

**Cabinet Meeting: Monday, 14 April 2025**

**Question from: Councillor Thornham**

**Question to: Councillor Tremayne, Cabinet Member with responsibility for Adult Services and Wellbeing**

### **QUESTION**

While I understand the reasoning behind the introduction of the Disabled Adaptations Policy, I believe that it will have a disproportionate impact on families of children and young people, compared to that of older applicants. This is because the needs and circumstances of children and young people are much more likely to change over a 10-year period, as they are still developing, and will transition from childhood or adolescence to adulthood. A 12-year-old's needs will be very different to that of a 20 year old. I believe this places a disproportionate burden and restriction on the families of children and young people, who are much more likely to want to move due to reduced or changing needs, and so more likely to be liable to pay the charge. Can I ask that this is taken into consideration, rather than having a blanket policy for all.

### **Response**

The policy (page 13), and the Housing Grants Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008 makes provision, at the time of repayment, to consider whether it is reasonable to do so under the following circumstances: -

(2) The local housing authority may demand the repayment by the recipient of such part of the grant that exceeds £5000 (but may not demand an amount in excess of £10,000) if—

- (a) the recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date; and
- (b) the local housing authority, having considered—
  - (i) the extent to which the recipient of the grant would suffer financial hardship were he 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,

is satisfied that it is reasonable in all the circumstances to require the repayment.

So, under points i) and iii) we have to consider whether repayment would cause financial hardship and also if the relocation is due to changed needs. This will be made clear at the point of initial Occupational Therapy assessment and also as part of the grant application process to allow the applicant to make a fully informed decision.

A move due to reduced needs (presumably downsizing) would likely be a choice not a need and the property owner will have benefitted from the increase in value of the property due to the addition of more rooms which will likely exceed the £10k charge.

The discretion to apply a Local Land Charge is only being applied where the adaptations will significantly increase the value of the property, for example extensions and loft conversions, not standard disabled adaptations such as wet rooms and ramps.

Extensive adaptations such as extensions should be designed to take into account reasonably foreseeable future needs of a disabled child.