

## Portfolio Holder for Housing and Countryside Services

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County Hall  
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14 February 2018

For further information please contact

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### **NOTICE OF INTENDED PORTFOLIO HOLDER DELEGATED DECISION**

The Portfolio Holder has received the following report for a decision to be taken under delegated authority. The decision will be taken on **20 February 2018** (i.e. 3 clear days after the date of this note). The decision will be published on the Council's website but will not be implemented until 5 clear days after the date of publication of the decision) to comply with the call-in process set out in Rule 7.37 of the Constitution.

1.	<b>DECLARATION OF A POWYS ECO FLEX 'STATEMENT OF INTENT' TO ALLOW FUEL POOR PRIVATE SECTOR HOUSEHOLDS, ACCESS TO HEATING UPGRADES &amp; HOME ENERGY EFFICIENCY IMPROVEMENTS</b>
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**CYNGOR SIR POWYS COUNTY COUNCIL.****REPORT FOR DELEGATED DECISION****By****County Councillor Jonathan Wilkinson  
Portfolio Holder for Housing & Countryside Services  
February 2018****REPORT AUTHOR: Julian Preece - Private Sector Housing Lead****SUBJECT: Declaration of a Powys ECO Flex 'Statement of Intent' to  
allow fuel poor private sector households, access to  
heating upgrades & home energy efficiency  
improvements**

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**REPORT FOR: Decision**

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**1. Summary**

- 1.1 This report sets out Powys County Council's proposal to make a declaration regarding flexible eligibility criteria allowing Powys residents access to funding under the Energy Company Obligation (ECO): Help to Heat programme. It aims to support households living in Powys who are most likely to experience fuel poverty and those vulnerable to the effects of a cold home. The scheme will be subject to available funding and may close at any time.
- 1.2 This report is supported by the following appendices:
- Proposed Powys ECO Flex 'Statement of Intent'
  - Proposed application form allowing clients to access funding
- 1.3 This reports seeks approval to declare and publish a Powys ECO Flex 'Statement of Intent,' (see Appendix A) allowing fuel poor private sector household's access to home energy efficiency improvements, delivered by energy companies and their agents. The scheme will be fully funded via energy suppliers obligated under ECO.

**2. Background**

- 2.1 Powys County Council welcomes the introduction of ECO Flexible Eligibility and intends to utilise this opportunity for the purposes of reducing fuel poverty within the county. The Council has worked for many years to improve homes across Powys with the aim of increasing energy efficiency and reducing fuel poverty. This fund will be a welcome boost to existing interest free loans available and specifically targets those likely to suffer from fuel poverty and thereby less able/likely to access loans.

- 2.2 Local Authorities, working with energy suppliers obligated under ECO, have an opportunity to extend eligibility criteria for energy efficiency measures offered to households within their area, not covered by existing schemes e.g. the Government NEST scheme.
- 2.3 Funding is only available for private owner occupiers and private rented tenants. Qualification of flexible eligibility in Powys will be restricted to those **in fuel poverty** (spending more than 10% of income on household fuel). Eligibility will be determined by criteria specified within the attached 'Statement of Intent' and will also require a signed declaration by the property owner.
- 2.4 Qualifying energy efficiency measures that may be installed in eligible properties include: new central heating systems, heating upgrades and insulation.
- 2.5 Energy suppliers and/or their agents involved with flexible eligibility surveys and identify works, will be expected to comply with the Data Protection Act. They will need to undertake work in accordance with OFGEM requirements and act in accordance with industry best practice in relation to consumer care and quality standards.
- 2.6 There will be opportunity to derive income for the authority by levying an administration charge for providing the declaration necessary for clients to access the ECO Flexible Eligibility scheme. This will be set at £150 per application and must be paid by the energy supplier and may **NOT** under any circumstances, be passed onto clients receiving assistance via the scheme.
- 2.7 The decision on whether a household receives a measure under ECO flexible eligibility or other ECO funding stream will be made by the **energy supplier** or their **agent/contractor**. Qualification in the statement of intent or the declaration by Powys County Council will **NOT** guarantee installation of any measures, the final decision **rests with the supplier**.
- 2.8 To qualify for assistance under the scheme:
- i) the client must indicate they are in fuel poverty by answering **yes** to the initial qualifying question and sign the declaration at the end of the form.
  - ii) the property must be rated **F or G** on an **EPC** or score **15 points or more** in Table 1 of the attached statement of intent; or
  - iii) the property must have a rating of an **E** on an EPC or have a score between **10 and 14** points **and** a member of the household is **vulnerable** and at greater risk due to living in a cold property. Vulnerability is ascertained by answering **yes** to one or more of the situations/conditions listed in Question 2 of the statement of intent and has been based on National Institute for Health and Care Excellence (NICE) 2015 guidance on excess winter deaths and illness caused by cold homes.

### **3. Proposal**

- 3.1 It is proposed that Powys Council issues the Powys ECO Flex 'Statement of Intent,' set out in Appendix A regarding flexible eligibility criteria allowing residents in fuel poverty access to funding under the Energy Company Obligation (ECO): Help to Heat programme.

### **4. Options Considered / Available**

- 4.1 The following options are available:
- Option 1** - To make a declaration and publish a 'Statement of Intent' regarding flexible eligibility criteria, allowing Powys residents suffering from fuel poverty, access to funding under the Energy Company Obligation (ECO): Help to Heat programme.
- Option 2** - Not to make a declaration or publish a 'Statement of Intent' regarding flexible eligibility criteria, preventing Powys residents suffering from fuel poverty, access to funding under the Energy Company Obligation (ECO): Help to Heat programme.

### **5. Preferred Choice and Reasons**

- 5.1 Option 1 is the preferred choice. Making a declaration and publishing a 'Statement of Intent' will widen existing ECO criteria, thereby allowing Powys residents at risk of fuel poverty, access to funding under the Energy Company Obligation (ECO): Help to Heat programme.
- 5.2 Residents will be able to access insulation and heating upgrades specifically addressing energy inefficient (F and G rated) properties within the private sector.
- 5.3 More efficient (E rated) properties may also be addressed within the county, should a member of a vulnerable group be in occupation.

### **6. Impact Assessment**

- 6.1 Is an impact assessment required? No
- 6.2 If yes is it attached? N/A

### **7. Corporate Improvement Plan**

- 7.1 The proposal supports delivery of the Corporate Improvement Plan by;
- Supporting people in the community to live fulfilled lives - Ensuring suitable housing for everyone in Powys.

- Developing the economy - A dynamic, driven and confident council that finds and exploits opportunities for increasing the Powys economy.

**8. Local Member(s)**

- 8.1 This is a Powys wide initiative with potential to affect all local members.

**9. Other Front Line Services**

- 9.1 Does the recommendation impact on other services run by the Council or on behalf of the Council? No

If so please provide their comments

**10. Communications**

- 10.1 Have Communications seen a copy of this report? No

Have they made a comment? If yes insert here.

**11. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)**

- 11.1 Legal - The recommendation can be supported from a legal point of view

- 11.2 Finance - The Finance Business Partner notes the content of the report which could reduce the risk of fuel poverty, by allowing private sector households living in poorly insulated properties access to 'A' rated heating systems & home energy efficiency improvements, eliminating F & G rated property.

There will be an opportunity for the authority to charge £150 by levying an administration charge for providing the declaration necessary for clients to access the ECO Flexible Eligibility scheme, which must be paid by the energy supplier and may not under any circumstances, be passed onto clients receiving assistance via the scheme.

**12. Scrutiny**

Has this report been scrutinised? No

**13. Statutory Officers**

13.1 The Head of Financial Services (Acting S151 Officer) notes the comments of the Finance Business Partner.

13.2 The Solicitor to the Council (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report".

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
That Powys makes the ECO Flex 'Statement of Intent' declaration as set out in appendix A to the report	To allow private sector households living in poorly insulated properties access to 'A' rated heating systems & home energy efficiency improvements - eliminating F & G rated property - reducing risk of fuel poverty.

<b>Relevant Policy (ies):</b>	The adoption of the ECO Flex Statement of Intent will extend the range of measure available in Powys to tackle fuel poverty		
<b>Within Policy:</b>	<b>Y / N</b>	<b>Within Budget:</b>	<b>Y / N</b>

<b>Relevant Local Member(s):</b>	<b>All</b>
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<b>Person(s) To Implement Decision:</b>	<b>Julian Preece</b>
<b>Date By When Decision To Be Implemented:</b>	<b>With Immediate Effect</b>

Contact Officer:	Julian Preece
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**Background Papers used to prepare Report:**

CABINET REPORT TEMPLATE VERSION 5

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This statement sets out Powys County Council's flexible eligibility criteria for the ECO: Help to Heat programme from April 2017 forward. The scheme will be subject to funding and may be closed at any time. It aims to support households living in Powys who are most likely to experience fuel poverty and those vulnerable to the effects of a cold home.

**Introduction** - Powys County Council welcomes the introduction of Flexible Eligibility and intends to utilise it for the purposes of reducing fuel poverty within the county. The Council has worked for many years to improve homes across Powys with the aim of increasing energy efficiency and reducing fuel poverty.

**What is flexible eligibility** - Local Authorities working with Energy suppliers obligated under ECO, have the opportunity to extend eligibility criteria for energy efficiency measures to households not covered by existing schemes of support.

**Identifying households** - Funding is only available for private owner occupiers and private rented tenants. Qualification of flexible eligibility in Powys is restricted to those in **fuel poverty** (spending more than 10% of income on household fuel). Eligibility will be determined by criteria listed below and requires a signed declaration by the property owner.

**Qualifying measures** - The energy efficiency measures that can be installed in eligible properties include new central heating systems, heating upgrades and insulation.

**Contractors** - Energy suppliers and/or their agents involved with flexible eligibility surveys and identified works, will be expected to comply with the Data Protection Act. They will need to undertake work in accordance with Ofgem requirements and act in accordance with industry best practice in relation to consumer care and quality standards.

**Cost Associated with Powys Declaration** - The administration charge levied by Powys County Council in providing the declaration necessary for clients to access the ECO Flexible Eligibility scheme is £150. This charge must be paid by the energy supplier or their agent on completion of works and may **NOT** under any circumstances, be passed on to the client receiving assistance via the scheme.

**Final decision** - The decision on whether a household receives a measure under flexible eligibility or other ECO funding streams will be made by the **energy supplier** or their **agent/contractor**. Qualification in the statement of intent or the Declaration by Powys County Council will **NOT** guarantee installation of any measures, as the final decision will lie with the supplier.

### **Question 1 - Qualifying Criteria**

To qualify:

- i) you must indicate you are in fuel poverty by answering **yes** to the initial qualifying question and sign the declaration at the end of the form.
- ii) the property must be rated an **F or G** on an EPC or score **15 points or more** in Table 1 below; or .
- iii) the property must have a rating of an **E** on an EPC or have a score between **10 and 14** points in Table 1 below **and** a member of the household is **vulnerable** and at greater risk due to living in a cold property. Vulnerability is ascertained by answering **yes** to one or more of the situations/conditions in Question 2.

**Question 2 - Client Vulnerability**

If it is necessary to demonstrate that householders are at a greater risk to the effects of living in a cold home, Powys County Council adopt the following approach:

Powys County Council will target households containing people from the following list, which reflects the National Institute for Health and Care Excellence (NICE) 2015 guidance on excess winter deaths and illness caused by cold homes.

'Excess winter deaths and illness and the health risks associated with cold homes' states that: a wide range of people are at greater risk to the cold. This is either because of a medical condition, such as heart disease; a disability that, for instance, stops people moving around to keep warm, or makes them more likely to develop chest infections; or personal circumstances, such as being unable to afford to keep warm enough.

A member of the household is/has

- i. Aged over 60 (proof of age necessary)
- ii. Children under 5 and those in primary and secondary school education or is pregnant
- iii. Respiratory disease (COPD, asthma)
- iv. Cardiovascular disease (e.g. ischaemic heart disease, cerebrovascular disease)
- v. Moderate to severe mental illness (e.g. schizophrenia, bipolar disorder)
- vi. Substance misusers
- vii. Dementia
- viii. Neurobiological and related diseases (e.g. fibromyalgia, ME)
- ix. Cancer
- x. Limited mobility
- xi. Haemoglobinopathies (sickle cell disease, thalassaemia)
- xii. Severe learning disabilities
- xiii. Autoimmune and immunodeficiency diseases (e.g. lupus, MS, diabetes, HIV)

**Signed declaration by doctor or health practitioner necessary to confirm any health related issues listed above (iii – xiii).**

**Governance**

The following Private Sector Housing Officers will be responsible for signing declarations on behalf of the Local Authority -

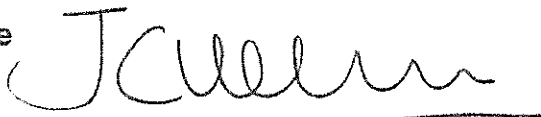
Private Sector Housing Lead, Service Improvement Officer, Environmental Health Officer, Housing Standards & Improvement Officer, Affordable Warmth & Renewable Energy Officer.

**Monitoring**

The number of households contacted and eligible for ECO Flexible Eligibility, together with the number of ECO Flexible Eligibility funded measures installed along with numbers of homes improved will be recorded by Powys County Council.

**Signature**

Signed by:



Date:

19 FEBRUARY 2018.

Housing Portfolio Holder, Powys County Council

Table 1 - Property Condition

House features	Type	Points	Tick box	Score
Bedrooms	1	1	<input type="checkbox"/>	
	2	2	<input type="checkbox"/>	
	3+	3	<input type="checkbox"/>	
Household occupants	1	1	<input type="checkbox"/>	
	2	2	<input type="checkbox"/>	
	3+	3	<input type="checkbox"/>	
Loft Insulation	None	5	<input type="checkbox"/>	
	Up to 150mm	3	<input type="checkbox"/>	
	150mm and above	1	<input type="checkbox"/>	
Wall Type	System built	5	<input type="checkbox"/>	
	Solid stone/brick	3	<input type="checkbox"/>	
	Cavity construction/Unknown	1	<input type="checkbox"/>	
Wall insulation	External	1	<input type="checkbox"/>	
	Internal	1	<input type="checkbox"/>	
	Cavity	2	<input type="checkbox"/>	
	None	5	<input type="checkbox"/>	
Heating fuel	Mains gas	1	<input type="checkbox"/>	
	Oil	2	<input type="checkbox"/>	
	LPG	3	<input type="checkbox"/>	
	Electric	5	<input type="checkbox"/>	
	Solid fuel	5	<input type="checkbox"/>	
Central Heating system age	Less than 10 years old	1	<input type="checkbox"/>	
	Over ten years old	3	<input type="checkbox"/>	
	Broken system	5	<input type="checkbox"/>	
	No system	5	<input type="checkbox"/>	
			Total	



### Heating Systems, Upgrades and Insulation measures.

#### Via - Energy Company Obligation (ECO) Local Authority Flexible Eligibility (LA FLEX)

The aim of the scheme is to install energy efficiency measures in properties that are currently energy inefficient which in turn reduce households' fuel bills. This is an opportunity, if your home qualifies, for potential improvements such as a new central heating system, upgrades to the existing heating system and/or insulation measures. Powys County Council will be qualifying households based on information supplied on the following application form. Declarations for those who could benefit from improvements will be issued direct to the organisation chosen to deliver your installation.

Your chosen organisation will obtain funding from Energy Companies obligated under (ECO) to deliver measures under this scheme. Companies will have a limited amount of ECO funding available and this will be utilised on a first come first serve basis.

#### What Happens next?

1. Complete the application form if you consider yourself in fuel poverty and eligible to apply. Funding is available to owner occupiers and private rented tenants. To be eligible for inclusion of flexible eligibility in Powys

- i) your home must be energy inefficient; and/or
- ii) householder(s) is vulnerable to the effects of living in a cold property.

This is determined by criteria on the Application Form and requires a signed declaration by the applicant.

2. Powys County Council verifies your application - £150 fee applied, payable by your installer. The Local Authority will issue a signed declaration to the organisation of your choice.

3. The organisation investigates potential measures for installation. The final decision on whether a household receives a measure under flexible eligibility or other ECO funding streams will be made by the organisation who you instruct. Qualification and the declaration by Powys County Council does not guarantee installation of any measures, as the final decision will be made by the supplier.

4. Installation of qualifying measures. If your property is considered suitable for measures then the organisation will commission the work. Permission and access will need to be provided by the owner and resident to enable the smooth delivery of works.

Please complete the following Application Form and arrange for your chosen supplier to return, with supporting evidence (where applicable) to the address, or email on the top of the form. Your application will be considered and if it is determined that you and/or your property are eligible a declaration will be issued to your chosen supplier. The declaration can only be used to obtain energy efficiency measures, e.g. heating systems and insulation from your chosen supplier while funding remains available.

**APPLICATION FOR FLEXIBLE ELIGIBILITY - Energy Company Obligation (ECO) Regulations  
2017-2018 (ECO2t)**

*(Please tick box or circle as appropriate throughout this form)*

**PART I**

**i. Do you spend more than 10% of your income (after tax) on household fuel costs?  
Yes / No**

**If YES - please continue with form. If NO – sorry, you are NOT eligible for ECO assistance**

1. Applicant's Name ..... Title: Mr/Mrs/Miss/Other.....  
 Address .....  
 Telephone Nos. (Home) ..... (Work) .....

2. Applicant's Date of Birth .....

3. Please give the following details of the property to which the application relates:

Address : .....

Property type (Please circle what best describes your property)				
House	Mid Terrace	End Terrace	Semi detached	Detached
Bungalow	Mid Terrace	End Terrace	Semi detached	Detached
Maisonette	1 or 2 external walls	3 external walls		
Flat	1 or 2 external walls	3 external walls		
Mobile home				

Property age?.....

4. Do you live in the property as your only or main residence? Yes  No
5. (a) Do you have an owner's interest in the property? Yes  No
- (b) Are you a tenant? Yes  No

6. If you are a tenant at the property, please give details of your landlord

Landlord's Name ..... Title: Mr/Mrs/Miss/Other.....

Address .....

Telephone Nos. (Home) ..... (Mobile) .....

**PART II**

**Qualifying Criteria**

i) If there is an **EPC (energy performance certificate)** for the property, is it in:

Band	Tick Box	Action
E		Go to iii) below
F/G		Go to declaration

ii) If there is **no EPC** for the property, complete the table below:

House features	Type	Points	Tick box	Score
Bedrooms	1	1		
	2	2		
	3+	3		
Household occupants	1	1		
	2	2		
	3+	3		
Loft Insulation	None	5		
	Up to 150mm	3		
	150mm and above	1		
Wall Type	System built	5		
	Solid stone/brick	3		
	Cavity construction/Unknown	1		
Wall insulation	External	1		
	Internal	1		
	Cavity	2		
	None	5		
Heating fuel	Mains gas	1		
	Oil	2		
	LPG	3		
	Electric	5		
	Solid fuel	5		
Central Heating system age	Less than 10 years old	1		
	Over ten years old	3		
	Broken system	5		
	No system	5		
			Total	

Points	Tick Box	Action
10 or greater and less than 15 points		Go to iii) below
15 points or greater		Go to declaration

### iii) Client Vulnerability

A member of the household is:

Details	Tick Box	Proof seen	Print and Signed	Dated	Action
Aged over 60 (Proof of Age and address of person)					Go to signed declaration
Children in education and pregnant mothers (Proof of age of child/Further education or Maternity details)					

Or a member of the household has:

<b>Health Condition - The following require a signed declaration by doctor or health practitioner to confirm any health related issues</b>	<b>YES</b>	<b>NO</b>
i. Respiratory disease (COPD, asthma)		
ii. Cardiovascular disease (e.g. ischaemic heart disease, cerebrovascular disease)		
iii. Moderate to severe mental illness (e.g. schizophrenia, bipolar disorder)		
iv. Substance misusers		
v. Dementia		
vi. Neurobiological and related diseases (e.g. fibromyalgia, ME)		
vii. Cancer		
viii. Limited mobility		
ix. Haemoglobinopathies (sickle cell disease, thalassaemia)		
x. Severe learning disabilities		
xi. Autoimmune and immunodeficiency diseases (e.g. lupus, MS, diabetes, HIV)		

**Signed declaration by doctor or health practitioner to confirm any health related issues i-xi.**

Condition	Doctor	Surgery	Signed	Dated

### PART III

#### DECLARATION

*To be completed in respect of all applications*

**WARNING: if you knowingly make a false statement you may be liable to prosecution.**

I declare that to the best of my knowledge the details I have provided are correct.

Signed: .....Date: .....

*Powys County Council accept no responsibility or liability resulting from any negative consequence, damage or loss arising from an ECO FLEX grant being accepted or arising from works or efforts connected to the preparation, application or survey prior to a grant.*

*Powys County Council do not endorse any specific energy supplier, grant agent, installer or company connected to the application or installation of ECO flex grants or products.*

*Any grievance or issue raised against grant works or application process, should be taken up with the installing party / agent / financier. Powys County Council limit our involvement to the declaration of eligibility for a grant, should you wish to have the declaration explained in further detail, please email - [privatesectorhousing@powys.gov.uk](mailto:privatesectorhousing@powys.gov.uk)*