

To: the Chief Executive
All Local Housing Authorities in England

8 May 2008

The Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008 (SI 2008/1189)

The Housing Renewal Grants (Amendment) (England) Regulations 2008 (SI 2008/1190)

Please find enclosed one copy of these regulations which are due to come into force on 22 May 2008.

Their purpose and effect are explained in the attached explanatory notes.

Changes to Disabled Facilities Grant (DFG) policy were announced as part of Lifetime Homes, Lifetime Neighbourhoods – a National Strategy for Housing in an Ageing Society. This was launched in February 2008 along with a separate stand alone document setting out the response to the DFG consultation to improve programme delivery; the Package of Changes to Modernise the Programme. The changes being made here were recommended by the Independent study of the Disabled Facilities Grant programme.

In brief the forthcoming Statutory Instruments make the following changes:

- Update the figures to be used for assessing a person's eligibility for a grant. They amend current passporting provision in the DFG means test to include applicants on housing benefit, council tax benefit, working tax credit and with an income below £15,050 and children's tax credit and with an income below £15,050.
- Make provision for disregarding working tax credit and child tax credit payments as income and earnings.
- Correct a minor drafting error contained in regulations made in 2005 that the Joint Committee on Statutory Instruments reported and improve the definition of "relevant person" which was considered ambiguous.
- Bring access to the garden within the scope of the disabled facilities grant, monies must be approved (subject to the provisions of Part 1 of the 1996 Act) for facilitating access to and from a garden by a disabled occupant or making access to a garden safe for a disabled occupant.

- Increase the maximum amount of grant that must be paid from £25,000 to £30,000
- Finally, a general consent will be issued to provide Local Authorities the discretion to impose a limited charge on adapted properties of owner occupiers if it is sold within ten years. Where the cost of the DFG exceeds £5,000 the limit of the maximum charge will be £10,000.

In relation to grant applications which have already been approved before the 22 May 2008, but where work has not yet started, it will be possible for applicants to make a fresh application for grant to the authority, as there is no time limit which prevents successive applications for DFG. It would be for the authority to decide how to handle such applications subject to the normal statutory procedures but Ministers would expect authorities to view such cases sympathetically and where possible to expedite approval processes.

Please could you bring these documents to the attention of those in your legal departments and those staff with responsibility for the financial management and administration of the DFG system including, where appropriate, staff in social services.

Yours sincerely,

Dylan Grimes