

# ENERGY COMPANY OBLIGATION

## FLEXIBLE ELIGIBILITY STATEMENT OF INTENT

### STAFFORD BOROUGH COUNCIL, CRITERIA FOR ENERGY EFFICIENCY SCHEMES WHERE LOCAL AUTHORITY DISCRETION IS PERMITTED.

VERSION 5: 09/08/2021

PUBLICATION OF THIS STATEMENT CAN BE FOUND AT:

<https://www.staffordbc.gov.uk/Flexible-Eligibility-Statement-of-Intent-Version-5>

This Statement sets out Stafford Borough Council's eligibility thresholds for energy efficiency measures delivered in homes across this geographical area. It is to provide clarity and consistency across all schemes for which local authority discretion is permitted.

## 1. Introduction

### 1.1 Fuel Poverty

Fuel poverty in England is now measured using the Low Income, Low Energy Efficiency (LILEE) indicator, replacing the previously used Low Income High Costs (LIHC) indicator.

Under the LILEE indicator, a household is considered to be fuel poor if:

- they are living in a property with an energy efficiency (EPC) rating of band D or below.<sup>1</sup>

and

- when they spend the required amount to heat their home, they are left with a residual income below the official poverty line.

There are 3 important elements in determining whether a household is fuel poor:

- household income
- household energy requirements
- fuel prices

In publishing a Statement of Intent, Stafford Borough Council is looking to support those households who may fall outside general eligibility criteria, but who are still at risk of becoming fuel poor.

This document also acknowledges the part that energy efficiency schemes have in helping to achieve carbon reduction targets.

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<sup>1</sup> [Energy Performance of Buildings Data England and Wales \(opendatacommunities.org\)](https://www.opendatacommunities.org/buildings)

## 1.2 Which scheme can discretion be used for?

As of the date of publication, this Statement is intended to be used for:

- Energy Company Obligation
- Warm Homes Fund
- Green Homes Grants

Until the date of its re-issue, this Statement should also be used for all future energy efficiency schemes, unless criteria for such schemes specifically forbid such action.

The final decision on whether a household receives a measure under an energy efficiency scheme is made by the scheme deliverer or their agents/contractors. Eligibility will not guarantee installation of measures, as the final decision will depend on the criteria set out for each individual energy efficiency scheme.

## 2. Eligibility Criteria

2.1 To qualify for flexible eligibility under Stafford Borough Council's discretion, a household must:

- Have a low income as determined by table 1 below, and an EPC, or expected EPC rating of D, or below.

**OR**

- **(For Energy Company Obligation (ECO) schemes ONLY)** Have a low income as determined by table 1 below, and a health condition known to be exacerbated by living in a cold home, as detailed in the [National Institute for Health and Care Excellence Guideline NG6: Excess winter deaths and illness and the health risks associated with cold homes.](#)

**OR**

- Be deemed by the local authority to be eligible, having regard to exceptional circumstances or concerns that may be prejudicial to health for certain vulnerable groups.

## 2.2 Criteria for identifying households in Fuel Poverty - Low Income

The minimum income needed to live is subjective and varies considerably depending on the size of the household, where someone lives, in what type of accommodation and on the individual's basic needs. Therefore, the only reasonably reliable indicator of poverty that is generally accepted is that of relative poverty.<sup>2</sup>

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<sup>2</sup> [Energy Company Obligation \(ECO\): Help to Heat scheme - flexible eligibility - GOV.UK \(www.gov.uk\)](#)

This local authority has chosen to model the current ECO programme as its baseline and to apply an uplift to the permitted income for those in receipt of child benefit. We have taken account of the £30,000p.a. permitted income level for individual homeowners in the current Green Homes Grant programme, as determined by BEIS.<sup>3</sup>

**Table 1: “Income” means annual gross income from all sources, including housing-related benefits, before tax. This should be determined based on the preceding annual tax year which runs from 6<sup>th</sup> April to 5<sup>th</sup> April of the following year.**

<b>Household Composition</b>	<b>Permitted Gross Household Income</b>
<b>1 Adult</b>	<b>£30,000</b>
<b>And 1 Child</b>	<b>£34,838</b>
<b>And 2 Child</b>	<b>£39,788</b>
<b>And 3 Child</b>	<b>£44,738</b>
<b>And 4+ Child</b>	<b>£49,668</b>
<b>2 Adults</b>	<b>£37,914</b>
<b>And 1 Child</b>	<b>£42,538</b>
<b>And 2 Child</b>	<b>£47,488</b>
<b>And 3 Child</b>	<b>£52,438</b>
<b>And 4+Child</b>	<b>£57,388</b>

### 3. Area Based Schemes

3.1 Where permitted to do so, this local authority wishes to set clear guidance as to the definition of an eligible area. The underpinning principle of defining an area as being eligible, is that some energy efficiency measures require an element of scale, and homogenous delivery to make them feasible. By excluding a small number of householders in an area, because they do not meet the discretionary eligibility as noted above, could negatively impact a significantly higher number of fuel poor households within the same area. For an eligible area, the local authority will apply postcode level approvals.

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<sup>3</sup> [Sustainable Warmth Competition: guidance for local authorities \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/674242/sustainable-warmth-competition-guidance-for-local-authorities.pdf)

### 3.2 Criteria for an eligible LSOA which the postcode falls within:

A lower super output area may be classed as eligible where using the English Indices of Deprivation.

- Income deprivation of the LSOA is in the 40% of most deprived neighbourhoods in the country<sup>4</sup>

AND

- For the postcodes of the Area Based Scheme, more than 60% of households have a published Energy Performance Certificate rating of D, or below.<sup>5</sup>

3.3 Council discretion: The local authority reserves the right to review area-based schemes on a case-by-case basis. Where individual energy efficiency schemes cannot benefit most fuel poor households, due to the circumstances of a minority none fuel poor, the local authority may exercise discretion. In such circumstances it will record the evidence that it has collated to reach this judgement.

3.4 The Council has previously identified streets in Stafford Borough that do not have access to the gas mains infrastructure and are more likely to be living in fuel poverty than elsewhere. As such, the Council has applied its discretion for these streets to receive infrastructure expansion. See Appendix A for more information.

## 4. Referrals

Referrals to schemes will come from a variety of sources including council departments, the health and social care sectors, the voluntary sector, and other agencies.

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<sup>4</sup> Details to be taken from [Indices of Deprivation 2015 and 2019 \(communities.gov.uk\)](https://communities.gov.uk) mapping tool.

<sup>5</sup> Details to be taken from [Energy Performance of Buildings Data England and Wales \(opendatacommunities.org\)](https://opendatacommunities.org)

## 5. Signature



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A Nevin, Health and Housing Manager

## 6. Key Contacts

For comments in relation to this Statement of Intent and its development please contact Stafford Borough Council:

- Telephone: 01785 619000
- Email: [health@staffordbc.gov.uk](mailto:health@staffordbc.gov.uk)
- Post: Stafford Borough Council, Civic Centre, Riverside, Stafford ST16 3AQ

# Appendix A

## **Gas Mains Infrastructure**

The Council has been working with communities to identify streets in Stafford Borough that they would like to extend the gas mains into. These streets have not had access to gas mains infrastructure before, and as such, the residents have significant barriers preventing them from upgrading their heating to a gas central heating system.

As a result, many of these residents still heat their homes with old, inefficient electric storage heaters or electric plug-in panel heaters which are expensive to run, and the quality of heat is poor. Therefore, households on these streets are more likely to be living in fuel poverty than elsewhere. The following streets have been identified for infrastructure expansion.

- Meadowbrook Court ST15 8
- Riverside Mews ST16 2
- Fairfield Court ST16 3
- Longton Road ST12 9
- Doxey Road ST16 1
- Marston Drive ST16 3
- Peter James Court ST16 3

The Council will work with partners across Staffordshire Warmer Homes to identify the households on these streets that qualify for ECO support either through Affordable Warmth criteria or through the Council's Flexible Eligibility criteria which is set out above.