

COMMISSIONERS' INDIVIDUAL DECISION MAKING

Wednesday, 23 December 2015


Commissioners' Decision Log No. 41

1. **AWARD OF HOME REPAIRS GRANT (MRS SC OF E1) (Pages 1 - 10)**

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact: Matthew Mannion, Democratic Services
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Agenda Item 1

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| Individual Commissioner Decision Decision Log No: 041 |  TOWER HAMLETS |
| Report of: Corporate Director, Development & Renewal | Classification: Unrestricted |
| Provision of a Home Repairs Grant in the sum of £563.13 to Mrs SC of E1 under the Tower Hamlets Private Sector Housing Renewal Policy 2013-15 | |

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| Is this a Key Decision? | No |
| Decision Notice Publication Date: | N/A |
| General Exception or Urgency Notice published? | Not required |
| Restrictions: | None |

EXECUTIVE SUMMARY

This report relates to the provision of Home Repairs Grants under Part 4.2 of the Tower Hamlets Private Sector Housing Renewal Policy 2013-15.

Under the terms of this policy, these small grants of up to a maximum of £6,000 may be made available to eligible owner-occupiers to enable them to remain in their own homes safely and avoid minor accidents.

Eligible home owners are those who are:

- over 60 years of age, or
- disabled or infirm, or the parent or carer of a disabled child and
- in receipt of an income related benefit or eligible tax credits

Full details of the decision sought, including setting out the reasons for the recommendations and/or all the options put forward; other options considered; background information; the comments of the Chief Finance Officer; the concurrent report of the Head of Legal Services; implications for One Tower Hamlets; Risk Assessment; Background Documents; **and other relevant matters are set out in the attached report.**

DECISION

The Commissioners are recommended to:

1. Agree Home Repairs Grants to Mrs SC of E1 in the sum of £563.13 to fund a repair and service for a Stairlift.

APPROVALS

1. (If applicable) Corporate Director proposing the decision or his/her deputy

I approve the attached report and proposed decision above for submission to the Commissioners.

Signed *J. Cochrane* Date *15/12/2015*

2. Chief Finance Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

Signed *K. Hills* Date *16/12/2015*

3. Monitoring Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

~~(For Key Decision only — delete as applicable)~~

~~I confirm that this decision:-~~

~~(a) has been published in advance on the Council's Forward Plan OR (b) is urgent and subject to the 'General Exception' or 'Special Urgency' provision at paragraph 18 or 19 respectively of the Access to Information Procedure Rules.~~

Signed *M. S. Day* Date *16/12/15*

4. Commissioner

I agree the decision proposed in paragraph above for the reasons set out in section 1 in the attached report.


Name *MAX CAMERON* Signed *[Signature]*
Date *23/12/15*

Name Signed
Date

Name Signed
Date

Name Signed

Date

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|--|---|
| Commissioner Decision Report 16 th December 2015 |  TOWER HAMLETS |
| Report of: Corporate Director, Development and Renewal | Classification: Unrestricted |
| Provision of a Home Repairs Grant in the sum of £563.13 to Mrs SC of E1 under the Tower Hamlets Private Sector Housing Renewal Policy 2013-15 | |

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|-------------------------------|--|
| Originating Officer(s) | Martin Ling |
| Wards affected | Shadwell |
| Key Decision? | No |
| Community Plan Theme | A Healthy and Supportive Community: Reducing health inequalities and enabling people to live independently |

Executive Summary

This report relates to the provision of Home Repairs Grants under Part 4.2 of the Tower Hamlets Private Sector Housing Renewal Policy 2013-15.

Under the terms of this policy, these small grants of up to a maximum of £6,000 may be made available to eligible owner-occupiers to enable them to remain in their own homes safely and avoid minor accidents.

Eligible home owners are those who are:

- over 60 years of age, or
- disabled or infirm, or the parent or carer of a disabled child and
- in receipt of an income related benefit or eligible tax credits

Recommendations:

The Commissioners are recommended to:

1. Agree Home Repairs Grants to Mrs SC of E1 in the sum of £563.13 to fund a repair and service for a Stairlift.

2. ALTERNATIVE OPTIONS

2.1 Not to award the grant.

3. DETAILS OF REPORT

3.1 Under Part 4.2 of the Tower Hamlets Private Sector Housing Renewal Policy 2013-15, Home Repairs Grants up to a maximum value of £6,000 may be available to qualifying owner-occupiers to enable them to remain living in their own homes safely and avoid minor accidents.

3.2 To be eligible for assistance the applicant must be either over the age of 60, or disabled, or the parent of a disabled child and in all cases, be in receipt of qualifying means tested benefit. In addition the applicant must:-

- be an owner-occupier who lives in the dwelling as their only or main residence
- be aged 18 or over on the date of the application (applications for minor adaptations for works to enable a disabled child to be cared for in their own home will be accepted from the parents or carer of that disabled child)
- have the power or duty to carry out the works (with the appropriate consents where the property is leasehold)

3.3 Mrs SC is the owner occupier of E1 a mid-terrace house.

3.4 Mrs SC had a spinal injury in 2005, which causes weakness in limbs and reduced range of movement and joint pain.

3.5 As Mrs SC condition deteriorated adaptation works have been carried out to her home to allow her to live as safely and independently as possible. These adaptations include a wet floor shower room and a stairlift.

3.6 These adaptations were provided through a Disabled Facilities Grant and were covered by the manufacturer's warranty but when they expire the disabled resident can be left stranded and isolated in their own home if they do not have the resources to fund repairs. This can lead to increased care costs to the Council as additional resources have to be deployed to cope with the situation.

3.7 To ensure against this situation arising, Mrs SC has applied to the Private Housing Improvement Team for a Home Repairs Grant to provide a repair and an extended warranty contract for the Stairlift.

3.8 The repair and service is £454.14 together with the Home Improvement Agency fee of £108.99, gives a total grant amount of £563.13.

- 3.9 Mrs SC meets the eligibility criteria in that she is the owner Occupier of the property, has lived in the dwelling for over fourteen years, is over 60 years old, disabled and is in receipt of a means tested benefit.
- 3.10 The application has been considered by the Private Housing Grants Panel and who have made a recommendation that the grant be approved.
- 3.11 This grant is not repayable.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 A capital estimate of £550,000 was approved as part of the 2015-16 budget process to fund a Private Sector Renewal Grant programme. The scheme is financed from residual ring-fenced resources received from the East London Renewal Partnership. The programme supports the aims and objectives of the council's Private Sector Housing and Empty Properties Framework, and includes Home Repairs Grants for minor aids and adaptations, energy efficiency, minor repairs, home security, hazard removal and relocation assistance; Empty Property Grants and Discretionary Disabled Facilities Grants.
- 4.2 The specific grant considered in this report forms an element of the programme and can be met from within uncommitted resources. The applicant meets the conditions that the council applies to these grants.
- 4.3 The council has previously funded the installation of an internal stair-lift under its mandatory Disabled Facilities Grant scheme. The applicant is seeking a further grant of £563.13 to fund both a repair and the purchase of an extended warranty on the stair-lift. The application has been considered by the Officer Private Housing Grants Panel and is recommended to the Commissioners for approval.

5. LEGAL COMMENTS

- 5.1. The power of the Commissioners to make decisions in relation to grants arises from directions made by the Secretary of State on 17 December 2014 pursuant to powers under sections 15(5) and 15(6) of the Local Government Act 1999 (the Directions). Paragraph 4(ii) and Annex B of the Directions together provide that, until 31 March 2017, the Council's functions in relation to grants will be exercised by appointed Commissioners, acting jointly or severally. This is subject to an exception in relation to grants made under section 24 of the Housing Grants, Construction and Regeneration Act 1996, for the purposes of section 23 of that Act (disabled facilities grant).
- 5.2. To the extent that the Commissioners are exercising powers which would otherwise have been the Council's, there is a need to ensure that the Council has the power to make the grant in question.

- 5.3. The Council has a duty under Part 1, Chapter 1, Section 3 of the Housing Act 2004, to review the housing conditions in its district and where conditions are found to require adaptation, repair or improvement, assistance may be provided by the Council under the terms of Article 3 of the Regulatory Reform (Housing Assistance) Order 2002 ('2002 Order').
- 5.4. The Council may not exercise the powers available under the 2002 Order unless it has adopted a policy for the provision of assistance, given notice of the policy and made it available to the public. The power to provide assistance must be exercised in accordance with the policy. The Council adopted the Tower Hamlets Private Sector Housing Renewal Policy 2013-15 at the Cabinet of 31st July 2013. Paragraph 4.2 of the policy provides for Home Repair Grants the detail of which is set out in this report.
- 5.5. The Council has a duty under Section 3 of the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised having regard to a combination of economy, efficiency and effectiveness (the best value duty). Awards of these grants are subject to eligibility criteria which seek to assist vulnerable persons in housing in disrepair. By doing so the need for other council services or support is likely to be reduced.
- 5.6. When exercising its functions under this legislation by making decisions about grants the Council must comply with section 149 of the Equality Act 2010 in that it must have due regard to the need to eliminate unlawful conduct under the Act, advance equality of opportunity and foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). The Home Repair Grants policy is designed to provide for those who are elderly or who have disabilities and in doing so it seeks to advance equality of opportunity for persons with those protected characteristics.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 By targeting the very limited financial assistance which is still available to the most vulnerable owner occupiers, the Private Sector Housing Renewal Policy 2013-15, seeks to mitigate the problems of poor housing conditions and reduce the pressure on social and health care services and at the same time have a positive impact on the lives of these residents by reducing health and housing inequalities and ensuring their independence and inclusion.
- 6.2 A full Equalities Assessment on the Private Sector Housing Renewal Policy has been carried out and which found there to be no evidence to suggest any adverse or negative impact.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 Individual grant costs are scrutinised and challenged at a number of stages of the grant process, from initial receipt by the grant officer through to final consideration by the Housing Grant Panel.
- 7.2 The use of small cost housing grants to carry out urgent but minor repair works for elderly and vulnerable home owners and those with disabilities, can ensure that resident is able to live healthily and safely in their own home and can reduce longer term repair costs if nothing is done about the problem. It also reduces the risk of reliance on other council services which may be more costly.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 There are no sustainability implications.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 There is a risk that if this small grant is not approved and either of the adaptations fail, the health and wellbeing of this disabled home owner would deteriorate.
- 9.2 There is also the risk that should the stairlift fail, Mrs Choudhury's carers could be put at risk of harm as they attempt to physically assist her around the home.
- 9.3 There is a further risk that Council may be exposed to much greater costs in the longer term, as there would be additional care funding required to cope with loss of the lifts and Mrs Choudhury's reduced independence.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 There are no crime and disorder implications.

11. SAFEGUARDING IMPLICATIONS

- 11.1 There are no safeguarding implications.
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Linked Reports, Appendices and Background

Documents Linked Report

Private Sector Housing Strategy 2013-15, Cabinet decision of 31 July 2013.

<http://moderngov.towerhamlets.gov.uk/documents/q4188/Decisions%2031st-Jul-2013%2017.30%20Cabinet.pdf?T=2>

Private Sector Housing Strategy 2013-15.

http://www.towerhamlets.gov.uk/lgs/851-900/868_housing_statements/private_sector_housing_renewal.aspx

Appendices

None

Background Documents – Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012

None

Officer contact details for documents:

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