



<b>Report for:</b>	<b>Cabinet</b>
<b>Date of meeting:</b>	<b>21<sup>st</sup> July 2020</b>
<b>Part:</b>	<b>1</b>
If Part II, reason:	

Title of report:	<b>Private Sector Assistance Policy</b>
Contact:	Councillor Margaret Griffiths, Portfolio Holder for Housing Fiona Williamson, Assistant Director Housing
Purpose of report:	To present to Members for consideration the Private Sector Housing Assistance Policy
Recommendations	That the draft Private Sector Housing Assistance Policy as set out in the Appendix to this report be approved.
Period for post policy/project review	The policy will be reviewed biennially, or if there is a change to legislation that impacts the application of the policy.
Corporate objectives:	The Private Sector assistance policy contributes to following corporate objectives: <ul style="list-style-type: none"> <li>• A clean, safe and enjoyable environment</li> <li>• Providing good quality affordable homes, in particular for those most in need</li> <li>• Delivering an efficient modern council</li> </ul>
Implications:	<u>Financial</u>  All grant payments will be subject to assessment using defined criteria and will only be considered if there is available and the grant satisfies the wider strategic objective to maximise the opportunities to assist with pressures on social care.
'Value for money' implications	<u>Value for money</u>  Any discretionary grant payments will be awarded following the assessment of alternative options and consideration of the

	costs of each, so that a demonstration of value for money can be ascertained.
Risk implications	The majority of the grant funding will be allocated through Disabled Facilities Grants and adherence to the procedure and policy will minimise risks.
Community Impact Assessment	A Community Impact Assessment has been undertaken and is attached in Appendix B
Health and safety Implications	All discretionary grant awards will be made in line with health and safety legislation appropriate to the use of the funding.
Monitoring Officer/ S.151 Officer Comments	<p><b>Deputy Monitoring Officer comments:</b></p> <p>The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 provides that that local authorities may for the purpose of improving living conditions provide to its residents any form of assistance, either directly or indirectly, to enable them to improve their homes.</p> <p>In order to use these powers, local housing authorities must have adopted a policy setting out the assistance to be provided.</p> <p><b>Deputy S151 Officer comments:</b></p> <p>This policy is funded through the disabled facilities grant and hence the criteria is outlined in the grant conditions.</p>
Consultees:	<p>Corporate Management Team  David Barrett – Group Manager Housing Development  Natasha Beresford, Group Manager Strategic Housing  Jason Grace, Group Manager Property and Place  Layna Warden, Group Manager Tenants and Leaseholders  Gillian Malcolm Herfordshire County Council, Team Manager,  Dacorum Older Persons Team  Edward Knowles, Assistant Director, Health Integration (Herts Valleys)  Oliver Jackson Team Leader  Housing and Communities Overview and Scrutiny Committee</p>
Background papers:	<p>Appendix A The Private Sector Assistance Policy  Appendix B Community Impact Assessment</p>
Glossary of acronyms and any other abbreviations used in this report:	<p>Disabled Facilities Grant (DFG)  Clinical Commissioning Group (CCG)  Regulatory Reform Order (RRO)  Ministry For Housing Communities and Local Government (MHCLG)</p>

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## **1.0 Introduction**

- 1.1 The Private Sector Housing Assistance Policy sets out the types of assistance available to private occupants to improve their living conditions and enable independent living. The Policy replaces the current policy which was approved by Cabinet in March 2013, which due to reductions in various forms of central government funding, is now out of date.
- 1.2 Private occupants are owner occupiers that have either bought their home outright, with a mortgage or own a share in their property (Shared Ownership), and those that rent from a private landlord. Responsibility for maintaining and adapting privately owned homes rests first and foremost with their owners but some targeted assistance may be available from local authorities and agencies, to pay or contribute towards adaptations or other measures to enable independent living.
- 1.3 In addition the Discretionary Disabled Facilities Grant (DFG) Top up Grant is available to tenants of Private Registered Providers of Social Housing, as these tenants are eligible for DFG adaptations. Further the Disabled Person's Equipment and Assistive Technology Assistance, is available to all disabled people in the borough regardless of housing tenure.
- 1.4 The Policy has been developed to support the objectives of the Better Care Fund, of which the mandatory DFG funding forms the majority of the allocation to the Borough, but this policy extends the scope to include discretionary grant payment, as detailed in the policy.
- 1.5 It is important to note that the majority of any funding available will be used for the mandatory DFG funding and therefore the ability of the Council to provide any discretionary support will be dependent on the availability of any remaining funding, or through any new specialist funding streams, designed to support climate emergency or to stimulate economic recovery post Covid 19.

## **2.0 Statutory Context**

- 2.1 This Policy has regards to the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO), the Housing Grants, Construction and Regeneration Act 1996...
- 2.2 The power enables local authorities to give assistance to persons directly, or to provide assistance through a third party. Assistance can be given to pay for any fees and charges associated with the assisted works. Assistance given under the general power may be unconditional or subject to conditions, for example the requirement to repay a grant if the property is sold within five years.
- 2.3 The RRO also provides local authorities with a degree of flexibility in devising both its strategy for dealing with poor housing conditions and the policy tools available.

- 2.4 In order to use the powers provided in the RRO the Council must adopt a policy for the provision of the assistance. The Policy complies with that requirement.
- 2.5 Housing Grants, Construction and Regeneration Act 1996 - much of this Act was been repealed by the RRO. The remaining legislative framework contained within this Act provides the basis for the provision of Disabled Facilities Grants (DFG), which are financial grants to help with the cost of adapting a property to meet the needs of a disabled occupant.

### **3.0 Consultation**

- 3.1 The Council have developed this policy in consultation with Hertfordshire County Council, Adult Care Services and The Clinical Commissioning Group for the Herts Valley Region, to consider the mechanism for referrals and how cases would be assessed in respect of priority need.
- 3.2 It is envisaged that the discretionary grants will be limited in number due to the majority of the annual funding from MHCLG being allocated for mandatory DFG works.
- 3.3 The policy enables the discretionary funding to ensure that residents in the private sector are able to live in properties suitable for their long term health needs and to ensure hospital beds are only used for those in need of clinical support, by providing options for ensuring hospital discharge to the private sector accommodation
- 3.4 The discretionary funding will be allocated based upon the assessment of each case and means assessed as the expectation is that where possible the costs will be borne by the owner. If the necessary adaptations involve specialist medical equipment this will be provided by HCC and is not covered in the scope of this policy.

### **4.0 Recommendation**

- 4.1 The recommendation is that Cabinet members approve the policy and Community Impact Assessment, as set out in Appendices A and B.