



Portsmouth
CITY COUNCIL

APPLICATION FOR A DISABLED FACILITIES GRANT

This is the application form to use if you want to apply for

DISABLED FACILITIES GRANT

A different form should be used if applying for Renovation Assistance.

When you have completed this form, please return it to:

**Private Sector Housing
1st Floor
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL**

**If you are uncertain how to answer any of these questions,
please telephone us on 023 9268 8369 and we will be happy to help.**

Email: housing.privatesector@portsmouthcc.gov.uk

Please note that this information may be processed electronically and used for administration purposes.

Portsmouth City Council is committed to complying with the Freedom of Information Act 2000 (FOIA) which applies to all recorded information that it holds or is held on its behalf. Information that is provided to or held by the City Council will be processed and disclosed strictly in accordance with the FOIA, the Data Protection Act 1998 or other appropriate legislation.

We must protect the public funds we handle and so we may use the information you have provided on this form to prevent and detect fraud. We may also share this information, for the same purpose, with other organisations that handle public funds.

NOTIONAL CONTRIBUTION £

Signed

Date

OWNER-OCCUPIER'S AND TENANT'S APPLICATIONS FOR HOUSING RENEWAL GRANTS

In these instructions and the accompanying form and notes, "the Act" means the Housing Grants, Construction and Regeneration Act 1996. The Act has been substantially amended by Schedule 3 to the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I.2002/1860). Unless otherwise stated, all references to sections are to sections of the Act.

This is the form to use if you are making an application under Part 1 of the Act for grant towards the cost of works required for the provision of facilities for disabled persons in a house, a flat, a qualifying houseboat or a qualifying park home, or in the common parts of a building containing one or more flats. (Notes 5, 5A and 5B give further information about the meaning of flat, qualifying houseboat and qualifying park home).

Do not use this form if you are an owner and the application is in respect of works to a house or flat which is or is intended to be let or to the common parts of a building in which a flat is or is intended to be let.

Please tick boxes where appropriate.

PART 1

PRELIMINARY AND GENERAL INFORMATION

In the Act this form and the accompanying notes, "the Act" means the Housing Grants, Construction and Regeneration Act 1996 and, unless otherwise stated, all references to sections etc are to sections etc in the Act.

Please answer each question unless directed elsewhere. Please read the notes (set out at the end of the form) before answering the questions to which they relate.

If a question does not provide enough space for your answer, please continue your answer on a separate sheet of paper and mark the sheet with your name (or, in the case of a joint application, with all the applicants' names) and the question number. Please make sure you enclose all additional sheets with your application.

Addresses and other preliminaries

1.1 Please give the following details for each grant applicant -

Name:

Note 1

Title: Mr/Mrs/Miss/Ms/Other (please specify)

Address:

.....

.....

Address for correspondence (if different from above):

.....

.....

Telephone numbers: (home)

(work)

1.2 Please give your (or the applicant's) age and date of birth:

Note 2

Date of birth:

Age: years

1.2A Please give the national insurance number for you, your partner and any other person who lives or intends to live at the premises and who is also entitled to make an application for a grant:

Note 2A

Your national insurance number

Your partner's national insurance number

National insurance number for any other person

1.3 Are you, or is anyone else who lives or intends to live at the premises and who is also entitled to make an application for a grant, a "person from abroad" within the meaning of the Housing Benefit (General) Regulations?

Note 3

Yes

No

1.4 If someone else (e.g., a relative, a friend or an organisation) is handling this application on your behalf, please give the name, address and telephone number of the person to be contacted about this application.

Name:

Title: Mr/Mrs/Miss/Ms/Other (please specify)

Address:

.....

.....

Telephone numbers: (home)

(work)

1.5 Please give the name, address and telephone number of the person who may be contacted to gain access to the premises (e.g., to carry out an inspection).

Name:

Title: Mr/Mrs/Miss/Ms/Other (please specify)

Address:

.....

.....

Telephone numbers: (home)

(work)

Parsonages etc.

1.6 Are you applying in respect of the residence house or the glebe of an ecclesiastical benefice?

Note 4

Yes

No

The premises where the works are to be carried out

1.7 Please give the address of the premises at which the works are to be carried out:

.....

.....

.....

.....

Are these premises:

A house

A flat

A qualifying houseboat

A qualifying park home

A building containing one or more flats

Note 5
Note 5A
Note 5B
Note 5C

If you cannot tick one of the above boxes in answer to this question, you are not entitled to be paid grant.

1.9 Have you or has anyone else been served with a notice under section 189 or 190 of the Housing Act 1985 regarding the premises?

Note 7

Yes

Please give details, including the date the notice was served:

.....

.....

No

Previous applications for grant or assistance

1.10 Have you previously made an application for any type of grant or assistance for these premises?

Yes

Note 8

Please give the date of your application and Council reference (if known):

Date: Reference:

No

1.11 Do you know of any previous application for grant or assistance made by another person for these premises?

Yes

Please give details (if known):

Note 8

No

Planning permission and building regulations approval

1.12 Have you applied for planning permission for the works?

Yes

Note 9

Please give the date, reference number and outcome of your application:

Date: Reference number:

Outcome (please delete as appropriate):*granted/refused/no decision yet*

No

1.13 Have you applied for building regulations approval?

Yes

Note 9

Please give the date, reference number and outcome of your application:

Date: Reference number:

Outcome (please delete as appropriate): *granted/refused/no decision yet*

No

Who will carry out the works?

1.14 Will you or a member of your family carry out the works?

Note 10

Yes

No

1.15 Do you agree for any grant approved, to be paid to your builder (either directly or by cheque made out to your builder)?

Note 11

Yes

No

Preliminary or ancillary services and charges

1.16 Please give details of any preliminary or ancillary services or charges which you wish to have considered for grant:

Note 12

.....
.....
.....
.....
.....

1.17 Have you already begun or finished the works for which you are applying for grant?

- begun the works?

Yes

Note 13

No

- finished the works?

Yes

Note 13

No

(Please go to **Part 2**)

PART 2

INFORMATION SPECIFIC TO THE APPLICATION YOU ARE MAKING

DISABLED FACILITIES GRANT

2.1 Which kind of application are you making?

- Disabled adaptations to a house or flat
- an owner's application (other than a landlord's application) Notes 16 & 17
- a tenant's application Note 18
- Disabled adaptation to the common parts of a building containing one or more flats
- an owner's application (other than a landlord's application) Note 16
- a tenant's application Note 18
- Disabled adaptations to a qualifying houseboat or qualifying park home
- an occupier's application Note 19

2.2 Will the disabled occupant, or the disabled occupants, for whose benefit the adaptations are Proposed, be:

Note 31

- Adaptations to a house, flat, qualifying houseboat or qualifying park home
- yourself?
- someone who is or will be living in the premises with you?
- (where you do not live there) the occupier or one of the occupiers of a flat in the building?

Please give each such disabled occupant's name and describe his/her disability (giving the medical name of the condition, where known):

.....
.....
.....

2.3 Please describe the works briefly:

.....
.....

2.4 Which certificate(s) are you providing with your application? (Please tick as appropriate.)

Note 34

- Owner's application**
Owner's certificate **Note 35**
- (Please go to question **2.5**)
- Tenant's application**
Tenant's certificate **Note 36**
Owner's certificate
- (Please go to question **2.8**)
- Occupier's application**
Occupier's certificate **Note 36A**
Consent certificate **Note 36B**

OWNER'S APPLICATION (OTHER THAN A LANDLORD'S APPLICATION)

2.5 Do you (alone or jointly with others), own the freehold, or a tenancy with at least 5 years still to run, of the house or flat and/or (in the case of an owner's application for disabled adaptations to the common parts of a building containing one or more flats) the common parts of the building?

Yes

Note 20

Please indicate which interest you own

Freehold / tenancy with at least 5 years still to run*

**(please delete as appropriate):*

If you own the interest jointly with anyone else, please give the names and addresses of your co-owners:

.....
.....
.....
.....

(Please go to question **2.7**)

No

2.6 Do you (alone or jointly with others) propose to acquire the freehold, or tenancy with at least 5 years still to run, of the house or flat and/or (in the case of an owner's application for disabled adaptations to the common parts of a building containing one or more flats) the common parts of the building?

Yes

Please indicate which interest you propose to acquire

Freehold / tenancy with at least 5 years still to run*

**(please delete as appropriate):*

When do you propose to acquire the interest?

If you propose to acquire it jointly with anyone else, please give names and addresses of the other proposed co-owners:

.....
.....
.....

Note 21

No

2.7 Please give the name and address of everyone (whether or not the person is also name in any of questions **2.1, 2.5** or **2.6**) who resides or proposes to reside in the house or flat or (in the case of an owner's application for disabled adaptations to the common parts of a building) in the relevant flat(s) in the building:

.....
.....
.....
.....
.....
.....

(please go to **Part 3**)

TENANT'S APPLICATION – WORKS TO HOUSE OR FLAT

If you own the freehold of the premises or hold a tenancy of it with at least 5 years still to run, or if you are proposing to acquire either of these interests, you are not eligible to make a tenant's application for grant. You should consider making an owner's application instead (questions 2.5 to 2.7 inclusive).

2.8 Are you the tenant of a house, or of a flat in a building (other than under a tenancy with at least 5 year still to run)?

	Yes	No
- tenant of a house	<input type="checkbox"/>	<input type="checkbox"/>
- tenant of a flat in a building	<input type="checkbox"/>	<input type="checkbox"/>

2.9 Which type of tenancy do you have of the house/flat? *(Please tick one box only):*

- introductory tenancy	<input type="checkbox"/>
- secure tenancy	<input type="checkbox"/>
- statutory tenancy under the Rent (Agriculture) Act 1976 or the Rent Act 1977	<input type="checkbox"/>
- protected occupancy under the Rent (Agriculture) Act 1976	<input type="checkbox"/>
- assured agricultural occupancy under Part I of the Housing Act 1988	<input type="checkbox"/>
- service occupancy	<input type="checkbox"/>
- tenancy other than the above	<input type="checkbox"/>

Note 37

2.10 Do you (alone or with others) propose to acquire the freehold of the premises or a tenancy of it with at least 5 years still to run?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

Note 27

2.11 If you are a joint tenant of the premises with anyone else, please give the names and addresses of your fellow tenants:

.....

.....

.....

.....

.....

.....

2.12 Please give the name and address of everyone (whether or not the person is also named under question (2.11) who resides or proposes to reside in the premises:

.....

.....

.....

.....

.....

2.13 Please give the name, address and telephone number of your landlord or your landlord's agent:

Name:

(landlord / landlord's agent*)

Business address:

.....

Tel:

*(*Please delete as appropriate.)*

TENANT'S APPLICATION - WORKS TO THE COMMON PARTS OF A BUILDING

2.14 Do you have a duty or a power to carry out works to the common parts of the building?

Yes No

If you answered Yes, please give details of your duty or power. If the duty or power does not cover all of the works to which this grant application relates, specify the works for which you have no duty or power.

.....
.....

Note 38

2.15 If you have no other power or duty to carry out the works to the common parts of the building, do you have your landlord's written permission to carry out these works?

Yes

No

Note 40

If your answer was Yes, please supply a copy of the written permission with your application.
If your answer was No but you expect to get this permission, please give the date on which you expect permission to be given:

FINANCIAL INFORMATION ABOUT YOU AND YOUR FAMILY

3.1 Are you, or is your partner receiving (and entitled to receive) income support, guarantee pension credit, council tax benefit, child tax benefit, working tax credit, housing benefit, or an income-based jobseeker's allowance or are both of you receiving (and entitled) to receive a joint-claim jobseeker's allowance?

Note 48

Please give details including dates

Yes

No

If one partner is receiving one of these allowances and the other is not, please fill in the separate financial assessment form labelled part 3, otherwise, please go to the Declaration at the end of this Part)

DECLARATION

**WARNING: IF YOU KNOWINGLY MAKE A FALSE STATEMENT
YOU MAY BE LIABLE TO PROSECUTION**

I declare that to the best of my knowledge, information and belief the information I have given above is correct. I am aware that this information will be kept under the provisions of the Data Protection Act 1998 and may be processed electronically and used for administration purposes, and I consent to the information being kept as long as necessary

I am: the applicant / one of the applicants / the relevant person (but not the applicant or one of the applicants) / a relevant person (but not the applicant or one of the applicants)

Signature:

Date:

(Please delete as appropriate.)

AUTHORISATION (Note 95A)

(For persons receiving certain income related benefits)

- (a) For those receiving income support or an income-based jobseeker's allowance or a joint-claim jobseeker's allowance it may be possible for the Council to process the application more quickly if those in such receipt give permission for your local Department of Work & Pensions to confirm this fact. To give permission, please complete the authorisation below. If not, go to Part 4.

I authorise the Department of Work & Pensions to confirm on request by the Council that I now receive income support/an income-based jobseeker's allowance*.

Name:

DWP reference number (case paper), if known:

.....

Signature:

Date:

*Please delete as appropriate.

- (b) For those receiving housing benefit (HB) or council tax support (CTS), but not income support or an income-based jobseeker's allowance, it may be possible for the Council to process the application more quickly if those in such receipt give permission for them to refer to their HB or CTS records. They can only do this with your consent. To give permission, please sign the authorisation below.

For the purpose of this application, I give my consent to the Council to refer to information provided by me for the purposes of my application(s) for housing benefit / council tax benefit*.

Name:

HB/CTB* reference, if known:

Signature:

Date:

*Please delete as appropriate.

PART 4

DOCUMENTS TO BE SUBMITTED WITH YOUR APPLICATION

4.1 Please indicate which documents you are enclosing with your application:

	Yes	No	
(a) Two estimates from different contractors of the cost of carrying out the works (unless otherwise instructed by the Council)	<input type="checkbox"/>	<input type="checkbox"/>	Note 96
(b) Particulars of any preliminary or ancillary services and charges	<input type="checkbox"/>	<input type="checkbox"/>	Note 97
(c) The certificates required for your application as mentioned in question 2.4.	<input type="checkbox"/>	<input type="checkbox"/>	
(d) Information about your national insurance number	<input type="checkbox"/>	<input type="checkbox"/>	Note 2A
owner-occupation certificate(s)	<input type="checkbox"/>	<input type="checkbox"/>	
certificate(s) of intended letting	<input type="checkbox"/>	<input type="checkbox"/>	
tenant's certificate	<input type="checkbox"/>	<input type="checkbox"/>	

You must submit these documents with your application in any event. The Council may require you to submit, or you may wish to submit, other documents (for example, copies of planning permissions, building regulations approvals, tenancy/licence agreements) in support of your application. The questions and notes draw your attention to points on which supporting documentation may be required or helpful.

If you are in any doubt, the Council will be pleased to guide you.

NOTES

In these notes, "the Act" means the Housing Grants, Construction and Regeneration Act 1996 and, unless otherwise stated, all references to sections etc are to sections etc in the Act.

1. Please provide a utility bill showing both your name and the address of the premises to which the application relates or other evidence that you live there.
2. You cannot apply for a grant unless you are aged 18 or over on the date of your application. In the case of joint applicants, any applicant aged under 18 on the date of the application will be left out of account. See section 3(1).
- 2A. If you have a national insurance number, please supply evidence that it belongs to you such as a notional insurance numbercard, wage statements, benefit forms or other official documentation bearing both your name and your national insurance number. If you have lost your NI number or you have not been allocated one, please supply information to enable your NI number to be traced or an application for a NI number to be made.

The Housing Department of the Council can give you advice about the information you should provide and also how to apply for a new NI number. Please complete the rest of the form and ask for their advice when you send your application to them.

3. The Council is not allowed to pay a grant to someone who is a "person from abroad" within the meaning of regulation 7A of the Housing Benefit (General) Regulations 1987 (SI 1987/1971 as amended); regulation 3 of the Housing Renewal Grants Regulations 1996 (SI 1996/2890). The Council is also not allowed to pay grant where a person who could have applied for a grant is a "person from abroad", even though the applicant is not a "person from abroad".

If you answered "Yes" to question 1.3 you should not be making an application for grant. If you are unable to answer "No" to this question, do not proceed any further with this application.

Regulation 7A of the Housing Benefit (General) Regulations 1987 can be **summarised** as follows -

- (1) Subject to paragraphs (2) and (3), a "person from abroad" is a person who has limited leave to enter or remain in the United Kingdom which was given in accordance with any provision of Home Office immigration rules relating to -
 - (a) there being, or there needing to be, no recourse to public funds, or
 - (b) there being no charge on public funds,during that limited leave.
- (2) "Person from abroad" does **not** include a person who -
 - (a) is a national of a European Economic Area State, a state which is a signatory to the European Convention on Social and Medical Assistance signed in Paris on 11th December 1953 (Cmd. 9512), a state which is a signatory to the Council of Europe Social Charter signed in Turin on 18th October 1961, the Channel Islands or the Isle of Man; or
 - (b) has, during any period of limited leave, supported himself/herself without recourse to public funds but is temporarily (i.e., for no more than a total of 42 days during any period of limited leave) without funds because remittances to him/her from abroad have been disrupted; provided that there is a reasonable expectation that his/her supply of funds will be resumed; or
 - (c) is an asylum seeker, that is, a person who submits on his/her arrival (other than on his/her re-entry) in the United Kingdom from a country outside the Common Travel Area (i.e. the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland collectively) a claim for asylum to the Secretary of State and that claim is recorded by the Secretary of State as having been made; or
 - (d) becomes, while present in Great Britain, an asylum seeker; or
 - (e) is a sponsored immigrant (see paragraph (3)(f) below) and the person or persons who undertook to provide for his/her maintenance and accommodation has or have died; or
 - (f) is in receipt of income support; or
 - (g) is on an income-based jobseeker's allowance.
- (3) "Person from abroad" **includes** any person, other than a person to whom any of sub-paragraphs (c) to (g) of paragraph (2) applies, who -
 - (a) having a limited leave to enter or remain in the United Kingdom, has remained without further leave beyond the time limited by the leave; or
 - (b) is the subject of a deportation order requiring him/her to leave and prohibiting him/her from entering the United Kingdom, except where his/her removal from the United Kingdom has been deferred in writing by the Secretary of State; or

- (c) is adjudged by the immigration authorities to be an illegal immigrant who has not subsequently been give leave to enter or remain in the United Kingdom except a person who has been allowed to remain in the United Kingdom with the consent in writing of the Secretary of State; or
- (d) is a national of a European Economic Area State and is required by the Secretary of State to leave the United Kingdom; or
- (e) is not habitually resident in the United Kingdom, the Republic of Ireland, the Channel Islands or the Isle of Man, but no person shall be treated as not habitually resident in the United Kingdom who -
 - (i) is a worker for the purposes of Council Regulation (EEC) No. 1612/68 or (EEC) No. 1251/70 or a person with a right to reside in the United Kingdom pursuant to Council Directive No. 68/360/EEC or No. 73/148/EEC; or
 - (ii) is a refugee, i.e., a person recorded by the Secretary of State as a refugee within the definition of Article 1 of the Convention relating to the Status of Refugees (a).or
 - (iii) has been granted exceptional leave to remain in the United Kingdom by the Secretary of State; or
 - (iv) falls within paragraph (2)(b) above; or
 - (v) is the subject of a deportation order requiring him/her to leave and prohibiting him/her from entering the United Kingdom, and whose removal from the United Kingdom has been deferred in writing by the Secretary of State; or
 - (vi) is adjudged by the immigration authorities to be an illegal immigrant, has not subsequently been given leave to enter or remain in the United Kingdom but has been allowed to remain in the United Kingdom with the consent in writing of the Secretary of State; or
- (f) has been given leave to enter, or remain in, the United Kingdom by the Secretary of State upon an undertaking given by another person or persons in writing to be responsible for his/her maintenance and accommodation; and he/she has not been resident in the United Kingdom for a period of at least 5 years beginning from the later of the date of entry or the date on which the undertaking was given in respect of him/her; or
- (g) while he/she is a person to whom paragraph (1) or any of sub-paragraphs (a) to (d) and (f) of this paragraph applies, submits a claim to the Secretary of State, which is not finally determined, for asylum under the Convention relating to the Status for Refugees.

4. Most of the qualifying conditions for grant are waived for applications in respect of glebe land or the residence house of an ecclesiastical benefice: see section 95.

A landlord's application in respect of the residence house or the glebe land of an ecclesiastical benefice should be made on the separate form for landlord's applications, obtainable from the Council.

5. A flat is a dwelling, which is a separate set of premises whether or not on the same floor, divided horizontally from some other part of the building.

5A A "qualifying houseboat" is a boat or similar structure designed or adapted for use as a place of permanent habitation which -

- (a) has its only or main mooring within the area of a single local housing authority; and
- (b) is moored in pursuance of a right to that mooring; and
- (c) is a dwelling for the purposes of council tax.

(See the definition of "qualifying houseboat" in section 58).

5B A "qualifying park home" is defined in section 58, It means a caravan which -

- (a) is stationed on land forming part of a protected site within the meaning of the Mobile Homes Act 1983; and
- (b) is occupied under an agreement to which that Act applies or under a gratuitous licence; and
- (c) is a dwelling for council tax purposes.

"Caravan" is defined in section 29(1) of the Caravan Sites and Control of Development Act 1960. It means, broadly, a structure designed or adapted for living in which is capable of being moved from place to place.

5C Tick the box if the application includes works for the provision of facilities in the common parts of a building containing one or more flats.

7. A notice under section 189 of the Housing Act 1985 is a repair notice for premises which are unfit for human habitation. A notice under section 190 of the 1985 Act is a repair notice for premises which, although fit for human habitation, require substantial repair. A section 189 or 190 notice specifying works to the common parts of a building, may be served on a person who is an owner of that part of the building (or the building as a whole) who in the opinion of the Council serving the notice, ought to carry out the works.
8. Please give details of all previous grant applications of which you are aware, and of any contribution notified under a group repair scheme (if known to you). Please also mention any minor works assistance and home repair assistance you have received. Previous grant approvals may affect the works for which a grant may be given, and also, in the case of previous approvals of applications made by you, the amount of grant payable.
9. Planning permission or building regulations approval may or may not be required. If you are not sure whether permission

or approval is required, contact the relevant department of the Council. Where permission or approval has already been obtained please enclose a copy with your application.

10. Under section 37(4), payment of grant can be made only against an invoice, demand or receipt for payment for the works, which is acceptable to the Council; and an invoice given by you or a member of your family is not acceptable. Thus, for example, where you or a member of your family carry out the works, an invoice (which can be authenticated) from a third party will be needed for the cost of the materials.

Section 98(1) defines "member of a family" by reference to section 113 of the Housing Act 1985. The definition includes spouses; persons who live together as husband and wife; parents; grandparents; children; grandchildren; brothers; sisters; uncles; aunts; nephews; and nieces.

11. Under section 39, the Council may pay a grant (or part of a grant) either directly to the contractor or by cheque made out to the contractor but given to the grant applicant. The Council can do this only if, before approving the grant application, they informed the applicant that this would or might be the method of payment.
12. Under the Housing Renewal Grants (Services and Charges) Order 1996 (SI 1996/2889), the preliminary or ancillary services and charges which may be included in a grant application are the cost of: confirmation, if sought by the Council, that you have an owner's interest in the property; technical and structural surveys; design and preparation of plans and drawings; preparation of schedules of the relevant works; assistance in completing forms; advice on financing the cost of the relevant works which are not met by grant; applications for building regulations approval or planning permission (including the application fee and the preparation of related documents); obtaining estimates for the relevant works; advice on contracts; consideration of tenders; supervision of the relevant works; disconnection and reconnection of electricity, gas, water or drainage utilities where this is made necessary by the relevant works (but not charges arising from non-payment of bills); and payment of contractors.

The services and charges of an occupational therapist in relation to the relevant works may be included in your application.

If you are unsure whether to include a service or charge in your application, please ask the Council for advice. Please also see note 10 for the documentation that the Council will require from you before they can pay any grant.

13. Under section 29, grant will not normally be paid if you, or anyone acting on your behalf, begin works before you receive written approval of this application. An exception may be made where the Council is satisfied that there were good reasons for beginning the works before the application was approved; but the application will be treated as excluding any works already completed. Where all the works have been completed, the Council is not allowed to approve the application.
16. You can make an owner's application if you own the freehold of the premises or hold a tenancy of the premises with at least 5 years still to run or if you are proposing to acquire either of these interests. If you hold a tenancy with less than 5 years to run, you are not eligible to make an owner's application but you should consider making a tenant's application instead.
17. A landlord's application is an owner's application for works to a house or flat which is or is intended to be let or to the common parts of a building in which a flat is or is intended to be let: section 31(1).
18. You can make a tenant's application if you are the tenant of the premises and the tenancy has less than 5 years still to run. Section 19(5) gives an extended meaning to the word "tenant" – for further information see Note 37.
19. You can make an occupier's application for works to a qualifying houseboat or a qualifying park home if you occupy it, whether as a sole occupier or as a joint occupier with others. See also Notes **5A** and **5B**.
20. These are the "owner's interests" as defined by section 101.
21. If you have exchanged contracts on a purchase, give the date that the purchase is to be completed. The Council cannot approve an owner's application for renovation grant until they are satisfied that you have acquired an owner's interest.
23. If you have answered "No" to questions **2A.5** and **2A.6** you should not be applying for a renovation grant. If you cannot answer "Yes" to one of these questions do not proceed any further with this application.
24. Give as full a description as you can of the proposed works. It will help you to supply plans and in the case of works of improvement or conversion these should be of the property before and after the works have been carried out.
25. Under section 10, the Council may not entertain this type of owner's application for a renovation grant unless they are satisfied that you have had an owner's interest in the dwelling throughout the three years ending with the date of your application. The Council may waive this requirement in a particular case or particular types of case.
27. If you own or intend to buy the freehold of the property, or if you have or are proposing to take a tenancy with at least 5 years of the term still to run, you cannot make a tenant's application. You should instead consider making an owner's application.

- 31.** The disabled occupant means the disabled person for whose benefit it is proposed to carry out any of the relevant works. Section 100 gives the meaning of “disabled person.”
- 34.** The Council is not allowed to entertain a grant application unless it is accompanied -
- (a) in the case of an owner’s application, by a certificate known as a “owner’s certificate” (see note **35**),
 - (b) in the case of a tenant’s application, by an owner’s certificate and another certificate known as a tenant’s certificate (see note **35** and **36**);
 - (c) in the case of an occupier’s application, by certificates known as an occupier’s certificate and a consent certificate (see Note **36A**).

The Council may waive the requirement for an owner’s certificate to accompany a tenant’s application, or a consent certificate to accompany an occupier’s application, if they consider the requirement unreasonable in the circumstances. As regards certificates see sections 21,22 and 22A.

- 35.** Under section 21(2), an "owner's certificate" certifies that the applicant -
- (a) has or proposes to acquire a qualifying owner’s interest in the property on which the relevant works are to be carried out, and
 - (b) intends that the disabled occupant will live in the dwelling or flat as his only or main residence throughout the grant condition period or for such shorter period as his health and other relevant circumstances permit.
- 36.** Under section 22(2), a "tenant's certificate" certifies -
- (a) that the application is a tenant's application, and
 - (b) that the applicant intends that he (if he is the disabled occupant) or the disabled occupant, will live in the dwelling or flat as his only or main residence throughout the grant condition period or for such shorter period as his health and other relevant circumstances permit.

36A. Under section 22A(2) an “occupier’s certificate certifies –

- (a) that the application is an occupier’s application; and
- (b) that the applicant intends that he (if he is the disabled occupant) or the disabled occupant will live in the qualifying houseboat/qualifying park home as his only or main residence throughout the grant condition period or for such shorter period as his health and other relevant circumstances permit.

36B. A consent certificate certifies that the person giving it consents to the carrying out of the relevant works. A consent certificate should be obtained from each person who is –

- (a) entitled to possession of the premises at which the qualifying houseboat is moored or the pitch on which the qualifying park home is stationed; or
- (b) entitled to dispose of the qualifying houseboat/qualifying park home.

See section 22A(3) and (4).

- 37.** Under section 19(1)(b) and (5), for the "tenant" means someone who has a tenancy (other than a tenancy with at least 5 Years still to run) and is expressly stated to include -
- a secure tenant under the Housing Act 1985 or an introductory tenant under the Housing Act 1996,
 - a statutory tenant under the Rent (Agriculture) Act 1976 or the Rent Act 1977,
 - a protected occupier under the Rent (Agriculture) Act 1976 or a person in occupation under an assured agricultural occupancy under the Housing Act 1988, or
 - a service licensee (i.e., someone who occupies the dwelling for the better performance of his/her duties as an employee).

Please also see note **27**.

- 38.** Please document your duty and/or power by enclosing with your application a copy of your lease, tenancy agreement or licence agreement.
- 40.** If you have neither a power nor a duty nor your landlord's permission to carryout works to the common parts, you are not eligible to apply for grant for works to the common parts of the building.
- 47A.** “Child” and “young person” are defined by regulation 2(1) of the Housing Renewal Grants Regulations (S.I.1996/2890) as follows:
- “child”: a person under the age of 16;
 - “young person” a person, other than someone who is in receipt of income support or is receiving advanced education (defined in the Income Support (General) Regulations 1987/1967), aged 16 or over but under 19 who is treated as a child for the purposes of section 142 of the Social Security Contributions and Benefits Act 1992.

Regulation 8 of the Housing Renewals Grants Regulations 1996 deals with the circumstances in which a person is to be treated as responsible for a child or young person.

48. The jobseeker's allowance (JSA) replaced unemployment benefit and income support for the unemployed with effect from 7th October 1996. Contribution-based JSA replaced unemployment benefit and income-based JSA replaced income support. Where both partners qualify for the jobseeker's allowance from 19 March 2001 they should make a "joint claim" for jobseeker's allowance.

If you answered "Yes" to question 3.1 you do not need to answer the remaining questions in **Part 3** (the test of resources). It may help the Council to process your application more quickly if each person who receives income support or an income-based jobseeker's allowance completes the **authorisation** at the end of **Part 3**. Where a couple are receiving a joint-claim jobseeker's allowance, both members of the couple may complete the **authorisation** at the end of **Part 3**. However, there is no obligation to do this, and you may instead go straight to **Part 4** if you wish.

Guarantee credit is an element of the social security benefit known as state pension credit payable under the State Pension Credit Act 2002.

49. A partner is someone of the opposite sex who lives with you as husband or wife whether you are married or not. You should answer "No" to question 3.2 if such a person who normally lives with you is absent and is likely to remain so for more than 52 weeks; but you should answer "Yes" if that person's absence is owing to exceptional circumstances beyond his/her control and is unlikely to be substantially more than 52 weeks.
50. If you have more than one partner, and you are married polygamously under the law of a country which permits such marriages, you should give the details requested in respect of each partner living with you, and answer questions 3.3 to 3.40 in respect of each of them. You should also ensure that your answers to questions 3.14 to 3.19 cover all children and young persons for whom you or any of your partners are responsible and who normally live with you.
51. Even if you or your partner have been capable of work in recent weeks, you may still qualify for the "disability premium" if you or your partner have a long record of incapacity. If you think this applies to you, you should still answer "No" to this question, but give full details.
52. Where two or more periods of incapacity are separated by a break or breaks each of not more than 56 days, those periods are treated as one continuous period of incapacity.
53. A person is terminally ill if he/she suffers from a progressive disease and his/her death in consequence of that disease can reasonably be expected within 6 months. Where two or more periods of incapacity are separated by a break or breaks each of not more than 56 days, those periods are treated as one continuous period of incapacity.
54. You should answer "Yes" to this question if payment of this benefit to you or your partner has been suspended, or if the amount of the benefit has been reduced because you or your partner are receiving free in-patient treatment within a hospital or similar institution (but not a prison or youth custody institution).
55. Answer "Yes" to this question if you or your partner -
- (a) would be entitled to carer's allowance but for an overlapping benefit (i.e., injury benefit, unemployability supplement, industrial death benefit, war pensions death benefit, and training allowance); or
 - (b) receive a concessionary payment by way of compensation for the non-payment of carer's allowance; or
 - (c) would receive the allowance, but for the person for whom you were, or your partner was, caring being an in-patient in a hospital or similar institution for a period exceeding 28 days.
56. Answer "Yes" to this question if you or your partner ceased to receive this pension because of payment of a retirement pension. (After 12th April 1995 invalidity pension was replaced by long-term incapacity benefit.)
57. Answer "Yes" to this question if you or your partner ceased to receive long-term incapacity benefit because of payment of a retirement pension. (After 12th April 1995, long-term incapacity benefit replaced invalidity pension for week 53 onwards of a person's incapacity.)
58. Answer "Yes" to the appropriate part of this question if you or your partner ceased to receive short-term incapacity benefit at a rate equal to or greater than the long-term rate because of payment of a retirement pension. (After 12th April 1995, short-term incapacity benefit replaced sickness benefit and invalidity benefit for weeks 1 to 52 of a person's incapacity.)
59. A dependent child or young person is someone -
- who is under the age of 19;
 - for whom you or your partner are responsible;
 - in respect of whom you or your partner receive child benefit, or who is treated as a child for child benefit purposes or who is in the care of a local authority and has been placed with you by the authority;
 - and
 - who normally lives with you.

You should not include any young person who is on income support or an income-based jobseeker's allowance.

You should answer "No" if a child or young person who normally lives with you is absent and is likely to remain so for more than 52 weeks; but you should answer "Yes" if that child or young person's absence is owing to exceptional circumstances

- 60.** If you or your partner are receiving income support or an income based job-seeker's allowance, you need not answer questions **3.16** and **3.17**.
- 61.** Do not include any who are under 16 or who are still in full time education.
- 62.** In calculating the number of hours worked per week, you should look at the last cycle of the child's working hours (if the child has a recognisable cycle), or (if not) at the last five weeks immediately prior to this application. You should not include any day on which the child who would otherwise be working is on maternity leave or is absent from work because he/she is ill,
- 63.** You should include benefits, charitable and voluntary payments, and maintenance payments.
- 64.** You do not need to include attendance allowance, disability living allowance or mobility supplement.
- 65.** You should include any of the following:
- cash savings;
 - money in bank, building society or Post Office accounts;
 - National Savings Certificates and Premium Bonds;
 - stocks, shares and unit trusts.
- 66.** You should include details of any capital payable in instalments, including in particular the total amount of any outstanding instalment or instalments.
- 67.** For this purpose, a person lives with you if they share with you a room or rooms other than a bathroom, lavatory or communal area e.g. hall; but not if you pay separately for your accommodation to a landlord.
- 69.** If you have a partner and you are paid jointly, as a couple, enter the details in one or other column (it does not matter which) but not both.
- 70.** Gross pay should include bonus or commission, overtime, holiday pay, sick pay or maternity pay. Gross pay should also include a non-cash voucher which has been taken into account in calculating your earnings in accordance with regulation 18(22) to (25) of the Social Security (Contributions) Regulations 1979(a).
- 71.** "Occupational pension" means any pension or other periodical payment under an occupational pension scheme but does not include any discretionary payment out of a fund established for relieving hardship in particular cases.

Please include the amount of your pension whether it is paid to you or to another person. You do not have to include the amount of your pension, where all of it is paid to your trustee in bankruptcy or to someone else on behalf of your creditors provided that you and any member of your family do not have any income apart from that payment.

- 72.** "Personal pension scheme" has the same meaning as in section 191 of the Social Security Administration Act 1992 and, in the case of a self-employed earner, includes a scheme approved by the Board of Inland Revenue under Chapter IV of Part XIV of the Income and Corporation Taxes Act 1988.

"Personal pension" means a pension or other periodical payment under a personal pension scheme.

Please include the amount of your pension whether it is paid to you or to another person. You do not have to include the amount of your pension, where all of it is paid to your trustee in bankruptcy or to someone else on behalf of your creditors provided that you and any member of your family do not have any income apart from that payment.

- 73.** "Retirement annuity contract" means a contract or trust scheme approved under Chapter III of Part XIV of the Income and Corporation Taxes Act 1988.

"Retirement annuity" means a periodical payment under a retirement annuity contract.

- 73A.** Saving credit is an element of the social security benefit known as state pension credit payable under the State Pension Credit Act 2002.

- 74.** In calculating the number of hours worked per week, you should look at the last cycle of your working hours (if you have a recognisable cycle) or (if you have not) at the last five weeks, immediately prior to this application. You should not include any day on which the person who would otherwise be working is on maternity leave or is absent from work because he/she is ill. If you or your partner work at a school or college or in a job where there are school holidays or similar periods during which you do not or your partner does not work, you should disregard these periods-and any other periods during which you or your partner are not required to work-in calculating the average hours worked per week.

- 74A.** If you or your partner do not know whether you are entitled to receive the national minimum wage for any job, please

complete the rest of the form and then ask the Housing Department of the Council when you send in your application.

- 75.** Please supply copies of the latest accounts which give details of your self-employment. Please include details of any pension plan or retirement annuity payments, and income tax, national insurance contributions and net VAT paid. "Net VAT" means the excess of any value added tax paid by you in respect of taxable supplies made to you, over any such tax received by you in respect of taxable supplies made by you, calculated with reference to the previous 12 months.
- 76.** Give the net amount if your pension or retirement annuity is taxed.
- 77.** This means a pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria.
- 78.** Supplementary pensions are paid to servicemen's widows, for example: (i) where the widow is aged 40 or over; (ii) where she cannot support herself; or (iii) in respect of certain children of her late husband.
- 79.** Please mention any analogous pension received from a country outside Great Britain. You should also answer this question if you receive compensation for the non-payment of such a pension, whatever its source.
- 80.** This means a pension payable to a widow under the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 1983 insofar as that Order is made under the Naval and Marine Pay and Pensions Act 1865 or the Pensions and Yeomanry Pay Act 1884, or is made only under section 12(1) of the Social Security (Miscellaneous Provisions) Act 1977 and any power of Her Majesty to make pension provision for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown.

Please mention any analogous pension received from a country outside Great Britain. You should also answer this question if you receive compensation for the non-payment of such a pension, whatever its source.

- 81.** These payments are made to widows of persons killed before 31st March 1973 on service analogous to service in the armed forces of the Crown.
- 82.** Under this Scheme, pensions and allowances are paid to or in respect of civilians who were injured or killed in the 1939-45 War.
- 83.** You do not need to include any of the following:
- attendance allowance;
 - council tax benefit;
 - disability living allowance;
 - guardian's allowance;
 - housing benefit;
 - any jobseeker's allowance or income support (see questions **3.1** and **3.22**);
 - payments from the Macfarlane Trusts, the Eileen Trust or the Independent Living Funds;
 - payments from the Fund, i.e., money made available by the Secretary of State under a scheme set up on 24th April 1992 or, in Scotland, on 10th April 1992;
 - payments under the "business on own account" scheme, the "personal reader service" or the "fares to work" scheme;
 - social fund payments under Part VIII of the Social Security Contributions and Benefits Act 1992.
 - mandatory top-up payments made to you for participation in the Voluntary Sector Option of the New Deal or in the Environment Task Force Option of the New Deal where you are self-employed under the Employment Option of the New Deal, the Intensive Activity Period programme of the Intensive Activity Period for 50 plus made under section 2 of the Employment and Training Act 1973 or as assistance to support your self-employment.
 - discretionary payments for special needs made to you for participation in the Full-Time Education and Training Option of the New Deal made under section 2 of the Employment and Training Act 1973;**(c)**

Certain other benefits and allowances may also be disregarded in calculating your income, but for the purposes of completing this form you should only exclude those payments mentioned above. If you are in any doubt about whether a payment falls into one of these categories you should include it and provide full details of the nature of the payment so that the Council can decide whether or not it can be disregarded.

- 83A.** This means a payment made under the Community Care (Direct Payments) Act 1996 or under section 12B of the Social Work (Scotland) Act 1968. **(d)**
- 83B** Include also any payment in accordance with an award for working families' tax credit which was awarded with effect from a date falling before April 6th 2003. From that date, working families' tax credit is known as working tax credit.
- 84.** Earnings top-up means the allowance paid by the Secretary of State under the Earnings Top-up Scheme. The Scheme, which applies only in certain areas of Great Britain, is an extra-statutory scheme introduced by the Secretary of State for Social Security having effect on 8th October 1996.
- 84A.** This means any rehabilitation allowance paid to you under section 2 of the Employment and Training Act 1973.
- 84B** Include any payment in accordance with an award of family credit which was awarded with effect from a date falling before

5th October 1999. From 5th October 1999 family credit is to be known as working families' tax credit.

- 84C** Please give the details of any bereavement allowance which you have received in the last 12 months. A bereavement allowance is paid to a person aged over 55 years and under 60 who has been widowed on or after 9 April 2001. The allowance is paid under Section 39B of the Social Security Contributions and Benefits Act 1992.
- 84D** A widowed mother's allowance is paid under Section 37 of the Social Security Contributions and Benefits Act 1992 and a widowed parent's allowance is paid under Section 39A of that Act.
- 85.** You do not need to include any of the following:
- anything listed in note **83** or note **83A** ;
 - boarding-out or fostering payments made by a local authority, health authority or voluntary organisation and in the case of Northern Ireland, a health and social services board except as provided in the Children (Northern Ireland) Order 1995;
 - job start allowance;
 - "Part III" payments, i.e., payments made by a local authority under section 17 or 24 of the Children Act 1989 in respect of children and young people;
 - payments made to you as a holder of the Victoria Cross or George Cross.
 - educational maintenance allowance payable by virtue of regulations made under section 518 of the Education Act 1996**(b)** (payment of school expenses; grant of scholarships etc.) or any other sum in respect of a course of study attended by a child or young person payable by virtue of regulations made under section 518 of the Education Act 1996, section 49 of the Education (Scotland) Act 1980 **(c)** (power to assist persons to take advantage of educational facilities) or section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992**(d)** (provision of financial assistance to students).
 - a grant for school meals for dependent children, or for meals for dependent children aged 3 or 4, paid by virtue of regulations made under section 22 of the Teaching and Higher Education Act 1998**[a]**

Certain other payments may also be disregarded in calculating your income, but for the purposes of completing this form you should only exclude those payments mentioned above. If you are in any doubt about whether a payment falls into one of these categories you should include it and provide full details of the nature of the payment so that the Council can decide whether or not it should be disregarded.

85A. This means a Career Development Loan paid under section 2 of the Employment and Training Act 1973.

85B. Do not include any payments of income received by you for your participation in -

- the Employment Option of the New Deal;
- the Voluntary Sector Option of the New Deal;
- the Environment Task Force Option of the New Deal;
- the Full-Time Education and Training Option of the New Deal;
- an employment related course which does not last longer than 12 consecutive months and is of the standard

unless the following paragraph applies.

Where you are receiving or have received assistance for establishing or carrying out commercial activity under the Employment Option of the New Deal, you should mention any payments to enable you to pay expenses whilst carrying out that activity or to make repayments on a connected loan. Where you are attending an employment related course, you should also mention any payment received in respect of your special needs.

86. Do not include payments made to you by a health authority, local authority or voluntary organisation for children cared for by you in your household or for other persons for whom you provide accommodation and in this case also disregard any payments by these people.

86A. "Insurance payments" means any payments received under an insurance policy to enable payments to be made on:

- (a) a mortgage of your own home;
- (b) a consumer credit or consumer hire agreement regulated by the Consumer Credit Act 1974; or
- (c) a hire-purchase or conditional sale agreement as defined for the purposes of the Hire Purchase Act 1964.

The insurance payments will be disregarded to the extent that they do not exceed the amount necessary to enable the other payments mentioned above to be made. In the case of your mortgage, the amount to be disregarded will include any amount required to pay premiums on a buildings insurance policy required by the terms of the mortgage of your home.

86B. Please do not include a sports award except to the extent that it has been made to pay for your expenses, or those of your family, for food, ordinary clothing or footwear, household fuel or rent, or for any council tax or water charges for which you or another member of your family is liable.

You do not need to include any payments for vitamins, minerals or other special dietary supplements intended to enhance your performance in the sport for which the award was made.

You also do not need to include any payments made for school uniforms or clothing or footwear to be used solely for sporting activities.

86C. You should give the maximum student loan which you could have acquired, where you did not obtain a student loan or you did not obtain the maximum amount.

86D. You must include any payment from access funds intended to enable you as a student to meet ordinary living expenses- the cost of food, household fuel, rent, clothing, and footwear - water charges or the Council Tax. Access fund payments for these purposes are disregarded to the extent of £20 per week, but should be included in any case. You need not include any access fund payments that were for other purposes.

87. This means an allowance paid to you in respect of your participation in a recognised scheme of youth training established under the Employment and Training Act 1973.

88. The Council may ask you to provide evidence of all savings, investments and other capital.

89. If you have a partner and hold any savings, investments or other capital jointly, enter the details in one or other column (it does not matter which) but not both.

If you hold any capital jointly with people other than your partner, please include the full amount of that capital (where known) and state how many others have a share in it.

90. You do not need to include any of the following:

- insurance payments (see note **86A**)
- council tax benefit;
- housing benefit, or housing benefit transitional payments;
- "Part III" payments (see note **85**);
- payments from the Macfarlane Trusts, the Eileen Trust or the Independent Living Funds;
- payments from the Fund (see note **83**);
- payments under the "business on own account" scheme, the "personal reader service" or the "fares to work" scheme;
- "start-up" payments to homeworkers assisted under the Blind Homeworkers' Scheme;
- social fund payments under Part VIII of the Social Security Contributions and Benefits Act 1992;
- any payment made to you or your partner as holder of the Victoria Cross or George Cross; or
- any back to work bonus payable by way of a jobseeker's allowance or income support in accordance with section 26 of the Jobseekers Act 1995, or a corresponding payment under article 28 of the Jobseekers (Northern Ireland) Order 1995.
- concessionary coal or payments made in lieu under section 19(1)(a) of the Coal Industry Act 1994; **(e)**

Certain other kinds of savings and capital payments may also be disregarded in calculating your capital, but for the purposes of completing this form you should only exclude those payments mentioned above. If you are in any doubt about whether a payment falls into one of these categories you should include it and provide full details of the nature of the

90A. Do not include any payments of capital received by you for your participation in-

- the Employment Option of the New Deal;
- the Voluntary Sector Option of the New Deal;
- the Environment Task Force Option of the New Deal;
- the Full-Time Education and training Option of the New Deal;
- an employment related course which does not last longer than 12 consecutive months and is of the standard required

unless the following paragraph applies.

Where you are receiving or have received any assistance under the self-employed Option of the New Deal, you will need to mention any capital sum which you have acquired within the last year for the purpose of establishing or carrying on a commercial activity in respect of which assistance is or was received. Where you are attending an employment related course, you should also mention any payment received in respect of your special needs within the last year.

90B. Please do not include a sports award which you have received less than 26 weeks ago except to the extent that it has been made to pay for your expenses, or those of your family, for food, ordinary clothing or footwear, household fuel or rent, or for any council tax or water charges for which you or another member of your family is liable.

You do not need to include any payments for vitamins, minerals or other special dietary supplements intended to enhance your performance in the sport for which the award was made.

You also do not need to include any payments made for school uniforms or clothing or footwear to be used solely for sporting activities.

90C. Please do not include -

- any lump sum payment of subsistence allowance payable in respect of participation in an employment zone programme;
- any payment in connection with a scheme to reduce under-occupation, made under regulation 11 of the Social Security

90D. Where an ex-gratia payment of £10,000 has been made by the Secretary of State on or after 1 February 2001 in consequence of the imprisonment or internment by the Japanese in the Second World War of (a) you, (b) your partner, (c) a deceased spouse of yours, or (d) a deceased spouse of your partner, that sum will be disregarded as capital **[c]**

90E. A vCJD trust payment is a payment made, from trusts set up by the Department of Health, to those who contacted variant Creutzfeldt-Jakob Disease (vCJD) and their immediate **families**.

For the purpose of deciding whether someone is a member of your **family**, "**family**" means:

- (a) a married or unmarried couple
- (b) a married or unmarried couple and a member of the same household for whom one of them is or both are responsible and who is a child or a young person;
- (c) a person who is not a member of a married or unmarried couple and a member of the same household for whom that person is responsible and who is a child or young person.

A payment made to the victim of vCJD or the victim's **partner** or surviving **partner** is disregarded for that person's lifetime.

A payment made to the parent of a vCJD victim, regardless of the age of the victim, or to a person who is or was acting in the place of a parent of a dependent child victim, is disregarded for 2 years from the date the payment was made to them.

Payments made to dependent children or young persons are disregarded for the period from the date of payment until the day before they leave full time education or the day before their 19th birthday or for 2 years from the date of payment, whichever is the latest date.

90F The payments that are disregarded in the calculation of capital, are those payable to you or your partner to compensate you, your partner, your deceased spouse or your partner's deceased spouse for having been, during the Second World War, a slave labourer or forced labourer or the parent of a child who has died or for having suffered personal injury or loss of property during that War.

91. You should include second homes, holiday homes and any other property, including property abroad. Please mention separately any land for which you receive rent under an existing lease or sub-lease.

You do not need to include any of the following:

- your own home;
- the property which is the subject of this application.
- any property occupied by an elderly (i.e. aged 60 or over) or incapacitated relative of yours, or of a member of your family, as his/her only or main residence. "Relative" means any of the following: parents, parents-in-law, step-parents, sons, daughters, sons and daughters-in-law, stepsons and daughters, brothers and sisters, grandparents, grandchildren, uncles and aunts, nephews and nieces;
- if you are self-employed, the assets of your business:
- capital administered by the courts of England and Wales or Scotland for a person under 18, deriving from an award of damages for personal injury to that person or from compensation for the death of one or both parents.
- capital administered by the courts of England and Wales or Scotland for any person, deriving from an award of damages for personal injury to that person or, in the case of a person under the age of 18, from compensation for the death of one or both parents.

Certain other capital payments may also be disregarded in calculating your capital, but for the purposes of completing this form you should only exclude those payments mentioned above. If you are in any doubt about whether a property or other capital falls into one of these categories you should include it and provide full details so that the Council can decide whether or not it can be disregarded.

92. A contribution is a payment which you are treated as making towards the student's grant or student's loan, whether or not the payment is actually made to the student.

93. You should answer "No" to this question where the care is provided by you or your partner for a child named in question **3.15** and one partner charges the other for providing the care. You should answer "No" to this question where you are on maternity leave, paternity leave or adoption leave entitled to statutory maternity pay under Section 164 of the Social Security Contributions and Benefits Act 1992 or maternity allowance under Section 35 of that Act, and the childcare payments are only paid for the child to whom the maternity leave relates.

You should answer "No" to this question where child care expenses have been reimbursed in respect of your

participation in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations 1996 or in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations.

93A. A child is disabled for the purposes of questions 3.37, 3.37A and 3.38 if he is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered as blind in a register maintained by or on behalf of a regional or islands council; or who ceased to be registered as blind in such a register within the 28 weeks immediately preceding the date of claim. A child is also disabled for the purposes of these questions if he is paid disability living allowance, or he was paid disability living allowance until he became a patient.

94. The schools and other establishments referred to, which are exempted from registration under section 71 of the Children Act 1989 by paragraphs 3 and 4 of Schedule 9 to that Act, are:

- (a) by paragraph 3 of Schedule 9
- a school maintained or assisted by a local education authority;
 - a school under the management of an education authority;
 - a school in respect of which payments are made by the Secretary of State under section 100 of the Education Act 1944;
 - an independent school;
 - a grant-aided school;
 - a grant-maintained school;
 - a self-governing school;
 - a play centre maintained or assisted by a local education authority under section 53 of the Education Act 1944;

where the child concerned is looked after under day care arrangements made by the person carrying on the establishment as part of its activities or by his/her employee at the establishment authorised to make those arrangements as part of the establishment's activities; and

- (b) by paragraph 4 of that Schedule
- a registered children's home;
 - a voluntary home;
 - a community home;
 - a residential care home, nursing, home or mental nursing home required to be registered under the Registered Homes Act 1984;
 - a health service hospital;
 - a home provided, equipped and maintained by the Secretary of State;

where the child concerned is looked after under day care arrangements made by the department, authority or other person carrying on the establishment as part of its activities or by an employee at the establishment authorised to make those arrangements as part of the establishment's activities.

95. Answer "Yes" to this question if-

- (1) you are, or your partner is, aged less than 60 and one or more of the following conditions is satisfied -
- (a) you receive, or your partner receives, attendance allowance, disability living allowance, mobility supplement, long-term incapacity benefit or severe disablement allowance (but in the case of long-term incapacity benefit or severe disablement allowance only where it is paid in respect of the person receiving the benefit or allowance);
- (b) you have, or your partner has, ceased to receive long-term incapacity benefit (or, if paragraph (2) applies, you or your partner ceased to receive invalidity pension before 13th April 1995) because of payment of a retirement pension and, in the case of your partner, he/she is still a member of your family;
- (c) you were, or your partner was, in receipt of attendance allowance or disability living allowance but payment of benefit has been-
- (i) suspended under section 113(2) of the Social Security Contributions and Benefits Act 1992, or
 - (ii) otherwise abated because you are, or your partner is, receiving, free in-patient treatment within a hospital or similar institution (but not where you are, or he/she is, serving a sentence of imprisonment or of detention in a youth custody institution);
- (d) you are, or your partner is, provided with an invalid carriage or other vehicle or a grant for such a vehicle, under English and Welsh or Scottish legislation;
- (e) you are, or your partner is, a registered blind person or ceased to be so registered not more than 28 weeks ago;
- (f) (i) you are, or are treated as, incapable of work under Part XIII A of the Social Security Contributions and Benefits Act 1992; and you have been entitled to statutory sick pay or you have been, or been treated as, incapable of work for at least the last 364 days continuously or, if terminally ill, for at least the last 196 days continuously (include any period of incapacity falling before 13th April 1995 and satisfying condition (f)(ii) below; and disregard any break or breaks each of up to 56 days between periods of incapacity and, once you have completed the qualifying period, any period of employment training or of receipt of a training allowance); or
- (ii) immediately before 13th April 1995 you or your partner, in respect of a continuous period of not less than 28 weeks,

- provided evidence of incapacity in accordance with regulation 2 of the Social Security (Medical Evidence) Regulations 1976 (or comparable Northern Ireland legislation) as then in force in support of a claim for sickness benefit, invalidity pension or severe disablement allowance within the meaning of sections 31, 33 or 68 of the Social Security Contributions and Benefits Act 1992 (or comparable Northern Ireland legislation) as then in force, provided that an adjudication officer had not determined that you or, as the case may be, your partner was not incapable of work, or
- were in receipt of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 as then in force; and from 13th April 1995 you have or, as the case may be, your partner has continued to be incapable of work in accordance with Part XIIA of the Social Security Contributions and Benefits Act 1992 continuously (disregard any break or breaks each of up to 56 days between periods of incapability);

(2) you are, or your partner is, aged less than 80 but not less than 60 and one or more of conditions (a) to (f) in paragraph (1) is satisfied (but in the case of condition (f)(i), once you have completed the qualifying period, any period of employment training or of receipt of a training allowance may not be disregarded); or

(3) paragraph (1) or (2) would apply to your partner, but for your partner being treated as capable of work by a determination under section 171E of the Social Security Contributions and Benefits Act 1992; or

(4) you have been, or been treated as, incapable of work under Part XIIA of the Social Security Contributions and Benefits Act 1992 for a continuous period of at least 196 days (disregard any break or breaks each of up to 56 days between periods of incapacity); or

(5) one or more of the following (including Northern Ireland equivalents) is payable for you or your partner:

- (a) long-term incapacity benefit;
- (b) short-term incapacity benefit at the higher rate;
- (c) attendance allowance;
- (d) severe disablement allowance;
- (e) disability living allowance;
- (f) increase of disablement pension for constant attendance;
- (g) a pension increase under a war pension scheme or industrial injuries scheme for attendance, constant attendance, or which is analogous to disability living allowance; or

(6) one of (5)(b), (e), (f) or (g) was payable on account of your or your partner's incapacity but ceased to be payable as a result of you or he/she receiving free medical or other treatment as an in-patient in an NHS hospital or similar institution or under arrangements made by an NHS body or the Secretary of State (please note: a person serving a sentence of imprisonment or of detention in a youth custody institution does not count as an "in-patient"); or

(7) you or your partner are provided with an invalid carriage or other vehicle or receive an allowance for such a vehicle (including where the carriage, vehicle or allowance is provided under Northern Ireland legislation).

95A. It may help the Council to process the application more quickly if each person who receives income support or an income-based jobseeker's allowance completes the **authorisation** at the end of **Part 3**. Where a couple are receiving joint-claim jobseeker's allowance, both members of the couple may complete the **authorisation** at the end of **Part 3**. However, there is no obligation to do this.

96. The Council will normally ask for two estimates of the costs of works from different contractors; but they may require more or fewer than two estimates in any particular case. The estimates should be itemised. See also note **10**.

97. The particulars of any preliminary or ancillary services and charges are for the services and charges identified in question **1.16** (see note **12**). Please include estimates."

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe a form for applications for grants under Chapter I of Part I of the Housing Grants, Construction and Regeneration Act 1996 to which section 30 of that Act (means testing in case of application by owner-occupier or tenant) applies (save for landlord's applications for disabled facilities grant). The Regulations also prescribe particulars to be contained in such applications.

The Regulations reflect the means test rules for owner-occupiers and tenants contained in the Housing Renewal Grants Regulations 1996 (S.I. 1996/2890). In substance, the form prescribed in Schedule I is principally a consolidation both of Forms 1, 2 and 3 prescribed by the Housing Renovation etc. Grants (Prescribed Forms and Particulars) Regulations 1994 as amended. In appearance, the form differs from those previously prescribed, since a number of questions and notes have been omitted or amalgamated. There are also new questions and notes reflecting provisions specific to the 1996 Act and recent changes to housing benefit rules (the means test for owner-occupier's and tenant's applications for housing renewal grants being closely based on the means test for housing benefit).

By regulation 4, the Regulations do not apply to owner-occupiers' and tenants' applications for grant made before the Regulations came into force.

(c) 1973 c.50; section 2 was amended by section 25 of the Employment Act 1988 (c19).

(d) 1996 c.30; 1968 c.49; section 12B was inserted by the Community Care (Direct Payments) Act 1996 (c.30), section 4.

(e) 1994 c.21

[a] 1998c.30

[b] Social Security (Payments to Reduce Under-occupation) Regulations 2000, S.I.2000/637

[c] The Social Security Amendment (Capital Disregards) Regulations 2001, S.I. 2001/22