

DECANT POLICY

31 October 2020

Prepared by:	Jo Richardson
Date effective from:	31/10/2020
Policy approved by:	John Bowker
Review Date:	31/10/2023

EIA Required?	<input type="checkbox"/>
EIA Completed?	<input type="checkbox"/>
Revision number:	4
Lead officer:	Jane Allen

1 INTRODUCTION

- 1.1 The Decant Policy outlines when it may be necessary for Stockport Homes Limited (SHL) to facilitate a permanent or temporary move for a tenant(s) from their current property/garage to another property/garage.
- 1.2 A decant property will be arranged for several reasons, such as if a tenant(s) current property becomes uninhabitable due to a fire/flood or to enable essential repair works to be completed or other significant management reasons.

2 STRATEGIC LINKS

- 2.1 The Decant Policy links to:
 - Fire Damaged Properties Policy and Procedure.
 - Empty Property Management Procedure.
 - Allocations Policy.
 - Applying an Adjustment to a Rent Account Policy.
 - Rechargeable Repairs Policy.
 - SMBC & SHL Tenancy Agreements.
 - Land Compensation Act 1973.
 - Planning & Compensation Act 1991.
 - SHG Aims - provide comfortable, affordable homes and deliver thriving, safe and sustainable neighbourhoods.
- 2.2 The 'Regulatory Framework for Social Housing in England' sets out that Registered Providers shall 'offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock'. This policy ensures that tenants are offered suitable alternative accommodation where they are unable to remain in their property. The needs of the household will be considered alongside the availability of SHL's housing stock.

3 KEY FEATURES OF THE POLICY

- 3.1 SHL will support tenants who are to be temporarily or permanently decanted by working with them to identify a suitable decant property. A suitable decant property will be based on the tenant(s) family makeup and current location. Consideration for the need to maintain access to schools/work etc will also be made, however this may not always be possible.
- 3.2 SHL will provide support with the move by arranging removal of furniture and possessions, disconnection of white goods e.g. cooker, washing machine and removal/refit of carpets if this is necessary. This will also include the costs associated with return move.

- 3.3 Tenants who are being permanently decanted may be eligible for compensation, please see below regarding Home Loss payments and Disturbance Allowances.
- 3.4 **A temporary decant:** A tenant(s) may be required to move out of their current property for a period of time to enable major or urgent work to be carried out with the intention that the tenant returns to the property once the repair work has been completed and at the earliest opportunity. Instances constituting temporary decants include, but are not limited to:
- An emergency that has had a significant impact on the condition of the current property e.g. extensive fire or flood damage resulting in the property becoming uninhabitable;
 - Major repair works being carried out at the current property that would exacerbate the tenant's medical condition;
 - Major repair works to the current property e.g. asbestos removal; gas leaks; treating for dry rot/woodworm;
 - Extensive improvement works required at the current property which would leave the property uninhabitable. This does not include programmes of works such as kitchen, bathroom or heating upgrades unless the tenant's medical condition is likely to be affected.
- 3.5 **A permanent decant:** A tenant(s) is unable to remain in their current property but there is no intention that the tenant will be returned to their original property.
- 3.6 Instances constituting permanent decants include, but are not limited to:
- Demolition of a current property;
 - Conversion of a property to the extent that it no longer meets the criteria of its original purpose e.g. three bedroomed flats remodelled into one/two bedroomed flats.
- 3.7 Moving can be a stressful time and a tenant(s) may prefer to remain in a decanted property on a permanent basis rather than move back once repair work has been completed. This would be subject to approval from the Housing Management Lead.
- 3.8 There is no change for a tenant(s) who has been temporarily decanted regarding their rights and conditions under their tenancy agreement which will remain the same.
- 3.9 All tenants' individual and specific needs will be addressed on a case by case basis, for example those requiring adaptations due to a disability.

4 RE-IMBURSEMENT

- 4.1 In accordance with Section 29 of the Land Compensation Act 1973, all tenants (that meet the criteria as detailed above) who are to be permanently decanted and are not able to move back into the property, e.g. due to demolition are entitled to either a 'Home Loss' payment or a 'Disturbance Allowance' from SHL. All payments can be offset, wholly or partly, against any outstanding debts owed by the tenant to SHL e.g. rent arrears, rechargeable repairs, court costs etc.
- 4.2 Home Loss payments will be provided where applicable to tenants who have lived in the property for 12 months or more and are required to leave the property due to compulsory purchase orders or redevelopment by a housing organisation.
- 4.3 Home Loss payments will not be made if tenants have agreed to move voluntarily due to repair works
- 4.4 Disturbance Allowances can be provided to tenants who have not lived in the property for 12 months but are tenants at the time of the decision to decant. The amount of the disturbance allowance can vary and will be considered on a case by case basis.
- 4.5 Tenants will be compensated for the physical costs of relocation, including removal costs and transfer of services.

5 EQUALITY IMPACT ASSESSMENT (EIA)

- 5.1 An equality impact assessment (EIA) screening form has been carried out and a full EIA is not required.
- 5.2 Whilst the impact is low, Stockport Homes recognises the need to ensure that any specific needs of a customer will be identified and considered when applying the policy, specifically in relation to the identification of a property and facilitation of a move, as set out in the procedure.

6 OWNERSHIP, MONITORING & REVIEW

- 5.1 This policy is owned by the Operations Directorate. The policy will be monitored by the Operations Management Team and reviewed in line with the Policy Review Group and Operations Management Policy and Procedure Review schedule.