

Local Housing Strategy 2011-16

Below Tolerable Standard Housing Strategy

**How Falkirk Council will comply with its duties to deal with
housing that does not meet the Tolerable Standard**

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1. Status & Lifespan

- 1.1 This strategy sets out how Falkirk Council proposes to comply with its duties in respect of housing that does not meet the Tolerable Standard. Its publication within the Local Housing Strategy is a requirement of Section 10 of the Housing (Scotland) Act 2006. This strategy forms part of the wider Local Housing Strategy 2011-16.

2. Purpose of the strategy

- 2.1 This strategy aims to ensure that all housing in the Falkirk Council area meets or exceeds the Tolerable Standard. It will work in conjunction with other housing policies to improve the quality of housing in the Falkirk Council area; to maintain attractive neighbourhoods; and to make the best use of the existing housing supply, by tackling some of the root causes of long term empty homes. It sets out the nature and scale of Below Tolerable Standard (BTS) housing in the area and how it will be dealt with in the context of available powers and resources. The approach taken reflects the modernised set of powers and duties which came into effect on a phased basis from 2009, under the Housing (Scotland) Act 2006.

3. Definition of the Tolerable Standard

- 3.1 The Tolerable Standard is a condemnatory standard for housing which applies across all tenures (i.e. socially rented, private rented and owner occupied housing). The 12 criteria required to meet the Standard are listed in **Appendix 1**. Failure against any single criterion renders a property Below Tolerable Standard (BTS). Only 1% of Scottish Housing was BTS in 2002, but from April 2009 the definition was revised to include loft insulation and safe electrics. This revision is expected to increase the failure rate when Scottish House Condition Surveys are published in the future.

4. The Council's duties & powers

- 4.1 Local Authorities have four main **duties** in respect of BTS housing¹. These duties are to:
- Secure the closure, demolition or improvement of houses which do not meet the Tolerable Standard
 - Deal with such matters within a reasonable period of time (see Section 10.3)
 - Publish a strategy for ensuring the above duties are complied with

¹ The first two duties listed are contained within the Housing (Scotland) Act 1987. The latter two are contained within the Housing (Scotland) Act 2001 (as amended by the 2006 Act) and the Housing (Scotland) Act 2006 respectively.

- Make available help under the **Scheme of Assistance**², in the event that an owner of BTS housing is issued a statutory Work Notice requiring that they bring their property up to standard.

4.2 A range of **powers** exist to enable Falkirk Council to comply with its duties in respect of BTS housing. These are aimed mainly at encouraging home owners to deal with the situation themselves. Powers include:

- Helping home owners through the Scheme of Assistance (e.g. advice on communal repairs, help hiring contractors or identifying funding etc.)
- Working with private tenants and landlords to make sure they meet their obligations in terms of the Repairing Standard or, where applicable, HMO licences³ (e.g. we may assist a tenant to remedy repairs through the Private Rented Housing Panel⁴ or serve a statutory notice on a landlord)
- Serving statutory notices under Housing, Building, Planning or Environmental Health laws, requiring the owners or landlords to take action to remedy the problem (e.g. Work Notices)
- Designating Housing Renewal Areas to tackle concentrated problems including the need for demolition
- Enforcing necessary work and recharging costs as a last resort, if owners do not comply with statutory notices within a **reasonable period**, resource permitting (see Section 10.3).

Private Sector Housing

4.3 The above powers are largely relevant to **private sector housing** (private rented and owner occupied / vacant homes). They can be used where appropriate and resource permitting, to ensure the Council complies with its duty to take action within a reasonable period of time. Basic information and advice will be accessible to all in the first instance. Where necessary and in particular where there are **vulnerable people** involved, joint working will take place across departments and with other organisations to seek a resolution.

² The Scheme of Assistance is a policy outlining the support available to improve conditions, increase energy efficiency and install disabled adaptations in private housing across the Council area. Eligibility criteria for the Scheme of Assistance are outlined in a 'Statement of Assistance', published under the Housing (Scotland) Act 2006, available at www.falkirk.gov.uk

³ The Repairing Standard and House of Multiple Occupation (HMO) are defined in the Housing (Scotland) Act 2006. Falkirk Council's website contains information about meeting these requirements and the penalties to landlords for failure to do so.

⁴ The Private Rented Housing Panel (PRHP) can assist tenants with disputes over condition using mediation, enforcement orders and rent relief orders under the Housing (Scotland) Act 2006.

Social Housing

- 4.4 Whilst the duties and powers related to BTS housing are not tenure specific, **social housing** stock (Council and Housing Associations) have been targeted with going beyond the Tolerable Standard and meeting the Scottish Housing Quality Standard by 2015. Indications from the recent 100% Council Housing stock survey suggest Falkirk Council is on track to meet this target. Services that provide housing advice are however in place and accessible to those who need it, regardless of tenure, to deal with issues related to poor conditions.

5. Local context and evidence

- 5.1 The findings of the Falkirk Local All Tenure House Condition Survey 2009 (LHCS) underpin this strategy and inform how available resources will be used to the greatest impact. Whilst numbers are small and must be treated with caution, evidence, based on the revised definition of BTS (introduced April 2009) suggests that:

- An estimated 2600 dwellings (3.7% of housing across all tenures in the Falkirk Council area) are BTS. Comparable Scottish data is not yet available due to the revised definition, but the Council area compares favourably on a range of other comparable indicators within the latest Scottish House Condition Survey results.
- Survey evidence and staff experience suggests BTS housing is ‘pepper potted’ throughout the Falkirk Council area rather than heavily concentrated.
- BTS housing is most prevalent in the private sector and in older properties built before 1944. The most common reason for failure is the new criterion for adequate / safe electrics.
- There is a link between BTS housing and poorer quality neighbourhood environments (i.e. problems with graffiti, derelict housing or other factors identified by surveyors). This suggests that the two issues could be mutually reinforcing and may therefore be tackled most successfully in tandem.
- Younger, older and economically disadvantaged households are disproportionately affected by BTS housing; although the problem is not confined to the economically disadvantaged.
- There are very low levels of awareness about disrepair among owners of BTS housing; suggesting raising awareness will be an important aspect of the strategy. This has been identified as a particular issue for owners / private landlords of housing sold under the Right to Buy, which has not been adequately maintained.

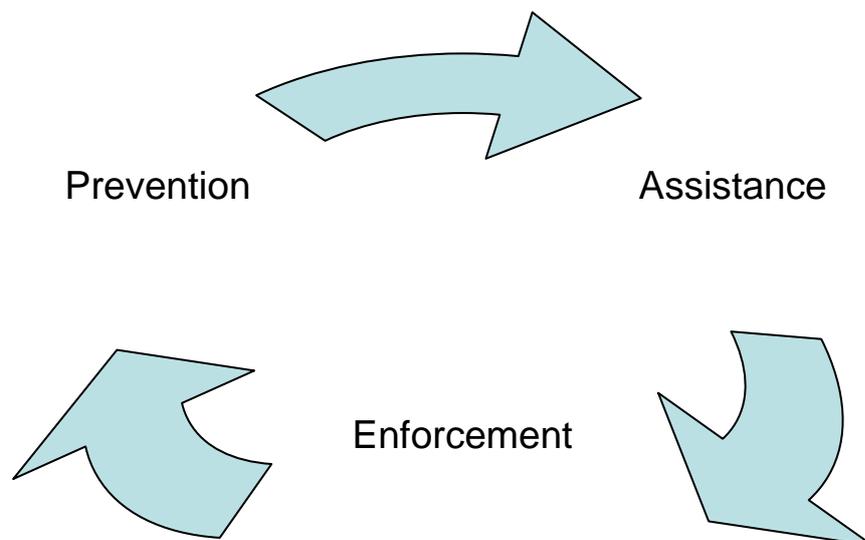
- 5.2 Further analysis of evidence from the LHCS about BTS housing is contained in **Appendix 3** of this document. The analysis suggests that assistance should seek to tackle both the financial and non-financial barriers that prevent owners from repairing their homes and common areas.

Public Consultation

- 5.3 The principles in this strategy (see Section 6) are in keeping with Falkirk Council's **Scheme of Assistance** strategy and **Housing Renewal Area** policy, which exist to help home owners with disrepair and deal with concentrations of poor housing. All three reflect house condition survey evidence and a wide ranging public consultation undertaken in 2009. Stakeholders were asked for views on three broad policy options; the priority designated to BTS housing under the Scheme of Assistance, and the potential use of some resources for enforcement. The policy option preferred by most respondents was approved by Housing & Social Care Committee and Policy and Resources Committee on 9 February 2010.

6. Aims of the BTS Housing Strategy

- 6.1 Key Principles of Falkirk Council's Strategy for Reducing Below Tolerable Standard Housing in the Falkirk Area:



- 6.2 The key principles of the strategy aim to:

- **Prevent** housing from becoming BTS by supporting more owners to meet their maintenance and repair obligations.
- **Assist** more home owners to improve BTS housing through the Scheme of Assistance and by making it easier for the public to report problems of empty or poor quality housing.

- **Use enforcement action as a last resort**, where assistance fails to resolve problems and the property is already BTS or otherwise sub-standard⁵ due to neglected maintenance or repairs. The extent of any enforcement action will be largely dependant on resource availability.

Equal Opportunities

- 6.3 In dealing with BTS housing, equalities will be taken into account so that interventions will be appropriate to the needs of individuals. We will work to secure the assistance of other departments and organisations as necessary to support those with particular needs. An **Equalities Impact Assessment**, part of the process of devising the BTS and Scheme of Assistance strategies, will help ensure Falkirk Council meets its obligations and commitments including those within the Falkirk Council Equal Opportunities Policy. See **Appendix 3** (Section 10) for detailed Survey evidence on equalities issues and BTS housing.

7. Objectives of the BTS Housing Strategy

- 7.1 The objectives of the BTS Housing strategy for 2011-16 are as follows:

Prevention - Objectives

- 7.2 We will develop **public information** about the Tolerable Standard and raise awareness of housing maintenance issues (e.g. through private landlord forums and other communications as part of the Scheme of Assistance).
- 7.3 We will **help owners to meet their maintenance and repair obligations themselves**, to prevent housing becoming BTS or otherwise sub-standard. This may involve the use of Maintenance Orders, where maintenance has been neglected and assistance has failed to resolve the problem.

Assistance - Objectives

- 7.4 We will **pro-actively offer assistance** to anyone who applies for re-housing as a result of poor conditions, to bring their existing home up to standard.
- 7.5 We will **make it easier for the public to report problems** with BTS, sub-standard and empty homes, increasing assistance to those affected through the Scheme of Assistance.
- 7.6 We will **prioritise efforts in specific areas** where BTS housing is concentrated in 'hot spots' and placing neighbourhoods at risk of deterioration or market failure. These efforts will be co-ordinated, where appropriate, with those to deal with poor neighbourhood environments (including communal areas) and broader regeneration activities.
- 7.7 We will use **special initiatives** from time to time for targeting information such as through analysing historical complaints data or to owners of former Right to Buy properties for example.

⁵ Sub-standard housing is defined in Government Guidance as: that which is: BTS or; in need of repair and likely to deteriorate rapidly or damage other premises; or in a state of serious disrepair.

Enforcement - Objectives

7.8 Where assistance has been ineffective, Council services will **share expertise** when considering the most appropriate use of enforcement powers, as a last resort, resource permitting.

7.9 Target outcomes reflecting these aims and objectives are set out in **Appendix 2**.

8. Policy Context & External Environment

8.1 The policy context introduced by the Housing (Scotland) Act 2006 gives Local Authorities a greater strategic role, with home owners having the main responsibility for the upkeep of their property. Other complementary policies include:

- The **Scheme of Assistance, Housing Renewal Area policy** and range of enforcement powers have added new ways to deal with poor housing conditions,
- Additional regulation of conditions in the **Private Rented and Social Housing** (e.g. The Repairing Standard and Scottish Housing Quality Standard) will help deal with poor conditions within these sectors,
- **Energy efficiency and climate change** agendas have increased the support available for loft insulation (a new aspect of the Tolerable Standard from April 2009),
- Falkirk Council's membership of the **Empty Homes Partnership** since 2010, involves a commitment to finding new ways to bring empty homes back into use, some of which will be BTS.
- **Wholesome Water Supplies Regulations** – Failure against this element of the Tolerable Standard is expected to reduce in future as a result of complementary regulations⁶. In the Falkirk Council area, sampling of water is undertaken as required in respect of mains water supplies, whilst private water supplies are pro-actively sampled due to the increased risk associated with such sources. Owners may be eligible, under the Private Water Supplies (Grants) (Scotland) Regulations 2006, for **non means tested grants of up to £800** to improve water supplies, by application to Falkirk Council's Environmental Health Team.

⁶These regulations include the Water Supply (Water Quality) (Scotland) Regulations 2001 and the Private Water Supplies (Grants) (Scotland) Regulations 2006, which reflect the European Drinking Water Directive. The maximum permitted limit of lead per litre will reduce from 25 mg to 10mg per litre from 2013 under the Water Quality Regulations.

The external environment

- 8.2 Reduced house sale transactions at a national level in recent years (and the associated drop in post-purchase repairs) together with a reduction in development activity, may mean it takes longer for the market to deal with BTS housing unaided. Similarly, current funding constraints will limit the ability of public subsidy alone to tackle BTS housing. This necessitates an approach to provide assistance which tackles a broad range of barriers faced by owners and is flexible enough to remain relevant when economic conditions become more benign. The BTS and the Scheme of Assistance Strategies are therefore flexible enough to be responsive to the changing housing market context over the next five years.

9. Achieving Best Value - Review of the 2004-2009 approach

- 9.1 Falkirk Council's previous approach to dealing with BTS housing during the Local Housing Strategy 2004-2009 was heavily grants based, reflecting the policy context at the time. No statutory notices under the 1987 Act were served from 2004-2009 as a result of this mandatory link to grant and the limited resources available. One application for a grant for BTS housing was received and paid out, although grants to replace roofing during that period may have had a preventative effect on BTS housing levels, albeit not quantifiable.
- 9.2 The current strategy involves bringing more housing above the Tolerable Standard than through grants alone. The mandatory link to grant when a statutory notice is served was removed on 31 March 2010 and replaced with a duty to assist (not necessarily financially) in certain circumstances, such as when a Work Notice is served. The new strategy increases the emphasis on prevention, on the basis that it is better value to solve problems before the need arises for costly demolitions, re-housing or long term closures and empty homes. More information on these issues is contained in the Council's Scheme of Assistance statement.

10. Prioritising Resources

- 10.1 Resources to deliver the strategy will always need to be targeted at the worst conditions, in addition to preventative measures, to achieve good value for money. This principle will apply as resources expand or contract as a result of wider economic and political factors affecting Local Authority finance.
- 10.2 Existing staffing arrangements will deliver the strategy, to enable both the sharing of expertise across departments and a flexible approach to prioritising resources corporately as caseloads vary over time.
- 10.3 The duty to take action in a '**reasonable period**' will involve taking account of all relevant factors including the level of risk presented by the house or houses; the vulnerability of those involved; availability of alternative housing options and overall resource availability. All cases will be documented by officers to demonstrate that appropriate actions are taken within a reasonable timescale and

resource constraints highlighted where necessary. Information and advice are accessible to all in the first instance.

11. Monitoring & Review

- 11.1 Processes and IT systems will be developed to make sure that the impact on BTS housing of assistance and enforcement actions are recorded efficiently. This includes outcomes, equalities monitoring and customer satisfaction. In addition, the Council allocations system will involve automatic referral for assistance to waiting list applicants living in unsuitable housing conditions.

Targets

- 11.2 Targets for improving private sector housing conditions have been set which are detailed in **Appendix 2**. As required, the five year Local Housing Strategy annual update process will include progress reports against targets and against the aims and objectives within it. Overall principles and aims will be reviewed in line with the Local Housing Strategy process.

Progress on Interim BTS Strategy Targets

- 11.3 The specific targets within the Interim BTS Strategy 2010 have now been revised to reflect more clearly the latest government Scheme of Assistance monitoring framework. The previous interim BTS strategy contained a target to develop appropriate ICT systems for recording assistance and enforcement action in respect of BTS housing. A monitoring and referral system has since been put in place which will be further developed over time.

Criteria of the Tolerable Standard – Appendix 1

A house meets the tolerable standard if it:

- is structurally stable;
- is substantially free from rising or penetrating damp;
- has satisfactory provision for natural and artificial lighting, for ventilation and for heating;
- has satisfactory thermal insulation;
- has an adequate piped supply of wholesome water available within the house;
- has a sink provided with a satisfactory supply of both hot and cold water within the house;
- has a water closet or waterless closet available for the exclusive use of the occupants of the house and suitably located within the house;
- has a fixed bath or shower and a wash-hand basin, each provided with a satisfactory supply of both hot and cold water and suitably located within the house;
- has an effective system for the drainage and disposal of foul and surface water;
- in the case of a house having a supply of electricity, complies with the relevant requirements in relation to the electrical installations for the purposes of that supply;
 - “the electrical installation” is the electrical wiring and associated components and fittings, but excludes equipment and appliances;
 - “the relevant requirements” are that the electrical installation is adequate and safe to use
- has satisfactory facilities for the cooking of food within the house; and
- has satisfactory access to all external doors and outbuildings.

Source: The Scottish Government, 2009, ‘Implementing the Housing (Scotland) Act 2006, Advisory & Statutory Guidance for Local Authorities: Volume 4 Tolerable Standard’

BTS Housing Strategy Targets & Timescales - Appendix 2

Local Housing Strategy Outcome	Relevant Indicators	Data Frequency / Type / Source	Baseline (date)	Targets	Timescale
Housing conditions are improving throughout the Council area					
Together we will reduce the level of Below Tolerable Standard (BTS) housing in the area	% of homes BTS	Scottish House Condition Survey	3.6% (LHCS 2009)	Reduce	2016
We prevent housing from becoming sub-standard by supporting more owners or landlords to meet their maintenance and repair obligations.	Number of awareness raising activities undertaken	Annual Scheme of Assistance Record Return to Scottish Government	Nil - transitional year 2010/11	Expand the range of information resources / events annually	2016
We assist home owners or landlords to improve BTS or otherwise sub-standard housing and we make it easy for the public to report problems with empty or poor quality housing.	Number of individuals accessing the Scheme of Assistance	Annual Scheme of Assistance Record Return to Scottish Government	3,629 individuals (2010/11)	Increase	2016
We use enforcement action as a last resort , where assistance fails to resolve problems and the property is BTS or otherwise sub-standard due to neglected maintenance or repairs.	Number of Statutory Notices served on sub-standard housing	Annual Scheme of Assistance Record Return to Scottish Government	6 notices (2010/11)	Increase the proportion complied with	2016
Key actions and commitment by local Partners for this outcome	<ul style="list-style-type: none"> • Corporate & Neighbourhood Services and Development Services will work together, with the Scottish Government and other partners to deliver the Scheme of Assistance; to enforce standards and to comply with duties in respect of BTS housing. • Falkirk Council will be an active member of the Scottish Empty Homes Partnership, to make it easier for empty homes (often sub-standard) to be identified, improved and brought back into use. • Falkirk Council will work with local landlords, tenants, home owners, contractors and advice agencies to raise awareness about housing conditions and the Scheme of Assistance. 				

BTS Housing: 2009 All Tenure House Condition Survey Evidence – Appendix 3

1. Survey Methods and Representativeness

- 1.1 The all tenure Local House Condition Survey (LHCS) 2009 was undertaken on the basis of a 3% random stratified sample of dwellings in the Falkirk Council area. It involved an assessment of property condition against a range of indicators by an independent surveyor and a questionnaire about socio-economic characteristics of the household. The results provide estimates of the prevalence, distribution and characteristics of BTS housing in the area as well as information about the households affected by it. Results can in future be compared with the Scottish House Condition Survey (SHCS) results which uses a similar methodology.
- 1.2 It is important to note when reading the proceeding analysis that the smaller the numbers involved, the higher the likelihood that the actual percentages will vary from the estimates provided by the sample.

2. Overall Rate of Failure

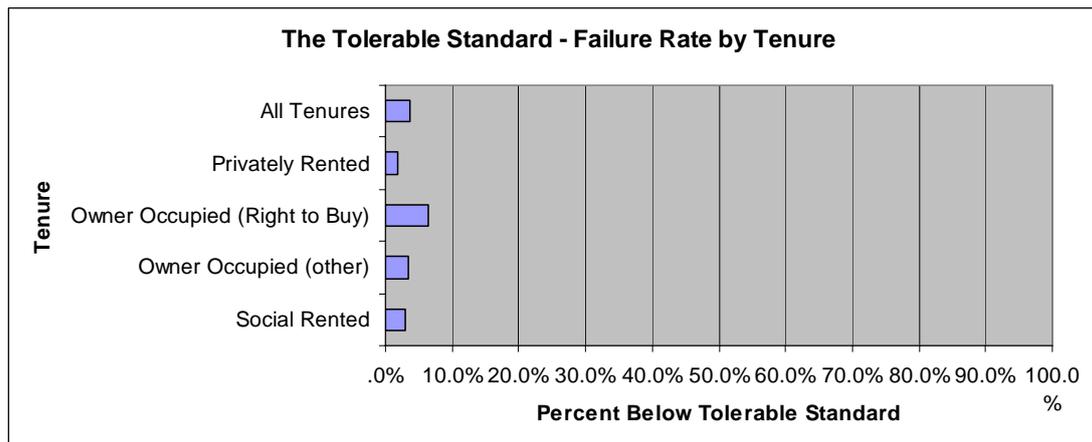
- 2.1 The LHCS estimates that 3.7% (2600) of housing in the area (across all tenures) fails to meet the revised definition of the Tolerable Standard. Comparable figures on the national failure rate are not yet available due to the change in definition of the Tolerable Standard from April 2009. It is unlikely however that Falkirk will vary significantly from the Scottish average, given the similar levels of disrepair reported by the latest Scottish House Condition Survey using 2007 - 2009 data (e.g. urgent disrepair levels are 33% in Falkirk and 37% across Scotland).
- 2.2 Using the pre – April 2009 definition (excluding loft insulation and electrical installation elements), 1.3% of Falkirk's private sector housing fails the standard. This is comparable with the national average which has been reported by the national SHCS to be in the region of 1% from 1991 through to 2007. Due to the small numbers involved, results from the SHCS are not broken down by tenure.
- 2.3 All of the following analysis relates to the new (post 2006 Act) definition of the Tolerable Standard, introduced in April 2009.

3. Tenure

- 3.1 Although a small minority across all tenures fail the standard, the owner occupied sector experiences the highest rates of failure. In terms of Social Rented Housing (Council and Housing Associations), a more recent 100% stock condition survey of Falkirk Council properties in 2010/11, shows that no Council properties fail the standard, based on the pre-revision definition used within Scottish House Condition Surveys at that time.

BTS Housing: 2009 All Tenure House Condition Survey Evidence – Appendix 3

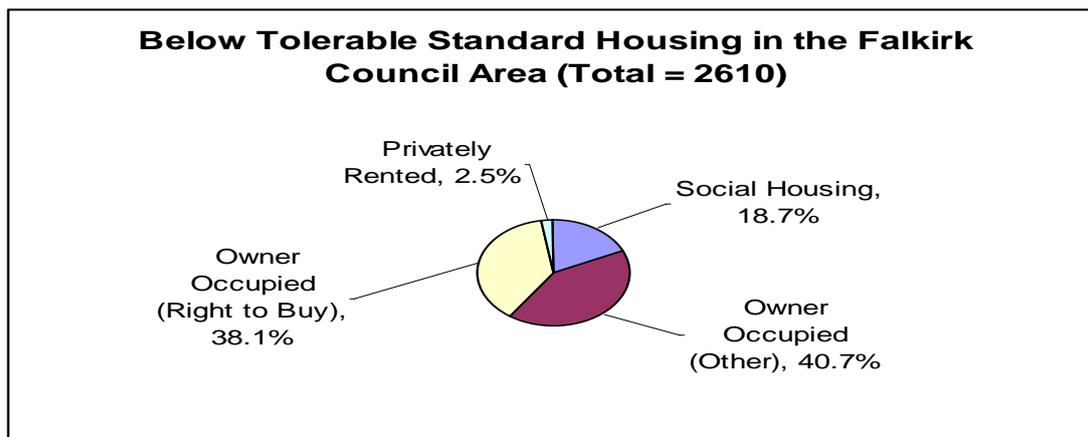
Table 1:



Source (Falkirk Area All Tenure House Condition Survey 2009)

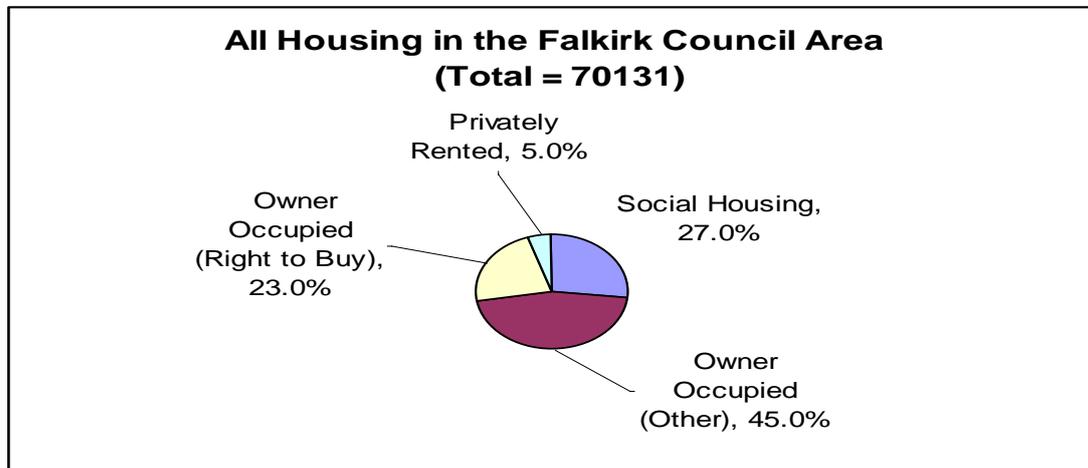
3.2 Table 2 shows the estimated number of BTS houses in the Falkirk Council Area by tenure. The majority of BTS housing in the Falkirk Council area is likely to be within private housing. Tables 2 and 3 indicate that the Owner Occupied Right to Buy (RTB) sector is disproportionately affected by the issue, given that this sector comprises 38.1% of the BTS housing within the area but only 23% of all housing within the area.

Table 2:



Source (Falkirk Area All Tenure House Condition Survey 2009)

Table 3:



Source (Falkirk Area All Tenure House Condition Survey 2009)

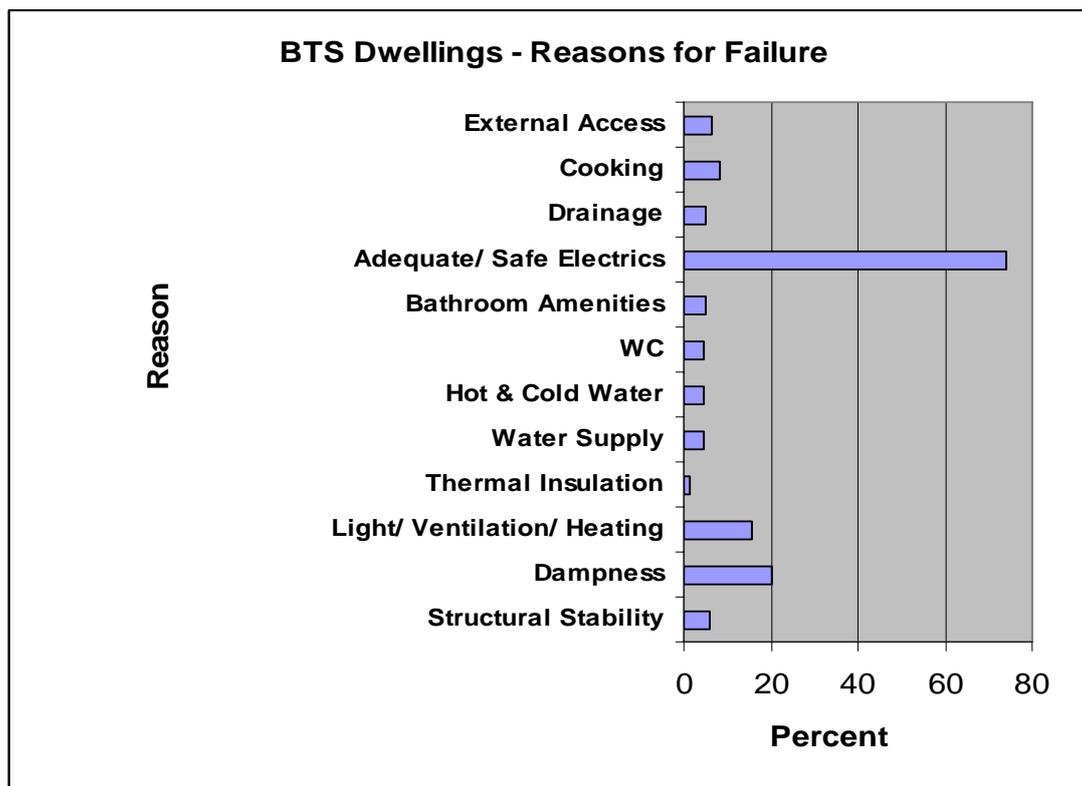
BTS Housing: 2009 All Tenure House Condition Survey Evidence – Appendix 3

3.3 The evidence in relation to housing purchased under the Right to Buy suggests specific initiatives may help reduce BTS housing within this sector. This includes targeted initiatives (e.g. awareness raising) within the Scheme of Assistance and in future, better information for potential Right to Buy purchasers about maintenance costs. The latter may in future be the subject of Scottish Government regulations under the Housing (Scotland) Act 2006.

4. Reasons for Failure & Cost of Improvement

4.1 The most common reasons for failure are electrical safety and dampness.

Table 4:



Source (Falkirk Area All Tenure House Condition Survey 2009)

4.2 Costs to improve BTS housing are estimated at £5.630m at an average of £2,148 per defective dwelling. Costs range from under £1,000 to over £12,000 per dwelling although the dominance of electrical failures influences the average improvement cost.

5. Year of Construction

5.1 Older housing is most likely to fail the standard. The slightly higher rate of failure within the 1965-1982 age band compared with the earlier age band suggest that non traditional house types (popular during this period) may be a causal factor, although numbers are small so the actual proportions may vary from the estimates provided in Table 5.

BTS Housing: 2009 All Tenure House Condition Survey Evidence – Appendix 3

Table 5: Source

Failure Rate by Year of Construction					
Year of Construction	Pre 1919	1919-1944	1945-1964	1965-1982	Post 1982
Failure Rate	5.0%	7.6%	3.5%	4.0%	0.0%

(Falkirk Area All Tenure House Condition Survey 2009)

5.2 Insufficient maintenance after purchasing under the Right to Buy and the need for modernised fuse boxes or rewiring are possibly key issues with post war stock. There is an opportunity to target RTB properties for awareness raising about the need for maintenance, for example through leaflet drops when neighbouring Council stock is being re-wired.

6. Construction Type

6.1 Table 5 shows that flats are more likely to be BTS than houses, although the volume of BTS houses is higher as a result of only 30% of dwellings in the Falkirk Council area being flats.

Table 6:

MAIN HOUSE TYPE by TOLERABLE STANDARD(post 2006 Housing Act)				
		Above Tolerable Standard	Below Tolerable Standard	Total
House	Count	47326	1757	49083
	% within Main House Type	96.4%	3.6%	100.0%
	% of Total	67.5%	2.5%	70.0%
Flat	Count	20195	853	21048
	% within Main House Type	95.9%	4.1%	100.0%
	% of Total	28.8%	1.2%	30.0%
Total	Count	67521	2610	70131
	% within Main House Type	96.3%	3.7%	100.0%
	% of Total	96.3%	3.7%	100.0%

Source (Falkirk Area All Tenure House Condition Survey 2009)

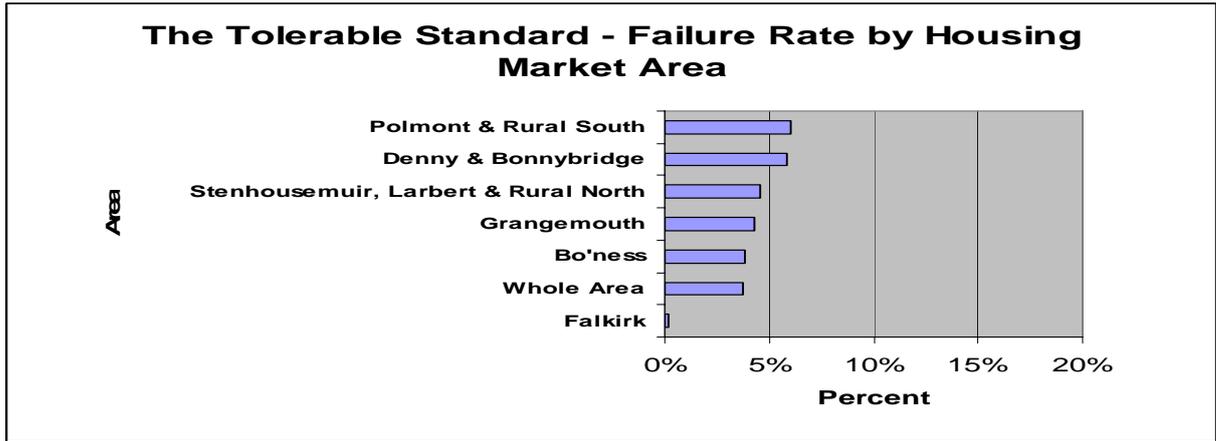
7. Housing Market Sub Area

7.1 There is only a slight geographical variation in rates of BTS housing, with the lowest rate in Falkirk town area and highest failure rate in the Polmont & Rural South Area. This variation may not be significant due to the small numbers involved.

7.2 Tables 8 and 9 indicate that Polmont & the Rural South and Denny & Bonnybridge housing market sub areas may experience a disproportionate share of the BTS housing whilst the Falkirk town area fares particularly well.

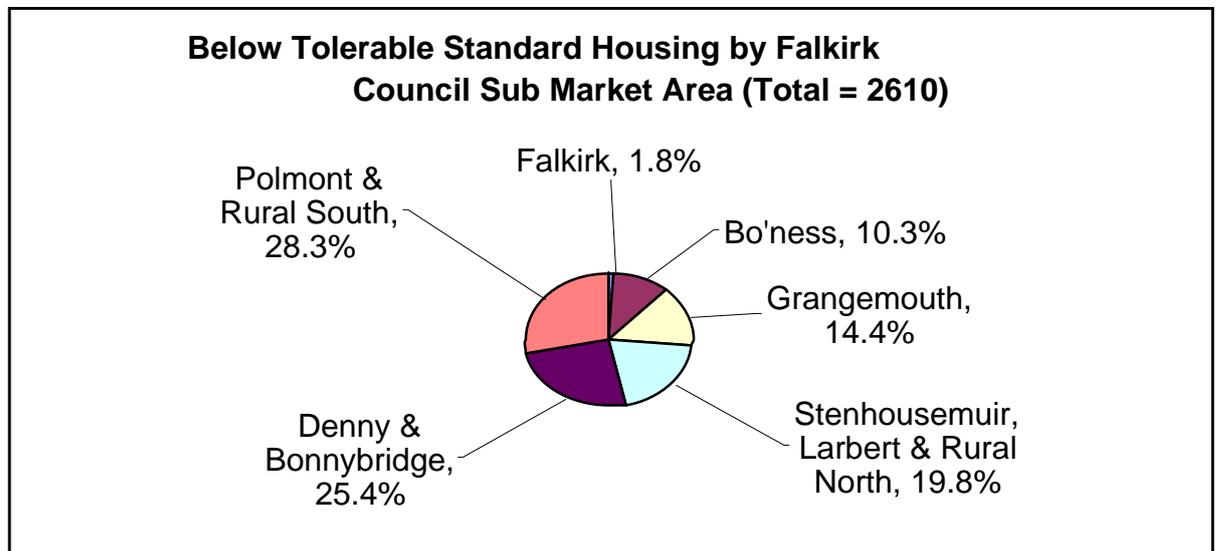
BTS Housing: 2009 All Tenure House Condition Survey Evidence – Appendix 3

Table 7:



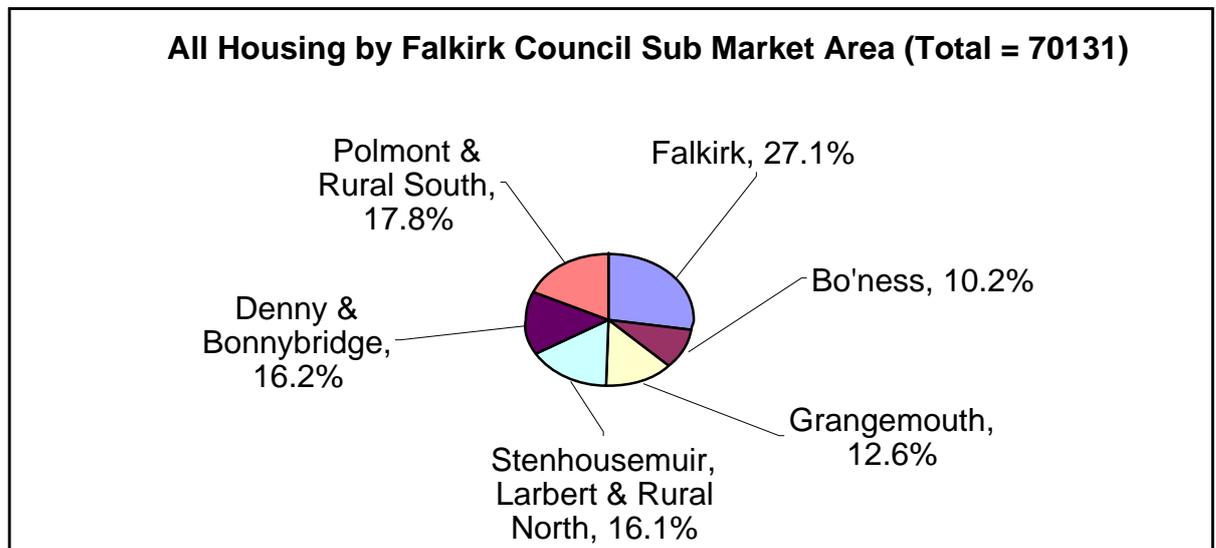
Source (Falkirk Area All Tenure House Condition Survey 2009)

Table 8:



Source (Falkirk Area All Tenure House Condition Survey 2009)

Table 9:



Source (Falkirk Area All Tenure House Condition Survey 2009)

8. Neighbourhood Characteristics

- 8.1 There is an apparent correlation between BTS housing and a poor quality surrounding built environment. The table shows that the incidence of BTS housing is greater in areas experiencing environmental problems, as indicated in Table 10.
- 8.2 This relationship is consistent across all environmental groupings (defined in paragraph 8.3) and would appear to support the hypothesis that these two issues are mutually reinforcing. It may be that owners have little incentive to improve their homes in poor quality surrounding areas, and little incentive to improve the surrounding environment given the poor condition of housing.
- 8.3 The definitions of environmental problems used in the Falkirk Area All Tenure House Condition Survey 2009 were as follows:
- **UPKEEP** – The upkeep, management and use of private and public space and buildings including the presence of: scruffy or neglected buildings, poor condition housing, graffiti, scruffy gardens or landscaping, rubbish or dumping, vandalism, dog or other excrement and nuisance from street parking. (Table 11)
 - **TRAFFIC** – Road traffic and other forms of transport including intrusive motorways and main roads, railway or aircraft noise, heavy traffic and poor ambient air quality. (Table 12)
 - **UTILISATION** – Abandonment or non-residential use of property including vacant sites, vacant or boarded-up buildings, intrusive industry. (Table 13)
- 8.4 The evidence of area based issues suggests that targeted assistance through the Scheme of Assistance could be merited in areas where neighbourhoods are of a poor visual amenity.
- 8.5 The correlation between poor environmental amenity of neighbourhoods and BTS housing suggests that by tackling visual amenity issues within communities (e.g unkempt gardens, fly tipping and communal areas, abandoned housing and traffic issues), there is potential to help prevent housing falling below the Tolerable Standard in future. Tables 11- 13 further illustrate the links.

BTS Housing: 2009 All Tenure House Condition Survey Evidence – Appendix 3

Table 10:

OVERALL ENVIRONMENTAL GRADING By TOLERABLE STANDARD (post 2006 Housing Act)

			Above Tolerable Standard	Below Tolerable Standard	
OVERALL ENVIRONMENTAL GRADING	No problems	Count	63599 96.7%	2179 3.3%	65778 100.0%
		% within OVERALL ENVIRONMENTAL GRADING			
	Problems present	Count	3922 90.1%	431 9.9%	4353 100.0%
		% within OVERALL ENVIRONMENTAL GRADING			
Total		Count	67521 96.3%	2610 3.7%	70131 100.0%
		% within OVERALL ENVIRONMENTAL GRADING			
		% of Total	96.3%	3.7%	100.0%

Source (Falkirk Area All Tenure House Condition Survey 2009)

Table 11:

ENVIRONMENTAL UPKEEP by TOLERABLE STANDARD (post 2006 Housing Act)

			Above Tolerable Standard	Below Tolerable Standard	Total
ENVIRONMENTAL UPKEEP	no upkeep problems	Count	64559	2387	66946
		% within ENVIRONMENTAL UPKEEP	96.4%	3.6%	100.0%
	upkeep problems present	Count	2962	223	3185
		% within ENVIRONMENTAL UPKEEP	93.0%	7.0%	100.0%

Source (Falkirk Area All Tenure House Condition Survey 2009)

Table 12:

TRAFFIC NUISANCE by TOLERABLE STANDARD (post 2006 Housing Act)

			Above Tolerable Standard	Below Tolerable Standard	Total
TRAFFIC NUISANCE	no traffic problems	Count	66051	2316	68367
		% within TRAFFIC NUISANCE	96.6%	3.4%	100.0%
	traffic problems present	Count	1470	295	1765
		% within TRAFFIC NUISANCE	83.3%	16.7%	100.0%

Source (Falkirk Area All Tenure House Condition Survey 2009)

BTS Housing: 2009 All Tenure House Condition Survey Evidence – Appendix 3

Table 13:

ENVIRONMENTAL UTILISATION by TOLERABLE STANDARD(post 2006 Housing Act)

			Above Tolerable Standard	Below Tolerable Standard	Total
ENVIRONMENTAL UTILISATION	no utilisation problems	Count	67349	2572	69921
		% within ENVIRONMENTAL UTILISATION	96.3%	3.7%	100.0%
	utilisation problems present	Count	172	38	210
		% within ENVIRONMENTAL UTILISATION	81.9%	18.1%	100.0%

Source (Falkirk Area All Tenure House Condition Survey 2009)

9. Household Awareness of Property Conditions

9.1 Only 16% of home owners within BTS housing identified any outstanding repairs at the time of the survey. Not all of these owners would be defined as economically vulnerable, suggesting the Scheme of Assistance may help tackle non financial barriers faced by owners in bringing their properties up to the Tolerable Standard, as well as financial ones. Non financial barriers can be tackled through awareness raising, advice and practical assistance.

10. BTS Housing and Equal Opportunities

10.1 Small sample sizes on equalities strands within the Falkirk All Tenure House Condition Survey mean the numbers presented in paragraphs 10.2 to 10.11 may not be representative. Paragraph 10.12 contains indicative conclusions about the households affected by BTS housing. The Scheme of Assistance consultation looked in more detail at how different groups are affected by poor housing conditions, to help improve the quality of available information. For details, see the Scheme of Assistance **Equalities Impact Assessment** screening, available from the Falkirk Council Private Sector Housing Section, Telephone 01324 590797. Estimates from the ATHCS about what groups may be particularly affected by BTS housing, are detailed below:

Means Tested Benefits

10.2 People receiving means tested benefits are over represented within BTS housing. Whilst 29% of households in the Falkirk Area are estimated to be in receipt of means tested benefits, 50% of BTS dwellings are receiving some form of means tested benefit to the household.

10.3 Taking only the owner occupied sector, nearly three in five owner occupiers living in BTS housing who are also in receipt of means tested benefits, are within the Right To Buy (RTB) sub sector of owner occupiers.

BTS Housing: 2009 All Tenure House Condition Survey Evidence – Appendix 3

Table 13

Below Tolerable Standard Owner Occupiers In Receipt of Means Tested Benefits - Right to Buy and Other

Owner Occupied - Right to Buy	Owner Occupied - Other	Total
585	340	925
63%	37%	100%

(Source: Falkirk Area All Tenure House Condition Survey 2009)

10.4 The problem of BTS housing is not confined to the economically disadvantaged. A quarter of BTS households within the owner occupied sector have no mortgage, suggesting there may be potential to finance improvements privately from equity release, for around one fifth of BTS homes (just over 500 homes).

Economic Status of Head of Household

10.5 Retired people, part time workers and the unemployed are over represented in BTS housing compared to their proportion within households overall.

- 33% of all heads of household in the Falkirk Area are wholly retired, but **43% of all BTS dwellings have a wholly retired head of household.**
- 2.8% of all heads of household in the Falkirk Area are in part time work, but **6.5% of all BTS dwellings have a part time worker as the head of household.**
- 6.2% of local households considered themselves unemployed, but **10.9% of BTS dwellings have an unemployed head of household.**
- 1.7% of local households are looking after the home but **4.1% of BTS dwellings have a head of household looking after the home.**

10.6 In terms of volume, BTS households are distributed as shown in Table 14 (percentages do not add up to 100% due to rounding):

Table 14:

Below Tolerable Standard Housing - Economic Status of Head of Household		
	Number of Households	Percent of BTS Housing
Full Time Work	817	30.7%
Part Time Work	173	6.5%
Unemployed	291	10.9%
Permanently Sick / Disabled	125	4.7%
Looking After Home	110	4.1%
Wholly Retired	1143	43.0%
Student	0	0%
Unobtainable	0	0%
Total	2659	99.90%

(Falkirk Area All Tenure House Condition Survey 2009)

BTS Housing: 2009 All Tenure House Condition Survey Evidence – Appendix 3

Disability

- 10.7 There is no evidence that disabled people are over represented in BTS housing. Heads of household who advised that they were permanently sick or disabled were estimated by the LHCS to account for 4.8% of all households in the Falkirk Area. 4.7% of BTS dwellings have a head of household that is permanently sick or disabled, as indicated in Table 14 above.

Age of Head of Household

- 10.8 Heads of household over 65 years are the most over represented in BTS dwellings. The under 25's, 45-54 and 55-64 age groups are also over represented within BTS dwellings compared to their overall proportions within households in the Falkirk area.
- 10.9 The LHCS shows that 41% of BTS dwellings have a head of household aged 65 or over but only 28% of local households are aged 65 or over. In terms of volume, the age of the head of household within BTS dwellings is distributed as follows: Over 65's (1090), 45-54years (495), 55-64 (447) 35-44 (262), 25-34 (257), under 25's (108).

Ethnicity and Gender

- 10.10 The LHCS estimated that 96% of heads of household in the Falkirk Council area define their ethnic origin to be 'White Scottish'. The survey found no more than 34 cases within any of the other ethnic groups, which means that estimates are not robust enough to draw conclusions about differences in the likelihood of living in BTS housing for different ethnic groups.
- 10.11 There appears to be a very slight gender imbalance towards women in BTS housing in percentage (but not volume) terms as shown in Table 15. 3.9% of those with male heads of household live in BTS dwellings and 4.5% of households with female heads of household live in BTS dwellings. Overall 4% of households live in BTS dwellings.

Conclusion – BTS Housing & Equal Opportunities

- 10.12 Findings of the Local House Condition Survey suggest that whilst the economically disadvantaged, younger and older groups of home owners are disproportionately affected by BTS housing, the problem is not confined to these groups. Therefore, the strategy for dealing with BTS housing (prevention, assistance and enforcement as a last resort) can help to promote equal opportunities in the context of Falkirk Council's Scheme of Assistance. This is designed to be widely accessible and to deliver assistance tailored to individual circumstances, within the available resources.

BTS Housing: 2009 All Tenure House Condition Survey Evidence – Appendix 3

Table 15: Source

SEX OF HOH by TOLERABLE STANDARD(post 2006 Housing Act)				
		Above tolerable standard	Below tolerable standard	Total
Male	Count	45359	1824	47183
	% within SEX OF HOH	96.1%	3.9%	100.0%
	% within TOLERABLE STANDARD(post 2006 Housing Act)	71.9%	68.6%	71.7%
	% of Total	68.9%	2.8%	71.7%
Female	Count	17741	834	18575
	% within SEX OF HOH	95.5%	4.5%	100.0%
	% within TOLERABLE STANDARD(post 2006 Housing Act)	28.1%	31.4%	28.2%
	% of Total	68.9%	2.8%	71.7%
Missing	Count	30	0	17
	% within SEX OF HOH	100.0%	.0%	100.0%
	% of Total	.0%	.0%	.0%
	Count	63130	2658	65788
	% within SEX OF HOH	96.0%	4.0%	100.0%
	% within TOLERABLE STANDARD(post 2006 Housing Act)	100.0%	100.0%	100.0%
	% of Total	96.0%	4.0%	100.0%

(Falkirk Area All Tenure House Condition Survey 2009)