



Rural Overview and Scrutiny Committee

1 February 2024

Report of Councillor Phil Dilks
Cabinet Member for Housing and
Planning

Private Sector Housing Assistance Policy 2024

Report Author

Ayeisha Kirkham, Head of Service- Public Protection



ayeisha.kirkham@southkesteven.gov.uk

Purpose of Report

The Council currently provides discretionary disabled facility grants (DFG) for adaptations to private residential dwellings within the district, in addition to its mandatory DFGs requirement. The Council is required to publish a policy if it provides discretionary DFGs and the existing Private Sector Housing Assistance Policy is out of date and due for review. The report provides the updated options of the policy for consideration.

Recommendations

That the Committee:

- 1. Notes and considers the policies put forward.**
- 2. Recommends which of the following options it supports for cabinet to approve.**

Option 1: Recommends that the Private Sector Housing Assistance Policy 2024 be adopted and published.

Option 2: Recommends that the Lincolnshire Discretionary Housing Financial Assistance Policy be adopted and published.

Decision Information

Does the report contain any
exempt or confidential
information not for publication? No

What are the relevant corporate priorities? Housing that meets the needs of all residents

Which wards are impacted? All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 The costs associated with implementing the policy will be met from the Disabled Facilities Grant which the Council currently receives on an annual basis.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

Legal and Governance

- 1.2 There are no significant legal or governance implications which are not already referenced in the body of the report.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

Diversity and Inclusion

- 1.3 Disabled facilities grants are awarded to support the continued independent living of persons with disabilities. The policy which provides the framework for the award of DFGs has been the subject of an Equality Impact Assessment which is provided along with this report.

Completed by Carol Drury, Community Engagement Manager

2. Background to the Report

- 2.1 The Housing Grants, Construction and Regeneration Act 1996 places a statutory duty on local housing authorities to provide grant assistance to qualifying disabled people to undertake a range of adaptations to their homes. The grant is subject to a means test (except in the case of children) and works must be eligible as defined by the Act and Regulations. The maximum grant available is £30,000.
- 2.2 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (“the RRO”) gives local authorities the power to provide assistance (either directly or indirectly) to any person for the purpose of improving living conditions in the local authority area provided this is given in accordance with a published policy.
- 2.3 Grants are funded from the Better Care Fund which is a larger pot of money that each Council is awarded a portion of based upon a calculation done by the Department for Levelling up, Housing and Communities (DLUHC). This financial year (2023/24) the amount provided to South Kesteven District Council was £1,060,000.
- 2.4 In order for the Council to provide such discretionary assistance from this grant funding a policy must be published. The current policy was published in 2019 and needs updating in order to be fit for purpose.
- 2.5 Two proposed policies have been produced for this purpose:
 - A local Policy – Private Sector Housing Assistance Policy 2024
 - Lincolnshire Discretionary Housing Financial Assistance Policy

The local policy has been drafted to only apply to South Kesteven District Council Whilst the Lincolnshire Discretionary Housing Financial Assistance Policy has been drafted in conjunction with 7 other districts within Lincolnshire.
- 2.6 Either of these policies are intended to replace the existing policy. The main changes to the existing policy are mirrored in both of the proposed policies and can be summarised as follows:
 - i. Increase on the amount on the maximum discretionary funding for individual grant applications.
 - ii. The introduction of a Discretionary Funding Panel within the Council to consider cases that have an increased amount beyond the base level grant funding available set within each of the policies.
 - iii. Minor amendments to operational procedures to remedy issues that have arisen within the existing policy.
- 2.7 Both proposed policies remedy the current constraints within the existing policy around the cap on grants, where on occasion given the rising costs associated with

some works, applicants have had to fund large amounts above the grant maximum and often where they are not easily able to do so.

2.8 The draft Local Private Sector Housing Assistance Policy has the following proposed changes to the existing policy:

- i. the maximum funding value has been removed;
- ii. the Disabled Adaption Assistance (and Stair Lifts) and Modular Ramps grant products have both increased to £10,000 nominal figure, which is an increase of £2,000 and £3,000 respectively.
- iii. The maximum funding amount has been replaced with a normal working limit and if a grant exceeds these it will be referred to a discretionary funding panel to consider each grant above the normal working limit for approval.
- iv. The operational change is to allow the discretionary grant funding to be used to cover as applicants assessed contribution following a means test, however this is only in cases where the applicant would be put into financial hardship if required to pay the contribution element.
- v. The current and proposed local policy intends to keep the current land charge arrangements. There are two arrangements depending upon the grant product, both land charge elements are that the grant amount is attached for a period of 10 years only, with one of those charge types decreasing by 10% each year.

2.9 The draft Lincolnshire Discretionary Housing Financial Assistance Policy has been designed to remove the variation in grant awards and amounts across Lincolnshire. The main policy can be summarised as:

- i. providing grant funding for discretionary grants up to £15,000 which covers a variety of grant products;
- ii. introduces the discretionary funding panels for grants exceeding this value.
- iii. this policy has an explanatory note that accompanies it to account for some variation in delivery of such grants, South Kesteven District Council currently do not means test for stair lifts and modular ramps. This policy seeks to not alter this and allow for this to continue not in line with other districts.
- iv. the main difference to the local policy relates to the Land Charge element, for the draft Lincolnshire Policy, where a grant is awarded a land charge maybe placed against the property to allow for the recovery of the grant on the sale of a property.
- v. the Lincolnshire policy differs in that any grant exceeding £1000 where value is added to the property the land charge for the full amount of the grant will be attached indefinitely until such time as it is paid in full.

2.10 The current and proposed policies can be found in full in the appendices.

3. Key Considerations

- 3.1 Both the Local and Lincolnshire Policies are working document that assists the Private Sector Housing Team carry out the award and delivery of DFG's to the residents within the district who require such adaptations.
- 3.2 Only one policy is necessary and therefore the most appropriate for South Kesteven District Council should be adopted.

4. Other Options Considered

- 4.1 The other option considered is to not update the policy and continue within the existing Private Sector Housing Assistance Policy 2019

5. Reasons for the Recommendations

- 5.1 The current policy is out of date and requires review. Two policies have been produced and both have merit, however one policy must be taken forward based upon the needs of the district.

6. Consultation

- 6.1 There is no statutory requirements for a consultation on the proposed policies and no consultation is proposed. The policy is merely a document that pulls together the legislative requirements around the delivery of discretionary grants and provides the parameters in which such grants will be offered.

7. Appendices

- 7.1 Appendix A: Current Private Sector Housing Assistance Policy 2019.
- 7.2 Appendix B: Proposed Private Sector Housing Assistance Policy 2024
- 7.3 Appendix C: Proposed Lincolnshire Discretionary Housing Financial Assistance Policy
- 7.4 Appendix D: Explanatory notes to Lincolnshire Discretionary Housing Financial Assistance Policy
- 7.5 Appendix E: Equality Impact Assessment