

EXPLANATORY MEMORANDUM TO
THE HOUSING RENEWAL GRANTS (PRESCRIBED FORM AND PARTICULARS) (REVOCATION) (ENGLAND) REGULATIONS 2010

2010 No. 2417

1. This explanatory memorandum has been prepared by Department of Communities and Local Government and is laid before Parliament by Command of Her Majesty.
2. **Purpose of the instrument**
 - 2.1 Local housing authorities are under a duty to provide Disabled Facilities Grants (DFGs) following an assessment of the applicant's needs and resources, which assist with the cost of providing adaptations enabling disabled persons to continue to live in their own homes. Previously, the application form and details required for DFGs have been prescribed by legislation. The Government has now decided that it is no longer necessary to prescribe a form for local authorities to use for DFG applications and that such authorities should be able to decide on the best format for DFG applications to be made. This instrument therefore removes the requirement for applications to be made in a format specified in legislation.
3. **Matters of special interest to the Joint Committee on Statutory Instruments**
 - 3.1 None
4. **Legislative Context**
 - 4.1 The Housing Grants, Construction and Regeneration Act 1996 ("the Act") made grants available to assist with the cost of works required for the provision of facilities for disabled persons in certain dwellings. The Act provided for the introduction of regulations prescribing the form of applications for such grants. Regulations were introduced in the Housing Renewal Grants (Prescribed Form and Particulars) Regulations 1996. This instrument is being made to revoke those Regulations and to make consequential revocations.
5. **Territorial Extent and Application**
 - 5.1 This instrument extends to England and Wales. However the revocations will only relate to England as the enabling power is devolved to Welsh Ministers in Wales.
6. **European Convention on Human Rights**

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 The aim behind revoking the Housing Renewal Grants (Prescribed Form and Particulars) Regulations 1996 is to provide local housing authorities with greater scope to devise forms which are easier to use and can be more flexibly updated.

8. Consultation outcome

8.1 There has been no formal consultation on this change as it is merely intended to simplify the process for administering and applying for a disabled facilities grant. Local housing authorities can continue to use the previously prescribed form if they so wish.

9. Guidance

9.1 The Department will be writing to all local housing authorities to advise them of this change and to explain its effect.

10. Impact

10.1 The instrument has no impact on business, charities or voluntary bodies.

10.2 These changes are estimated to have a small positive impact on the public sector due to the increased flexibility they provide.

10.3 An impact assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 The Department does not intend actively to monitor this change. It will however be open to consider representations about its effects from local authorities or housing applicants.

13. Contact

Dylan Grimes at the Department for Communities and Local Government Tel: 0303 444 3706 or e-mail: Dylan.Grimes@communities.gsi.gov.uk can answer any queries regarding the instrument.