

Decant Policy

Introduction

We aim to maintain and improve our homes to a high standard and to develop high quality housing. Sometimes we may need to decant (move) customers to another property because we have to carry out repairs which cannot be completed with customers staying at the property. We may also need to decant in emergency situations such as fire or flood or because of redevelopment.

Policy statement

The purpose of this policy is to establish what is required when a customer needs to move, either temporarily or permanently, from their home and determines how Grand Union Housing Group will manage the decanting of customers.

Grand Union will ensure that when a customer is required to move from their home in order that works can proceed, procedures are in place to ensure that they are adequately consulted and compensated for the inconvenience, and assisted in all aspects of the move.

Objectives

- to ensure customers are consulted about decants
- to provide clear information and keep customers informed throughout the process
- to comply with the Land Compensation Act 1973 when making home loss and disturbance payments
- to enable us to progress the repair and works required at properties, either in a planned or emergency situation

Other related policies

Decant Procedure
Allocations Policy
Land Compensation Act 1973
Planning and Compensations Act 1991
Disability and Adaptations Assistance Policy
Strategic Asset Management Strategy
Compensation Procedure
Complaints Policy
Decorating Pack Procedure
Equality, Diversity and Customer Care Policy
Planned Maintenance and Improvements Policy

Policy details

Definition

“Decanting” – is a legal definition used to explain the process where customers need to move from their homes for repair work to be undertaken.

“Permanent Decant” - this is when customers are moved out of their property and there is no intention to return them to it.

“Temporary/Emergency Decant” - this is when customers are moved out of their property, to enable work on the property to be carried out, with the intention of returning them to the property at the earliest opportunity.

Grand Union does not consider it appropriate to use the decanting process to move customers permanently who may wish to transfer for reasons other than identified as those set out in this procedure.

Consultation

We will aim to consult with customers and their households as soon as it has been identified that a decant is necessary. Wherever possible, we will take into account the household’s circumstances when considering the appropriateness of alternative properties. However, when a serious issue is identified which needs urgent attention, the affected household may be required to move into any property of sufficient size available at that time.

Where we identify that a customer’s home needs to be vacated permanently, usually to facilitate the area’s regeneration, the household will be informed of the plans as soon as practicable, normally before any official plans are submitted to the local authority. The household’s opinions will be canvassed on the proposed development, and, wherever possible, the affected household will be given the opportunity to move back to a new property on the new development. In these cases, the household will be temporarily decanted whilst building works take place. Affected households will be offered as much support and guidance as is required, but where we have identified that permanent decants are necessary, despite the often upsetting nature of these circumstances, the household will be required to move as set out in the tenancy agreement.

Support

All decanted customers will be offered as much support as they need in moving to an alternative property. This can range from suggesting options for removal firms and carpet suppliers, to arranging every aspect of the move, including contacting energy suppliers, arranging for carpets and curtains to be fitted, and communicating with TV Licensing, Council Tax etc. The level of support will be determined through communication and agreement with the customer affected.

Legal obligations

Statutory Home Loss and Disturbance are two separate payments with different entitlement criteria. A displaced person may have entitlement to both Home Loss and Disturbance payments, although there can be instances where a customer may have entitlement to only one of the payments.

A Home Loss Payment is a fixed sum paid in recognition of the personal upset and distress caused to the customer by permanent displacement. It is for the trauma of losing the home. It is not a payment that is designed to pay for the actual

removing and relocation. Home loss payments are a legal requirement under the 1973 Land Compensation Act and the Planning & Compensation Act 1991, but only if a customer is required to move permanently from their home. To be eligible for this payment, the following must apply:

- the customer has been living in the property for one year before they have to be permanently decanted
- the customer has been living in the property as their main or only residence
- the customer is being required to move as a consequence of improvement or redevelopment (repairs, even if major, do not justify payment)

The amount payable is governed by The Home Loss Payments (Prescribed Amounts) (England). Any outstanding rent arrears or other debts owed to Grand Union will be deducted from the Home Loss Payment and credited to the customer's rent or sub account. Payment for Disturbance Allowance is governed by the Land Compensation Act 1973.

Compensation for disturbance is based on the principle of equivalence: the customer should receive reimbursement of costs incurred and payment for losses sustained as a result of moving from their property. The amount payable overall should result in the customer being neither worse nor better off.

The Decant Procedure provides guidance to staff on making disturbance payments to ensure customers are able to equip their new home to the same standard as their old one. Items which should be included are:

- cost of removals
- cost of altering soft furnishings, i.e. refitting carpets, altering curtains and blinds and refixing curtain rails
- cost of providing new curtains and carpets where those from the old home cannot be adapted to fit
- disconnection and reconnection costs for telephone, cooker, washing machine and other plumbing. (We will need to consider providing white goods, i.e. cooker/fridge/washing machine where customers move from housing where these are provided to properties where they are not)
- redirection of mail
- loss of wages where time off is unavoidable due to displacement
- cost of moving and re-erecting aerials and satellite dishes
- new school uniforms if children need to change school and associated costs
- storage of any belongings not able to be taken to the new home
- refitting alarms
- help towards the necessary costs of redecoration
- kennelling of pets

If the new property has a higher rent than the old property, then the higher rent will normally be charged i.e. target rent for that property. However, we may, at our discretion, charge a lower rent.

Budgeting

A total budget should be allocated and applied per household. This will be made up of the Home Loss Payment (where appropriate) and Disturbance Payments. It

assumes that budget provision is made for the items as listed in Appendix A of the Decant Procedure which conforms to the provisions in the Land Compensation Act 1973, where this figure is based on Land Tribunal decisions.

We will make a Disturbance Payment for both moves of a temporary decant, where the customer has been offered the right to return to their original property, or a new property within the same community, in the case of estate regeneration.

Action plan (if applicable)

N/A

Monitoring

This policy will be reviewed through policy review programme.

Person responsible for review:	Director of Customer Experience
Supported by:	Onboarding & Relocations Manager
Ratified by:	Leadership Team 23.3.21
Date policy reviewed:	February 2021
Date of next review:	February 2024