



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Officer Delegated Decision

4 April 2025

Richard Wyles, Deputy Chief Executive
and S151 Officer

Disabled Facility Grant Award

South Kesteven District Council provide Disabled Facility Grants in line with legislative requirements specified in the Housing Grants, Construction and Regeneration Act 1996 and The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002.

Contact

Tom Amblin-Lightowler – Environmental Health Manager – Environmental Protection & Private Sector Housing

 Tom.Amblin-Lightowler@southkesteven.gov.uk

Decision made by:	Richard Wyles – Deputy Chief Executive and Section 151 Officer
Decision:	To approve the disabled facility grant funding
Public or Exempt:	Public report and Appendix 2 – Appendix 1 exempt
Reasons for exemption:	Appendix 1 is exempt under Section 100A of the Local Government Act 1972, under Schedule 12A, Part 1, Paragraphs 1 and 2, as the public interest in maintaining an exemption outweighs the public interest in disclosing the information (information which is likely to reveal the identity of an individual and information related to individuals)
Conflicts of interest:	No
Policy compliant:	Yes
Details of delegation:	Part 3(c) of the Constitution, section 25 (e) to determine applications for mandatory disabled facilities grants and other grants provided under the Housing Grants, Construction and Regeneration Act 1996 in accordance with Council policies. Discretionary funding can be granted in certain circumstances as outlined by Appendix 2.

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

1.1 The financial implications are set out in the report.

Completed by: Richard Wyles - Deputy Chief Executive and Section 151 Officer

Legal and Governance

1.2 The Deputy Chief Executive has the delegated authority to sign off mandatory disabled facility grants within certain financial parameters. Appendix 2 (Discretionary Housing Financial Assistance Policy) to this decision sets out how discretionary grants are decided on and awarded.

Completed by: James Welbourn, Democratic Services Manager (Deputy Monitoring Officer)

2. The Purpose of the Report

2.1 To seek approval for a disabled facility grant to the value of £52,592. The grant is to cover the construction of a single storey extension containing a bedroom and a bathroom. The grant is made up of two elements:

- Mandatory grant of £30,000 under the Housing Grants, Construction and Regeneration Act 1996.
- Discretionary grant of £22,592 provided under The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 and in conjunction with the Council's discretionary policy contained in Appendix 2.

3. Available Options Considered

3.1 Option 1 – approve the funding to allow for the works to proceed to enable a disabled occupant to return home and facilitate their care.

3.2 Option 2 – not to approve the discretionary element of the funding but approve the mandatory element only.

4. Preferred Option

- 4.1 The preferred option is option 1, the mandatory grant element is specified in law and the application meets the criteria therefore the Council is obliged to provide this grant up to the maximum amount set in the legislation, which is £30,000. The discretionary element has been determined in accordance with the Discretionary Policy and has been reviewed by a Discretionary Funding Panel. It was determined by the Panel that the grant be awarded.

5. Reasons for the Decision(s)

- 5.1 South Kesteven District Council provide disabled facility grant as per the legislative requirements. The funding of such grants comes from the government funding known as the Better Care Fund. South Kesteven District Council receive an allocation of funding on an annual basis, and it is from this funding that the grant will be paid.
- 5.2 An application has been received with the relevant referral from an Occupational Therapist at Lincolnshire County Council, which determines the works required to meet the need of the applicant. South Kesteven District Council have reviewed the application and have determined that the works specified relating to bathing facilities and access and use of a bedroom meet the works specified under Section 23 of the Housing Grants, Construction and Regeneration Act 1996. Full case details are found in Exempt Appendix 1.
- 5.3 The applicant and requested works meet the requirements under which a mandatory grant must be offered. South Kesteven District Council have proceeded with a survey to assess how the works may be carried out; the preference is to adapt the property within the existing footprint, however in this case this is not possible.
- 5.4 On completion of the survey the option going forward is a single storey extension to the rear of the property containing a bedroom and bathroom which is also in part of the existing footprint. The costs of the extension have been concluded to be £52,592. As this exceeds the £30,000 maximum grant specified the remaining funding has been considered under the discretionary grant route.
- 5.5 Discretionary funding can be provided by Local Authorities under The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 providing they have a policy specifying how this would be applied. South Kesteven District Council adopted a Lincolnshire wide policy (Appendix 2) developed by all 7 districts. South Kesteven District Council have determined that the additional funding can be provided via this route.

- 5.6 As the discretionary element is more than £15,000 the application was submitted to a Discretionary Funding Panel on 14 March 2025. The Panel consisted of the following:
- Senior Housing Grants Officer – presenting the application
 - Environmental Health Manager – providing overview of the policy and legislative position
 - Public Protection Head of Service – panel member to make determination as to whether to approve the grant funding.
 - Community Engagement Manager - panel member to make a determination as to whether to approve the grant funding and to provide equality perspective.
- The panel determined to approve the additional funding via the discretionary route. A record of the Panel is contained at exempt Appendix 1.
- 5.7 As the grant is made up of two grant types there are different land charges associated with each.

Mandatory grants have a maximum £10,000 land charge that remains for 10 years in line with the legislation. Discretionary grants land charge is determined by the discretionary policy. In this case as the proposed works increase the floorspace and therefore the value of the property the full discretionary grant is proposed to be added as a charge, until such time it is paid, or the property is sold or transferred.

- 5.8 In summary, the grant proposed to be awarded is £52,592 made up of a mandatory element of £30,000 and a discretionary element of £22,592. The mandatory element will have a £10,000 land charge that will remain for 10 years. The discretionary element will be attached in full until such time as the property is sold or transferred.

6. Appendices

- 6.1 Exempt Appendix 1 – Application summary and case details and decision
- 6.2 Appendix 2 – Discretionary Funding Policy

Signed by: **Richard Wyles**

Dated: **04 April 2025**