

COMMISSIONERS' INDIVIDUAL DECISION MAKING

Tuesday, 31 May 2016


Commissioners' Decision Log No. 53

1. **53 - PROVISION OF HOME REPAIRS TO MR A & MRS V (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

<p align="center">Individual Commissioner Decision Proforma</p> <p align="center">Decision Log No: 53</p>		 TOWER HAMLETS												
<p>Report of: Aman Dalvi Corporate Director, Development and Renewal</p>		<p>Classification: Unrestricted</p>												
<p>Provision of a Home Repairs Grant in the sum of</p> <table border="1"> <tr> <td>1</td> <td>Mr A E1</td> <td>Replacement of defective shower unit and repairs to leaking pipework to wash hand basin</td> <td>£924.84 inclusive fees</td> </tr> <tr> <td>2</td> <td>Mrs V E3</td> <td>Remedy of leaks in wet floor showering area</td> <td>£1,038.40 inclusive fees</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </table>			1	Mr A E1	Replacement of defective shower unit and repairs to leaking pipework to wash hand basin	£924.84 inclusive fees	2	Mrs V E3	Remedy of leaks in wet floor showering area	£1,038.40 inclusive fees				
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2	Mrs V E3	Remedy of leaks in wet floor showering area	£1,038.40 inclusive fees											
<p>All grants under the under the Tower Hamlets Private Sector Housing Renewal Policy 2016-18</p>														

Is this a Key Decision?	No
Decision Notice Publication Date:	individual notice
General Exception or Urgency Notice published?	Not required FP1 – 21/04/2016
Restrictions:	Confidential – individual client details

EXECUTIVE SUMMARY

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 2016-18.

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

DECISION

The Commissioners are recommended to:

1. Agree Home Repairs Grants to

Mr A – Replacement of defective shower unit and repairs to leaking pipework in wash hand basin - £924.44 inclusive fees

Mrs V – Remedy of leaks in wet floor shower area - £1,038.40 inclusive fees

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 Mayor.

Signed  Date 27/6/2016

2. Chief Finance Officer or his/her deputy

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

Signed  Date 23/05/16^{zc}

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  Date 24/05/16

4. Commissioner

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

Name ^M CA Weller Signed *[Signature]*

Date ... 3.8/05/16

Name Signed

Date

10/25
4/2/16

[Faint handwritten mark]

**ALL INFORMATION BEYOND THE HEADINGS ABOVE
SHOULD BE INCLUDED IN A REGULAR CABINET STYLE
REPORT THAT SHOULD BE APPENDED TO THE PROFORMA.**


A – NOTES ON COMPLETING THIS FORM

- **Delete this page onwards before submitting your decision.**
- This form is only to be used where the signature of the Head of Paid Services (HoPS) is not required. Should his signature be required please use the other form.
- Please delete any guidance notes in square brackets [] before submitting your form for signature.
- The decision log number will be hand written onto the form on completion by Democratic Services so you do not need to find this out early on.

B – NOTES ON EXECUTIVE DECISION MAKING

1. Key Decisions – where a Key Decision is to be taken it must be published in the Forward Plan. Please ensure that this has happened, or fill in the FP1/FP3 form as necessary.
2. All Commissioner decisions shall be:-
 - (i) Recorded in a log held by the Service Head, Democratic Services and available for public inspection; and
 - (ii) Published on the Council's website

save that no information that in the opinion of the Head of Legal Services is 'exempt' or 'confidential' as defined in the Council's Access to Information Procedure Rules shall be published, included in the decision notice or available for public inspection.

Commissioner Decision Report 24 th May 2016		 TOWER HAMLETS	
Report of: Aman Dalvi Corporate Director, Development and Renewal		Classification: Unrestricted	
Provision of a Home Repairs Grant in the sum of			
1	Mr A	Replacement of defective shower unit and repairs to leaking pipework to wash hand basin	£924.44 inclusive fees
2	Mrs V	Remedy of leaks in wet floor showering area	£1,038.40 inclusive fees
All grants under the under the Tower Hamlets Private Sector Housing Renewal Policy 2016-18			

Originating Officer(s)	Martin Ling
Wards affected	Various
Key Decision?	No
Community Plan Theme	A Healthy and Supportive Community: Reducing health inequalities and enabling people to live independently
Reasons for Urgency	Potential adverse impact on individual resident

Executive Summary

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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

Mr A – Replacement of defective shower unit and repairs to leaking pipework in wash hand basin - £924.44 inclusive fees

Mrs V – Remedy of leaks in wet floor shower area - £1,038.40 inclusive fees

2.0 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 The Private Sector Housing Improvement team has received applications for 2 Homes repairs Grants since March 2016 which require Commissioners Approval

3.4 Appendix A sets further details and the audit trail for each case.

3.5 The cases can be summarised as follows:

Mr A – Replacement of defective shower unit and repairs to leaking pipework in wash hand basin - £924.44 inclusive fees

The applicants are both over 60 who have not had a shower for some time now. The shower was originally installed with funding from a DFG approval, supported by the Council's OT service, so that the applicants have access to washing facilities. Without a replacement shower, this elderly couple will not have access to washing facilities. The repair of the leaking pipework will ensure there will be no risk of falls as well as maintaining that washing facility.

To ensure they continue to have these essential adaptations, the applicants applied to the Private Housing Improvement Team for a Home Repairs Grant to the replacement of the defective shower unit and to deal with the leaking pipe work.

Mrs V – Remedy of leaks in wet floor shower area - £1,038.40 inclusive fees

This adaptation was originally provided through a Disabled Facilities Grant and was supported by the Council's OT as needing access to washing facilities. The shower developed defects which caused water to leak on to the balcony below. Mrs V is very reluctant to use her shower whilst in this condition.

To ensure against this situation continuing, the applicant applied to the Private Housing Improvement Team for a Home Repairs Grant to provide repairs for the wet floor showering area.

3.6 Both applicants 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.

3.7 The application has been considered by the Private Housing Grants Panel and who have made a recommendation that the grant be approved.

3.8 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 2016-17 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 by offering financial assistance including Home Repairs Grants to enable eligible owner-

occupiers to remain safely in their own homes and Empty Property Grants aimed at bringing properties back into use.

- 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 applicants are seeking total grant of £ to fund the repairs set out above. 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 2016 – 18 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 that the health and wellbeing of these home owners will deteriorate.
- 9.2 There is a further risk that Council may be exposed to much greater costs in the longer term, owing to 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.

Linked Reports, Appendices and Background Documents

Linked Report

Private Sector Housing Strategy 2016-18, Cabinet decision of 5th April 2016.
<http://modern.gov.towerhamlets.gov.uk/documents/g6207/Decisions%2005th-Apr-2016%2017.30%20Cabinet.pdf?T=2>

Private Sector Housing Strategy 2016-18.
http://www.towerhamlets.gov.uk/lgsi/851-900/868_housing_statements/private_sector_housing_renewal.aspx

Appendices

Summary sheet of individual cases
Grant break-down sheet.
Grant Panel check sheet.
Chair of Private Housing Grant Panel's recommendation sheet

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

None

Officer contact details for documents:

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