

Report to Council

Meeting Date: 20 December 2021
 Portfolio: Communities, Health and Wellbeing
 Key Decision: YES: KD 20 /21
 Policy and Budget Framework
 Framework YES
 Public / Private Public

Title: REGULATORY REFORM (HOUSING ASSISTANCE) (ENGLAND AND WALES) ORDER 2002 - CHANGES TO EXISTING HOUSING ASSISTANCE POLICY
 Report of: Corporate Director Governance and Regulatory Services
 Report Number: GD.70/21

Purpose / Summary:

The report has been prepared following a review of the existing Regulatory Reform Order (RRO) Housing Renewal Assistance Policy which was last updated in 2018 and approved by Council in January 2019. Revisions are now necessary to ensure the Housing Renewal Assistance Policy is fit for purpose as an offer for our residents and reflects the current demands on the service. The revised policy is referenced in Appendix 1.

Recommendations:

It is recommended that Executive:

- 1 Consider the proposed revised Housing Renewal Assistance Policy 2022 in Appendix.1, in accordance with the Council's Budget and Policy Framework.

Tracking

Executive:	25 October 2021 and 20 December 2021
Scrutiny:	25 November 2021
Council:	4 January 2022

1. BACKGROUND

- 1.1 Article 3 (1) of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) allows the City Council to provide assistance in improving living conditions within its area. Assistance can be in any form (Article 3(3)) but Article 4 requires that the Council first adopt a Policy for the provision of the assistance. The first Housing Renewal Assistance Policy was adopted by Carlisle City Council on 9th September 2003. The Policy has been amended since its adoption to allow actions to be taken by officers relating to the housing sector, most recently in 2019. The Council's decision on the 2019 Policy delegated responsibility for the use of funds and the granting of grants specified in the Policy to the Corporate Director of Governance and Regulatory Services.
- 1.2 The main source of funding for the assistance offered by the City Council is from the Disabled Facilities Grant funding. The City Council is under a mandatory obligation to provide a Disabled Facilities Grant (DFG) to assist with adaptations to disabled persons homes under the Housing, Grants, Construction and Regeneration Act 1996, as amended by the Regulatory Reform (Housing Assistance) Order 2002. DFG mandatory assistance is available to eligible applicants for certain works, subject to a test of the applicant's resources. Before 2016 the amount of money required for mandatory DFGs within the district exceeded the Government grants and contributions from the City Council. The City Council did not have the budget to take advantage of the discretionary opportunities to extend the use of the DFGs as allowed by the Regulatory Reform (Housing Assistance) Order 2002. However, in 2016/17 the City Council's Government Grant was significantly increased and the Council was able to take advantage of the increased funding to extend the scope of DFG assistance by adopting new discretionary grants through the Housing Renewal Assistance Policy 2017 and the subsequent revisions. The 2021/22 Government DFG allocation for Carlisle City Council is £2,155, 574, which is £255,810 above the £1,899,764 allocation in 2020/21.

2. ADDITIONAL HOUSING ASSISTANCE

1.1 Under the proposed Housing Renewal Assistance Policy 2022 (Appendix.1.), mandatory DFGs under the Housing Grants Construction and Regeneration Act 1996 will continue to be available and take priority over the discretionary assistance. The City Council, in accordance with its responsibilities under the Better Care Fund Policy Framework 2021 to 2022 has produced an Action Plan which details the proposed mandatory and discretionary allocation of DFG spending.

The Action Plan will be amended to account for the additional agreed assistance offered by the revised Policy in Appendix.1.

2.2 It is recommended that the City Council uses its discretionary powers under the Regulatory Reform Order to further broaden the scope of DFG's and allow specific DFG funding to be used for grants to assist the elderly, disabled or other vulnerable groups to live independently and to improve their living conditions and well-being. Specifically, minor works that support ill health prevention promote independence and delay transfer into care.

2.3 The main changes proposed in the revised Policy from the 2019 Policy are:

- Lifting the upper grant limit available for all the discretionary grants, to account for market conditions and material and labour costs rising significantly in the last 18 months.
- introducing a dedicated hospital discharge grant, with a dual element of either palliative care or short term need to enable faster recovery at home.
- Introducing a consistent policy regarding the application of a land charge (s) being registered against a property to ensure consistency across all non-mandatory grants through the discretionary grant offer.
- Updating the Relocation Grant conditions and including a set grant amount available for those applying for a relocation grant. Removing the mandatory DFG means test Criteria where it meets the criteria of the Better Care Fund.

- Updating the Independent Living grant, to include a household saving limit for applicants.
- Grant conditions being placed on the number of applications a household can make to the Council over a three-year period for any of the discretionary grants available.
- Updating the grant conditions to provide clarity on accessing the grant known as the Additional Discretionary Assistance for Mandatory Grants which is signed off by the presenting Occupational Therapist and the Director of Governance and Regulatory Services.

2.4 Delayed transfer of care with people staying unnecessarily long in hospitals, has historically been a problem for Carlisle. The 2019 Housing Assistance Renewal Policy introduced two posts funded from the DFG allocation as assistance to support the delivery of the DFG process, a Disabled Facility Trusted Assessor Post, and a Hospital Discharge Caseworker. The posts are both temporary for three years and funded through the DFG carry forward. Both posts have been extremely successful in the delivery of the Housing Assistance Policy over the last 18 months and the revised Policy will allow for the continuation of these posts subject to funds being available and the Corporate approval process being followed.

The 2019 Housing Renewal Assistance Policy was very successful in creating new pathways for assistance which directly benefitted the living standards of vulnerable home occupiers Carlisle. The expenditure from DFGs in 2019 / 20 was £2,252,045 compared to £520,936 in 2016/17. £ 1,011,472 of the 2019 / 20 assistance was directly to homes in Carlisle from discretionary grants introduced by the 2019 Policy. Without the Policy these Carlisle households would not have had DFG support keeping them safe and warm at home. The Revised Housing Assistance Policy 2022 in appendix.1. seeks to build on national good practice by further increasing the assistance available from the City Council in keeping its residents safe and living independently at home.

3. RISKS

- 3.1** By improving the options and flexibility for housing assistance the proposed policy is likely to increase the funds required for an increase in grant applications. Although adequate funds exist at the present time to meet estimated demands the future of DFG funding is uncertain. This risk of demand exceeding the funds available is controlled as all the additional assistance within the revised Policy is discretionary and subject to the funds available.
- 3.2** The proposed Policy aligns the use of DFG funds with the outcomes sought from the Better Care Fund (BCF). Not revising the Policy could risk criticism that the DFG funding is not being spent effectively in assisting people to live safely and independently at home.

4 CONSULTATIONS

- 4.2** Appendix.1. has been circulated within the County Council Occupational Therapist Team who were asked to contribute in the drafting of the proposed Housing Renewal Assistance Policy.
- 4.3** Foundations – Foundations is the national body for Home Improvement Agencies and also the Government lead for the transformation of the Disabled Facilities Grant. Foundations have been supportive of the proposals put forward by the updated policy.

5. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 5.1** The revised Housing Renewal Assistance Policy 2022 will assist in ensuring that best use is made of the DFG capital funding making use of existing capacity and expertise within the Housing and Pollution and Homelife teams.
- 5.2** The introduction flexibility into the assistance process is being promoted as good practice nationally and in line with government and local policies.

6. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

6.1 The proposals will help support the Carlisle Plan priority to: 'Address current and future housing needs to protect and improve residents' quality of life'

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Appendices **Appendix.1 Housing Renewal Assistance Policy 2022**
attached to report:

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

- None

CORPORATE IMPLICATIONS:

Legal – As explained in the report, the Regulatory Reform (Housing Assistance)(England and Wales) Order 2002 requires the Council to have in place a policy setting out how it will exercise its power to provide assistance to people to adapt repair or renew accommodation. The policy is part of the Council's Budget and Policy Framework. As such, any amendment must be approved by Full Council following recommendation by Executive and scrutiny by the appropriate Scrutiny Panel.

Property services -

Finance – The Council receives Disabled Facilities Grant funding through the Better Care Fund. The current budget allocation in 2021/22 stands at £3,387,200 (including amounts

carried forward from previous years and the 2021/22 allocation of £2,155,574). In order to progress the utilisation of this funding, the proposals in the report and appendix have been made. Disabled Facilities Grant has always been a capital grant allocated by the government to be incurred on providing capital enhancement works to those properties that require it, indeed the MHCLG's Grant determination states that it is to provide support towards capital expenditure lawfully incurred by the authority. The proposals in this report aim to utilise this funding in innovative ways in order to achieve the same end goal of improving prospects for people to remain in their own home. The Council is able to charge an administration fee that is income to the revenue budget which can then be used to support the administration (staffing) costs of providing the service.

Equality – Carlisle City Council has a leading DFG service.

Information Governance – Given the need to process personal and special category data, in order to assess and progress grant applications, the Council must ensure its grant procedures comply with current Data Protection Law; particularly the [data protection principles](#)

Carlisle City Council

HOUSING RENEWAL ASSISTANCE

POLICY

Update 2021

Introduction

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 equipped local authorities with a wide-ranging power to provide assistance for housing renewal based on the principle that repairs are fundamentally the responsibility of the property owner but grant assistance should be given in particular circumstances.

Poor quality housing can have an adverse effect on the health and well-being of the occupants and the presence of long-term empty properties can be blight on the neighbourhood.

The City Council recognises that assistance cannot be made available to all residents. Mandatory Disabled Facilities Grants under the Housing Grants Construction and Regeneration Act 1996 will continue to be offered to applicants who meet the eligibility criteria.

This policy makes use of the powers provided under The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to broaden the scope of Disabled Facilities Grants and to offer alternative forms of grants for disabled, elderly, low income and other vulnerable residents in Carlisle and District. Also, the objective of this policy is to assist with meeting the aims of The City Council's housing strategy including to help combat fuel poverty and improving the standard of the housing stock in our area.

Through the City Council's Home Improvement Agency (H.I.A.), Homelife Carlisle, additional discretionary assistance may be provided to improve the health and well-being of Carlisle and District residents, particularly those considered to be more vulnerable. All forms of discretionary assistance beyond the Mandatory Disabled Facilities Grant Capital funding are dependent on the availability of external funding and can be withdrawn at any time.

Mandatory DFG applicants will not be disadvantaged by discretionary grants.

No works shall be carried out without a written formal grant approval. No retrospective applications will be considered.

Types of Assistance Available

1.0 Mandatory Grants

1.1 Disabled Facilities Grants (DFG)

The provisions governing mandatory Disabled Facilities Grant (DFG) are contained In the Housing Grants, Construction and Regeneration Act 1996 (the 1996 Act), as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. The Order extended Mandatory DFG eligibility to those occupying park homes and houseboats.

Provided they meet the defined criteria, all owner-occupiers and tenants, licensees or occupiers are eligible for DFG. Private Sector landlords and Register Providers (RP) may also apply for a DFG on behalf of a disabled tenant, but the tenant must also satisfy the relevant requirements under the same means testing arrangements.

1.2. Mandatory DFG – Additional Discretionary Payments

A discretionary payment in addition to a Mandatory DFG can be made by the City Council to provide top up funding to meet the cost of aids and adaptations to assist an applicant to live independently in their home where a DFG is approved at the statutory maximum and the eligible expense, less contribution, exceeds the statutory maximum (currently £30,000).

There will be no requirement for a separate application as the assistance is linked to a Mandatory DFG application, but a means test through standard test of resources will apply except where the grant is approved in respect of a disabled child under the age of 19.

The maximum additional discretionary grant will be set at £15,000; this does not include Renovation Grants; Dementia Friendly, or Safe and Warm Grants detailed in part 2.0 of this Policy.

Any works should be completed within 12 months of application's approval. Works must be to the satisfaction of the City Council.

1.3 Unforeseen Works – Mandatory Disabled Facility Grants

A discretionary payment can be made by the Council, under this policy in the following circumstances:

The grant maximum of £45,000, including the discretionary top up has been reached, and unforeseen works have arisen onsite, which would not have been known at the time the grant was approved. i.e., Drainage, foundations work, requested changes by the Building Control Department.

The maximum grant for unforeseen works will be set at **£5,000**.

1.4 Independent Living Adaptation Grant

The Independent Living Grant will provide a solution where an individual is not financially eligible for a Mandatory DFG and requires an adaptation which assists with independent living, provided they are supported by an Occupational Therapist / OT Assistant recommendation, or other competent authority.

The applicant will not be subject to a full financial means test but applicants will be asked to provide information on savings available to them as means to self fund an adaptation. Applicants will be eligible if they have savings under £60,000 per household or £35,000 for an individual.

Amount of Assistance:

Up to £10,000.

The Number of Applications a household can make will be restricted in line with the Policy for accessing all discretionary grants from the Council detailed in section 4 of the Policy.

1.5 Relocation Grant as an Alternative to Adaptations

Where an existing home has been professionally assessed as no longer being a viable option for an individual/household, or it cannot be suitably adapted, to meet the needs of that individual to remain independent in the home, then as an alternative and in agreement with the client, the Council can assist with a **Property Relocation Grant**.

The relevant costs to be treated as eligible within this discretionary grant would be reasonable legal costs, estate agent fees, removal costs, necessary utility and service set up costs, and minor adaptations to make the property suitable. Applications can be from owner occupiers or tenants moving within the private rented sector or property provided by registered providers. This would be capped at £5,000.00 per household.

Financial assistance towards the purchase of a property may also be considered for owner occupiers who qualify for DFG assistance, but only where there would be no financial gain in the sale of the old property moving to the new property, equally the move to a new property must not place the applicant in negative equity. The contribution would be capped at £10,000.00 per household.

Applications for both elements of the grant will be considered from individuals where the applicant is not the person who the grant would benefit directly, but as the owner of the property and a person who resides in the same property as an essential carer. This would apply to parents/carers of children and for those with a family member under guardianship, power of attorney or those with a close family relationship and live in the same property as the disabled individual and that person is an essential carer to support independence. All applicants will be assessed to ensure that there is no financial gain in the sale of the old property moving to the new property.

In all cases the property to which the applicant moves must be compliant with the decent homes standard, when the current home cannot be suitably adapted.

All applications must be supported by a qualified health professional as detailed in section 1.6 of the Policy.

An individual who receives relocation assistance shall not be entitled to claim similar assistance for a period of 10 years. Receiving this grant does not prevent applicants applying and potentially receiving grants and assistance from other schemes in this policy.

1.6 Commissioning Independent Assessment of Need

The Housing Grants, Construction and Regeneration Act 1996 makes no reference to assessment of need for an adaptation, it only places a duty on housing authorities who are not themselves a social services authority to consult the social services authority on the judgement of whether the works are necessary and appropriate to meet the needs of the disabled occupant (Section 24). In *Disabled Facilities Grant Programme: The Government's proposals to improve programme delivery*, 2007, the Department for Communities and Local Government made it clear that an occupational therapy assessment is not a legislative requirement.

The City Council will accept referrals from Private Occupational Therapists or other health specialists, including trusted assessors who are engaged by the applicant to advise on what works are required to meet their individual needs. The costs of these professional assessments would be recoverable under the grant.

Whilst many requests for a DFG come to The City Council via a Social Services assessment, applicants also have the right to make applications to the City Council directly. In addition, referrals for DFG applications may come from other organisations, including health professionals, voluntary sector organisations and different Council departments. Where applications do not come via a Social Services assessment The City Council shall proceed with the DFG application in the normal way and help the client complete the necessary application. The City Council has a legal duty to determine the application within 6 months of receipt. As part of the consideration process, The City Council has a duty to consult with Social Services department to ensure that the works being requested are necessary and appropriate.

The City Council reserves the right to employ an Occupational Therapist, or other health professional or suitably competent person, through the DFG allocation to provide the necessary assessment and assistance with its delivery of the Disabled Facilities Grants programme.

For example, this may include a medical health professional's assessment that confirms an individual is particularly at risk from excess cold due to a pre-existing medical condition. A DFG could be provided to improve any existing heating system or where there is no heating system, provide a system to meet their needs.

This policy does not include the costs of an Occupational Therapist acting on behalf of the Social Services authority in the discharge of their responsibilities under section 24(3)(a) of the 1996 Act (or any other enactment).

1.7 Priority Points System for allocation of DFGs

If resources become limited in the future or demand increases significantly, The City Council will allocate DFG funding based on a priority points system. Applicants may be placed on a waiting list prior to being invited to make a formal application. Where this occurs, the applicant will be advised that they have been placed on a waiting list and will receive an update every 3 months as to the projected timescale for their application to be invited. Each applicant will be invited to make an application in date order. However, priority will be given to urgent applications as determined by both the City Council and the Occupational Therapist.

1.8 DFG for Recycled equipment

In ensuring that the funding available for Disabled Facility Grants can benefit the maximum number of recipients, a scheme of re-commissioning key equipment such as ramps, stair lifts etc. will be applied where possible. All procurement frameworks relating to DFG supplies and services will include this as an option.

2.0 Discretionary Assistance

Discretionary assistance will be made available under this policy, under the conditions and schemes criteria outlined. However, in all cases the works or assistance being provided must meet the following objectives:

- Increased home independence, safety and minimising the effects of disability.
- Enabling the carer to continue care in the home.
- Prevention of admission to more institutionalised care.
- Reducing pressures on the NHS by supporting people to be discharged from hospital.

All discretionary grant assistance is subject to the City Council's annual budget setting procedure and the availability of sufficient levels of external funding. All such payments are at the City Councils discretion and will be removed once available funds are exhausted.

2.1 Renovation Grants

The City Council reserves the right to use its discretion under the Regulatory Reform Order to pay for works under a DFG that may otherwise not be eligible for assistance. Typically, these works could include the cost of undertaking repairs to a property to enable a DFG to proceed. These could include:

- a) Structural repairs.
- b) Undertaking works to resolve category one hazards within a property, such as remedial works to tackle damp or excess cold.
- c) Undertaking electrical repairs to a home where a new level access shower or stair lift is being provided.
- d) Undertaking measures to improve the safety and security of eligible households such as windows and door locks, fixing loose flooring, undertaking repairs to pathways and the removal of trip hazards.
- e) Assistive technology. Remotely operated equipment e.g., to allow people to control heating and appliances independently

Discretionary Renovation Grants shall only be awarded to households eligible for a Mandatory DFG. The Discretionary Renovation Grants are not means tested and shall not exceed **£15,000**.

Discretionary Renovation Grants will be registered as a separate land charge in full and subject to recovery as detailed in 4.0 of the Policy.

2.2 Additional Discretionary Assistance for Mandatory Grants

Where the total cost of mandatory DFG works exceeds the grants available the County Council or the NHS can request further discretionary assistance from the City Council if funds are available.

The request must be in writing from the health professionally supporting the applicant and will be supported by the Council Officer processing the mandatory DFG. Additional discretionary assistance will be considered on a case-by-case basis and subject to funding being available for the anticipated mandatory commitments. All applications for additional discretionary assistance will be considered by the Corporate Director of Governance and Regulatory Services and applications will be capped at £30,000.00

The additional assistance will be registered as a separate land charge in full and subject to recovery as detailed in 4.0 of the Policy.

2.3 Dementia Friendly Grant

To help people with dementia to make changes to the home that would support them to live in their own home safely and for longer. Examples of measures may include safety flooring, colour- contrast decorating, lighting and alarms.

Who can apply for a Dementia Friendly Grant?

Any person diagnosed, or awaiting a diagnosis, for a cognitive impairment or dementia related condition and who is an owner occupier, private tenant or tenant of a registered provider of social housing.

Referrals should be from a health professional or from the community sector but householders or their carers can apply at the Home Improvement Agency's discretion.

Not subject to a means test.

Amount of Assistance: Up to £5,000

2.4 Safe and Warm Grants

These grants are designed to enable qualifying owner occupiers and, for certain measures, tenants to access financial assistance to carry out a wide range of repairs and home improvement measures to:

- Keep them safe and warm at home
- Reduce risks and accidents around the home
- Promote independent living
- Assist with hospital discharge or prevent hospital admission.

Conditions

The following paperwork will be required in order to make a completed application:

- Designated application form
- Proof of eligibility including proof of ownership or tenancy
- Landlord's permission where appropriate

Recipients of Renovation Grants would not normally be eligible for an additional Safe and Warm Grant.

Criteria

1) **EITHER** The applicant or a member of their household must:

- have a prescribed medical condition that is impacted by their current housing situation
- **OR** be considered disabled by being in receipt of a disability benefit on the date of a completed application
- **OR** be 60 years of age or over
- **OR** be a carer for someone in their household.

The applicant(s) must also meet the following financial criteria:

- Have a low household income in line with the Home Improvement Agency's published criteria.
- **OR** be on a means-tested state benefit

AND

- Have savings less than £23,500. The Council has discretion to waive the savings threshold in exceptional circumstances.

Eligible Owner Occupiers

An owner occupier is eligible to apply for a Safe and Warm Grant if they:

- own their own home as a freeholder or leaseholder (with at least 5 years left to run)
- **OR** have a licence to occupy a residential park home on a licensed site

AND

- Have owned the property for at least 6 months

Eligible Tenants

Private sector and Registered Providers tenants may be eligible only if the measures do not fall under the landlord's general responsibilities or under the tenancy agreement.

Typical works that are eligible for a safe and warm grant for tenants would be:

- Deep Cleans that will prevent homelessness or which will facilitate other grant funded eligible measures administered by the Home Improvement Agency.
- Supply and fit of key-safes
- Basic draught-proofing measures

A tenant is one who meets one of the following:

- Is a secure tenant
- Is an introductory tenant
- Is a protected occupier under the Rent Act 1977
- Is an employee who occupies the dwelling or flat concerned for the better performance of their duties
- Is an assured tenant of a Registered Provider (Housing Association)

If the applicant is under 19 years old, then the parent or guardian will be required to confirm one of the above.

Tenants must supply permission from the landlord for any works to go ahead and that it is the intention of the landlord to let the property to the applicant for at least the next 12 months from the date of application.

Applicants will not be eligible if the landlord is seeking possession of the property and has served the relevant notice or if there are significant rent arrears at the time of the application.

Amount of Assistance for a Safe and Warm Grant

The maximum grant is £10,000.00. The grant may include the cost of the eligible works plus any agency fee which is set annually according to the charging policy.

Measures that are not eligible for Safe and Warm Grants

- Furnishings such as carpets and curtains – unless specialist safety flooring
- Work to non-habitable rooms such as garages, basements, outhouses and porches
- Work that is covered by insurance. If the householder does not have buildings cover discretion may be applied by the Council.
- Work that is covered by a government scheme such as the ECO or Sustainable Warmth energy schemes although the grant can be used towards client contribution to the costs of such measures if the grant allows.
- Work or measures that are another statutory agency's responsibility

- Deep-cleans should be funded through a discretionary grant once only, and the applicant, or the agency that may be supporting them, is expected to plan arrangements for on-going cleaning support.

2.5 Hospital Discharge Grant and Short Term Care Needs grant

An applicant would qualify for the above grant if the referral was being made by a health professional as detailed in 1.6 of the Policy. Applicants will qualify if the professional making the referral details considers that works are required to make a residential property safe for that individual and their household or carer.

All referrals will be considered if the request being made is to, either prevent a short-term hospital admission or admission to institutionalised care setting; or to ensure that an individual can be discharged to a safe home from hospital or discharged from another institutionalised care setting and prevent a delayed discharge. In some circumstances the property the individual is being discharged could be that person's home or the address of the carer for the recovery period of that individual to prevent the delayed discharge.

Example of works that could be carried out under the grant include:

- One-off deep cleans that will enable hospital discharge
- Supply and fit of key-safes
- Financial support with short term stair lift rentals under 12 months
- Assistive technology or equipment that requires a level of permanence.
- Assistance with furniture relocation within the home such as moving a bed to a suitable habitable room.
- Equipment that is not supplied by another statutory agency. This may include medicine lock boxes

This grant would only be available if it falls outside the type of larger adaptation works that would traditionally been carried out through the Mandatory DFG grant process. The grant would not cover minor adaptations such as fitting of grab rails or temporary ramps to the home or are another statutory agency's responsibility.

No means-test will be applied if the applicant is eligible based on the need to make their home safe and to prevent a further delay in discharging the patient. A means-test may be applied for works that are not necessary to prevent the client returning home from hospital but are arranged by the department under any other means-tested grant scheme.

Conditions

The following paperwork will be required in order to make a completed application:

- Referral from a qualified health or social care professional and consent from that individual to be referred.
- Landlord's or the property owner's permission where appropriate. Applications will be assessed on a case-by-case basis depending on how intrusive the required works are to the property.

The grant maximum will be £5000.00. Section 4.2 of the Policy does not apply to this grant in terms of number of applications and no land charge will be placed upon the property as the maximum value is under £5000.00.

2.6 Hospital Discharge and Trusted Assessor Support

Subject to there being sufficient finance, the City Council may use DFG funding to employ a suitably competent person to:

- Provide the necessary liaison, assessment and assistance to aid the hospital discharge process or,
- To provide an assessment option for those with single care needs who are not eligible under the Care Act for assessment or,
- To support a reduction in lengthy timescales with Adult Social Care and any other discretionary assistance objectives as detailed in the annual DFG action plan.

2.7 Energy Efficiency Grants

Discretionary Energy Efficiency Grants that meet the government's criteria in VAT notice 708/6 are available to improve the energy efficiency of low-income owner occupiers to improve health and well-being.

Who qualifies for this grant?

The applicant must:

Live in the local authority area of Carlisle City Council

AND receive one or more of the following benefits:

- tax credits
- council tax reduction (means-tested) or second adult rebate
- housing benefit or local housing allowance
- disability living allowance or personal independence payment
- disablement pension
- war disablement pension
- income-based job seeker's allowance
- universal credit
- income-based employment and support allowance
- pension credit
- any other means-tested welfare benefit

The qualifying person should make the application for the grant.

Works that are eligible for an Energy Efficiency measures grant

The grant covers the installation of heating appliances or for the installation, maintenance, replacement or repair of a central heating system or for a renewable source heating system.

These include:

- closed solid fuel fire cassettes
- electric dual immersion water heaters with factory-insulated hot water tanks
- electric storage heaters
- gas-fired boilers
- gas room heaters with thermostatic controls
- oil-fired boilers
- radiators
- insulation for walls, floors, ceilings, roofs or lofts, water tanks, pipes
- draught-stripping
- central heating and hot water system controls include manual or electronic timers, thermostats, mechanical or electronic valves, including thermostatic radiator valves
- space or water heating systems which use energy from solar, wind, hydro-electric, ground and air heat source powers

Applicants would be expected to apply for ECO or Sustainable Warmth funding with the assistance of the Home Improvement Agency towards the cost of any measures in the first instance.

Amount of assistance for an Energy Efficiency Grant

The maximum grant is £7,500. The grant may include the cost of the eligible works plus any agency fee which is set annually according to the charging policy.

The grant is limited to one application in any 'rolling' 3-year period.

3.0 Other Grants

3.1 Empty Property Grant

Subject to the availability of funding, grants may be available to assist empty homeowners bring their properties back into use. Properties must have been empty for longer than 6 months and registered as empty with the City Council Tax Department.

The grant would be available to cover the cost of works associated with ensuring the property is free from Category 1 hazards under the Housing Act 2004.

The grant would be made available on a matched funding basis at a ratio of 50% grant 50% contribution from the owner.

The terms of the grant would require full time reoccupation of the property within 12 weeks on completion of the works with the property being occupied for a minimum of 12 months. Landlords would be required to let the property out within 12 weeks of completion of the works and the rate of rent must be set at the applicable Local Housing allowance Rate for 12 months. Repayment of the grant will be required if these conditions are contravened.

The grant would be repayable upon sale of the property, if sold within 10 years.

Empty Property Grants maybe be registered as a Local Land Charge. Immediate repayment of the grant will be required if grant conditions are not met. The City Council may recover the debt by Enforced Sale proceedings.

4. 0 General

4.1. DFG for Registered Providers

All Registered providers operating in the area will be asked to make a contribution if a tenant makes an application for a DFG. The receipt of any contribution entirely depends on the provider's Adaptation Assistance Policy, stock profile, asset management strategy of adapted properties and their financial position to make any contributions.

4.2 Limits on Discretionary Grants

All grants detailed in section 2.0 of the Policy and the Independent Living Grant detailed in section 1.4 are deemed to be discretionary grants and are limited to one household application a year or up to two in any rolling three-year period, totalling a maximum of £20,000.00. The exception to the limit are those grants that enable hospital discharge in paragraph 2.5, which will be considered on a case-by-case basis.

Flexibility maybe given to those households who have already received the discretionary grant assistance to the maximum threshold over the rolling period or are within in the time limits for assistance when they subsequently require a Mandatory disabled adaptation, but do not meet the criteria of the Mandatory means for a DFG. Discretion will be applied in exceptional circumstances where it is another individual in the household that now requires assistance.

The assistance in this policy will allow for the authorised signatory under the Council scheme of delegation to make the final decision.

4.2 Grants Place as a Land Registry Charge

Under the **Disabled Facilities Grant (Condition relating to approval or payment of grant) General Consent 2008** The City Council may place a Land Registry Charge on properties subject to a Grant where it is considered that the works add value to the property for mandatory grants. The discretionary grants allow the Council to consider a wider land charge policy and the discretion to state any reasonable condition as part of the grant application.

After a grant is approved and completed then a charge can be placed on the property (not the individual or the applicant). This policy sets out that if such a property is sold

within a 10-year period, starting on the date of completion of the work (date of the final invoice payment for the individual grant approval), the City Council will use its discretion to reclaim the funding from grants over £5,000 but may not require a repayment exceeding £10,000 per grant approval. In applying its discretion, the following criteria will be considered:

The recovery of the land charge will be registered against the property, not the individual for recovery. In the event of the death of applicant the grant amount maybe recovered at the point the property is sold but not before.

Land charges will not be registered against any qualifying tenant's applications, only applications made under schemes which may benefit the landlord and add value to a property. Individual grants which benefit landlords will have conditions in relation to recovery.

- **Mandatory Disabled Facility Grants** - A charge will only be applied where the grant adds value to the property in relation to the Mandatory element of the disabled facility grant. This will not include the top up to of £15,000 on the Mandatory £30,000.00 or the additions for any unforeseen works under 1.3, should it be required. Grants for stair lifts and level access showers will not have a land charge applied under the Mandatory DFG process as these measures are not considered to add value to the property.
- **Discretionary Grants** - A charge will be placed on the property for all grants under the discretionary housing assistance policy under section 2.0, including 1.4 the independent living grant (except stair lifts and level access showers), section 1.5 the property relocation grant where assistance has been made towards the purchase of a property and section 2.4 the grant which can be applied to the Mandatory DFG as a top up the Additional Discretionary Assistance for Mandatory Grants. The amount charged will be any amount over **£5,000.00** up to the full value of the works up to a maximum of **£10,000** per grant approval on the different grant options available. This could mean the individual accessing different grants in the discretionary scheme in a 10-year period may have multiple grants registered against the property for recovery.
- **The maximum amount of land charges the Council will place on a property for recovery over a 10-year period will be up to £50,000.00**

In all charges being recovered the following will be considered:

- The extent to which the property owner would suffer financial hardship if the grant were reclaimed.
- Whether the disposal of the property was to enable the recipient to take up employment or change the location of their employment.
- Whether the disposal of the property is made for reasons of the recipient's mental or physical health or well-being.
- Whether the disposal is made to enable the recipient to live with, or near, any person who will provide care for the recipient by reason of their disability

Any applications to the Council to waive the land charge requirements placed on the property must be in writing and any decision on repayment will be made by the Director of Governance and Regulatory Services. This would be published as an Officer Decision.

4.3 Fees for professional services connected to DFG's.

The City Council will charge professional fees for providing services to applicants which are subject to a DFG. The fees charges are fixed charges determined annually.

Grant Processing fees, to cover costs incurred by The City Council as permitted by The **Housing Renewal Grants (Services and Charges) Order 1996** will be determined annually. These will be applied to all applications and be dependent upon the works expected by The City Council. These professional fees will be calculated and provided at the Grant Approval stage and be paid from the DFG allowance.

4.4 The licensed software required for managing and reporting on the grants delivered through the DFG allocation will be recovered from the allocation.

4.5 This policy or any part of it can be withdrawn with immediate effect for individual applications yet to be approved. In such cases applicants will remain eligible for the existing national mandatory Disabled Facilities Grant.

4.5 Complaints

Complaints regarding housing renewal assistance should be made through Carlisle City Council's formal complaints scheme.

<https://www.carlisle.gov.uk/Council/More-about-the-Council/Corporate-Complaints>

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 25 OCTOBER 2021

EX.115/21 REGULATORY REFORM (HOUSING ASSISTANCE) (ENGLAND AND WALES) ORDER 2002 - CHANGES TO EXISTING HOUSING ASSISTANCE POLICY

(Key Decision KD.20/21)

Portfolio Communities, Health and Wellbeing

Relevant Scrutiny Panel Health and Wellbeing

Subject Matter

The Communities, Health and Wellbeing Portfolio Holder presented a review of the existing Regulatory Reform Order (RRO) Housing Renewal Assistance Policy which was last updated in 2018 and approved by Council in January 2019. Revisions had been necessary to ensure the Housing Renewal Assistance Policy was fit for purpose as an offer for residents and reflected the current demands on the service. The revised Policy had been attached to report GD.70/21 as an appendix.

The Communities, Health and Wellbeing noted that the report recommended that the City Council used its discretionary powers under the Regulatory Reform Order to further broaden the scope of the Disabled facilities grants (DFGs) and allow specific DFG funding to be used for grants to assist the elderly, disable or other vulnerable groups to live independently and to improve their living conditions and well-being. Specifically, minor works that supports ill health prevention, promote independence and delay transfer into care. She moved that this be added to the recommendations detailed in the report.

The Portfolio Holder highlighted the excellent work that City Council staff had undertaken with the NHS to support people moving from hospital to their own homes as safely as possible.

The Communities, Health and Wellbeing Portfolio Holder moved the recommendations and the Economy, Enterprise and Housing Portfolio Holder seconded them.

Summary of options rejected None

DECISION

That the Executive:

- i) had considered the proposed revised Housing Renewal Assistance Policy 2022 (appendix 1 of report GD.70/21)
- ii) referred the said Policy to the Health and Wellbeing Scrutiny Panel for consideration in accordance with the Council's Budget and Policy Framework;
- ii) that the City Council used its discretionary powers under the Regulatory Reform Order to further broaden the scope of the Disabled facilities grants (DFGs) and allow specific DFG funding to be used for grants to assist the elderly, disable or other vulnerable groups to live independently and to improve their living conditions and well-being. Specifically, minor works that supports ill health prevention, promote independence and delay transfer into care.

Reasons for Decision

The revised Housing Renewal Assistance Policy 2022 will assist in ensuring that best use is made of the DFG capital funding making use of existing capacity and expertise within the Housing and Pollution and Homelife teams.

The introduction of flexibility into the assistance process is being promoted as good practice nationally and in line with government and local policies.

EXCERPT FROM THE MINUTES OF THE HEALTH AND WELLBEING SCRUTINY PANEL HELD ON 25 NOVEMBER 2021

HWSP.83/21 REGULATORY REFORM (HOUSING ASSISTANCE) (ENGLAND AND WALES) ORDER 2002 - CHANGES TO EXISTING HOUSING ASSISTANCE POLICY

The Principal Health and Housing Officer presented a review of the existing Regulatory Reform Order (RRO) Housing Renewal Assistance Policy which was last updated in 2018 and approved by Council in January 2019. Revisions had been necessary to ensure the Housing Renewal Assistance Policy was fit for purpose as an offer for residents and reflected the current demands on the service. The revised Policy had been attached to report GD.70/21 as an appendix.

The Executive had considered the matter at their meeting on 25 October 2021 (EX.115/21 referred) and resolved:

"That the Executive:

- i) had considered the proposed revised Housing Renewal Assistance Policy 2022 (appendix 1 of report GD.70/21)
- ii) referred the said Policy to the Health and Wellbeing Scrutiny Panel for consideration in accordance with the Council's Budget and Policy Framework;
- ii) that the City Council used its discretionary powers under the Regulatory Reform Order to further broaden the scope of the Disabled facilities grants (DFGs) and allow specific DFG funding to be used for grants to assist the elderly, disable or other vulnerable groups to live independently and to improve their living conditions and well-being. Specifically, minor works that supports ill health prevention, promote independence and delay transfer into care."

In considering the report Members raised the following comments and questions:

A Member commended the support the Council provided to those requiring an adaptation to their property upon leaving hospital, he asked how quickly the service was able to respond to such requests.

The Principal Health and Housing Officer reported that such requests were dealt with as a priority, and often required liaison with external bodies such as Adult Social Care, as such response times varied; she provided an example where such a request had been responded to and the adaptation installed within a week.

RESOLVED - That the Panel had received the proposed revised Housing Renewal Assistance Policy 2022 in appendix 1 of report GD.70/21 in accordance with the Council's Budget and Policy Framework.