



Ryedale District Council

REPORT TO: Community Services and Licensing Committee

DATE: 24 July 2008

REPORTING OFFICER: Housing Services Manager
Richard Etherington

SUBJECT: Recovery of Disabled Facilities Grant
Capital Expenditure

WARDS AFFECTED: All

1.0 PURPOSE OF REPORT

To seek Member approval to recover Disabled Facilities Grant expenditure following the disposal of the grant applicant's interest in the property.

2.0 RECOMMENDATIONS

It is recommended that:

- (a) Members approve in principle the recovery of DFG grant expenditure following the disposal of a grant applicant's interest in their property.
- (b) Any such repayment that may be required is subject to it being reasonable in all the circumstances to recover the payment and
- (c) The authority to recover any such payment be delegated to the Housing Services Manager.

3.0 REASONS SUPPORTING DECISION

There has been an increasing demand for some time for grant assistance in the form of Disabled Facilities Grant in order to undertake specified qualifying works by disabled persons where such works will help to mitigate the effects of a particular disability. Demand is exceeding available resources such that a prioritised waiting list is in operation which directs the available resources to those in greatest need. Subject to the consideration of a former grant

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applicant's particular circumstances the recommendation as proposed will allow for the recovery of grant should they cease to have an interest in the property within a 10 year period from the date of approval.

4.0 INTRODUCTION

There has been a gradual increase in demand for grant assistance from disabled applicants in order to undertake schemes of work aimed specifically at mitigating a particular disability. The grant process involves both the County Council and the District Council. An initial assessment of the scope of the works required to be undertaken is carried out by an Occupational Therapist with the application procedure and subsequent payment of grant being the responsibility of Housing Services.

Demand for assistance has exceeded available resources for some time and in order to try and address some of the potential problems that this caused a prioritised waiting list was introduced some years ago allowing us to direct available resources to those applicants in greatest need. Ryedale has a growing elderly population with a greater proportion of people over the age of 65 than the national average and the highest proportion of people over the age of 80 in the County. The ability to recover grant with the necessary safeguards so as not to adversely affect the recipient of grant will enable the limited financial resources which are available to be recycled and so enhance our ability to meet the demands which are being placed on the service.

5.0 POLICY CONTEXT

Changes to Disabled Facilities Grant (DFG) policy were announced as part of Lifetime Homes, Lifetime Neighbourhoods – a National Strategy for Housing in an Ageing Society. This was launched in February 2008 together with a response to the DFG consultation to improve programme delivery. This change was recommended by the Independent Study of the Disabled Facilities Grant programme.

6.0 REPORT

6.1 A general consent cited as the Housing Grants Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of grant) General Consent 2008 came into force on the 22 May 2008. This permits the local housing authority to impose conditions as to the repayment of grant under certain conditions provided that the grant is for a sum exceeding £5000 and the applicant has an owner's interest in the premises where the works are carried out.

6.2 The local authority may demand the repayment by the recipient of such part of the grant that exceeds £5000 (but not demand an amount in

excess of £10,000) if the recipient disposes of the premises within 10 years of the completion of works and specific considerations of an applicants circumstances in relation to any such disposal have been taken into account.

- 6.3 The factors which the housing authority should have regard to are as follows:
- (a) the extent to which the recipient of grant would suffer financial hardship were he/she required to repay all or any part of the grant;
 - (b) whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of their employment;
 - (c) Whether the disposal is made for reasons connected with the physical or mental health or well being of the recipient of the grant or of a disabled occupant of the premises; and
 - (d) Whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity.

Having considered the above circumstances if it is reasonable to require the repayment then the appropriate payment demand may be made.

7.0 OPTIONS

There are only two options to consider namely either to waive any requirement to make any grant repayment or request a repayment if, after having given due consideration to all appropriate matters, it is considered reasonable to make such a request.

Having regard to the safeguards that would be in place to avoid the grant recipient suffering any financial hardship or detriment it is considered appropriate that a repayment demand be made where the qualifying conditions for any such repayment are met.

8.0 FINANCIAL IMPLICATIONS

The repayment of grant will provide an additional source of capital funding which can be recycled and supplement that which is currently received from exchequer contributions. Not only will it enable the Council to be better placed to meet its statutory obligations in relation to the award of grant to qualifying applicants through the availability of extra funding but it will also afford a degree of protection should there be any future reduction in terms of financial support from the government for the programme.

9.0 LEGAL IMPLICATIONS

There are no legal implications in that authority for the proposed course of action is contained within the terms of a general consent conferred on local authorities which came into force on the 22nd.May 2008.

10.0 CONCLUSION

It is considered that the recovery of grant, subject to the qualifying criteria being met, will enable the Council to discharge its statutory duty in relation to the award of Disabled Facilities Grant to qualifying applicants more effectively. It will create an additional source of capital funding to supplement that which is already available which can be recycled for future use and afford some protection for the programme should there be any future reduction in exchequer contributions.

OFFICER CONTACT: Please contact Richard Etherington, Housing Services Manager if you require any further information on the contents of this report. The officer can be contacted at Ryedale House, Malton on 01653 / 600666 Ext. 383 or e-mail: richard.etherington@ryedale.gov.uk

CORPORATE POLICY APPRAISAL FORM *(One for each Option)*

Annex A

Policy Context	Impact Assessment	Impact +ve -ve Neutral
Community Plan Themes <i>(Identify any/all that apply)</i>		
Corporate Objectives/Priorities <i>(Identify any/all that apply)</i>		
Service Priorities		
Financial		
Legal Implications		
Procurement Policies		
Asset Management Policies		
LA21 & Environment Charter		
Community Safety		
Equalities		
E-Government		
Risk Assessment		
Estimated Timescale for achievement		