

Individual Cabinet member Delegated Decision

COUNCILLOR

John Thomson

CABINET MEMBER FOR Deputy Leader and Cabinet Member for Adult Care, Communities and Housing

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Amendments to the Private Sector Housing Renewal Interim Strategy and Policy 2009-2010

1 Purpose of Report

The purpose of this report is to seek approval from the Housing Portfolio Holder to amend the Private Sector Housing Renewal Interim Strategy and Policy 2009-2010 that was approved by cabinet on 11 November 2009.

2 Background

Due to the corporate and departmental restructure we have recommended some minor amendments to some of our private sector housing policies to allow for easier more robust decisions being made in a timely manner and to ensure that our policies comply with legislation as well as making them easier to administer.

3 Main Considerations for the Council

All Private Sector Housing policies contained within the strategy will become individual policies and the strategy will then be called the 'Private Sector Housing Renewal Interim Strategy 2009-2010'. This should help to prevent any future confusion with regard to the strategy and individual policies.

Discretionary DFG policy and move on assistance

Following the recent structure changes we would recommend a change in the delegated authority within the Discretionary DFG policy from decisions being made by the portfolio holder and service director to service director in discussion with the head of service for grants in excess of £10k.

To provide clarity and to make the processing of discretionary disabled facilities grants easier we have made minor written amendments to the policy. See revised Discretionary DFG policy in Appendix A.

A limit of up to £1,000 has been included within the move on assistance policy to help with a move to more suitable accommodation. The list of eligible works as well as the requirement to place a legal charge on the property following payment has been removed.

We also recommend the removal of the assistance for houses in multiple occupation policy, landlord's repairs assistance and SAP 35 as these are no longer actively used.

4. Environmental Impact of the Proposal

There is no identified environmental impact from the proposal in this report.

5. Equalities Impact of the Proposal

The policy detailed herein aims to deliver quality services without prejudice and discrimination to meet the needs of a specific vulnerable group, regardless of age, cultural or ethnic background, disability, gender, marital status, religious or political persuasion or sexual orientation and will adhere to the equality and diversity policy developed by Wiltshire Council.

6. Financial Implications

There are no financial implications from the proposal in this report.

7. Legal Implications

Our current discretionary DFG policy could be found unlawful as by setting a maximum limit without being able to consider any exceptions could be deemed as 'fettering' our discretion. Following legal advice we have now included consideration for any exceptional circumstances above the maximum limit of £10k. This will now make our policy lawful and robust.

8. Proposal

It is recommended that through delegated authority the Housing Portfolio holder approves the amendments to the Private Sector Housing Renewal Interim Strategy and Policy April 2009-2010:-

- The policies listed below should become individual policies and not form part of the private sector housing strategy:-
 - Mandatory DFG
 - Discretionary disabled facilities assistance
 - Repairs assistance
 - Empty homes assistance
 - Wessex Loans
- Delegated authority for a discretionary DFG in excess of £10k should be approved by the service director in conjunction with the appropriate head of service. Anything under £10k would be approved by the Private Sector Housing Manager.
- To agree the revised wording of the discretionary disabled facilities assistance policy in Appendix A

- Remove the policy on assistance for houses in multiple occupation, Landlords repairs assistance and SAP 35.

Nicole Smith, Head of Strategic Housing, DCS
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Appendices

List any appendices referred to in your report.

Appendix A: Discretionary Disabled Facilities Assistance
