

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2399
Author:	Tony Dawson
Department:	Development
Contact:	Tony Dawson (Job Title: Adaptations & Renewal Manager, Email: tony.dawson@nottinghamcity.gov.uk, Phone: 62484)
Subject:	Discretionary Disabled Facilities Grants (DFG) - Policy update
Total Value:	Potentially £3,000 per year (Type: Capital and Revenue)
Decision Being Taken:	To amend the current policy for discretionary DFGs to align them with the repayment conditions for mandatory DFGs, so that they are repayable if the property is sold or transferred within 10 years of completion of works. The amended policy will apply to approvals for owner occupiers from 1 April 2016.
Reasons for the Decision(s)	<p>Officers have discretion to award a discretionary DFG (maximum £5,000) to top-up a mandatory DFG in limited circumstances:</p> <ul style="list-style-type: none">a) where the adaptations will benefit more than one resident disabled personb) where the disabled person is a childc) where unforeseen works have arisen during the scheme <p>Discretionary DFGs are awarded on average only 4 times each year, resulting in up to £20,000 being charged to the DFG budget. They have allowed complex schemes to proceed and potentially saved substantial amounts in home care and residential care costs.</p> <p>Mandatory DFGs for owner occupiers carry a condition allowing the Council to recover up to £10,000 if the property is sold within 10 years. For instance, an adaptations scheme costing the maximum allowable of £30,000 would result in a repayment of only £10,000. Invariably, schemes needing a discretionary DFG top-up will involve construction of an extension and result in an enhanced property value. It therefore appears to be reasonable that the grant carries a condition requiring repayment if the property is sold or transferred within 10 years. The recovered funds will be used to assist other disabled citizens needing adaptations.</p> <p>A procedure is already in place to consider waiving repayment in appropriate circumstances, and this procedure will be adopted for discretionary DFGs.</p>

Other Options Considered: a) Continue as present with no repayment condition. This is not considered appropriate as this option would not draw in any repayments for recycling funds to adaptation schemes for other disabled citizens.
b) Impose repayment condition with no time limit. As these schemes are solely for the benefit of disabled citizens, it is equitable to match the repayment conditions attached to the mandatory DFG i.e. sale within 10 years.

Background Papers: None

Published Works: None

Affected Wards: Citywide

Colleague / Councillor Interests: N/A

Consultations: Date: 28/01/2016
Other: Consultation Group on Adaptations and Occupational Therapy Services
The user group considered the proposal to be reasonable, particularly with an appeal mechanism already in place

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: Not applicable

Equality: EIA not required. Reasons: Minor change to policy

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 08/04/2016

Advice Sought: Legal, Finance

Legal Advice: The Regulatory Reform (Housing Assistance)(England and Wales) Order 2002 gives Councils power to give discretionary assistance in addition to mandatory Disabled Facilities Grants. It also provides that assistance may be conditional, including conditions as to repayment of assistance, as is proposed in this report. Advice provided by Sarah Molyneux (Legal Services Manager) on 04/03/2016.

Finance Advice: This decision is to change the conditions of discretionary DFGs to require repayment if the property is sold or transferred within 10 years. The financial impact is to enable any repaid grant to be recycled by the Council as further grants in the future and thereby assist additional citizens. Advice provided by Julie Dorrington (Finance Analyst (Housing)) on 22/02/2016.

Signatures

Jane Urquhart (Portfolio Holder for Planning and Housing)
SIGNED and Dated: 31/03/2016
David Bishop (Deputy CE, CD for Development and Growth)
SIGNED and Dated: 24/03/2016