

Notice of a public

Decision Session - Executive Member for Housing & Safer Neighbourhoods

To: Councillors Lisle (Executive Member)

Date: Monday, 22 May 2017

Time: 4.00 pm

Venue: The Auden Room - Ground Floor, West Offices (G047)

AGENDA

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democratic Services by **4:00pm on Wednesday 24 May 2017**.

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any called in items will be considered by the Corporate and Scrutiny Management Policy and Scrutiny Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5.00 pm on Thursday 18 May 2017**

1. **Declarations of Interest**

At this point in the meeting, the Executive Member is asked to declare:

- any personal interests not included on the Register of Interests
 - any prejudicial interests or
 - any disclosable pecuniary interests
- which he might have in respect of business on this agenda.

2. Public Participation

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is at **5.00 pm on Friday 19 May 2017.**

Members of the public may register to speak on an item on the agenda or an issue within the Executive Member's remit.

Filming, Recording or Webcasting Meetings

Please note this meeting may be filmed and webcast and that includes any registered public speakers, who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts>.

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officer (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at: https://www.york.gov.uk/downloads/file/11406/protocol_for_webcasting_filming_and_recording_of_council_meetings_20160809

3. Implementing Energy Company Obligation (Pages 1 - 20) (ECO) Flexible Eligibility

This report provides background information about the Government's proposal to give the Council the ability to set local criteria for Energy Company Obligation (ECO) funding.

4. Urgent Business

Any other business which the Executive Member considers urgent under the Local Government Act 1972.

Democracy Officers:

Catherine Clarke and Louise Cook (job share)

Telephone No- 01904 551031

Email- catherine.clarke@york.gov.uk / louise.cook@york.gov.uk

For more information about any of the following please contact the Democratic Services Officers responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی میا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

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Decision Session - Executive Member for Housing and Safer Neighbourhoods

22 May 2017

Report of the Assistant Director – Housing & Community Safety

Implementing Energy Company Obligation (ECO) Flexible Eligibility**Summary**

1. To provide background information about the Government's proposal to give the Council the ability to set local criteria for Energy Company Obligation (ECO) funding.
2. By adopting this criteria the Council will be in a position to attract funding to help fuel poor residents

Recommendations:

3. The Executive Member for Housing and Safer Neighbourhoods is asked to:
 - a) Note that the Energy Company Obligation (ECO) transition period allows Local Authorities to set criteria to fuel poor households, and households which are vulnerable to cold, to qualify for funding towards the cost of certain energy efficiency improvements to their homes;
 - b) Approve the Statement of Intent given at Appendix 1 setting out the criteria for the City of York;
 - c) To delegate authority to make minor adjustments to the Statement of Intent to the Assistant Director of Housing and Community Safety in order to facilitate responses to revised priorities and/or funding opportunities.

Reason: In order to optimise the opportunity for private sector households in York to access the national ECO funding scheme the Council must publish a Statement of Intent for the flexible eligibility element of the funding. Without this residents will be eligible only under the national criteria without any reference to local needs or priorities.

Background

4. ECO is the Government's funding stream for energy efficiency improvements to fuel poor households which is funded directly from the six main energy suppliers. Funding is allocated in periods with the last period ending on the 31st March 2017. The current ECO period is a

transitional period designed to last for 18 months from the 1st April 2017, and is seen as a trial for new and revised Regulations.

5. The Guidance initially issued in draft form in February 2017 provided for Local Authorities to set local criteria for ECO qualification in order to address local needs and priorities. In order for these to be legitimate the Local Authority is required to publish on its web site a Statement of Intent setting out the Council's Flexible Eligibility criteria.
6. ECO providers have the option to deliver up to 10% of their ECO obligation through locally set Flexible Criteria. These are criteria which are outside of the national scheme but which address needs within a Council area. ECO providers need the Local Authority to have issued an appropriate Statement of Intent, and to sign Declarations of eligibility for any funding schemes delivered through this mechanism in a Council's area.
7. Having a published Statement of Intent enables the Council to work with ECO providers (energy suppliers) to potentially fund energy efficiency improvements which would not be eligible under the national criteria.
8. Officers have been working with colleagues across the Leeds City Region to develop a consistent protocol which will both meet varying local needs and provide a mechanism which facilitates inter-authority programmes of work in partnership with Better Homes Yorkshire.

Consultation

9. The current ECO Guidance is the result of a consultation by the Department for Business Energy and Industrial Strategy regarding changes to the ECO scheme.
10. Officers have met across the Leeds City Region with representatives of three major energy suppliers to consult on their views of the partnership's approach and to understand their requirements for being able to fund schemes in the current ECO period.

Options

11. There are two options being put forward:

Option 1- to approve the Statement of Intent in order to open potential additional opportunities for funding for residents;

Option 2 - not to publish a Statement of Intent and rely only on the national criteria to attract funding for residents.

Analysis

12. **Option 1** – This allows ECO providers to work with the Council to deliver ECO funding assistance to households in the City, in addition to that available nationally. This increases the potential number of households able to access external funding, including those on lower incomes but not receiving the ECO ‘passport benefits’, or living in specific priority areas. It enables the Council to direct potential ECO funding schemes into households which meet local needs and priorities.
13. **Option 2** – Not having a published Statement of Intent prevents the Council from working with ECO providers outside of the nationally set eligibility criteria

Council Plan

14. Publishing the ECO Flexible Eligibility Statement of Intent supports and contributes towards the three Council priorities
 - A prosperous city for all
 - A focus on frontline services
 - A Council that listens to residents
15. It also works towards the aims of One Planet York:
 - Principle 1 – Health and Happiness – All residents enjoying long, healthy, independent and safe lives;
 - Principle 9 – Zero Carbon - Creating energy efficient buildings, getting most of our energy from renewable sources and ensuring York is climate ready.

Implications

16. The implications arising directly from this report are:
 - **Financial** –None
 - **Procurement** – The Council has an exclusive contract with Better Homes Yorkshire requiring that all private sector energy efficiency improvements be referred to Better Homes. This contract was procured through the Leeds City Region and is relevant throughout the current ECO transition period.
 - **Human Resources** –None
 - **Equalities Implications** – This is a minor expansion of eligibility for funding which the Council is facilitating for all residents in fuel poverty or who are on low incomes and vulnerable to cold. It is wholly inclusive for all private sector residents. The Guidance does not allow for the scheme to extend to ‘social’ tenants.

- **Legal Implications** – There is no requirement for the Council to publish a Statement of Intent and doing so does not commit the Council to any particular actions or responsibilities.

Risk Management

17. In order to optimise the opportunities offered by ECO Flexible Eligibility the Statement of Intent is generally consistent with the other nine Better Homes partnership Authorities' draft publications.
18. Not publishing a Statement of Intent would leave the Council open to criticism that it is not implementing an initiative which could help vulnerable households.

Contact Details

Authors:	Chief Officer Responsible for the report:		
Lance Saxby Home Energy Project Manager 01904 552196	Tom Brittain Assistant Director - Housing & Community Safety		
Ruth Abbott Housing Standards and Adaptations Manager 01904 554092	Report Approved	✓	Date 11 April 2017
Wards Affected: All			
For further information please contact the authors of the report.			

Annexes:

- Appendix 1 – Local Authority Flexible Eligibility Statement of Intent
- Appendix 2 – Community Impact Assessment (CIA) Summary

Abbreviations in the Report:

ECO – Energy Company Obligation

Abbreviations in the Annexes:

BEIS – Department for Business, Energy & Industrial Strategy
 BRE – Building Research Establishment
 ECO – Energy Company Obligation
 EPC – Energy Performance Certificate

LCR – Leeds City Region

LGF – Local Growth Fund

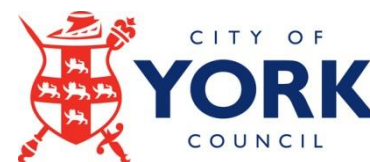
NICE – National Institute for Health and Care Excellence

NG6 – NICE Guideline NG6 ‘Excess winter deaths and morbidity and the health risks associated with cold homes’

Sol – Statement of Intent

WYCA – West Yorkshire Combined Authority

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Local Authority Flexible Eligibility Statement of Intent

City of York Council

Date of publication [DD/MM/YY]

Publication on website [provide specific link to website]

1) Introduction

Under the Energy Company Obligation Regulations 2017 -2018 (ECO2t) local authorities can set their own criteria for eligibility for funding for domestic energy efficiency measures. This funding is aimed at those within a local authority most likely to be in fuel poverty. Energy companies can spend up to a maximum of 10% of their full obligation within these criteria.

The Leeds City Region intends to adopt a city region wide approach to implementing the forthcoming Flexible Eligibility policy initiative within the 2017/18 Energy Company Obligation regulations, through the Better Homes Yorkshire programme, the City of York Council Statement of Intent fits within this framework.

The focus of funding on those most vulnerable and use of funding to increase the uptake of energy efficiency improvements supports the following Council Plans and Strategies:

City of York Council Private Sector Housing Strategy 2016-2021¹:

- Encourage and support owner occupiers to maintain safe homes, free from category 1 hazards
- To enable people whose independence may be at risk safely remain in or return to their home
- Enable more sustainable homes by increasing energy efficiency and reducing fuel poverty

One Planet York²

- Principle 1 – Health and Happiness – All residents enjoying long, healthy, independent and safe lives.

¹ https://www.york.gov.uk/downloads/download/3162/consultation_private_sector_housing_strategy

² https://www.york.gov.uk/info/20252/one_planet_york/1846/one_planet_york

- Principle 2 – Equity and Local Economy - A high skilled, low poverty, low carbon, circular economy aided by a high concentration of businesses.
- Principle 9 – Zero Carbon - Creating energy efficient buildings, getting most of our energy from renewable sources and ensuring York is climate ready.

City of York Council Plan 2015-2019³

- prosperous city for all - where local businesses can thrive and residents have good quality jobs, housing and opportunities;
- focus on frontline services - to ensure all residents, particularly the least advantaged, can access reliable services and community facilities;
- council that listens to residents - to ensure it delivers the services they want and works in partnership with local communities.

In addition Priority 3 of the Leeds City Region Strategic Economic Plan (Clean Energy and Environmental Resilience) 2016-2036⁴ sets out a long term ambition to become a resilient zero carbon energy economy underpinned by high quality infrastructure. Priority 3 particularly emphasises the ambition to:

- Deliver improvements that make homes across the Leeds City Region warmer and reduce fuel poverty;
- Develop partnership and funding models with the health sector to deliver collaborative interventions that reduce extreme cold and damp and improve health.

The policy approach is based on the following principles:

- Eligibility criteria are to be as streamlined, and simple, as possible
- Focus on attracting ECO funding to support Local Growth Fund schemes
- Early engagement with energy suppliers
- Early engagement with local Members and partners
- Eligibility via 2 routes:

³ https://www.york.gov.uk/downloads/file/7880/council_plan_2015-2019

⁴ http://www.investleedscityregion.com/system/files/uploaded_files/SEP-2016-FINAL.pdf

- Geographical areas based on priority communities; and
- Eligibility for funding due to individual circumstances (based on criteria developed and refined already for the Central Heating Fund programme).

This approach has been taken to maximise the potential for funding however fitting the criteria within the statement of intent does not guarantee that any individual household will benefit from energy saving improvements as the final decision on funding rests with energy suppliers and will depend on:

- a. The survey carried out and installation costs calculated;
- b. The energy savings that can be achieved for a property, and
- c. Whether suppliers have achieved their targets or require further measures to meet their ECO targets.

2) How the City of York Council intends to identify eligible households

Fuel Poverty

Households will be considered at risk of fuel poverty if they are determined to be a low income household, living in a high cost home in relation to energy use.

Households need to meet Stage 1 (Low Income) criteria and one of the Stage 2 (High Cost) criteria, based on March 2015 Government Fuel Poverty Strategy.

Stage	Criteria	Definition
Stage 1	Low Income	Gross household income of <£21,000
Stage 2	a) High Cost	Property EPC rating of E, F or G
	b) High Cost	Property EPC rating of D; and Living in a hard to treat home Property is primarily constructed with: Solid walls; Non standard cavity walls; System built walls; No connection to mains gas; No loft.

Households within the following areas are also identified as households in fuel poverty.

Households located within the following Wards defined by the Local Authority as priority areas for action:

- Micklegate
- Guildhall
- Fishergate
- Holgate
- Clifton

These areas have been identified in the Council's Private Sector Housing Stock Modelling report produced by the Building Research Establishment in December 2015.

2b) Low Income and Vulnerability to Cold

Households will be considered a low Income household, and vulnerable to the effects of living in a cold home, if they meet Stage 1 (Low Income) criteria and someone in the household meets one of the Stage 2 (High Cost) criteria. These are based on NICE guideline NG6 on "Excess winter deaths and illness and the health risks associated with cold homes".

Stage	Criteria	Definition
Stage 1	Low Income	Gross household income of <£21,000
Stage 2	a) High Cost and vulnerable to cold	Property EPC rating of D; and Has a health condition made worse by cold: Chronic respiratory, cardio vascular, or musculoskeletal illness, or mental health condition.
	b) High Cost and vulnerable to cold	Property EPC rating of D; and Has a vulnerable resident: Over 70 years of age Child under 16 resident in the household

All LCR Flexible Eligibility ECO will be delivered by Better Homes Yorkshire. The Better Homes Yorkshire programme was procured at the end of December 2014, and was launched in March 2015, to respond to the challenge of cold homes and fuel poverty. The West Yorkshire Combined Authority (WYCA) and all 10 Leeds City Region Local

Authorities contracted with Keepmoat and Fortem to deliver domestic energy efficiency measures, secure ECO and Green Deal funding (and their successors), up to 2022.

3) Governance

Local Authority Declarations will be valid when signed by the Housing Standards and Adaptations Manager, Assistant Director of Housing and Community Safety, or a City of York Council service Director.

Approaches by suppliers (or organisations with ECO funding available) for Local Authority Declarations will be screened initially by the Council's Home Energy Project Manager before being considered for approval by the Housing Standards and Adaptations Manager.

4) Referrals

Referrals may be received from front line staff within the Council; health and social care sectors; and trusted partner agencies including AgeUK and Citizens' Advice York. Referrals will also be accepted from Better Homes Yorkshire.

5) Evidence, monitoring and reporting

Data will be reported on a project basis:

Local Growth Fund Energy Efficiency Grant and Loan Scheme

Declarations which form part of Local Growth Fund Energy Efficiency Grant and Loan Scheme (LGF) are subject to monthly and quarterly monitoring to track progress against forecast delivery and progress to achieving outputs. The project level district monitoring reports are completed by the district Project Manager and sent to the WYCA Tackling Fuel Poverty Programme Manager. A monitoring report for the Programme is completed by the Programme Manager and submitted to the WYCA Growth Deal monitoring team. The Growth Deal monitoring team meet regularly with colleagues at BEIS to discuss progress, risks and issues.

The WYCA Programme Manager also reports regularly to the Better Homes Yorkshire Programme Board which is made up of senior representatives from each participating Council, and is chaired by the City of Bradford Metropolitan District Council.

All LGF recipients provide evidence of their income and energy efficiency/property location which is scanned and retained by the Council

Schemes with Local Authority Declarations Proposed by Outside Organisations

Where a scheme has been proposed by an organisation outside of the Better Homes Yorkshire partnership, progress will be monitored through the Better Homes Officers Group with reporting to the Better Homes Yorkshire Programme Board. Qualification evidence for such Declared schemes will be required by the Council for audit and anti-fraud purposes.

6) Signature

Martin Farran

Director of Health, Housing and Adult Social Care

The Sol should be signed by the Chief Executive Officer for the local authority or other senior officer nominated on their behalf who is at least at Director level.

SECTION 1: CIA SUMMARY
Community Impact Assessment: Summary

1. Name of service, policy, function or criteria being assessed: Introduction of Energy Company Obligation Flexible Eligibility Criteria for the City of York.

2. What are the main objectives or aims of the service/policy/function/criteria? To enable otherwise non-qualifying residents to access funding from energy suppliers to address fuel poverty.

3. Name and Job Title of person completing assessment: Lance Saxby, Energy Efficiency Project Manager

4. Have any impacts been Identified? (Yes/No)

Yes

Community of Identity affected:

Age
Disability

Summary of impact:

Ability for otherwise non-qualifying households to benefit from improved energy efficiency and lower energy costs

5. Date CIA completed: 2nd May 2017

6. Signed off by:

7. I am satisfied that this service/policy/function has been successfully impact assessed.

Name:

Position:

Date:

8. Decision-making body:

Executive Member for Housing and Safer Neighbourhoods

Date:

22nd May 2017

Decision Details:

Send the completed signed off document to ciasubmission@york.gov.uk It will be published on the intranet, as well as on the council website.

Actions arising from the Assessments will be logged on Verto and progress updates will be required

Community Impact Assessment (CIA)

Community Impact Assessment Title:

Introduction of Energy Company Obligation Flexible Eligibility Criteria for York

What evidence is available **to suggest that the proposed service, policy, function or criteria could have a negative (N), positive (P) or no (None) effect** on quality of life outcomes? (Refer to guidance for further details)

Can negative impacts be justified? **For example: improving community cohesion; complying with other legislation or enforcement duties; taking positive action to address imbalances or under-representation; needing to target a particular community or group e.g. older people.** NB. Lack of financial resources alone is NOT justification!

Community of Identity: Age

Evidence	Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
Committee on Fuel Poverty Report Sept. 2016 BRE research 2015 Marmott Review – The Health Impacts of Cold Homes and Fuel Poverty	Longevity; Health; Standard of Living;	Positive	None

Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
<p>Positive</p> <p>Although there are some excess winter deaths in all age groups, it becomes significant for those in the 45+ age group. The risk increases with age in a roughly linear pattern up to the 85+ age group, after which there is a marked increased risk.</p> <p>Children living in cold homes are more than twice as likely to suffer from a variety of respiratory problems as children living in warm homes. Mental health is negatively affected by fuel poverty and cold housing for any age group. More than 1 in 4 adolescents living in cold housing are at risk of multiple mental health problems compared to 1 in 20 adolescents who have always lived in warm housing.</p> <p>Negative</p> <p>None</p>	Yes	<p>The issuing of a Statement of Intent of the Council’s Flexible Eligibility Criteria for the Energy Company Obligation provides a route of access to funding for residents which would otherwise not be able to benefit.</p> <p>The Criteria provide for households, particularly with vulnerable family members who are on low incomes but not in receipt of ECO ‘passport’ benefits to become eligible for funding.</p>	Home Energy Project Manger	May 2017

Community of Identity: Carers of Older or Disabled People

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
			None	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date

Community of Identity: Disability

Evidence	Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
Committee on Fuel Poverty Report Sept. 2016 BRE research 2015 Marmott Review – The Health Impacts of Cold Homes and Fuel Poverty	Longevity; Health; Standard of Living;	Positive	None

Details of Impact	Can negative impacts be justified?	Reason/Action	Lead Officer	Completion Date
<p>Positive Residents suffering from disabilities or illness which is made worse by living in cold conditions are qualified under the Flexible Criteria where their homes are more efficient than those qualifying through income and housing condition alone</p> <p>Negative</p>	Yes	Normally a household will qualify by living on an income below £21,000 per year and living in a home with an EPC Rating of E, F, or G, however where a resident suffers from an illness or disability that is made worse by living in cold conditions, an EPC Rating of D is also acceptable	Home Energy Project Manger	May 2017

Community of Identity: Gender

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
			None	None
Details of Impact	Can negative impacts be justified?	Reason/Action	Lead Officer	Completion Date

Community of Identity: Gender Reassignment

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
			None	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date

Community of Identity: Marriage & Civil Partnership

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
			None	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date

Community of Identity: Pregnancy / Maternity

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
			None	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date

Community of Identity: Race

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
			None	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date

Community of Identity: Religion / Spirituality / Belief

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
			None	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date

Community of Identity: Sexual Orientation

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
			None	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date