resources will be identified, as appropriate if a Housing Renewal Area is to be designated.