



Thanet District Council

Draft Housing Assistance and Disabled Adaptations Policy

2025

(Housing Assistance Policy)

Policy	Draft Housing Assistance and Disabled Adaptations Policy 2024 (Housing Assistance Policy)
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CONTENTS

Number	Item	Page
1.	Policy Statement	3
2.	Scope and Audience	3

3.	Purpose of Policy	4
4.	Funding	4
5.	Fundamental Principles	6
6.	Mandatory Disabled Facilities Grants	6
7.	Discretionary Top-up Funding	9
8.	Other kinds of Discretionary Financial Assistance	11
9.	Empty Property Loans	13
10.	Conditions for assistance for all the above grants and loans	15
11.	Definitions	19
12.	In case of disagreements	19
13.	Appendix A	21
14.	Appendix B	21

1. Policy Statement

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 enables local authorities (LAs) to provide discretionary assistance to households living in their area for the purpose of improving living conditions. This can be for carrying-out repairs, improvements or adaptations. In order to make use of these powers, the Council has to publish a Housing Assistance Policy. This document describes the council's 2025 Housing Assistance Policy. It replaces the Housing Assistance and Disabled Adaptations Policy adopted in July 2019. From here onwards Thanet District Council is referred to as 'the council'.

2. Scope and Audience

In addition to stating our policy for discretionary assistance, the policy also details our policy for the award of mandatory Disabled Facilities Grants (DFGs), which are provided under The Housing Grants, Construction and Regeneration Act 1996 together with any discretionary top-ups to the mandatory grants.

The policy recognises the pressures on the Council's own capital funds and acknowledges that any money for future housing renewal is only likely to be funded from the repayment of previous loans and grants and any new external funding that may become available.

The main focus of our discretionary Housing Assistance is towards:

- Schemes to improve the health and independence of persons with disabilities, the elderly and those with long term health conditions,
- To enable more effective use of the mandatory Disabled Facilities Grant,
- To facilitate hospital discharge and reduce "bed blocking",
- To reduce fuel poverty and improve energy efficiency in peoples' homes,
- To encourage people to bring empty homes back into use.

The scope of this policy is how the council discharges its powers to provide discretionary assistance to households within the district of Thanet in order to improve resident's living conditions under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

Not in scope is grants outside of the requirements or jurisdiction of this legislation.

This policy applies to:

- Thanet residents
- Council officers
- Councillors
- Contractors including building companies and associated organisations
- Other stakeholders with an involvement or interest in this area.

3. Policy Purpose

The purpose of this policy is to:

- Provide key information to the policy's audience.
- Set out the council's duties to Thanet householders under legislation.
- Demonstrate our commitment to improving householder living conditions as balanced with the council's capital funding position and in discretionary terms.

4. Funding

The funding for Thanet council's grant schemes comes from two main sources; the Better Care Fund (BCF) and capital receipts from the repayment of grants given in the past. The contribution from the BCF is fixed by the government each year.

- The things the BCF money is spent on include:
- Individual DFGs
- Health and Housing Co-ordinator co-funded with Dover
- T&CH Home Straight scheme (hoarding)
- Handyperson Enablement Service co-funded with Dover
- Contribution towards salaries for staff facilitating the expenditure of the budget

The capital receipts are used to pay for other types of grants that are not related to disability.

1. **Fundamental principles:**

Repairs to privately-owned houses: The Council is not able to offer financial assistance for all private sector house condition problems. It can only directly assist a small proportion of these through targeting the limited resources available.

Repayable grants will be the preferred method of awarding discretionary assistance and will be used whenever appropriate. All grants and loans that are repaid will be recycled into further private sector housing renewal. The Council and central Government considers that this is an appropriate way forward given the pressure on resources and because, over time, it will allow more homeowners to be assisted with a limited amount of resources.

This document describes the various types of assistance available and the qualifying criteria.

2. **Mandatory Disabled Facilities Grants**

The delivery of the Disabled Facilities Grant (DFG) programme is mandatory and a statutory function of the local housing authority. The delivery of this function sits within the Housing and Planning Service. The award of mandatory grants is governed by the Housing Grants, Construction and Regeneration Act 1996.

Purpose of Grant - Overview

A DFG is intended to pay for adaptations to someone's home. The works that may attract a mandatory grant are listed in Appendix A at the end of this policy. A grant applicant's adaptation needs will usually be assessed by an Occupational Therapist at the beginning of the process and a scheme of appropriate works will then be designed by the applicant or their agent. The grant will only cover the cost of carrying-out the recommended works in the most cost-effective way. We call this the "*most modest solution*". The applicant is allowed to design a scheme that is more extensive, or different, from the recommended scheme provided they are willing and able to pay any extra costs incurred from their own resources. The way grants are accessed is set out below:

Referral to Social Services

Most people wanting a grant are referred to the council via social services. If a self-referral is made, the applicant will be asked to contact social services for an assessment of their adaptation needs. This is to enable social services to both assess the person's needs and identify any equipment that might help or any care package that might be available. An occupational therapist (OT) from the County Council usually carries out this assessment because this is their area of expertise. There is no fee charged for this assessment.

Eligibility

The council will consult with Kent County Council (KCC) to ensure that the works the applicant proposes to carry out are necessary and appropriate for the applicant's needs and check that the property is suitable for adaptation. The council will also check to make sure the proposed works are the most cost effective method of achieving the necessary adaptations. As part of the process, details of the disabled person's income and savings (and their partner's, if they have one) will be sought to determine whether they are eligible for a full grant or if they have to make a contribution towards the cost of the work from their own resources.

Application for a grant

Most people ask a surveyor or architect to prepare their grant application for them; the process is quite time-consuming and requires technical knowledge. The surveyor will draw plans, write a specification of work, obtain estimates from suitable builders, apply for any other necessary consents such as planning permission and Building Regulation approval and put together a complete grant application on the applicant's behalf. Agents usually have an up-to-date list of experienced and trustworthy builders who can be relied on to do the work, saving the applicant the difficulty of trying to find a suitable builder. The agent will also supervise the builders on site, instead of the disabled person having to deal with the builders himself.

The names of agents who regularly do this work for grant applicants and who satisfy the list of criteria at appendix B will be given to applicants at the same time as the financial assessment forms; however a client is free to employ a surveyor or other agent of their own choice to assist them if they wish.

The cost of agent's fees can usually be included in the grant but the council will cap its contribution towards fees at 10% of the cost of works (excluding VAT).

The applicant or their surveyor must send in the following documents to make a valid application for a grant:

- A completed set of application forms.
- Evidence of financial situation (details are on the financial assessment forms).
- Evidence of ownership of the property or the right to reside at the property.
- Permission for the works to be carried out if you are a tenant.
- A detailed schedule of works and a set of plans (these must be agreed by the council and the OT beforehand).
- Copies of any planning, conservation or building regulation approvals that are needed.

- At least two competitive tenders for the works. A single tender will only be accepted where the work is so specialised that it is not possible to get more.

Approval or Refusal

Once an application has been received the council will make various checks with other departments to make sure that all appropriate permissions are in place. When everything is in order a decision will be made as soon as reasonably practicable, but in any case within six months.

The council will, as part of the process, look carefully at all builders' estimates and other fees and charges. They will be assessed for reasonableness and where costs seem excessive the full cost may not be met by the grant. A check will also be made with the Council Tax team to make sure the applicant is up-to-date with their Council Tax payments. This is to avoid a situation where the grant applicant has their grant reduced in order to pay for arrears of Council Tax.

The amount of grant awarded will always be based on the cost of carrying-out the adaptations that are recommended by the KCC Occupational Therapist in the most cost-effective way and will only cover the cost the council thinks is reasonable for the work in question. Grant applicants are permitted to ask a private Occupational Therapist to do the assessment but the council is still legally required to consult the KCC OT and in such cases the council would not normally pay any contribution towards the private OT's fees.

There is nothing to stop the applicant topping up the grant from their own resources to pay for a more expensive builder or for unusually-expensive fixtures and fittings. Similarly there is nothing to stop the applicant carrying-out more extensive work than the most modest solution, provided they are willing and able to pay the extra cost from their own resources. The only stipulation, in these circumstances, is that the finished job must fully meet the disabled person's adaptation needs as assessed by the Occupational Therapist and agreed by the Grants Officer. The council calls these schemes *notional schemes* because the grant costs are based on an imaginary scheme of work.

When a grant is approved a formal approval letter will be sent out detailing the terms of the grant and the conditions that need to be met.

The largest mandatory grant the council is allowed to award is £30,000, including fees, VAT and any other costs. If the total cost of the scheme of work is greater than this then the applicant would normally have to pay the extra cost from their own resources unless they are eligible for any kind of discretionary top-up funding from the Council or from other sources .

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

Successive Applications (or making more than one application)

This paragraph has been included to make it clear that although the law places no limit on the number of successive grant applications a person can make, the Council is only prepared to award **one mandatory grant** at a time, up to a maximum of

£30,000, subject to statutory means-testing. This means that if any applicant submits more than one application the council will add all the costs together and award just one grant as required by law. If an applicant wants to submit a further application they should wait until the first grant has been completed, signed-off and paid before applying again.

Work on Site

After the grant has been approved the surveyor will convene a pre-start meeting with the applicant and the builder and, at the meeting, the applicant will be asked to sign a contract with the builder. The surveyor will arrange a suitable start date and supervise the work in progress. It is not uncommon for additional works to become necessary whilst the job is in progress (e.g. repairs to the floor or re-siting of cables and pipes) and the surveyor will negotiate these with the builder and the grants officer. Once the work is all complete the surveyor will arrange a final inspection and organise the payments due to the builder. At this stage you will be asked to sign-off the work as well to certify that the adaptations have been done.

Please note that the pre-start meeting is the applicant's final opportunity to discuss or change the details of the work. Once the contracts are signed the builder will go ahead with the agreed scheme of work. If the applicant obstructs the builder whilst the work is supposed to be in progress the applicant, not the council, will be liable to pay the builder for any wasted time or abortive work.

Payment of the grant

The grant will be paid directly to the builder in all but the most exceptional cases. Surveyors' fees are usually paid when the work is all complete. The grant will be re-calculated if necessary and the applicant will be notified of the final amount of grant paid. Please note that if any unforeseen works are found to be necessary when working on a notional scheme, the council cannot re-calculate the amount of grant payable.

Very occasionally a grant applicant "falls out" with their builder and refuses to sign-off the work. In cases like this the agent and the council may decide, after carefully considering all the circumstances, that the adaptation work has been carried out properly and authorise payment of the grant without the applicant's sign-off.

Where fees are necessarily incurred for preparation of a scheme of works but the work does not proceed to completion due to circumstances beyond the control of the applicant the council may pay a reduced fee to the agent concerned to mitigate his or her losses (currently 50%). If abortive costs are incurred through circumstances within the applicant's control (like the applicant changing his mind) the agent will be expected to recover any fees and out of pocket expenses directly from the applicant instead.

Grant Conditions

General conditions can be found in section 7.0. The conditions set out below are specific to the Disabled Facilities Grant.

- If you are an owner occupier then a local land charge will usually be placed on your property on completion of the work. If the property is sold, assigned or transferred within 10 years of the grant being completed then the grant may have to be repaid. The council will have regard to *The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grants (Conditions relating to approval or payment of Grant) General Consent 2008* when deciding whether to demand repayment. The charge only applies where the grant is more than £5,000. Where the grant is more than £5,000 only the amount over the first £5,000 is added as a charge. There is a charge limit of £10,000.
- Any increase in the amount of grant may have an impact on the charge placed against the property.
- Under no circumstances can a mandatory grant of more than £30,000 be authorised, including fees, charges and VAT where applicable.

Repayment of disabled facilities grants

When determining whether to require repayment, the council will consider;

- (i) The extent to which the recipient of the grant would suffer financial hardship were they to be required to repay all or any of the grant.
- (ii) Whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of his employment.
- (iii) Whether the disposal is made for reasons connected with the physical or mental health or wellbeing of the recipient of the grant or of a disabled occupant of the premises, and
- (iv) Whether the disposal is 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.

Use of other schemes

An applicant for a DFG may apply for any other schemes that are available to help meet the requirements of the disabled person.

Council Tenants

The council has a separate process for council tenants as these adaptations are funded from different budgets. The council will arrange for the adaptation of council homes without the tenant having to go through the DFG process and without means-testing. Sometimes people think they might be able to get a DFG for a council-owned home after the Council has already said “no” to certain adaptations. This is not the case - the decision-making processes are identical regardless of tenure.

3. Discretionary Top-up Funding (to supplement DFGs)

Discretionary assistance may be offered subject to sufficient funds being available and the council may set a maximum budget per annum to be expended on discretionary funding. Discretionary assistance is awarded under the council's

Housing Assistance scheme and the rules governing eligibility and repayment differ from the statutory DFG scheme described above.

During the last few years building prices have increased significantly.. The maximum grant of £30,000 was fixed in 2008. Calculations for inflation suggest that this would have to be increased to around £50,000 to have the same spending power today, so it is hardly surprising that grant costs now sometimes exceed the maximum limit. At the same time there have been significant increases in everyday living costs (inflation) so more people than ever are struggling to make ends meet which in turn restricts their ability to contribute from their own resources towards the cost of works. It is against this background that we are developing a revised Housing Assistance Policy that will enable most people who need adaptations to their homes to have their needs satisfied.

In some cases it is not possible for the works specified under a DFG to start because there is a shortfall in funding. The most common reasons for this are (a) that the applicant cannot afford the contribution they have been assessed to pay and/or (b) that the works cost more than the maximum grant and the applicant cannot afford to pay the extra costs. In such cases it may be possible to award discretionary assistance to top-up the mandatory grant as shown below:

- The council will offer a discretionary top-up to ensure the works are fully funded up to a maximum of £20,000. This gives, in effect, a new grant maximum of £50,000.
- If a £20,000 top-up is still insufficient, the council will invite applicants to undertake a financial assessment and to apply for further funding on a one-off basis, on the understanding that they will be expected first to use any savings or other available resources to pay towards the cost of works, only offering a further discretionary top-up if there is still a shortfall. Such additional funding will only be made available if the applicant does not have the necessary funding available or it cannot reasonably be borrowed elsewhere (for example from a mortgage lender or by equity release).
- The council will register a local land charge in all cases where they can lawfully do so in order to secure the repayment of the discretionary funding in the event that the property is sold within ten years of the assistance being paid.

The existing wording is shown below

*(1) To pay all or some of the **applicant's contribution** towards the costs of a mandatory DFG where the necessary funding is not available or cannot reasonably be borrowed elsewhere. The assistance will be a grant of up to £20,000.*

*(2) To pay the reasonably-incurred top-up costs where the necessary **works cost in excess of the mandatory grant limit** (currently £30,000) and the necessary funding is not available or cannot reasonably be borrowed elsewhere. The maximum assistance will be a grant of up to £20,000.*

*(3) To pay for works that the KCC Occupational Therapist recommends as essential for the needs of the disabled person but which fall **outside the scope of mandatory grants** (see Appendix A) and the necessary funding is not available or cannot reasonably be borrowed elsewhere.*

In all cases the applicant will be asked to undertake the statutory means test for a DFG and/or provide other details of their household's financial resources to demonstrate there is financial hardship, even in children's cases. Wherever possible the grant will be secured as a Local Land Charge for ten years or until the grant is repaid if sooner.

For the avoidance of doubt, where applicants apply for any discretionary top-up funding the first £6,000 of their savings or capital will be disregarded but any financial resources above this will be deemed to be available to contribute towards the cost of the work. In the case of "shared" bank accounts an examination of the transactions on the account will be used to determine who the money actually belongs to. In cases of doubt the shared bank accounts will be deemed to belong to each of the named account holders on a pro-rata basis.

In all cases where a repayable grant is offered, it will be repayable in full if the property is sold within 10 years and will be binding on any person who is, for the time being, an owner of the property. It will be secured as a local land charge until repayment has been made or the council has waived its right to repayment.

If, at the time repayment is due, the applicant feels unable to repay the grant, they must contact the council. There are statutory rules governing repayment. In particular the council must look at the applicant's financial position before demanding the money back, and satisfy themselves that they have the means to pay and that it would be reasonable to ask for repayment.

5. Other kinds of Discretionary Financial Assistance

Urgent Home Repair grant

These grants are intended to tackle critical defects that have only just been identified and which make the property unsafe to occupy. They are not intended to remedy small items of disrepair that have developed over a period of time but not been dealt with. They are not intended to deal with routine maintenance. To qualify for a grant, a critical defect must be so significant that no reasonable person could live at the address without carrying out the necessary repairs as a matter of urgency and the grant will be restricted to repairing the critical defect in the most economical way. Examples of the kind of repairs envisaged include repairing badly leaking roofs, re-wiring where the electrical installation is so dangerous it has been disconnected by the supplier and treating dry rot outbreaks to structural parts where time is of the essence. This kind of grant is not intended to deal with the kind of defects that would normally be covered under a household insurance policy.

Applicants will normally be expected to provide proof that they own the property but where someone has inherited the property but not yet completed the probate process

a grant may still be approved in order to allow the works to be carried out without delay.

The following people may apply:

- Owner-occupiers who are in receipt of a means tested benefit, or
- Owner-occupiers who are expected to make a financial contribution of less than £10,000 using the statutory (DFG) means test but who do not have this sum available and cannot reasonably borrow the sum required on the open market.
- Tenants may only apply to carry out works which are not their landlord's responsibility under normal repairing obligations.

The maximum grant is £20,000. The eligible works are those which eliminate the critical defect(s) in the property and make it habitable again in the most cost-effective way. The grant is repayable if the property is sold within 10 years and the original applicant(s) will no longer live there. See section 7.

The grant will be registered as a local land charge wherever this is lawfully possible. Only one Urgent Repair Grant or Heating Assistance Grant will be awarded at the same address in any rolling two year period

Heating Assistance Grant

These grants are for repairing or replacing non-functioning (or non-existent) heating systems and insulation. The maximum grant is £20,000. The eligible works are boiler and heating system repairs or replacements plus insulation works that increase the SAP rating to C in the most cost-effective way.

The qualifying criteria are

- That the applicant or their partner must be in receipt of a means-tested benefit or
- The applicant and partner must have a household income from all sources of less than £31,000 AND the house must have a SAP rating of D or below.
- Tenants may only apply to carry out works which are not their landlord's responsibility under normal repairing obligations.

Applicants who are owners will normally be expected to provide proof that they own the property but where someone has inherited the property but not yet completed the probate process a grant may still be approved in order to allow the works to be carried out without delay.

The grant will be registered as a local land charge wherever this is lawfully possible. The grant is repayable if the property is sold within 10 years and the original applicant(s) will no longer live there. See section 7.

Only one Heating Assistance Grant or Urgent Repair Grant will be awarded at the same address in any rolling two year period

Repayment of Heating Assistance Grants

Grants less than £1,000 are not required to be paid back.

Grants over £1,000 will normally be required to be paid back in line with the adopted Housing Assistance and Disabled Facilities Grant Policy.

- The grant is subject to repayment conditions for 10 years from the date of payment.
- During the 10 year condition period, the grant becomes repayable in full if the property is sold, and/or the applicants no longer occupy the property.
- This is normally only available to owner occupiers, but in certain cases, where there is no prospect of getting the landlord to carry out the work, a tenant may apply and if successful may be awarded a grant. This will be down to the discretion of the Head of Housing and Planning.

c) Home Enablement Service

The Council will provide funding for a free service to hospital patients which is intended to facilitate earlier discharge from hospital back to the home environment, where there is a housing-related issue which is preventing them from being discharged, or to improve the home environment to prevent hospital admission in the first place.

Normally referrals for the service will originate from the local hospitals, Care Navigators, GPs, Occupational Therapists and health trainers. The service will enable earlier discharge from hospital by providing improvements to the home environment. Examples of the works envisaged include installation of key safes, handrails, clearing a room to make it safe to move around in (including tackling hoarding), bringing a bed from upstairs to a downstairs room, fitting locks to doors and windows, minor heating alterations, etc.

d) Handyperson Scheme

The Home Improvement Agency already provides a paid-for Handyperson Scheme. The service covers minor repairs, security and health and safety works for home owners and private sector tenants over 55 years old, who are either vulnerable or who have a physical or mental disability which prevents them undertaking the works themselves.

The scheme is not an emergency call out service, nor does it address gas/electrical works, or carry out external repairs above two storeys high. If funding permits, the council may provide financial assistance to enable the handyman service to charge subsidised rates to clients on low incomes to assist with minor works that will remove hazards in the home or minor adaptations to help a disabled person remain independent in their home

e) Home Straight Service

This is a service provided by the TCH Home Improvement Agency and is a spin-off from the Home Enablement Service. It is intended to tackle the problems caused by hoarding. Sometimes hoarding effectively prevents patients being discharged from

hospital and gives rise to bed-blocking because there is no-one willing or able to step in to sort it out. Cluttered and insanitary dwellings can also make hospital admission more likely. Both these scenarios can be tackled under this scheme under which the scheme co-ordinator works with the client to clear and sanitise the person's home to make it suitable for occupation again.

6. Empty Property Loans

There are a number of options available to owners of empty homes to access funding to assist them in bringing an empty property back into use. Thanet District Council is a partner in the successful No Use Empty campaign that was set up by Kent County Council in 2005. This scheme provides loans to owners of empty properties for renovation and/or conversion works. The owner is then required to rent the property either privately or through a partner housing association, or sell the property on the open market. For more information on this scheme please visit www.no-use-empty.org.uk and see the No Use Empty guidance online.

Based on this existing scheme the council has implemented a loan specifically for those people who have purchased an empty property and intend to live in it themselves. This loan is being funded by the council but administered by KCC through the No Use Empty process. This section of the policy covers the loan funded by the council.

Loan process and conditions

An interest free loan may be offered, up to a maximum value of £25,000, which is to be repaid over a term of up to 10 years. The loan conditions stipulate that the applicant must reside in the property for the duration of the loan repayment period.

Anyone interested in applying for a loan may contact the council or KCC directly. An application pack will then be sent out and visits arranged to view the property and determine a scheme of works.

The property must be renovated to the Decent Homes Standard, and applicants must also be able to demonstrate that the loan amount will be adequate to bring the property back into use to this standard. If the cost of the work is likely to exceed the maximum loan then the applicant must be able to prove that sufficient personal funds are available to use in conjunction with the loan to complete the project.

The loan will be secured by way of a legal charge on the property for which the loan has been applied. Loan repayments commence 30 days after the loan monies are paid to the applicant and will be interest free, providing there is no default over the approved repayment period. The loan repayment period will be variable, but no more than 10 years, and this is dependent on the amount borrowed. The applicant will also be required to live in the property for the duration of the loan payback period.

The loan is offered in such a way as to provide the applicant with full control of the expenditure of the loan. This is achieved by either granting a 100% of the loan as an upfront payment or 50% upfront payment and then two 25% tranches once the applicant can prove expenditure of the monies is compliant with the loan terms and

conditions. Each of these options will depend on individual circumstances and the amount borrowed.

Should the applicant default on a payment, then interest at the Bank of England base rate +4% will accrue from the date of the default. Should the owner vacate the property or sublet, the owner will be in breach of the loan terms and therefore be in default, interest will then be charged from the date of the default and the full outstanding loan amount will be repayable. This is enforced through the property charge.

Qualifying criteria for an empty property loan for owner-occupiers:

- The property must have been empty for more than 6 months
- The property must be brought back into use as a residential dwelling.
- The applicant will be required to live in the property for the duration of the loan repayment period.
- Loans are secured by way of a charge on the property, either as a 1st charge or as a 2nd charge with the consent of the holder of the 1st charge.
- Loan applications must be accompanied by a quotation for the works which is to show the work is achievable for the sum borrowed.
- If the work value is greater than the loan amount then the applicant must show evidence that they have the personal funds to make up the deficit.
- The loan can either be made available as a 100% upfront payment, a 50% upfront payment and 2 tranches of 25% following evidence of successful expenditure. (Dependant on individual circumstances and amount borrowed).

Fees and Loan Amount

A maximum loan of £25,000 is available per property. There are no fees for the applicant in applying for the loan, although if significant alterations are required to the property then planning and building control fees may apply.

All fees associated with the organising of the loan agreement will be covered by the council. This includes the fees for registering the charge against the property with the land registry and KCC legal fees for administering the loan.

7. Conditions for Assistance for all the above types of grants and loans

Eligible Applicants

People who are eligible to apply for grants and loans are freeholders and long leaseholders with at least 5 years of their lease still to run. A tenant can only apply for disability-related grants or other types where specifically stated above.

Except in the case of Empty Property assistance, the property must be the sole or main residence of the applicant or a member of their family.

Making an Application

Applications for assistance must be on the forms published by the Council.

Estimates and invoices cannot be accepted if they come from the applicant or a member of their family. In exceptional cases assistance may be payable towards DIY works, but this will be for the cost of materials only. A schedule of rates may be used instead of competitive tendering but no more than 10% of the cost shall be attributable to "bespoke priced works".

Occasionally landlords have unreasonably withheld or delayed giving permission for works to be carried out to their tenant's home or have failed to sign a certificate of availability for letting. The latest government guidance to Local Authorities (published in 2022) suggests that in such circumstances the Local Authority might decide that the landlord is deemed to have given consent, especially for works to the interior of the dwelling. Thanet District Council will in future treat such cases in accordance with the guidance wherever that seems appropriate.

Eligible Works

Eligible works means the works that are identified by the Grants Officer in consultation with the applicant's agent, with reference to the law and the Council's policy.

Grant applications will not be approved where works have already started or where the job has already been promised to a particular builder. To qualify for a grant, the scheme of work must have been drawn up first, with the knowledge and agreement of the Grants Officer and with input from the Occupational Therapist (where appropriate) then sent out at the same time to at least two different contractors of similar size and VAT status to obtain competitive tenders.

Any costs which would be eligible for assistance under an insurance claim or third party claim, will not attract grant assistance. In exceptional cases assistance may be given on condition it is repaid out of the proceeds of any future claim.

Works outside the curtilage of the property are not normally eligible for assistance unless they relate to the provision of essential services such as water, gas or electricity or access for a disabled person.

Notification of Approval of Assistance

The Council, or an organisation acting on the Council's behalf, 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 after receipt of a completed application.

The approval will specify the amount of assistance, the amount that is not eligible, the applicant's contribution (if any) towards the eligible costs and the expiry date of the assistance. Assistance is not transferable to another person on the sale of the property.

If an application is refused, the reasons for refusal will be given, but no applicant will be discriminated against for any reason connected with their protected characteristics under the 2010 Equalities Act..

Decisions on grant applications will be taken having full regard for the council's Equality, Diversity and Inclusion Policy.

Amount of Assistance

The council may specify the maximum amount of assistance it is prepared to offer for different types of grants or loans. These maximum amounts are inclusive of all costs including Value Added Tax and fees.

If the Council is satisfied that owing to circumstances beyond the control of the applicant, the work has increased in cost, it may increase the assistance subject to the maximum limits allowed. The Council will only increase the amount of assistance if consent to any increase has been sought before the additional works are carried out, and the surveyor has had the opportunity to inspect.

In cases where eligible costs have reduced, the assistance will also be reduced accordingly and the applicant informed in writing as soon as possible.

Responsibility for Works and Supervision of builders

The contract for the building works will always be between the applicant and their chosen contractor but most applicants employ a surveyor to supervise the works for them. The Council's role is only to administer the grant/loan scheme and to provide finance. The council does not have any contract with the builder. Inspections may take place to make sure the works are carried out according to the specification of work and in accordance with good building practice. However, the Council and its officers are **not** liable for any poor workmanship and do not provide any guarantee. Any faults with the works will be a matter between the applicant, their agent and the contractor.

Where eligible works are not carried out to an acceptable standard, the Council may withhold monies. If appropriate, the council may pay outstanding monies directly to the applicant instead of the contractor so that they can employ a different builder to complete the works to an acceptable standard.

Conditions for Payment

Assistance will only be paid if:

- (a) The work is completed within the time stated in the approval or such further period the council may allow. This must be confirmed in writing. This period is normally 12 months from approval,
- (b) The work is carried out by one of the contractors whose estimate accompanied the application. The Council will normally base the amount of assistance on the lowest estimate submitted.
- (c) The works have been completed to a satisfactory standard and in accordance with the grant offer and estimates,

- (d) The Council is provided with an acceptable invoice or receipt for payment for the works or fees. The invoice must include full details of the builder/surveyor employed including VAT registration and bank details. The applicant or a member of his family cannot submit an invoice, it must come from a person or company not connected to the applicant in any way.

Interim payments will not normally be paid, except where there are very extensive works.

Payments can only be made for work actually completed and not for materials on site that have not yet been used or installed. Eligible works must have been carried out to the satisfaction of the council and an acceptable invoice supplied.

Normally grant payments are paid by bank transfer directly to the builder and/or surveyor. In very exceptional cases payment may be made to the applicant or another third party where the applicant has already paid such costs.

Grant and Loan Conditions

Grants and loans for owner-occupiers and leaseholders will normally be registered as a Local Land Charge. Grants and loans most commonly become repayable in the following circumstances:

- On disposal of the property following the death of the applicant or, in the case of joint applicants, on the death of both applicants.
- On disposal of the relevant dwelling where the applicant has vacated the property and no longer intends to live there.
- If the property is not occupied in accordance with the certificate of future occupation or loan agreement.

Grants and loans are normally routinely repaid from the proceeds of sale when the sale of the property is taking place.

Exceptions from the requirement to repay

Where the original grant applicant has to sell-up and move for reasons connected with his employment or he needs to move in order to provide care for someone else or to receive care from someone else or his home is no longer suitable for his needs and he needs to move to somewhere more suitable, for example going into residential care, then the council will not demand repayment.

In exceptional circumstances not mentioned above the council may exercise discretion not to require repayment, or require a lesser amount. If the property is to be sold but the vendor feels he cannot afford to repay the grant he may make representations in writing to the Grants Officer in the first instance. In order to make a successful case for a waiver or a reduced repayment he would usually be expected to show that after purchasing the new property, he could not afford to repay the grant without having to resort to further borrowing.

If the grant or loan applicant ceases to be entitled to the grant or loan before works have been completed then no further grant or loan payments will be made and any interim payments already made must be repaid to the Council on demand.

In all such cases, the applicant will be informed of the appeal procedure against any decision.

Delegated Powers connected with grants or loans

The Housing Strategy and Projects Manager may Approve or Refuse applications for grants covered by this policy and authorise grant payments.

The Head of Housing and Planning, in consultation with the relevant Portfolio Holder, may exercise discretion to

- Approve discretionary grants and loans above the maximum limits in exceptional circumstances, or generally to reflect rising costs and
- vary the qualifying criteria in individual cases where it appears to him that some informality, defect or error in this policy is preventing someone from qualifying for assistance in circumstances where their case otherwise satisfies the spirit of the policy.
- Where there are no financial implications, to allow other organisations (such as the HIA or KCC) to act on behalf of TDC in promoting grant or loan schemes contained within this policy
- determine whether or not to waive repayment of grants or loans in exceptional cases in accordance with statutory provisions, having taken into account any representations made by applicants
- Consider and make decisions on applications for discretionary grants that are not covered by this policy

8. Definitions

Means Tested Benefit

At the time this policy was written the relevant means tested benefits were the following:

- Working Tax Credit (with an income for tax credit purposes of less than £15,050)
- Child Tax Credit (with an income for tax credit purposes of less than £15,050)
- Housing Benefit
- Income Support
- Income based Job Seekers Allowance
- The guarantee credit component of Pension Credit
- Income-based Employment and Support Allowance
- Universal Credit.

Certified Date

This is the date when the work is signed-off by the surveyor or the grants officer as having been satisfactorily completed.

Disposal

A disposal includes the whole or part of the property.

9. In case of disagreement

You can ask for the council's decision to be reviewed in the following cases:

- In the event of disagreement with a decision,
- There has been some error or excessive delay in the processing of a loan or grant,
- Where repayment of the loan or grant would cause undue hardship.

In the first instance you should put your case in writing to:

The Grants Officer
Thanet District Council
P. O. Box 9
Margate
CT9 1XZ

Or preferably by email to Housing.Grants@thanet.gov.uk

who will normally respond within 21 working days giving our decision.

If you are still unhappy with our decision then you should contact the Head of Housing and Planning to make a formal complaint through the Council's complaints procedure.

Appendix A

Housing Grants Construction & Regeneration Act 1996 Guidance on the works that could attract a mandatory Disabled Facilities Grant

Following consultation between Kent LAs who administer Disabled Facility 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 LAs will need to take extra care to establish if the proposals are “reasonable and practicable.”

The mandatory grant limit is £30,000

Facilitating access

1. 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 allowed for each dwelling. External stairlifts will be considered if reasonably practicable and they are not prone to vandalism. Handrails under £1,000 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.

- Provision of hard standings (normally 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 economic solution than providing additional paths/ramping from the roadside. It is usually cheaper to put a marked disabled parking bay outside the house compared to providing a hard standing. Provision of off-street parking is not, in itself, a mandatory item. Please note: Being a holder of a blue badge is not the eligibility criterion for this item.

Washing facilities

2. 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, Clos-o-mat or Geberit 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

3. 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:
 - a. 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 economic solution.
 - b. Cooker point and oven-housing unit ensuring its height and position is in a safe location and the provision of worktops on either side.
 - c. 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.
 - d. Food storage in an accessible position, usually space for a refrigerator with power supply.
 - e. Wheelchair access, if necessary, including wider doors, rearrangement of facilities etc.

- f. Alterations to the kitchen door, light switches and power points, but only if it is necessary.
- g. 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.
- h. The provision of cupboard and storage units on an "essential" basis. (2x1m base units and baskets or equivalent).
- i. Mechanical ventilation where kitchen schemes require Building Regulation approval.

Other works that will be considered

- 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.
- Possible upgrading/replacing of boilers where the property has been extended as part of the adaptation.
- Provision of laminated glass or specialist lighting or guards to fires and around radiators where disabled children with violent behavioural problems 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 may include 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 or 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. Families will first be expected to re-arrange the

sleeping arrangements in their home to try to eliminate the need for extra bedrooms. If there is more than one reception room the family will be expected to use the extra room(s) for sleeping purposes.

Access to the Garden

- 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 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 on works considered non-mandatory

- Generally, more extensive adaptations to the kitchen than those described previously.
- The provision of cupboards, storage units, breakfast bars, generally above and beyond the standard that applies for mandatory grants.
- White goods such as cookers and hobs, refrigerators, dishwashers, washing machines and other equipment like 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 furniture like 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 very exceptional circumstances to allow this.
- Storage areas and charging points for wheelchair/ scooters.
- 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 and sometimes kitchen and hallway where a wheelchair is to be used).
- Provision of disabled aids and equipment that can be fitted with little or no 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.
- Hard standings where required only as a Planning Condition.
- Air conditioning.
- CCTV.
- Creating a safe play area and/or fences other than in very exceptional cases.
- 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 Service.
- 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.

Appendix B

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

It is the role of agents/advisors to act on behalf of the client in designing adaptations or a scheme of work, obtaining consents and securing the services of suitable builders, leading eventually to the satisfactory completion of works. The works carried out are expected to satisfy the grant conditions and adaptation objectives of both the clients and the Occupational Therapist and meet the quality standards demanded by an ordinary reasonable person.

The LA is usually able to pay or contribute towards the fees charged by the applicant's Agent for drawing plans, obtaining estimates, etc. the council will only pay fees up to 10% of the cost of eligible work. If an agent charges more than this then the council will contribute towards the higher fee up to a maximum of 10%.

It is expected that the advisor/agent will work in a collaborative way with the LA over the delivery of adaptations. They should acknowledge and understand the rationale and practicalities of managing expenditure and the need to demonstrate "fairness" to all applicants. If an agent acts in a way which unnecessarily raises client expectations or starts to work with the council in an adversarial way then the council may decline to contribute towards the agent's fees and/or may remove the agent's name from the "agent selection form" to prevent further cases being allocated to the agent in question.

It is expected that all advisors/agents will broadly satisfy the criteria below. Inappropriate advisors/agents often necessitate considerable extra input from the LA, which is of little benefit either to the client or to the LA. The LA will determine to whom fees will be paid and their decision will be final. Grant applicants are, of course, free to enlist the assistance of anyone they would like to help them on a non-fee-paying basis.

The agent should:

- have experience of designing for the disabled
- provide evidence of working collaboratively with a LA or similar organisation
- provide evidence of up-to-date DBS checks or a suitable reference from another LA 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 their vetting procedures for contractors
- have evidence of current professional qualifications or registration where appropriate, and compliance with appropriate codes of conduct (e.g. RIBA, RICS, etc.)
- provide details of complaints procedure and dispute resolution processes

- meet financial viability criteria.

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

Contractors should be checked 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 maintained of sub-contractors tax certificate or CIS registration, and any details on NICEIC, Gas Safe, FENSA etc. registrations. (and VAT registration number if applicable).

The checking of all such certificates and policies should be carried out periodically, not exceeding annually and appropriate records of the checking process must be maintained and be produced to the LA on demand.