

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
VARIATION OF SCHEME OF EXECUTIVE DELEGATION**

To: Chief Executive – Beverly Agass
From: Leader of the Council – Bridget Smith

Signed: _____ **Dated:** 21 - Aug - 18

In accordance with the Council's Constitution, Part 3, Responsibility for Executive Functions I am writing to inform you of the change I wish to make to refine the allocation of functions and responsibilities as set out in Table 2B within the Constitution. The change to take immediate effect upon subsequent written notification to all Members is detailed below.

Delegated authority to be given to: Housing Portfolio Holder acting with the Head of Housing Strategy

Delegation: To approve or refuse requests to waiver the local land charge in respect of disabled facilities grants.

Reasons for Delegation	
1.	The requests to waive the local land charge are operational decisions in accordance with the legislation stated at point 5 and 6 below.
2.	In determining whether it is reasonable to waiver the local land charge, each case will be assessed and determined on its individual merits in line with the legislation..
3.	The delegation is being granted due to the highly sensitive and personal nature of applications and the need to make timely decisions following a request.
Background	
4.	Since 1990, local housing authorities have been under a statutory duty to provide grant aid to disabled people for a range of adaptations to their homes. This grant aid is means tested for adults (not for children), with maximum grants of up to £30,000.
5.	Under the Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008, the Council can place a limited charge against owner occupied properties in order to recoup costs over £5,000, with a maximum charge of £10,000. The charge is repayable upon disposal of the property (sale, assignment or transfer) within 10 years of the certified date.
6.	The legislation states that a local authority must consider the following before it can demand repayment: <ul style="list-style-type: none"> 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 well being 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 <p>is satisfied that it is reasonable in all the circumstances to require the repayment.</p>