

Housing Services Policy



	GRAVESHAM BOROUGH COUNCIL HOUSING SERVICES	Version: 3
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1. Purpose

This document details Gravesham Borough Council's Housing Assistance Policy and conditions. It amends and updates the previous policy published in 2016 to introduce the changes under the widened Disabled Facilities Grant (DFG) and the use of the Better Care Fund (BCF) allocation. The BCF is a programme spanning both the NHS and local government and seeks to "encourage areas to think strategically about the use of home aids/adaptations, use of technologies to support people in their own homes, and to take a joined-up approach to improving outcomes across health, social care and housing".

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Council Tenants Disabled Adaptations

This policy does not cover the process for Council tenants who require disabled adaptations. This is covered under the Policy for Discretionary Disabled Adaptions.

This policy is required under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 and provides the Council with the discretion to develop new schemes for providing financial assistance to deal with issues in the privately sector.

This policy directly links to the Council's Corporate Business Plan, Safeguard residents: put in place a package of housing measures and creative intervention that support the most vulnerable.

In order to meet this priority the policy aims to focus on the following areas:

- 1.1 Assist disabled residents to remain in their own homes through supporting the provision of adaptations
- 1.2 Promote affordable warmth through improving energy efficiency in private sector homes
- 1.3 Safeguard the health and well-being of vulnerable residents by removing unnecessary hazards to health in the home
- 1.4 To enable integrated approach with the NHS to reduce/prevent hospital discharge to consider long term needs of vulnerable residents.

Housing is a key determinant of health and by promoting good quality housing. This policy will contribute to reducing health inequalities for Gravesham residents.

2. References & Abbreviations

Occupational Therapist – OT
Better Care Fund – BCF
Disabled Facilities Grant – DFG
Disabled Facilities Fastrack Grant – DFFG
Hospital Discharge Assistance - HDA

3. Scope of Policy

- 3.1 This policy is intended to be gender-inclusive and where a reference to an individual's gender appears within this document its use is non-discriminatory.
- 3.2 Private sector housing is made up of privately rented housing and owner occupied housing:
 - 3.2.1 Privately rented housing has an essential role to play in providing accommodation for people who cannot afford to buy a home of their own and for those not yet certain of their long term job/location. High house prices and a shortage of social housing mean that renting from private landlords is the only option for a considerable number of local people.

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- 3.2.2 Owner occupied households and those in privately rented accommodation account for 81% of all homes in the borough. Most of these are well maintained and suitable for the needs of their occupiers but a significant number are in a poor state of repair or lack adequate heating or insulation. Others are occupied by disabled people and have not been adapted for their needs.
- 3.2.3 The policy provides Gravesham Borough Council with the flexibility and discretion to provide appropriate assistance to meet the aims and priorities set out below.

3.3 Mandatory Disabled Facilities Grants (DFGs)

- 3.3.1 The Council, as a local housing authority, has a statutory obligation to administer Disabled Facilities Grants to provide adaptations to enable disabled residents to live independently within their own homes. It is governed by the Housing Grants, Construction and Regeneration Act 1996.
- 3.3.2 The eligibility requirements, scope of works, and the general requirements governing mandatory DFGs are prescribed and the Council is unable to deviate from these requirements.
- 3.3.3 The grant limit is £30,000 and cannot be exceeded.

3.4 Disabled Facilities Grants process

- 3.4.1 A referral for a grant for a disabled person is made by Kent County Council social services. All persons making enquiries will be asked to contact the social services occupational therapist for an assessment. The occupational therapist will assess the person's needs and identify any equipment that might be suitable, as this is their area of expertise. The referral from the occupational therapist (OT) will state what adaptations are required and that the adaptations are necessary and appropriate to meet the person's assessed needs.
- 3.4.2 At the same time as completing the referral the OT completes a questionnaire with the client. This questionnaire is used by the grants team to determine the priority status of the referral. This is used to help allocate the referral in a priority-need order as appropriate.

3.5 Prioritisation Scheme

- 3.5.1 There may be occasions when the Council receives a large volume of referrals from the OT. In order to address this demand the Council has a prioritisation scheme. The scheme is designed to assist the Council in ensuring that resources are allocated in order of need. Need is based on the relevant information received from the client, the OT and any other relevant parties.
- 3.5.2 The client's details are then kept in priority order. Each client is placed into a high or medium band. Points are added to each case

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on a monthly basis allowing them to reach the top of the list over a period of time.

3.6 Preliminary Test of Resources

- 3.6.1 On receipt of a referral, a Preliminary Test of Resources will be carried out on the client to assess the entitlement for grant. The client will be asked to complete a form. Details of income and savings will be requested and all details will be required to be verified when the full application is made.
- 3.6.2 The financial information is added into the computer system that carries out the means test. This is a standard approach issued by government and is the same in every local authority. This enables the Council to determine if the client is eligible for a grant and / or if the client has a financial contribution to pay towards the cost of the works.
- 3.6.3 A letter is then sent to the client advising of the notional contribution but detailing that this may change if their circumstances change when the full application is made.
- 3.6.4 This preliminary test will be processed within 7 working days and the client will be informed of the approximate amount of grant which may be available on the basis of the information given.

3.7 Using an Agency

- 3.7.1 The application process is complicated and many clients struggle to provide the necessary paperwork. The client is, therefore, advised of the option to use an agent to assist them in making the application and with any other services they may need. Should the applicant choose to use an agency then they will obtain all necessary Planning and Building Control approvals on their behalf. The Council currently works closely with home improvement agencies however, a client is able to employ any agent to assist them.
- 3.7.2 The applicant must sign a form giving permission for the agent of their choice to be included in any correspondence.
- 3.7.3 The agent's fees are part of the eligible grant expenses (see paragraph viii below); however, the grant will only include the fees for an agent if they meet the criteria set out in appendix 2.
- 3.7.4 Applicants should note that they will be liable for an agent's fees in making the application and they should ensure that they have sufficient funding available to meet these fees as there will be no guarantee of financial assistance until the grant is approved. In the case of DFGs that have been approved, the Council will consider making grant available to cover a percentage (up to 50%) of abortive fees.

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3.8 Eligible works

- 3.8.1 The Council will only offer grant for those works that are considered mandatory to meet the needs of the disabled person. Appendix 3 provides details of the agreed eligible works.

3.9 Using an Agent: Fees and Charges

- 3.9.1 The Council currently works closely with Home Improvement Agencies. Fees, currently 12.5% of the eligible works, will normally be charged by them.
- 3.9.2 Other agencies may charge higher fees based on national rates. The Council will consider whether the fees are reasonable in assessing and determining any application.
- 3.9.3 The grant can cover the cost of planning and building control fees, surveyor and architect fees, agency fees, and any other ancillary costs necessary for making the application. More detail is contained within Appendix 3.
- 3.9.4 If a preliminary structural or electrical survey is required to determine the extent of work necessary then the applicant will be liable for these charges. The application must include satisfactory invoices so that, if a grant is approved, the applicant may be reimbursed for some or all of these costs.
- 3.9.5 The fees and ancillary costs will be included as part of the grant approval and will not be paid until the grant has been approved. With the more complicated cases where the costs of the works and the ancillary costs are over £30,000 the applicant will be expected to fund the additional works required themselves.

3.10 Grant Conditions

- 3.10.1 General conditions can be found in the relevant section below. The conditions set out here are specific to the Disabled Facilities Grant. Only the works agreed by the Council will be covered by the grant. If the grant is approved the applicant has 12 months to complete the works.
- 3.10.2 The works must be completed by the contractor stated on the approval document.
- 3.10.3 If there is a contribution to pay the applicant must ensure that they have the money to cover their share of the costs before the work begins on site.
- 3.10.4 Unforeseen and additional costs will only be paid where they are necessary to complete the adaptation and must be agreed by the Council before they are undertaken.

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3.11 Application for a grant

3.11.1 The Council's Housing Partnerships Manager as well as the agent (if used), will visit the client. The Council's role in the DFG programme is to ensure that the works are reasonable and practicable by checking that the property is suitable for adaptation. The Housing Partnerships Manager will also check that the works being asked for are the most cost effective method of achieving an appropriate adaptation.

3.11.2 All necessary paperwork is sent to the client, or the client's agent for them to help the client complete the application process.

In order to make an application the client must supply the following:

- A completed application form.
- The certificate of future occupation completed and signed by the Applicant.
- A minimum of two competitive estimates for all work listed on the schedule of work. The builders must provide an individual price for each specified item written on the schedule.
- Papers confirming details of income and capital.
- Utility bill (for occupiers).
- Evidence of financial situation.
- Evidence of ownership of the property or the right to reside at the property. Where necessary, the Council will carry out a search on the land registry to confirm the client's title to the property which is being adapted.
- Any planning or building regulation approvals.

3.11.3 On receipt of a valid application, the Council has to confirm the applicant's financial status. This may involve provision of documentary evidence from the applicant and contacting other organisations to confirm this, for example, the Department for Works and Pensions.

3.11.4 The Council will endeavour to process the application within 10 working days of receipt of all the necessary paperwork.

3.12 Approval or Refusal

3.12.1 Once a valid application has been received the Council has 6 months to approve or refuse the application; however, we have set a local target for approval within 20 working days. An application is only considered valid if all the relevant paper work and evidence has been submitted and checked by the Housing Partnerships Manager to be correct.

3.12.2 The grant is either approved or refused by an authorised manager. If the grant is refused a formal refusal letter is issued stating the reasons why the grant has been refused. If the grant is approved a formal approval letter will be sent out detailing the terms of the grant

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and the conditions that need to be met.

3.12.3 Once approved, the applicant has 12 months to complete the works.

3.13 Work on Site

3.13.1 The contract for the works is the responsibility of the applicant and their builder and/or their nominated agent. The Housing Partnerships Manager will monitor progress and carry out quality checks to ensure that only those works agreed by the grant approval are carried out and that the works give value for money. Once the work is complete the Housing Partnerships Manager will get permission from the client to pay the grant money. This is usually paid direct to the contractor but can be paid to the client for them to pay the contractor themselves.

3.14 Land Charge

3.14.1 Under the provisions of the Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008, the Council is entitled to place a local land charge on the property.

3.14.2 The charge is only placed where the Council approves an application for a disabled facilities grant from an owner in excess £5,000. However, the charge itself cannot exceed £10,000 in total.

3.14.3 The charge will only be recovered if the property is disposed of within 10 years of the "certified date", that is, the date we certified the works were completed to the Council's satisfaction.

3.14.4 The Council may use its discretion not to recover the charge in the event of the property being disposed of within the 10 year period, for example, if doing so would cause the client financial hardship, or if the client moves to a property more suitable for the needs of a disabled person.

3.14.5 Any increase in the grant may have an impact on the charge placed against the property.

3.15 Housing Associations

3.15.1 All disabled people are entitled to make an application for a disabled facilities grant regardless of tenure type. However, Housing Association tenants are expected to approach their housing association in the first instance. Housing Associations are expected to maintain their own housing stock and provide funding towards the cost of adaptations where possible.

3.15.2 For those residents where the housing associations do not fund adaptations, the Council will look to assist.

3.16 Disabled Facilities Fastrack Grant

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- 3.16.1 Fastrack assistance will provide a quicker and more streamlined service allowing customers to avoid the main mandatory DFG process.
- 3.16.2 This grant will be considered for those adaptations costing under £7,000 and recommended by an Occupational Therapist. Applicants must be an owner-occupier, private sector tenant or Housing Association tenant, be registered or registerable disabled.
- 3.16.3 Such a grant is appropriate in situations for urgently needed disabled aids and adaptations (for instance, a straight stair lift or level access shower) that, if not carried out, could directly affect the occupant's health, safety and welfare, or the health, safety and welfare of the disabled person's carer. The grant is not for property repair or its maintenance, it is solely for adaptations.
- 3.16.4 The grant will only require one estimate and be limited to a maximum of £7,000. If after the tendering process the estimates received are slightly over (maximum of £1000) the £7000 limit then the grant process will be followed although a charge will be placed against the property for the excess amount over £5000. Applicants for this grant will not be required to go through the means testing process if the cost of the works does not exceed the grant limit at the time of approval.

3.17 Alternative Works and Enhanced Schemes

- 3.17.1 There are occasions when clients decide they do not want to have the adaptations recommended by the OT but would prefer to have alternative and more costly works carried out. This is known as an enhanced scheme.
- 3.17.2 The Council will not facilitate enhanced schemes under the Disability Facilities Grant process. However, the Council does accept that, on rare occasions, it may be necessary to exercise its discretion to assist those who require works under an enhanced scheme.
- 3.17.3 An application for an enhanced scheme will be considered by the Housing Renewal Panel which will consist of Housing Partnerships Manager and the Assistant Director for Housing Policy & Management.
- 3.17.4 Procedure to be followed if an enhanced scheme is accepted.
For example: client request for an extension instead of an OT recommended lift and wet room:
 - The Housing Partnerships Manager will visit the property to confirm whether the OT recommendations can be provided.
 - If the OT recommendations can be provided, then the client will be informed that the Council will support only those recommended works and that the client will be responsible for building their extension with all relevant planning and building regulation approvals.

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- On completion of the client building the extension, the client should then be re-assessed by the OT before the Council receives an application for a wet room installation only, as there will no longer be a requirement for a lift.

3.18 Discretionary Disabled Facilities Grants:

3.18.1 Relocation Grant

In appropriate cases where a person is eligible for Disabled Facilities Grant assistance but the property is unsuitable for adaptation to their specific needs, a Relocation Grant may be offered. The maximum assistance is up to £10,000. This grant will only be available to a disabled person following a decision by the Council in consultation with Social Services that the existing property cannot be economically or reasonably adapted to their needs.

3.18.2 In the event of the owner occupier having to move to alternative accommodation, it will be a requirement that they sell their existing property to facilitate a move to a property that is considered suitable for adaptations.

3.18.3 The applicant may be asked to undertake the statutory means test for a Disabled Facilities Grants and/or provide other details to confirm there is financial hardship.

3.18.4 If the new property is of less value and the applicants benefit from the equity released, then the new grant may be a NIL approval.

3.18.5 Social Services and the Council must agree the suitability of the new property. If the new property requires adaptation, a Disabled Facilities Grant may also be offered.

3.18.6 Eligible items that can be included in the grant:

- Legal fees (minimum of two quotes required)
- Stamp Duty
- Surveyor/ Valuation fees
- Estate agent fees
- Removal fees (minimum of two quotes required)

3.18.7 The Grant is to be approved before costs are incurred.

3.18.8 All fees are to be paid in full by the applicant who will then be reimbursed by the grant.

3.18.9 All requests for payment are to be supported by relevant invoices from the contractors via the applicant.

3.19 Disabled Facilities Grants – outside grant policy

3.19.1 Objectives

To assist with the provision of adaptations to vulnerable members of

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community where critical health conditions apply.

- 3.19.2 Assist where the customer has a contribution to pay towards the grant but they cannot afford to do so.
- 3.19.3 Criteria and conditions for eligible works as identified by OT Recommendations.
- 3.19.4 Grant limit of £10,000;
- 3.19.5 Means test to be carried out;
- 3.19.6 The applicant would first be expected to have applied to Kent County Council's Hardship Fund and been refused assistance before consideration can be given for a top up grant;
- 3.19.7 A land charge will be placed on the property and the grant will be repayable if the property is sold within 10 years of completion of the works. The charge will be additional to any Mandatory grant awarded;
- 3.19.8 The assisted works must be executed to the satisfaction of the Council, and the Council must be provided with an acceptable invoice.
- 3.19.9 The Housing Renewal Panel will determine each case on its merits.

3.20 Hospital Discharge Assistance (HDA)

- 3.20.1 By integrating Council services with the NHS this funding will deliver key works to overcome obstacles preventing patients from being discharged and also as well as offering a service to help prevent hospital admissions in the first place by offering practical solutions to problems around the home.
- 3.20.2 This assistance is to provide support to any resident being discharged from hospital or to prevent hospital admission. Due to the many housing problems that can prevent a timely hospital discharge/prevention from admission, a specific list of works cannot be given, however all works associated with the assistance must be essential to enable the resident to once again reside/remain in their home. Examples of works that would be expected to be supported by a HDA include deep cleaning, decluttering, minor adaptations, boiler repairs/replacement, minor repairs, moving furniture, specialist or essential furniture to accommodate the health need.
- 3.20.3 The maximum assistance is up to £3,000. Where the works are required urgently and not exceeding £500, this will be fastracked through the Handyperson Enablement Service. No requirement for a charge shall be applied to such assistance, but will require referral from health professional to be eligible. This assistance will also have regards to the Kent Policy and Procedures to Support People who Self-Neglect or demonstrate hoarding behavior. This assistance will be subject to

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available funding.

- 3.20.4 Applicants for a HDA must be in hospital at the time of referral and awaiting discharge or a referral from health professional to prevent hospital admission.

3.21 Energy Efficiency Top-up Loans

- 3.21.1 Each year in excess of 19,850 (2018/19) people die unnecessarily in England as a result of living in cold homes. Winter mortality rates are low in Gravesham with excess winter mortality ratio lower than the Kent average. The Council closely monitors these figures and looks at ways to ensure that provisions are in place for those vulnerable households who are most at risk.

- 3.21.2 The energy efficiency of private sector homes is a key determinant of health inequalities within Gravesham, and this policy promotes the improvement of home energy efficiency for those on low incomes. Other schemes are in place through Kent County Council's public health section to help with education and health awareness during cold periods, but in terms of the improvement of the home environment the local authority is best placed to help.

- 3.21.3 The Council is a member of the Kent and Medway Sustainable Energy Partnership and is keen to utilise the partnership to provide solutions for vulnerable householders and those on low incomes. This has proved successful so far in accessing funding from the energy companies for grants as part of the Energy Company Obligation (ECO).

- 3.21.4 It is anticipated that there will continue to be commitment from Government for energy companies to assist with the improvement of private homes. Regardless of the energy company commitment, it is expected that any scheme may not cover the full cost of improvement. The Government allowed local authorities to extend the ECO scheme to meet specific criteria which can be set by local authorities under the LA Flex Statement of Intent., see Appendix 5.

- 3.21.5 Therefore this policy provides for a 'top up' fund to ensure energy efficiency measures can be installed for households meeting specific criteria under the Council's ECO LA Flex – Statement of Intent. The measures are required to reduce carbon emissions, help to make homes more efficient and therefore more affordable and to prevent unnecessary episodes of ill- health and/or deaths as a result of living in a cold home.

- 3.21.6 The funding is to deliver energy efficiency measures to owner occupiers and private rented sector tenants in the form of a loan. Application for this loan will be assessed under the Council's ECO LA Flex criteria.

- 3.21.7 The loan limit will be £5,000 and a land charge will be placed on the property and the grant will be repayable if the property is sold within 10 years of completion of the works.

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3.21.8 This policy allows for these schemes to be developed during the life of the policy within the scope of the general provisions detailed below.

3.21.9 The Council will continue to work closely with Kent and Medway Sustainable Energy Partnership on Kent-wide projects and schemes to ensure that residents have access to as much available funding as possible to support the improvement of their homes.

3.22 General Provisions for Providing Assistance:

3.22.1 Introduction

These general provisions allow the Council to design future schemes where necessary to provide assistance to meet the aims stated above, subject to available funding. This means that, from time to time, grants and loans may become available in addition to those schemes already stated in this policy.

3.22.2 Eligibility

Each scheme may have some specific eligibility criteria and full details will be available when an application is made; however, the following provides a general overview. Any person or persons who make an application for assistance under the Housing Assistance Policy must:

3.22.3 Live in the dwelling as their sole place of residence except for a landlord who intends to make the dwelling available for letting at a "fair" rent.

3.22.4 The Council may specify a period of time during which the applicant must have lived in the dwelling as their only or main residence prior to the date of application.

3.22.5 Have an owner's interest in the dwelling, or be a tenant or licensee of the dwelling, alone or jointly with others.

3.22.6 Have a duty or right to undertake the works in question or have the explicit permission in writing from the owner to do so.

3.22.7 Satisfy such financial tests as are approved by the Council from time to time as part of this Housing Assistance Policy.

3.22.8 Landlords and tenants of properties owned by registered social landlords are not eligible for housing assistance under the Housing Assistance Policy but may be under the disabled adaptations section of this policy and have not applied for assistance for the same or similar works in the preceding 5 years.

3.22.9 The Council will not normally provide renewal assistance for properties unless the property was constructed more than 10 years before the date of the application.

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3.22.10 Application

Any application for assistance under this Policy must be on the forms prescribed and approved by the Council. These forms may be varied by the Council as it considers appropriate. The applicant will be required to provide all or some of the following information:

- 3.22.11 Full details, including approved plans of the works upon which assistance is requested;
- 3.22.13 Documented proof that the applicant is the owner, tenant or licensee of the dwelling in question;
- 3.22.12 Detailed estimates from at least two builders of similar standing and VAT status for the works in question (the contractors concerned must not be members of the applicant's immediate family);
- 3.22.12 Details and receipts for the cost of any professional fees incurred, or to be incurred, in relation to the application for assistance.
- 3.22.14 The applicant or owner must sign an undertaking to repay any financial assistance where there has been a breach of the conditions.
- 3.22.15 If the applicant is a landlord a written undertaking that the dwelling(s) subject to the application will be made available for letting at a "fair" rent for a minimum period of five years. Alternatively that the dwelling will be made available to the Council or an approved registered social landlord for letting purposes (this is subject to the type of scheme being offered at the time);
- 3.22.16 If a complete and valid application is not submitted to the Council within 6 months of any formal offer of assistance, then the offer will expire and will normally be cancelled. If it is evident that progress is not being made within six months then the Council will use its discretion to cancel the offer earlier.
- 3.22.17 A formal offer does not constitute an approval. Funding will not be allocated until a complete and valid application has been submitted and approved. Should funding no longer be available the applicant will be notified in writing.

3.23 Notification of decision

- 3.23.1 The Council will notify an applicant in writing whether the application for assistance is approved or refused. The notification will be provided as soon as reasonably practicable, and normally no later than four weeks after the date the application is received.
- 3.23.2 When an application is approved the notification will specify the works which are eligible for assistance, the value of the assistance and the form that the assistance will take. It will also state the amount the

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applicant must contribute towards the cost of the works, the expiry date of the assistance and the contractors that the costs have been based on.

3.23.3 In the case of a refusal, the Council will explain in writing the reasons for the refusal and the procedure for appealing against the decision.

3.23.4 Assistance is not transferrable between properties and applicants.

3.23.5 A grant approval may be subject to the grant being registered as a legal charge. There is a charge for this which will be added to the grant. It may not be possible to approve the grant until it has been registered. All grants will be recorded as a local land charge.

3.24 Supervision of works

3.24.1 The contract of employment will be between the applicant and the chosen contractor and will not include the Council.

3.24.2 The responsibility for supervision of work rests with the applicant unless the applicant appoints a professional advisor or agent for that purpose.

3.24.3 The Council is not liable for any poor workmanship nor does it provide a guarantee. The Council does not accept any responsibility for supervision of works and the applicant will be responsible to the Council for ensuring that the works completed are to an acceptable standard. Where eligible works have not been completed to an acceptable standard, the Council may withhold any money that is outstanding.

3.24.4 An officer from the Council or the approved home improvement agency will check the works on completion and ensure that the works have been carried out in accordance with the agreed specification of work and in accordance with good building practice.

3.25 Conditions of Payment

3.25.1 The assistance will only be paid if:

- The assisted works are completed within the specified time period from the date of approval or such further period as the Council may subsequently allow.
- The assisted works are carried out in accordance with the conditions of approval.
- The assisted works are carried out by one of the contractors whose estimates accompanied the application.
- The applicant confirms in writing (usually on a prescribed form) that they accept and are satisfied with the completed works.
- The works have been completed to the satisfaction of the Council including Building Control and Planning.
- The Council is provided with an acceptable invoice, demand or receipt for payment for the works and any professional fees and

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- other charges. For this purpose an invoice, demand or receipt is acceptable if it satisfies the Council's audit standards and is not submitted by the applicant or a member of his family.
- The invoice must include full details of the builder /surveyor employed including VAT registration details.
 - The Council has been notified in advance that the work has begun.
 - The eligible works have been completed in accordance with the approval and estimates and to the satisfaction of the Council.
 - Any copies of specified guarantees and test certificates are submitted.
 - All electrical work must be carried out by a competent contractor or one approved under current Building Regulations.
 - All gas safety work must be carried out by a contractor approved by the Gas Safe Register.
 - Interim payments will only be paid at the discretion of the Council. If the applicant has a contribution they will normally be expected to pay this part before any assistance is paid.
 - All payments are made direct to the builder. Only in certain circumstances where it might be appropriate to pay the applicant will this be considered and at the discretion of the Council. This may be where the applicant or a third party has already paid such costs.
 - Payment will only be made where receipts are provided.
 - Payments can only be made for work that has been carried out under the terms of the assistance; it cannot be paid for materials not yet used.

3.26 Repayment of Assistance:

Repayment of assistance may be required in the following circumstances:

- If an owner of the dwelling to which the application relates ceases to be the owner before the works are completed, the Council may demand repayment of any assistance that has been paid.
- If an owner of the dwelling(s) to which the application relates ceases to be the owner within the specified time frame for the scheme approved – the condition period - then the Council may demand repayment of the monies.
- If an owner of the dwelling(s) to which the application relates, having undertaken to let the dwelling(s) ceases to let the dwelling(s) in accordance with his undertaking then the Council may demand repayment of the monies.
- If an owner of the dwelling(s) to which the application relates, having undertaken to let the dwelling(s) to a qualifying tenant, ceases to let the dwelling(s) in accordance with his undertaking he shall repay to the Council on demand the monies paid.
- Where the owner of the dwelling(s) to which the application relates having undertaken to remain in occupation of the property no longer resides at the property he shall repay to the

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- Council on demand the monies paid.
- Where the Council has the right to demand repayment but there are extenuating circumstances it may determine not to demand repayment or to demand a lesser amount as appropriate.

See Appendix 4 for details on waiving or reducing repayment of financial assistance, reducing the priority of any registered charge or removing any charge in exceptional circumstances.

This condition period is as follows (includes historic grants/loans):

Mandatory DFG 10 Years
Discretionary DFG 10 years
Energy Efficiency loans 10 years

Appeal Procedure:

An appeal can be made in the following cases: In the event of disagreement with a decision;

In the case that one of the conditions of one of the aforementioned loans and grants should be waived or changed;

That there is an exceptional case for providing assistance which is not within the Council's existing policy;

There has been some error or excessive delay in the processing of a loan or grant;

In such cases the person should write in the first instance to:

Housing Partnerships Manager, Housing Services
 Gravesham Borough Council
 Civic Centre
 Windmill Street
 Gravesend
 Kent
 DA12 1AU

We will normally respond within 14 Days of our decision.

If you are still unhappy with our decision then you can make a formal complaint in accordance with the council's formal complaint procedure.

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4. Definitions

- 4.1 Reference in this policy to 'The Council' means Gravesham Borough Council.
- 4.2 'Private sector housing' is made up of privately rented housing and owner occupied housing
- 4.3 Passported Benefit and Vulnerable Persons

A vulnerable person/household is one that receives a relevant means tested benefit. Passported benefits are benefits that automatically allow the client to have a fully funded grant and they do not have to pay a contribution towards it. Such benefits change from time to time but at the time this policy was written the relevant means tested benefits were the following:

- Working Tax Credit (with an income less than £15,050)
- Child Tax Credit (with an income less than £15,050)
- Housing Benefit
- Income Support
- Income based Job Seekers Allowance
- Pension Credit (Guaranteed)
- Income-based Employment and Support Allowance
- Universal Credit.

- 4.4 Certified Date is the date when Gravesham Borough Council deems the work to be satisfactorily completed.
- 4.5 Disposal includes the whole or part of the property and is a conveyance of the freehold or assignment of the lease or the grant of a lease for more than 21 years.
- 4.6 Exempt Disposal an exempt disposal is one detailed below:

To the owner or one of the joint owners of the dwelling or to a spouse or former spouse of the owner or one of the joint owners, or, in the case of a company, to an associated company;

By court order of a domestic breakdown;

By Compulsory Purchase Order;

Of land which is "included land" under section 184 of the Housing Act 1985;

By way of lease extension under part 1 of the Leasehold Reform Act 1967;

A disposal by a person over 70 to provide an annuity income and the person concerned is entitled to continue to occupy the premises as his or her only or main residence.

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5. Policy Statements

5.1 Equality statement and equalities impact assessment

This Policy works in conjunction with the Council's Comprehensive Equalities policy.

- 5.1.1 Gravesham Borough Council is committed to treating people with dignity and respect. This applies to colleagues, residents and members, all of whom undertake not to discriminate directly or indirectly or victimise because of race, colour, ethnic or national origin, nationality, citizenship, sex, sexual orientation, marital status, disability, religion or political persuasion.
- 5.1.2 All information/ literature will be made available in other formats, or translated upon request.
- 5.1.3 The Council is committed to addressing issues of financial inclusiveness by referencing its Vulnerability Policies.
- 5.1.4 Front line staffs will signpost customers to external advice agencies providing additional help and support with regard to equalities, ensuring full use of available resources.
- 5.1.5 Appointments arranged to discuss issues covered by this policy will be made reflecting awareness of cultural and religious holidays and celebrations. Alternative dates/times for attendance will be offered should the suggested date/time conflict with a cultural or religious celebration.
- 5.1.6 This policy has satisfied an equalities impact assessment.

5.2 Service Reviews

- 5.2.1 Service reviews will be carried out periodically to ensure that the policy is effective and the Housing and Operations Directorate is providing services which meet residents' needs. These may take the form of peer reviews or a sample check of cases where a tailored service has been provided.

5.3 How to make a Complaint

- 5.3.1 Where a person is not satisfied with the service that the Council has provided, he/she has the right to seek redress. In the first instance, they must put their complaint in writing to the Housing Partnerships Manager, who will investigate and seek to resolve the complaint.
- 5.3.2 If the matter cannot be resolved at the first stage, it should then be referred to the Director of Housing and Operations.
- 5.3.3 Once these two stages have been completed, should the person still not be satisfied, they have a right to appeal to the Chief Executive.

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- 5.3.4 If after the 3 previous stages have handled the complaint, the person complaining is still dissatisfied, they have the right to refer the matter to the one of the Ombudsman services. The letter that they receive informing them of the outcome of Stage 3 of the council's complaints process will give direction as to which Ombudsman service they may consider referring the matter to.

5.4 The Local Government and the Housing Ombudsman Service

- 5.4.1 A complainant must give the organisation an opportunity to deal with a complaint first, using its complaints procedure (as detailed at 5.3 above).
- 5.4.2 The Local Government Ombudsman investigates complaints of injustice arising from maladministration by local authorities and other bodies. He can be asked to investigate complaints about most council matters, however, his role is limited to those areas of housing which are not covered by the Housing Ombudsman, primarily Housing Allocations, Housing Needs or Private Housing matters.
- 5.4.3 The Housing Ombudsman is responsible for considering the best way to resolve complaints which are related to Housing property condition or repairs, general Housing management, occupancy rights, Leasehold issues, tenant behaviour or estate management issues. If a complainant is not satisfied with the action the council takes, they can contact a 'designated person' or they can wait eight weeks before contacting the Housing Ombudsman directly. The Designated Person can be a Member of Parliament, a local Councillor or a recognised tenant panel and they can try and resolve the complaint themselves or they can refer the complaint straight to the Ombudsman to review the complaint.
- 5.4.4 If the complaint is covered by the Local Government Ombudsman service, he can be contacted at:

Local Government Ombudsman
 PO Box 4771
 Coventry CV4 0EH
 Tel: 0300 061 0614
 Email: enquiries.london@lgo.org.uk
 Website: www.lgo.org.uk.

- 5.4.5 If the complaint is covered by the Housing Ombudsman service, he recommends that a complaint is made to him by using the online complaint form, which can be found on the Housing Ombudsman website, although a complaint form can also be downloaded. His website address is as follows:-

<http://www.housing-ombudsman.org.uk/resolve-a-complaint/>

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6. Related Policies

6.1 This list is not exhaustive:

Gravesham Borough Council Corporate Plan 2019-2023

Gravesham Borough Council Housing Business Plan 2020-2021

7. Legal Framework

Regulatory Reform (Housing Assistance) (England and Wales) Order

2002 Housing Grants, Construction and Regeneration Act 1996.

8. Key Performance Indicators

PI19 - Percentage of formal Disabled Facilities Grant applications processed on time.

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Appendix 1 Summary of Initiatives:

Assistance	Rationale	Additional Conditions	Additional Information
Mandatory Disabled Facilities Grant Maximum grant up to £30,000	The Council has a statutory obligation to provide mandatory disabled facilities grants to assist disabled persons	A local land charge will be placed against the property where the grant exceeds £5,000 for owner occupiers only. If the property is sold, assigned or transferred within 10 years of the grant being completed then the Council may demand repayment of the grant up to a maximum of £10,000.	For details on the works that are eligible for a disabled facilities grant please refer to the Mandatory works guidance at appendix 3
Disabled Facilities Fastrack Grant Maximum grant up to £7,000.	The grant is to assist with those adaptations that are straight forward and urgently needed(straight track lift and flush floor shower)	An additional maximum £1000 over the grant limit can be applied by the Council on variations once works commence.	Applicant will be assessed by the OT and that quicker adaptations are required due to urgent health conditions.
Discretionary DFG Relocation Grant Maximum grant up to £10,000	The property is unsuitable for adaptation	Legal fees Stamp Duty Surveyor/ Valuation fees Estate agent fees Removal fees	If the new property is of less value and the applicants benefit from the equity released, then the new grant may be a NIL approval.
Discretionary DFG outside scope Maximum grant up to £10,000	Help cases where the client has a contribution to pay towards the grant but they cannot afford to do so	A land charge will be placed on the property according to conditions for a Mandatory grant.	Applicant is expected to request assistance from KCC Hardship Fund first, unless the works are considered urgent due to a critical health condition.
Hospital Discharge Assistance Maximum assistance up to £3,000	Helps cases where essential works are required that can prevent timely hospital discharge or prevent hospital admission.	No requirement for a land charge to be applied.	Applicant will be assessed by the Health and Housing Coordinator and will not be means tested by the council.
Energy Efficiency Loan	Helps cases where ECO funding requires top up to provide	Maximum grant up to £7,000 A land charge will be placed on the property	Applicant will be assessed under the ECO and LA Flex criteria

Appendix 2 Guidance and code of Practice for Agents and Advisors acting on behalf of clients wishing to access grants and loans

It is the advisors/agents role to act on behalf of the client in designing adaptations or schemes of work, obtaining consents and securing services of suitable builders, leading eventually to the satisfactory completion of works.

It is expected that the advisor/agent would have a collaborative approach with the Local Authority over the delivery of grants. They should acknowledge an understanding of the rationale and practicalities of managing expenditure and the need to demonstrate “fairness” to all applicants.

The Local authority will only pay fees to advisors/agents that satisfy the criteria below. Inappropriate advisors/agents often necessitate considerable extra input from the Local Authority, which is of little benefit either to the client or to the Local Authority. The Local Authority determines to whom fees will be paid and this decision will be final.

In order for an organisation/person to be considered as an appropriate advisor/agent for grant purposes, they should satisfy the following criteria:

- Experience of designing for the disabled
- Provide evidence of experience of working with a Local Authority or similar
- Provide evidence of CRB checks or a suitable reference from another Local Authority or similar organisation
- Provide evidence of appropriate insurances
- Provide evidence of an appropriate customer care charter
- Provide evidence of an equal opportunities policy
- Provide evidence of the vetting procedures for contractors
- Have evidence of professional registration and compliance with appropriate codes of conduct
- Provide details of complaints procedure and dispute resolution processes
- Meet financial viability criteria

Advisors/agents must always treat clients with respect and dignity, acknowledging the specific needs of the client group.

Contractors should be vetted by the advisor/agent to ensure they have adequate public liability and employee liability insurance and have a health & safety policy and any other legislative policies. Details should be vetted of sub-contractors tax certificate or certificate CIS, and any details on NICEIC, Gas Safe Register, FENSA etc. and VAT registration number if applicable. The vetting and checking of all such certificates and policies should be carried out periodically, not exceeding annually.

Appropriate documentation of the vetting process should be provided to the Local Authority.

Applicants should note that they will be liable for an agent’s fees in making the application and they should ensure that they have sufficient funding available to meet these fees as there will be no guarantee of financial assistance until the application is approved.

Generally, abortive fees for discretionary grant aid will not receive financial assistance.

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Appendix 3 General guidance of works considered mandatory for Disabled Facilities Grant And Fees and Charges Eligibility

Following consultation between Kent Local Authorities who administer Disabled Facilities Grants, it has been agreed that the following works can attract Mandatory DFG funding. The following categories of adaptation are detailed in the Housing Grants, Construction and Regeneration Act 1996 as being works which must be considered for grant assistance.

Where costs are likely to exceed £30,000 Local Authorities will need to take extra care to establish if the proposals are “reasonable and practicable.” Regard must be had as to how the applicant will be able to finance the additional costs.

Facilitating access: - facilitating access by the disabled occupant

- to and from the dwelling
- to a room used or usable as the principle family room
- to a room used for or usable for sleeping
- to a room in which there is a lavatory
- to a room in which there is a bath or shower
- to a room with a wash hand basin

Such works may include:

Ramping and/or handrails to the main external door. This could instead be a rear door in the case of a rear access. Only one access point will be normally allowed for each dwelling. External stairlifts will be considered if reasonably practicable and they are not prone to vandalism. Handrails under £1000 are to be the responsibility of Social Services unless they are in conjunction with a ramp.

Widening the main entrance door and the doorways to the bedroom, bathroom and living room. Automatic door opening to main entrance doors will only be allowed for persons who are otherwise unable to open the door. Door entry systems will be considered where the person has severe mobility problems.

Alterations to facilitate wheelchair access to the bedroom, bathroom and living room. Access to other rooms may be considered where the disabled person is a carer.

Other adaptations that are necessary to facilitate access to any of the relevant rooms by the disabled person, for example, stairlifts or vertical lifts in some cases. Where a stairlift breaks down and it is 5-10 years old, a manufacturer’s report is needed before it can be replaced. If it is over 10 years, a report may not be required. It is considered good practice to include a 5-year extended warranty/service contract with all new lifts. Specialist equipment may require extended warranty period above 5 years according to manufacturers guidance.

Provision of hard standings (3.6 x 4.8 max) and associated crossover for vehicle access where the disabled person is in a wheelchair or has difficulty walking to the house. This will only be given where existing on-street parking is considered unsatisfactory and a marked disabled parking bay is not possible or where it affords a more economical solution than providing additional paths/ramping from the roadside. It is cheaper to put a marked disabled parking bay outside the house compared to

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providing a hard standing. Please note: Being a holder of a blue badge is not the eligibility criteria for this item.

Washing facilities

Facilitating the use of washing facilities by the disabled occupant

Adaptation of the facilities in the bathroom and toilet, including the provision of flush floor showers, lever taps, specialist WCs, Closo-mat or Gerbit etc. The adaptation or provision of more than one bathroom to a house e.g. additional ground floor wc, will only be considered if evidenced by functional need.

An electric fan heater should be provided to the bathroom/shower room in addition to a radiator as long as it does not contravene IEE regulations for wet areas.

Kitchen Facilities

Facilitating the preparation and cooking of food

Where someone other than the disabled person does and will continue to do the cooking and preparation of meals, normally it will not be necessary to carry out full adaptations. However, it may be possible to carry out minor adaptations to allow the disabled person to prepare light meals or hot drinks, typically this may include a low-level worktop with power points for a kettle/microwave.

Full adaptations can be considered where the disabled person is the only or main user of the kitchen. The following adaptations can be considered:

Kitchen sink, including alteration to its height or position or the type of taps fitted to it. Powered, adjustable-height sinks will not generally be allowed, as the provision of a second sink is a more economical solution.

Cooker point and oven-housing unit ensuring its height and position is in a safe location and the provision of worktops on either side.

Work surfaces located beside the sink and on each side of the cooker having a total length of approximately 1.5m, all at a suitable height for the disabled person.

Food storage in an accessible position, usually space for a refrigerator with power supply.

Wheelchair access, if necessary, including wider doors, rearrangement of facilities etc. Alterations to the kitchen door, light switches and power points, but only if it is necessary.

Extensions or enlargement to kitchens can only be agreed where they are absolutely necessary in order to provide turning space for a wheelchair and if suitable space cannot be achieved by rearrangement of the existing facilities.

The provision of cupboard and storage units on an "essential" basis. (2x1m base units and baskets or equivalent).

Mechanical ventilation where kitchen schemes require Building Regulation approval.

Other works that will be considered

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Alterations to the height and/or position of light switches and power points to make them accessible to the disabled person.

Heating the rooms that are in everyday use by the disabled person where a medical need can be demonstrated. This does not include repair to existing systems. Changes to the type of heating system will only be allowed if evidenced by medical need.

Possible upgrading/replacing of boilers where the property has been extended as part of the adaptation.

Provision of laminate glass or specialist lighting or guards to fires and around radiators where disabled children with challenging behaviours may harm themselves.

Provision of enhanced fire alarm systems for those with hearing difficulties.

Carrying out structural alterations where necessary to provide fixings for disabled equipment provided by Social Services e.g. fixing for tracking /overhead hoists.

Where an adaptation is required to a listed building and additional works are required to comply with requirements.

Where an adaptation cannot be carried out due to disrepair issues, those repairs, within reason, may be carried out. Such works as replacement of rotted flooring or strengthening of the floor as part of a flush floor shower installation, electrical repairs to enable works to be carried out safely, and dealing with low water pressure. Replacing defective drainage and a full rewire would not normally be eligible.

Additional bathrooms or bedrooms may be allowed where they are specifically for the disabled person and it can be demonstrated that adaptation of other rooms or space or access to those rooms in the property is unsuitable. Extensions will only be allowed following a detailed cost/benefit analysis of alternative options.

In cases of small terraced properties with narrow passageways or very difficult access, effective adaptation can only proceed where it can be reasonably and practicably carried out without having a detrimental impact on neighbouring properties.

Requests are sometimes received to provide separate bedrooms where disabled children with behavioural difficulties share a room with other siblings and disturb their sleep. This will only be considered under mandatory grant where it can be demonstrated the child is prone to violent outbursts and there is risk of physical harm to the child or to the other siblings.

Access to the Garden

This will only be considered if recommended by an Occupational Therapist. In deciding the extent of providing access to the rear garden, the following will be taken into account.

Grant assistance will not be given where there is already access to the garden but grant may be given to improve an existing access to make it safe for the disabled occupant to use. It does not include extending an existing access e.g. creating a side access so a person can also go around the side of a house. Generally, the most

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modest solution for providing access to both the house and the garden will be considered and this can mean that one access may be sufficient to access both the house and the garden. Where homes have communal gardens, e.g., blocks of flats served by a single access, grants will not normally be provided for an individual access to the garden unless it can be demonstrated that because of the disabled persons condition the travel distance to the garden would be excessive and unreasonable.

The grant will simply be for providing immediate access to the garden and does not include landscaping gardens to make them more suitable for the disabled person to access. However, to assist a disabled person to live independently, an allowance of 4 m² of pathway, (which may include a turning circle for a wheelchair user), will be considered to assist access to any specific areas enjoyed by the disabled person. See also the list of non-mandatory items in the next section relating to gardens etc.

General guidance of works considered non-mandatory

These works may only be available if discretionary funding is available.

Generally, more extensive adaptations to the kitchen than those described previously. Creating a safe play area or provision of secure boundary fencing, would need exceptional circumstances to allow this.

The provision of cupboards, storage units, breakfast bars, generally above and beyond the standard that applies for mandatory grants.

Cookers and hobs, refrigerators, dishwashers, washing machines and waste disposal units.

Replacement of rooms or parts of rooms which have been "lost" by carrying out adaptations (by way of explanation, where a ground floor living room or dining room is converted into a bedroom with en suite shower room for a disabled person, the construction of a "replacement" living room or dining room for use by the rest of the family could not be grant aided on a mandatory basis.)

Fitments in rooms, for example built-in cupboards, wardrobes, storage units etc.

Extensions to living rooms.

Provision of secondary access from dwelling house, formation of patios, garden paths etc. walkways from garages and sheds. 2nd access – would need exceptional circumstances to allow this.

Storage areas and charging points for wheelchair/ scooters.

Service contracts for lifts and other equipment.

Provision of treatment rooms

Provision of pager systems linked to doorbells or telephones for the profoundly deaf.

Floor coverings (except thermo-plastic tiles or similar permanent floor finish to bathroom area).

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Wall tiling (except splash backs and immediate shower areas).

Provision of disabled aids and equipment that can be fitted with no or little structural alterations. These are likely to be able to be removed fairly easily and re-used if the disabled person should decide to move in the future.

Non-fixed aids, e.g. bath hoists can be funded by KCC as equipment but some authorities allow it as discretionary.

Sliding doors/two way doors – not needed – can turn door round or flexicare 2 way hinges in special cases if likely to fall.

Hard standings (as a Planning Condition)

Air conditioning.

CCTV

Creating a safe play area and/or fences.

Storage areas for example scooters, wheelchairs, children's equipment.

Portable/non-fixed items.

Drop kerbs, hard standings and ramps for non- wheelchair users/non-drivers.

Minor adaptations up to the value of £1,000 which are obtainable from Social Services,

Occupational Therapy Bureau

Formation of Patios

Walkways to and from garages or scooter storage areas

Formation of bin store areas

Provision of clothes drying facilities

General provision of external lighting

Fees and Charges that may be Eligible for Grant Aid

Charges necessarily incurred in undertaking the works will also be considered for assistance. The following list provides an indication of the type of fees and charges that may be assisted. This list is not exhaustive:

- Cost of technical and structural surveys
- Design and preparation of plans and drawings
- Assistance on completing forms
- Advice on financing the cost of the relevant works which are not met by grant

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- Applications for building regulations approvals or planning permission (including the application fee and preparation of related documents)
- Obtaining estimates for the relevant works
- Advice on contracts
- Consideration of tenders
- Supervision of the relevant works
- Reconnection of electricity, gas, water or drainage services where this is made necessary by the relevant works
- Charges made by Agency services for advising or assisting with application
- For disabled facilities grants, services of an Occupational Therapist to advise on scheme or review works.
- Fees incurred by the Council to prove ownership of the property
- Fees incurred by the Council in registering a charge against the property
- Fees incurred by the Council in setting up loan assistance
- Fees incurred under the provisions of the Party Wall Act 1996
- Fees for removal and storage of effects

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Appendix 4: Waiving or reducing repayment of financial assistance, reducing the priority of any registered charge or removing any charge in exceptional circumstances

Process

Any request for:

- waiving or reducing the repayment of financial assistance
- reducing the priority of any registered grant element charge, or
- removing any registered charge or restriction.

Shall be made in writing prior to any circumstances which may result in a breach of the conditions if possible.

The request shall be made in writing to the Housing Partnerships Manager setting out any exceptional circumstances that exist.

The Housing Partnerships Manager with the Assistant Director will consider the request in having regard to the policy criteria set out in this appendix. Subject to the applicant promptly providing any supporting evidence a decision will normally be taken and communicated in writing within 28 days. It is stressed that all decisions will be evidenced based and people will need to provide proof of the change in circumstances.

Any person aggrieved with a decision should use the Council's formal complaints procedure.

Policy Criteria

Financial Hardship:

A disposal made following a detrimental change in the financial circumstances of the household

Guidance - this will normally apply to permanent or long-term changes in employment. This will include unemployment but some redundancy payments should be used to repay part or all of the financial assistance.

Move from permanent full-time employment to part-time or temporary working will be considered where there is little prospect of a return to full-time employment (within reasonable travelling distance).

Employment - a disposal made to enable the household to seek or take up employment or change the place of employment

Guidance - this will normally apply to situations where a person's employer is moving its base or the person is otherwise required to move their home to remain in full-time employment. Account will be taken of any financial benefit which may arise, for example, promotion.

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Health - a disposal made for reasons connected with the physical or mental health of a person in the household

Guidance - the Council will be particularly sensitive to circumstances involving a deterioration in a person's health which necessitates a move to supported or specially adapted accommodation. This policy criteria includes older people and people with a disability.

Suitability for the number of occupants - a disposal made to enable accommodation to be provided which is more suitable for the number of occupants.

Guidance - this criteria will normally be applied where a change of circumstances has arisen which will give rise to statutory overcrowding (Housing Act 1985) and to the crowding and space hazard (Housing Act 2004).

Value of premises - disposal where the proceeds of sale are less than the amount of financial assistance owing

Guidance - this is to protect households from financial hardship particularly in cases of negative equity. The most likely circumstances will be reducing house prices/market decline. The Council's policy is designed not to provide loans which create negative equity.

Inheritance - a disposal by a person where those premises were vested in that person under a will or intestacy

Guidance - the Council's policy for providing financial assistance aims to ensure that older people live in homes which are safe, healthy, warm and secure. This improves the quality of their lives. The framework is designed to ensure before assistance is given that the terms and conditions are set out and the applicant receives advice on the extent and nature of any obligation. The approach is designed to ensure older people on limited means make little or no financial contribution to the improvements. Instead, parts of the costs are recovered when the property is eventually sold.

Where a property is being disposed under a will or intestacy the Council will not normally require repayment of the housing assistance provided that the person benefiting under the will continues to fulfil the occupancy condition. Where the property is sold subsequent to the settlement of the estate the Council will normally require full repayment of the housing assistance.

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