



# **Newcastle-under-Lyme Borough Council**

## **Housing Assistance Policy**

**August 2021**

1. Introduction .....	3
2. National Context .....	3
3. The local Context .....	3
4. Types of Assistance .....	4
4.1 Mandatory Disabled Facilities Grants.....	4
4.2 Discretionary Grants .....	4
4.2.1 Top-Up Assistance .....	4
4.2.2 Relocation Grant.....	4
4.2.3 Support for essential repairs that otherwise present hazards to health .....	4
4.2.4 Landlord Applications .....	4
5. Requests outside the Policy.....	5
6. Comments / Complaints.....	5
7. Contact details .....	5
Appendix 1 - Mandatory Disabled Facilities Grant .....	6
Appendix 2 - Discretionary Disabled facilities Grants.....	8

## **1. Introduction**

This policy sets out how Newcastle-under-Lyme Borough Council will offer financial help for improving and adapting homes. The aim is to support residents to improve their health and wellbeing by addressing problems with unsuitable homes that do not meet their needs.

## **2. National Context**

The Housing Grants, Construction and Regeneration Act 1996 places a statutory duty on Local Authorities to provide assistance to qualifying disabled people for home adaptations. These eligible works must be “necessary and appropriate” to meet their needs and “reasonable and practicable” with regard to the age and condition of the property. These are mandatory Disabled Facilities Grants (DFGs).

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 also gave local housing authorities a wide-ranging power to provide assistance to help people acquire, adapt, repair, improve or rebuild living accommodation. Assistance may be subject to terms and conditions including to contribute to or repay some or all of the assistance in certain circumstances. These are discretionary grants.

The Care Act 2014 requires local authorities to identify, provide and arrange services, facilities and resources to prevent, delay or reduce the needs of individuals either for care and support. This includes the adaptation of properties.

Under the Housing Act 2004, Local Authorities have a duty to keep housing conditions under review, including having regard to particular hazards that might be dangerous or prejudicial to health for certain vulnerable groups.

The Home Energy Conservation Act 1995 requires each authority to assess the energy conservation needs for their local area and the policies, strategies and practical measures which will help to make improvements. This includes providing assistance for those residents that are experiencing fuel poverty.

Funding for assistance is provided through the Better Care Fund which combines money from health and social care budgets to successfully deliver the integration of health and social care in a way that supports person-centred care and better outcomes for people and carers.

## **3. The local Context**

In 2019 the population of Newcastle-under-Lyme was 129,441 people. This was an increase of 4 % (5,337) since 2012. Of the 129,441 people in Newcastle-under-Lyme, 18.1% (23,481) were children aged under 18, 61.2 % (79,198) were adults aged 18 to 64 and 20.7% (26,762) are aged 65 and over; 2.8% (3,562) of the resident population are 85 and over.

The population has a lower proportion of people aged under five and under 16 compared to England. There are more people aged 16-64 and 65 and over in Newcastle-under-Lyme compared to average.

The overall population of Newcastle-under-Lyme is projected to increase between 2017 and 2027 by 5% with a significant growth in people aged 65 and over (15%) and aged 85 and over (27%). The rate of increase in the number of older people in Newcastle-under-Lyme is faster than the England average and equates to 900 additional residents aged 85 and over by 2027.

Our Housing Strategy sets out our strategic housing priorities and details a range of actions the Council intends to take in partnership with relevant partners and stakeholders to support residents to access good quality, suitable and affordable housing while preventing homelessness and rough sleeping. Priorities include working in partnership to deliver an efficient and responsive grants service for adaptations.

## **4. Types of Assistance**

### **4.1 Mandatory Disabled Facilities Grants**

A mandatory disabled facilities grant is a statutory grant that all local authorities must make available. The grant is paid when the Council considers it necessary, appropriate, practical and reasonable to adapt a residential property to meet the access needs of a person with a disability. Grants for over 18s are means tested and repayment conditions may apply. There is a £30,000 maximum amount set for a mandatory DFG. Further details on the grant, eligibility criteria and terms and conditions are in appendix 1.

### **4.2 Discretionary Grants**

The aim of the discretionary grants is to help vulnerable members of the community where the Mandatory DFG is insufficient to cover the full cost of the works or where the works are outside of the eligibility criteria. However completing them would provide significant benefits to the applicant and/or their family/carers and would create savings to the wider public purse. Further details on all the discretionary grants can be found below and in appendix 2.

Discretionary grants may not always be available. They are dependent on available funding each financial year. The funding priority will be for mandatory DFGs.

#### **4.2.1 Top-Up Assistance**

To top up the financial assistance for adaptation works where the cost exceeds the DFG maximum (currently £30,000). The amount of top up assistance in such circumstances must be reasonable up to a maximum of £10,000. The Council reserves the right to consider alternative solutions where they appear more cost effective, reasonable, practicable or appropriate. It is expected that other funding sources will also be sought by the applicant or home improvement agency including landlord contributions and charity applications.

#### **4.2.2 Relocation Grant**

In some instances it may not be possible to adapt accommodation to meet the needs of the disabled occupant or the works required would be so major that it would not be cost effective. A discretionary relocation grant, which is means tested, provides assistance to move by helping with removal costs and legal expenses

#### **4.2.3 Support for essential repairs that otherwise present hazards to health**

To assist residents whose health is being affected by hazards to health in the home that will otherwise exacerbate existing health conditions and create ill health or hospital admissions. Examples include repairs to heating and hot water provision, first time heating, preventing falls or accidents, preventing damp conditions and support to clear hoarded properties. This would be applicable where the hazard has been assessed under the Housing Health and Safety Rating system as a serious hazard to health.

#### **4.2.4 Landlord Applications**

This is to support Registered Providers working with the authority to achieve the aims of our

Housing Strategy and can include;

- Applications for creating 'accessible' supported housing provision for disabled people in housing need.
- Applications to create a 'safer' living environment for people who have experienced domestic violence or other forms of hate crime.

## **5. Requests outside the Policy**

While the Council will usually adhere to this policy, if a person considers their case suitable for special consideration they should set out in writing why their case is exceptional to: Head of Housing, Regeneration and Assets Services, Newcastle under Lyme Borough Council, Castle House, Barracks Road, Newcastle under Lyme, ST5 1BL.

Each case will be considered on its merits and a written response will be provided within 28 days.

## **6. Comments / Complaints**

We welcome your feedback, whether it's to make a comment, pay a compliment or make a complaint about our services. Further details can be found in the 'Report it' section on the website or to Housing Services, Newcastle-under-Lyme Borough Council, Castle House, Barracks Road, Newcastle-under-Lyme, ST5 1BL. Or email [housing@newcastle-staffs.gov.uk](mailto:housing@newcastle-staffs.gov.uk)

## **7. Contact details**

For further information please contact

Housing Services,  
Castle House  
Barracks Road  
Newcastle-under-Lyme  
ST5 1BL

01782 717717  
[housing@newcastle-staffs.gov.uk](mailto:housing@newcastle-staffs.gov.uk)

## **Appendix 1 - Mandatory Disabled Facilities Grant**

### **1.0 Eligibility**

The purposes for which adaptation must be provided are set out in section 23 of the Housing Grants, Construction and Regeneration Act 1996 as amended, and are;

- a) facilitating access by the disabled occupant to and from the dwelling or the building in which the dwelling or, as the case may be, flat is situated; including facilitating access to and from a garden by a disabled occupant and making access to a garden safe for a disabled occupant.
- b) making the dwelling or building safe for the disabled occupant and other persons residing with him/her;
- c) facilitating access by the disabled occupant to a room used or usable as the principal family room;
- d) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room used or usable for sleeping;
- e) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a lavatory, or facilitating the use by the disabled occupant of such a facility;
- f) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a bath or shower (or both), or facilitating the use by the disabled occupant of such a facility;
- g) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a hand-wash basin, or facilitating the use by the disabled occupant of such a facility;
- h) facilitating the preparation and cooking of food by the disabled occupant;
- i) improving any heating system in the dwelling to meet the needs of the disabled occupant or, if there is no existing heating system in the dwelling or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet his/her needs;
- j) facilitating the use by the disabled occupant of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;
- k) facilitating access and movement by the disabled occupant around the dwelling in order to enable him/her to care for a person who is normally resident in the dwelling and is in need of such care;
- l) such other purposes as may be specified by order of the Secretary of State.

### **1.1 Necessary and appropriate**

Works must be identified as necessary and appropriate by an Occupational Therapist or Trusted Assessor. Their report should include an analysis of options and justifications for the eligible works. These works must meet the eligibility criteria set out in grants legislation and be the simplest, most straightforward and cost effective means to meet the need taking into account all available space and facilitates within the property.

### **1.2 Reasonable and practicable**

Works must be reasonable and practicable having regard to the age and condition of the property.

### **1.3 Maximum Assistance**

The maximum amount of assistance is set out in the Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008. This is currently £30,000.

Applicants will be assessed for their ability to contribute to the cost of the works in accordance with the Housing Renewal Grant Regulations 1998 (as amended) or any subsequent act or amendment.

If the cost of adaptations is likely to exceed £30,000 or in any case where rehousing is considered a viable option this should be fully explored before recommending works.

#### **1.4 Successive Grants**

Successive grant applications can be made to meet different or substantially altered needs that have not been addressed through a previous application.

#### **1.5 Repayment of Assistance**

The Council will require that any grant amount over £5000 given to a qualifying owner is repaid up to a maximum repayment of £10,000 if the recipient disposes of, (whether by sale, assignment, transfers or otherwise) the premises in respect of which the grant was given within 10 years of the certified date. Providing that:

- The recipient of the grant would not suffer excessive financial hardship were they required to repay all or any of the grant.
- The disposal of the premises was not to enable the recipient of the grant to take up employment, or to change the location of his employment.
- The disposal was not made for reasons connected with the physical or mental health or well-being of the recipient of the grant or of a disabled occupant of the premises.
- The disposal was not made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity.
- The Council is satisfied that it is reasonable in all the circumstances to require the repayment.

The condition requiring repayment will be a local land charge and will be binding on any person who is for the time being an owner of the dwelling or building.

#### **1.6 Terms and Conditions**

The Housing Grants, Construction and Regeneration Act 1996 lays down legal requirements for mandatory DFGs and the application and payment processes.

## **Appendix 2 - Discretionary Disabled facilities Grants**

### **1.0 Aims**

The aim of the discretionary grants in this policy are to help the vulnerable members of the community where the Mandatory DFG is insufficient to cover the full cost of the works or where the works are out of scope of the legislation but by completing them there would be demonstrable savings to the wider public purse and clear benefits to the applicant and/or their family/carers.

### **1.1 Funding**

The grants would be funded from the DFG Budget and will be dependent on available funding each financial year. The priority for funding will be mandatory DFGs.

### **1.2 Eligibility**

Discretionary grants are designed to help those eligible for Mandatory DFG assistance.

### **1.3 Means Testing**

There will be no additional formal means test if the works the discretionary grant are funding are 'in addition' to an already means tested Mandatory DFG. If the works are solely being funded through discretionary funding then the same means test as is applied to Mandatory DFG works will be used, excepting where the works are for the benefit of a disabled child or young person as defined by the relevant regulations or a landlord application.

### **1.4 Conditions**

Conditions may be attached to the grant aimed at ensuring the facilities invested in continue to be available.

### **1.5 Repayment clauses**

Discretionary funding will be registered as a local land charge against the property and will be recovered on the sale or transfer of the property, subject to rules regarding exempt sales. Note – this is separate to the £10,000 recoverable DFG which expires at 10 years from certification of works completion.

### **1.6 How to apply for discretionary funding**

Application for; Top up Assistance, Payment of limited means tested assessed contributions, and Support to Move / Buy will be through the Council's Appointed Home Improvement Agency provider. Support to remove hazards to health and landlord grants may be through the Council's Appointed Home Improvement Agency provider or via Newcastle-under-Lyme Borough Council's Housing Services.

## **2.0 Types of Assistance**

### **2.1 Top-Up Assistance**

To top up the financial assistance for adaptation works where the cost exceeds the DFG maximum (currently £30,000). The amount of top up assistance in such circumstances must be reasonable. The Council reserves the right to consider alternative solutions where they appear more cost effective, reasonable, practicable or appropriate. It is expected that other funding sources will also be sought by the applicant or home improvement agency including landlord contributions and charitable applications.

The maximum assistance will be for £10,000 and the same criteria and conditions will apply as for a mandatory DFG.

### **2.2 Relocation Grant**

In some instances it may not be possible to adapt accommodation to meet the needs of the disabled occupant or the works required would be so major that it would not be cost effective. A discretionary relocation grant, which is means tested, provides assistance to move by helping with removal costs and legal expenses



The alternative property must be assessed by an Occupational Therapist as being suitable or easily adaptable to meet long term needs. Properties which require extending or will be overcrowded on occupation will not usually be considered suitable.

### **2.2.1 Maximum Grant**

The maximum grant will be £10,000 for owner occupiers and £2,000 for private sector tenants.

### **2.2.2 Eligible works**

The grant can be used to assist with moving and resettlement costs, such as reinstatement of utilities, disconnection and reconnection of household appliances and any disability equipment. - Legal and other fees, including solicitors, surveys, estate agents. Whilst the grant is open to private sector tenants and owner-occupiers for tenants it will only cover the removal and resettlement costs and consideration will be given to the long term suitability for the tenancy.

The grant will only be approved once the purchase process in relation to the property has been completed. However, a provisional approval may be given prior to this which will indicate the amount of grant available.

Payment of the grant will only be made upon receipt of satisfactory invoices and receipts for eligible works/costs. If these have already been paid, then reimbursement to the Applicant will be paid upon satisfactory proof of payment.

## **2.3 Landlord Applications**

The aim of the scheme is to use the flexibilities in the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to support vulnerable residents in temporary and supported accommodation schemes which are supported by the Council. Applications are expected to come about through multi agency projects aimed at achieving Housing Strategy targets. The aim of the applications will be to include accessibility and safety into the projects.

Applications will be through Registered Provider Landlords where a need for adaptations in supported accommodation can be demonstrated.

Eligibility criteria may include.

- Funding the cost of creating 'accessible' supported housing provision for disabled people in housing need.
- Funding to create a 'safer' living environment for people who have experienced domestic violence or other forms of hate crime.

Conditions will apply that the accommodation must remain available to support vulnerable residents in temporary and supported housing for at least 5 years.