


<b>Commissioner Decision Report</b> 30 September 2015	
<b>Report of:</b> Aman Dalvi Corporate Director, Development and Renewal	<b>Classification:</b> Unrestricted
<b>Provision of Home Repairs Grants under the Council's Private Sector Housing Renewal Policy 2013-15, to four individual owner occupiers</b>	

<b>Originating Officer(s)</b>	Alison Thomas - Head of Housing Strategy, Partnerships and Affordable Housing
<b>Wards affected</b>	1. Blackwall and Cubitt Town 2. Weavers 3. Whitechapel 4. Bow West
<b>Key Decision?</b>	No
<b>Community Plan Theme</b>	A Healthy and Supportive Community: Reducing health inequalities and enabling people to live independently
<b>Reasons for Urgency</b>	Potential adverse impact on individual residents

### 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 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

These grants are for the following types of works:

- minor repairs and improvements
- minor adaptations
- minor hazard removal

Reports detailing the circumstances of the individual home owners are provided in the exempt part of the agenda.

## **Recommendations:**

The Commissioners are recommended to:

1. To consider the four related reports in the exempt section of the meeting.
2. Agree Home Repairs Grants to the four individual home owners in the total sum of £12,534.58.

### **1. REASONS FOR THE DECISIONS**

- 1.1 The individual applicants identified in the exempt part of the agenda meet the eligibility criteria contained in Part 4.2 of the Tower Hamlets Private Sector Housing Renewal Policy 2013-15.
- 1.2 The grant aided repair works will improve the health and wellbeing of the individual home owners identified in the exempt section of the proceedings.

### **2. ALTERNATIVE OPTIONS**

- 2.1 The criteria set out in the policy are considered by officers to be met and if the Commissioners are satisfied of this payment should be made. The amounts proposed are those that meet the costs of the items or work assessed as required.
- 2.2 The Commissioners could decide to refuse the grant applications but that would be against the policy and the applicants could appeal the decision.

### **3. DETAILS OF REPORT**

- 3.1 Tower Hamlets 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 improvement, assistance can be provided under the terms of Article 3 of the Regulatory Reform (Housing Assistance) Order 2002.
- 3.2 The Authority has adopted a Private Sector Renewal Policy which sets out how the Council is able to assist in improving the living conditions for residents who live in private sector housing within the Borough.
- 3.3 Under Part 4.2 of the policy, 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.
- 3.4 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 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)
- 3.5 Applications which are for either minor repairs or improvements will only be considered where the applicant has owned the dwelling for the last three years.
- 3.6 The grant will not normally be available to part fund major works costing over £6,000.
- 3.7 These grants are not repayable and details of all grant payments are recorded on a database so that any repeat applications are flagged up.

#### **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 Renewal Policy 2013-2015, 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 grants considered in this report form an element of this programme, with the specific qualifying conditions that the Council applies to these grants set out in paragraphs 3.3 to 3.7.
- 4.3 The four proposed grants (totalling £12,534.58) have all have been considered by the Officer Private Housing Grants Panel and are now recommended to the Commissioners for approval, The specific details of the individual cases are included within the separate reports that are published in the exempt section of this agenda.

#### **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 the Council has power to make the grants 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 31<sup>st</sup> July 2013. Paragraph 4.2 of the policy provides for Home Repair Grants the details of which are 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 A Private Sector Housing Stock Condition Survey carried out in 2012, highlighted the fact that while property prices in the borough have continued to rise, local average earnings have stayed low and that many owner occupiers, especially amongst the elderly and disabled, are 'asset rich but cash poor'. The survey also established that some of the worst housing conditions are to be found within the private sector and that the poorest quality housing is more likely to be occupied by vulnerable households with 29% of households defined as 'vulnerable' occupying non decent housing.

- 6.2 By targeting assistance to these vulnerable owner occupiers, the Private Sector Housing Renewal Policy 2013-15, seeks to mitigate this problem by having a positive impact on the lives of these residents by reducing health and housing inequalities and thereby contributing to the One Tower Hamlets vision.
- 6.3 A full Equalities Assessment on the Policy has been carried out and there has been no evidence identified 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 purchase extended warranties on equipment such as ceiling track hoists, stair, step and through-floor lifts for vulnerable disabled home owners, reduces costs in the longer term to other Council services when these products go wrong. 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 these small grants are not approved, the health and wellbeing of these elderly and or disabled home owners will deteriorate.
- 9.2 There is a risk that Council may be exposed to much greater costs in the longer term where it has to fund additional care for the individual home owners should their health or physical condition worsen as a result.

## **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 Renewal Policy 2013 -2015

### **Appendices**

These are exempt

Home Repair Grant - E2

Home Repair Grant - E14

Home Repair Grant - E3

Home Repair Grant –E1W

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

None

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