

Commissioner Decision Report 2 nd December 2015	 TOWER HAMLETS
Report of: Aman Dalvi Corporate Director, Development and Renewal	Classification: Unrestricted
Provision of a Home Repairs Grant in the sum of £5,049.33 to Client A E14, under the Tower Hamlets Private Sector Housing Renewal Policy 2013-15	

Originating Officer(s)	Martin Ling
Wards affected	Blackwall and Cubitt Town
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

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 Client A E14, in the sum of £5,049.33 to fund urgent repairs to her kitchen and replacement of the central heating combination boiler.

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 Client A is the leasehold owner of a third floor maisonette in E14. A previous report was submitted to Commissioner's Decision making meeting on 30th September 2015 for the same client and the Commissioners approved a grant of £4,152.10 for urgent repairs to Client A's kitchen and central heating boiler replacement. As set out below, a subsequent visit by the Private Sector Housing Surveyor on the 22nd October 2015 revealed that further works were required. If approved this grant will supersede the award agreed on the 30th September 2015.
- 3.4 Client A suffers from arthritis of the pelvis, is a wheelchair user and lives alone.
- 3.5 As client A's condition has deteriorated a number of adaptation works have been carried out to her home to allow her to live as safely and independently as possible. These adaptations include a stair-lift and a wet floor shower room. The Council are also currently considering an application for a further Disabled Facilities Grant (DFG) for a door intercom and automatic opening system.
- 3.6 During the course of the original inspection for DFG, officers noted that there were a number of small repairs required to client A's kitchen and that her central heating boiler had failed and that she was without hot water.
- 3.7 During a subsequent inspection of the property to plan the originally funded Home Repairs Grant works, officers noticed that there were additional items that could be funded, namely the replacement of a non-functioning bath and wash hand basin taps, together with some draught proofing measures.
- 3.8 Further estimates were obtained in the sum of £4,330.05 to replace the central heating boiler, the kitchen sink unit and sink mixer taps and the

additional taps and draught proofing , which together with the Home Improvement Agency fees of £719.28, gives a total grant figure of £5,049.33.

- 3.9 Client A meets the eligibility criteria in that she is the leasehold owner of the property, has lived in the dwelling for over fourteen years, is 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 applicant has previously received funding under the Council's mandatory Disabled Facilities Grants programme and on 30 September 2015, a further grant of £4,152.10 was approved by the Commissioners to fund urgent repairs to the kitchen, and to replace the central heating combination boiler and other essential repairs at client A's flat. Further necessary works have subsequently been identified and this report seeks approval to increase the grant by £897.23 to a total of £5,049.33. 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 the health and wellbeing of this disabled home owner would deteriorate as the winter months approached and she was still without heating.
- 9.2 There is also a risk that if the repair works are not be carried out the property will deteriorate and also possibly affected the maisonette below, leading to much great future costs.

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/g4188/Decisions%2031st-Jul-2013%2017.30%20Cabinet.pdf?T=2>
Private Sector Housing Strategy 2013-15.
http://www.towerhamlets.gov.uk/lgsi/851-900/868_housing_statements/private_sector_housing_renewal.aspx

Appendices

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

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