

NORTH LANARKSHIRE COUNCIL

REPORT

TO: Social Work Committee	Subject: Adaptations: Standard Security
FROM: Jim Dickie Director of Social Work	
DATE OF COMMITTEE:	
REPORT AUTHOR: Frank McDade	
REF: FMCD/AAH	

1 PURPOSE OF REPORT

To seek Council's approval in establishing a legal process whereby owner/occupiers, who receive financial assistance in certain circumstances to adapt their home in order to meet needs of residents with disabilities, will be obliged to repay the money to the Council.

2 BACKGROUND

- 2.1 The Local Authority may provide Grants in certain circumstances to assist owner/occupiers to make adaptations to houses where there is an occupant who has a disability.
- 2.2 Where an owner/occupier seeks to have an adaptation to a house, a Home Improvement Grant can be awarded through the Housing Department's Grant Section. Subject to assessment by occupational therapy staff, the Social Work Department can make a contribution to the shortfall between the Home Improvement Grant and the cost of an adaptation.

3 STANDARD SECURITY

- 3.1 The predecessor authorities established a policy whereby money provided in these circumstances would be subject of recovery through a Standard Security. If the house owner was to dispose of a property that was the subject of an adaptation the Council would have the power to seek recovery all, or part, of the cost of the Social Work Department's contribution to the adaptation. The Standard Security applied to sums of money over an amount set by Committee from time to time. The last time this sum was set was in 1991, and it was set at £4,000. Committee also set the timescale within which recovery of any money was to apply.

- 3.2 Committee may wish to note that there has, as yet, been no case where it has been necessary to seek recovery through the Standard Security.
- 3.3 Experience has shown the majority of applicants that fall within this category are applicants seeking grant of £3,000- £4,000 and there are no grounds where recouping of grant is necessary.
- 3.4 With the inception of the Mobile Modular House Adaptation it is less likely that there would be a requirement to meet requests for major adaptation grant.
- 3.5 In the small number of instances where a grant exceeds £10,000 it is proposed to have, in most cases, the Standard Security.
- 3.6 Repayment Circumstances. - Examples where it may be appropriate to recover money through a Standard Security would be where a family inhabiting an adapted house sells the house and receives a considerably enhanced value by reason of the adaptation, or, in a case where the recipient of the grant dies or is hospitalised rendering the improvements to the house redundant..

4 LEGAL STATUS

- 4.1 Local Authorities are given power to fund the provision of aids and adaptations through the Social Work (Scotland) Act 1968. The Act also gives power to authorities to recover money under Section 12 (4) of this Act.
- 4.2 Home Improvement Grant is provided through Section 246 of the Housing (Scotland) Act 1987.

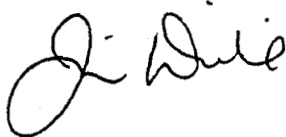
5 PROPOSAL

- 5.1 If a home owner has an adaptation to their house, and the Social Work Department makes a contribution, it is proposed that North Lanarkshire Council should reserve to itself the power to recover the money invested using a Standard Security.
- 5.2 It is proposed that a Standard Security apply to amounts awarded over £10,000 and that the award be subject to repayment, on a sliding scale, if the property is disposed of within 10 years of the work being completed.

6 RECOMMENDATIONS

6.1 Committee is asked to:

- ◆ approve the proposal that grant aid to modify an owner occupied house would be subject to Registration of the Council's interest where the amount of grant is £10,000 or more.
- ◆ approve the arrangement whereby a Standard Security must be granted by the owner of the house specifying that repayment of the grant shall be required, on a sliding scale, (100% of the grant to be repaid if the house is sold within one year of the grant being given, reducing the amount of grant to be repaid by 10% of the initial grant in each subsequent year) if the property is disposed of within 10 years.
- ◆ authorise the Director of Administration to have securities granted in appropriate cases.



Jim Dickie
Director of Social Work
31 July 1998

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