

Delegated Cabinet Member Decision Report



Decision Maker and Portfolio area:	Councillor Hannah Roberts, Portfolio Member for Housing and Planning
Date of Decision:	23 May 2019
Subject:	Regulatory Reform Order 2002, Policy Document Update 2019
Report Author:	Albert Margai, Principal Housing Market Intervention Officer EXT. 6583
Ward(s) Affected:	All Wards

Reason for the decision: To seek approval for the Council to uphold its statutory duty and update the expired policy document under the Regulatory Reform (Housing Assistance) (England and Wales) Order (RRO) 2002. In order for a Local Authority (LA) to exercise the powers granted by the RRO, a detailed policy must be produced outlining the types of assistance available to its residents.

Summary: The RRO gives Local Authorities the power to provide a variety of financial assistance to facilitate home improvements, relocations or adaptations. The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, introduced 18 July 2002 and repealed the Regulatory Reform Order 2001, gives local authorities powers to provide housing assistance and renewals to local residents, in the form of grants, equity loans and other financial arrangements. Before a LA can exercise the grant issuing powers contained in article 3 of RRO 2002 the local authority must produce a clear and detailed policy followed by, public notification of the types of assistance available to residents. The policy must be made available

and widely accessible to residents free of charge.

Oldham Council currently has an outdated policy, which expired in 2012 – coinciding with the Private Sector Housing Strategy 2009-2012. The types of assistance the Council provided during the lifespan of the previous RRO are no longer fit for purpose in their existing form, to address the current challenges residents are facing. Therefore it is recommended that the types of assistance available in the new policy documents accurately reflect some of the boroughs new challenges.

The proposed updates to the renewed policy demonstrates awareness of the Council's strategic aims and objectives across the service, notably Housing and Adult Social Care. The renewed policy would enable the Council to meet its statutory obligations under the Care Act 2014. The Act places a general duty on local authorities to provide, arrange - or otherwise identify services, facilities and resources to prevent, delay or reduce the needs of adults for care and support in the local area. The assistance offered under this policy helps to ensure a person's living accommodation is suitably adapted, warm, dry and secure.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

- a) Uphold a statutory function by approving the updated RRO policy and implement immediately
- b) Do not approve the new policy and subsequently refrain from issuing various housing assistance across the borough

Recommendation(s):

- a) The recommendation is for the Council to approve the renewed RRO Policy and implement immediately. Therefore ensuring Oldham adheres to its statutory obligation and continues to provide various types of private sector housing renewals to residents of Oldham Borough.

Implications:

<i>What are the financial implications?</i>	<p>There are no direct financial implications from adopting the amended RRO policy.</p> <p>Any assistance granted will still be subject to individual scheme approvals. Any assistance will be dependent on anticipated levels of expenditure, capital or revenue budgets available and the availability of other funding mechanisms.</p> <p>(David leach / John Hoskins)</p>
What are the procurement implications?	N/A
<i>What are the legal implications?</i>	<p>Alexander Bougatef Group Solicitor – Litigation. I agree with option A, to approve the updated regulatory reform policy. As stated it is a statutory obligation to have an up to date policy detailing the types of housing assistance available to the public therefore it is imperative that this is done. The update will allow those in greatest need to address important housing improvement needs and will provide better flexibility for those individuals / groups.</p>
<i>What are the Human Resources implications?</i>	N/A
Equality and Diversity Impact Assessment attached or not required because (please give reason)	Yes
<i>What are the property implications</i>	N/A
Risks:	<p>Updating the RRO policy is good practice and will clarify and confirm the assistance available to residents.</p> <p>(Mark Stenson)</p>
Co-operative agenda	<p>The discretionary grants available in the updated policy seeks to fulfil the same purpose as the existing policy documents, which is enable residents to remain in their own homes or find alternative housing solutions. In line with Oldham Council's cooperative theme of Thriving Communities, the renewed RRO policy would continue to drive this agenda by promoting independent living, in safe, warm and comfortable conditions. Through the range of</p>

assistance available to residents, individuals would be able to take ownership of their housing situations and in the process improve the resilience of Oldham's communities.

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No

There are no background papers for this report

Report Author Sign-off:	
	Albert Margai
Date:	23/06/2019

Please list any appendices:-

Appendix number or letter	Description
Appendix 1:	RRO Policy: Types of Assistance 2019

Background

The Regulatory Reform (Housing Assistance) (England and Wales) Order (RRO) 2002 was introduced 18 July 2002 and repealed the Regulatory Reform Act 2001. The new powers granted by the RRO 2002 enables a Local Authority (LA) to offer a range of grants which were previously issued under the Housing Grants, Construction and Regeneration Act 1996, and subsequently amended by the introduction of the RRO 2002. The 1996 Act was the main grant issuing Act for a LA, offering various discretionary grants for the purpose of housing repairs and adaptations, until it was repealed in 2002 and subsequently revoked July 2003. Therefore ensuring the RRO 2002 became the main grant issuing Act for Local Authorities.

Along with a range of housing grants, the RRO 2002 also retained the mandatory Disabled Facilities Grant (DFGs). The purpose of DFGs is to provide the means for disabled residents across all tenures to live comfortably in their homes, allowing movement and access into and around the home. The DFG is means tested, so the income of the applicant is taken into consideration to determine whether households are able to contribute.

Proposals

The proposal is for the Council to note the updates in the renewed RRO policy document and approve its immediate implementation across the borough. The proposal is driven by a number challenges Social Care and Housing respectively, specifically private sector housing. The types of assistance available in the renewed policy document are tailored to offer better response to Authority's housing related issues. As detailed in the updated policy, types of DFG assistance available are far more varied in comparison with the outdated policy dated 2009/12 (appendix 2). Moving forward, the updated policy would offer Oldham Council much needed flexibility to provide housing assistance to eligible applicants, who would not have previously received essential adaptations to their homes. A notable restriction of the previous mandatory DFG was the £30k grant limit, which still exists however, the inclusion of additional accessible grants in the updated policy has created the means for eligible applicants to apply for supplementary and top-up grants to enable essential works to be carried out.

Other important changes to the policy are, the removal of the New Build Home Buy scheme and Home Repairs Assistance due to resources and delivery. There are also new additions to the Policy with the addition of Home Security Assistance: Target Hardening, ensuring necessary safety measures can be put in place to allow vulnerable people to remain safe in their own home. The Empty Homes Grant is also a new addition and compliments the existing Empty Homes Equity Scheme. Along with additional types of the assistance, the existing types of assistance have been updated to reflect changes in funding or processes to ensure applicants have access to accurate information before an application is made.

Conclusions

As illustrated in the updated RRO policy document (appendix 1) Oldham Council offers a wide range of housing assistance renewals which residents can access in order to live comfortably in their own homes. Whilst LA do not have a statutory obligation to offer

various types of housing assistance in their district, it is strongly recommended. Acting upon this recommendation places a statutory obligation on a LA to produce a policy document that is available and accessible to the public. The updated policy (appendix 2) far better equipped to support the Authority in delivering on its priorities and objectives. The updated policy ensures Oldham Council continues to deliver a housing assistance that is fit for purpose and offers robust housing solutions in an ever-changing environment.

In consultation with: Helen Lockwood Deputy Chief Executive People and Place

Hlockwood.

Date: 6 June 2019