

OPEN

Economy and Growth Committee

3rd June 2025

Home Repairs and Adaptations for Vulnerable People Policy – 2025-2028

Report of: Phil Cresswell – Executive Director - Place

Report Reference No: EG/08/25-26

Ward(s) Affected: All Wards

For Decision or Scrutiny: Decision

Purpose of Report

- 1 On 12th November 2024 the Economy and Growth Committee approved consultation on the Home Repairs and Adaptations for Vulnerable People Policy.
- 2 Consultation took place for a period of 6 weeks ending on 22 January 2025. This report provides a summary of the responses and presents the findings.
- 3 The Policy contributes towards the commitments within the new Corporate Plan (2025-2029) to unlock prosperity for all and improve health and wellbeing.

Executive Summary

- 4 In November 2024 the Economy and Growth Committee were advised that due to the high demand for Disabled Facilities Grants and the unprecedented financial challenges that the Council faced, that it was necessary to revise the discretionary financial assistance that is given through the Home Repairs and Adaptations for Vulnerable People Policy. The Council proposed several changes to focus its financial resources on statutory services, and on the most vulnerable residents.
- 5 The Committee gave approval to officers to consult on the proposed changes. The Home Repairs and Adaptations for Vulnerable People

Policy went out for a period of public consultation between 9 December 2024 and 22 January 2025.

- 6 At the close of the consultation 80 responses had been received, a summary of which is outlined in Appendix One. Amendments have been made to the policy as a result of the consultation and these have been incorporated into the final version in Appendix Two.

RECOMMENDATIONS

The Economy and Growth Committee is recommended to:

1. Note the consultation responses and amendments made to the Home Repairs and Adaptations for Vulnerable People Policy
2. To approve and adopt the final version of the Home Repairs and Adaptations for Vulnerable People Policy 2025-2028

Background

- 7 A safe, good quality, secure, and affordable home is fundamental to living a healthy and fulfilled life. Good housing benefits people's mental and physical wellbeing; enables informal carers to provide care; and underpins people's ability to live independently, safely and as part of the wider community.
- 8 The Council is committed to investing in early intervention and prevention services to help residents live well and for longer. Investment through the Home Repairs and Adaptations for Vulnerable People Policy empowers and motivates people to manage their own care and wellbeing at home in accessible and safe home environments and reduce the need for paid care, whilst supporting the Council's ambition to help the borough be carbon neutral by 2045.
- 9 The Council has adopted and published home repair and adaptation policies to meet local need since 2009, focusing on the most vulnerable residents and to meet the challenges faced by disabled people in securing accessible housing. The most recent iteration of the policy was published in 2022 in response to the unique circumstances brought about by the Covid-19 pandemic.
- 10 An updated policy is now needed to reflect the financial pressures faced by the Council and the need to focus the use of our financial resources on statutory services and the most vulnerable residents.

- 11 The Home Repair and Adaptations for Vulnerable People Policy was publicly consulted on for a 6-week period and a summary of the consultation responses can be found in Appendix two. Several changes have been made to the policy following consultation and these are outlined in the Consultation and Engagement section below.

Consultation and Engagement

- 12 Following approval for consultation, the Home Repairs and Adaptations for Vulnerable People Policy was the subject of a 6-week consultation, which ran from 9 December 2024 to 22 January 2025.
- 13 The consultation was widely promoted including via the Council's consultation portal, the Digital Influence Panel, media releases, social media, existing service users, face to face presentations and via email to local interest groups, the voluntary and community sector, and internal Council teams. Consultation packs were also placed in libraries to allow responses by people without internet access.
- 14 The responses to the consultation were collated by the Research and Intelligence Team and the results provided to enable the further development of the final policy.
- 15 In total, there were 80 responses received via the online questionnaire/survey, and these have been collated into a Summary, outlined in Appendix One. There was general support for the changes to the policy, with a recognition of the financial challenges that the Council faces, but there were several concerns raised about protecting our most vulnerable residents.
- 16 The Council proposed to remove discretionary funding from the Disabled Facilities Grant within the policy, thereby limiting grants awarded to individuals to the maximum amount detailed in legislation (currently £30,000). Concerns were expressed by respondents about the impact that this policy would have on disabled people in the most need when there is a shortage of suitable accessible housing. As a result, an amendment has been made to the policy to allow discretionary use of the Disabled Facilities Grant where the disabled person is a child or young person to whom the Council has a Corporate Parenting responsibility, or where a child safety protection plan is in place and adaptations form part of that plan.
- 17 Respondents expressed concern about the proposals to restrict access to the Affordable Warmth Grant solely to people in receipt of means tested benefits, acknowledging the cost-of-living crisis faced by residents, the low take-up of pension credit, and the impact of cold homes on older people. As a result, the policy has been amended to widen the eligibility

criteria to include people in receipt of a state retirement pension as their only source of income with savings of less than £8,000 per person.

Reasons for Recommendations

- 18 The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 contains wide-ranging powers to provide financial help with housing renewal, including adapting, improving or repairing living accommodation. The Order also states that before the powers contained within it can be used, the Council must publish a policy on how it intends to use them.
- 19 There is a strong policy drive for integrated approaches across housing, health and social care to prevent hospital admissions and expedite hospital discharge. Housing's role in supporting health is becoming more prominent, with research demonstrating the causal link between poor housing conditions and ill health.

Other Options Considered

20

Option	Impact	Risk
Do nothing	The current policy continues to be delivered in its current format, and households continue to receive the same level of support with home repairs and adaptations	Unaffordable, and presents a financial risk to the Council
Remove all discretionary assistance	<ul style="list-style-type: none"> • Delivery of Disabled Facilities Grant programme only • No support available for the lowest income households to access essential heating repairs • Disabled people won't be supported to move to more appropriate accommodation 	<ul style="list-style-type: none"> • Increased GP attendances and hospital admissions for cold-related ill health and falls • Increased expenditure on care packages

Implications and Comments

Monitoring Officer/Legal

- 21 The report refers to the Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 and the provisions contained within it. It should be noted that the powers contained within the legislation are merely powers and that the Council does have a discretion if it wishes to enact them or not, they are not mandatory in that the Council must do it.
- 22 The Care Act 2014('the Act') imposes a general duty on a local authority to promote an individual's well-being (section 1 of the Act) 'Well-being' is a broad concept but particular reference is made to control by the individual over day-to day life (including over care and support and the way in which it is provided), domestic, family and personal relationships and also the suitability of living accommodation (section 1(2)(d), (g) & (h)of the Act). Although the wellbeing principle applies specifically when the local authority performs an activity or task, or makes a decision, in relation to a person, the principle should also be considered by the local authority when it undertakes broader, strategic functions and should be seen as the common theme around which care and support is built (paragraph 1.13). The Care and Support Statutory Guidance also states that supporting people to live as independently as possible, for as long as possible, is a guiding principle of the Act.
- 23 Local authorities are also required to have regard to several other key principles and standards when carrying out its functions in addition to the general principle of promoting well-being.
- 24 A local authority is also required to make information and advice available for all people and put in place universal services which are aimed at preventing, reducing or delaying care and support needs in the context of community wellbeing and social inclusion. Preventative approaches foster a holistic approach that includes accessing universal services, early intervention, promoting choice and control, and the development of social capital.
- 25 Paragraph 10.27 of the Care and support statutory guidance updated 1 June 2023 issued by the Department of Health and Social Care provides as follows-
- 26 In determining how to meet needs, the local authority may also take into reasonable consideration its own finances and budgetary position and must comply with its related public law duties. This includes the importance of ensuring that the funding available to the local authority is

sufficient to meet the needs of the entire local population. The local authority may reasonably consider how to balance that requirement with the duty to meet the eligible needs of an individual in determining how an individual's needs should be met (but not whether those needs are met). However, the local authority should not set arbitrary upper limits on the costs it is willing to pay to meet needs through certain routes – doing so would not deliver an approach that is person-centred or compatible with public law principles. The authority may take decisions on a case-by-case basis which weigh up the total costs of different potential options for meeting needs and include the cost as a relevant factor in deciding between suitable alternative options for meeting needs. This does not mean choosing the cheapest option; but the one which delivers the outcomes desired for the best value.

- 27 Proposals to make significant changes to policy required consultation with the public and those directly affected, including service users and relevant stakeholders.
- 28 The Gunning principles set out the common law principles to be observed when undertaking consultation. *R v London Borough of Brent ex parte Gunning [1985] 84 LGR 168* established these principles, which set out that a consultation is only lawful when these four principles are met:
1. Proposals are still at a formative stage - A final decision has not yet been made, or predetermined, by the decision makers.
 2. There is sufficient information to give 'intelligent consideration' - The information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response.
 3. There is adequate time for consideration and response- There must be sufficient opportunity for consultees to participate in the consultation. In the absence of a prescribed statutory period, there is no set timeframe for consultation, though it is widely accepted that twelve-week consultation period is sufficient. The adequacy of the length of time given for consultees to respond can vary depending on the subject and extent of impact of the consultation.
 4. 'Conscientious consideration' must be given to the consultation responses before a decision is made. Decision-makers should be able to provide evidence that they took consultation responses into account.
- 29 Following the consultation members will now need to take care to take account of the views expressed in the Appendix 1 before arriving at their decision. Members must give clear and conscientious consideration to

the responses received to the consultation which ran for a 6-week period between December and January 2025.

- 30 In addition, any final decisions must also take into account the rights of service users and their carers as set out in the Human Rights Act 1998 Article 8 'right to respect for family and private life'.
- 31 The committee's remit set out in the Constitution includes 'determination of policies and making of decisions in relation to housing management and delivery.' Approval of the housing strategy is therefore within its remit.

Section 151 Officer/Finance

- 32 The Council receives a capital grant paid through the Better Care Fund for Disabled Facilities Grants. Local housing authorities are encouraged to use the additional funding in an agile and responsive way to supplement the core delivery of Disabled Facilities Grants. In 2025-26 the Council will receive £2,906,342. However, it should be noted that the future allocation of Government capital grant is not guaranteed.
- 33 Delivery of the Policy is funded by two rolling capital programmes in the Council's budget: Disabled Facilities Grant and Home Repairs for Vulnerable People. Unspent funds from previous years are carried forward to subsequent years where the funds are committed but works are incomplete at the end of the financial year.
- 34 The number of people that can be assisted through the Home Repairs for Vulnerable People programme is limited by the budget that is available. The Council cannot limit the number of people that receive a Disabled Facilities Grant as it is a mandatory grant under the Housing Grants, Construction and Regeneration Act 1996 and refusal to pay a grant would place the Council at risk of a judicial review, emphasising the importance of reducing discretionary expenditure through the Policy to protect our ability to deliver our statutory duty.

Policy

- 35 The Cheshire East Plan 2025-29 sets out our commitments to unlock prosperity for all and improve health and wellbeing. The Home Repairs and Adaptations for Vulnerable People Policy enables us to deliver outcomes to improve independence, health and wellbeing through early intervention and prevention and support children and young people to thrive and reach their potential with targeted support. The Policy also contributes to our priority to influence carbon reduction across the borough by 2045.

Equality, Diversity and Inclusion

- 36 An Equality Impact Assessment (EqIA) has been carried out. The EqIA identified two main groups of people with protected characteristics that would be impacted by the proposed policy changes: older people and people with disabilities. These are not distinct groups; there is a significant prevalence of disability in older age, although it should be noted that the EqIA initially identified the removal of the discretionary top-up to the Disabled Facilities Grant would impact most significantly on children with disabilities. The policy has been amended in light of consultation feedback and the EqIA.
- 37 There are several potential mitigations to the impact of the Policy changes, including providing additional care and support to assist with activities of daily living; providing support to apply for alternative housing; providing lower cost adaptations to reduce risks; making referrals to national and local energy efficiency schemes, and provide information and advice to residents about employing contractors.

Human Resources

- 38 The policy will be administered by Housing officers within existing resources.

Risk Management

- 39 The Council must publish a housing renewal policy to be able to administer grants. Publication of the revised Policy and assessment of applications against the Policy will ensure that the Council is compliant with this requirement.

Rural Communities

- 40 Residents in all areas of Cheshire East will benefit from the Policy, subject to meeting the eligibility criteria.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 41 The Policy will provide children and young people with disabilities with the opportunity to live in suitably adapted housing which supports their development and participation in family life.

Public Health

- 42 Cold and damp homes increase the risk of cardiovascular, respiratory and rheumatoid diseases, as well as hypothermia and poor mental wellbeing. Young children, older people and people with an illness or disability are more likely to suffer the effects of cold and damp housing.
- 43 The exact relationship between poor housing and ill health is complex. 45% of accidents occur in the home, and accidents are amongst the top ten causes of death for all ages. Local data suggests that around 3,500 to 4,500 older people present as emergencies at our local hospitals each year because of a fall.
- 44 The Policy enables the Council to continue to provide housing services which have a positive impact on public health, albeit in a more limited capacity. Housing improvements will benefit vulnerable residents' physical and mental wellbeing and reduce demand on health and social care services.

Climate Change

- 45 Energy use in homes accounts for 28% of carbon emissions in Cheshire East. The Council has committed to becoming carbon neutral by 2030 and to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint. The Council made a further pledge to make Cheshire East a carbon neutral borough by 2045. Continuing to provide support to low-income households through funding, referrals to other schemes and providing advice and support for employing contractors supports this commitment.
- 46 Energy efficient fossil fuel boilers will be provided in limited urgent situations, limiting any adverse effect on the Council's commitment to becoming a carbon neutral borough by 2045.

Access to Information

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Appendices:	Appendix One – Consultation Report Appendix Two – Home Repairs and Adaptations for Vulnerable People Policy 2025-2028
Background Papers:	Draft Home Repairs and Adaptations for Vulnerable People Policy for consultation Equality Impact Assessment