Consultation on the Draft Decant Policy – Supporting Information

1. Introduction/Background

1.1 The Council has a small number of tenants and licensees who are afforded security of tenure. This Policy has been drafted to set out how the Council will manage decant of these tenants or licensees in the event that major works or refurbishment works are required to the properties. The Council would be unable to decant tenants or licensees without having a policy in place.

2. Supporting Information

- 2.1 In summary, the Decant Policy provides:
 - (1) Information on how a decision to decant tenants or licensees will be made
 - (2) What would be deemed as suitable alternative accommodation
 - (3) How and when Notice would be served
 - (4) What rights the tenant or licensee would have to move back to the property once works are completed
 - (5) The circumstances in which statutory and discretionary payments may be made, including statutory Home Loss Payments and statutory Disturbance Payments
 - (6) The procedure that will be followed when decants are being made
 - (7) The appeals process.
- 2.2 A copy of the draft Decant Policy is attached at Appendix C.
- 3. Options for Consideration
- 3.1 N/A

4. Proposals

4.1 It is proposed that the draft Decant Policy be published for a 6-week consultation. The draft policy will be published on the Council's website for all members of the public to comment on. In addition, all residents currently accommodation to which the Decant Policy would apply will be contacted, in writing or by e-mail, asking them for thier views, as will all statutory and voluntary stakeholders who have an interest in, or work with households affected by the Decant Policy. Residents of Four Houses Corner will also be offered a face-to-face meeting with the Specialist Housing Officer.

5. Conclusion

E-mail Address:

5.1 It is recommended that the Executive approve the publication of the draft Decant Policy for consultation.

| Background Pap Landlord Comper | | |
|--|---|-------|
| Subject to Call-I Yes: No: | | |
| Delays in implem Delays in implem Considered or rev | entation could have serious financial implications for the Council entation could compromise the Council's position viewed by Overview and Scrutiny Management Commission or Groups within preceding six months by Decision | |
| Report is to note | - | |
| The proposals wi P&S - Pr The proposals co by ensuring that I redevelopment or | and Priorities Supported: Il help achieve the following Council Strategy aim: otect and support those who need it ontained in this report will help to achieve the above Council Strate household who are required to move in order to facilitate refurbish or major works are suitably compensated and that there is a proced deflective management of the decant process. | ment, |
| Officer details: Name: Job Title: Tel No: | Mel Brain Service Manager, Housing Strategy & Operations 01635 519403 | |

mel.brain@westberks.gov.uk

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, polices, functions and services, current and proposed have given due regard to equality and diversity.

Please complete the following questions to determine whether a Stage Two, Equality Impact Assessment is required.

| Name of policy, strategy or function: | Draft Decant Policy |
|---|---------------------|
| Version and release date of item (if applicable): | V1.0, June 2016 |
| Owner of item being assessed: | Mel Brain |
| Name of assessor: | Mel Brain |
| Date of assessment: | 28 June 2016 |

| Is this a: | | Is this: | | |
|------------|----------------|--------------------------------------|----------------|--|
| Policy | Yes/No | New or proposed | Yes/No | |
| Strategy | Yes/ <u>No</u> | Already exists and is being reviewed | Yes/ <u>No</u> | |
| Function | Yes/ <u>No</u> | Is changing | Yes/ <u>No</u> | |
| Service | Yes/ <u>No</u> | | | |

| 1. What are the main aims, objectives and intended outcomes of the policy, strategy function or service and who is likely to benefit from it? | | | | |
|---|--|--|--|--|
| Aims: | To set out a policy and procedure to manage decants in the event that tenants or licensees need to move to facilitate refurbishment, redevelopment or major works | | | |
| Objectives: | To ensure that decants are managed effectively and in a timely way so as to minimise delay to major projects. To ensure that the Council meets its statutory duties in relation to compensation. | | | |
| Outcomes: | To ensure that there is a clear and accountable procedure for managing decants. | | | |
| Benefits: | Minimise delay to major refurbishment, redevelopment or major works projects. To set out the payments that the Council will make to tenants or licensees in the event that they are decanted. | | | |

2. Note which groups may be affected by the policy, strategy, function or service. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.

(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)

| Group Affected | What might be the effect? | Information to support this |
|---|---|------------------------------|
| Age | This policy should have no impact on this strand. | Profile of tenants/licensees |
| Disability | This policy should have no impact on this strand. | Profile of tenants/licensees |
| Gender Reassignment, Marriage & Civil Partnership | This policy should have no impact on this strand. | Profile of tenants/licensees |
| Pregnancy and Maternity | This policy should have no impact on this strand. | Profile of tenants/licensees |
| Race, Religion or Belief | The tenants or licensees subject to the decant Policy includes residents of a Council-managed Gypsy & Traveller site. Particular consideration has been given to the cultural needs of this group, in terms of the support and assistance offered by the Council during a decant, whilst drafting the Policy. | Profile of tenants/licensees |
| Sex and sexual orientation | This policy should have no impact on this strand. | Profile of tenants/licensees |

Further Comments relating to the item:

In respect of Gypsy & Travellers who may be affected by the decant Policy, advice has been sought from relevant agencies and particular consideration given to the education needs of the children and to storage of touring vans.

| 3. Result | |
|---|----------------|
| Are there any aspects of the policy, strategy, function or service, including how it is delivered or accessed, that could contribute to inequality? | Yes/ <u>No</u> |
| Please provide an explanation for your answer: | |

Specific consideration has been given to any strands that may have been adversely impacted and the Policy has been dratted to mitigate any such inequality.

Will the policy, strategy, function or service have an adverse impact upon the lives of people, including employees and service users?

Yes/No

Please provide an explanation for your answer:

The Policy is designed to provide a transparent and accountable framework by which to make decisions about decants and to set out the procedures that will be followed...

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage 2 Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the Equality Impact Assessment guidance and Stage Two template.

| 4. Identify next steps as appropriate: | | |
|--|----|--|
| Stage Two required | | |
| Owner of Stage Two assessment: | | |
| Timescale for Stage Two assessment: | | |
| Stage Two not required: | No | |

Name: Mel Brain Date: 28 June 2016

Please now forward this completed form to Rachel Craggs, the Principal Policy Officer (Equality and Diversity) for publication on the WBC website.

Appendix C

Decant Policy

Contents

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1. Purpose

- 1.1 The purpose of this policy and procedure is to clarify what the Council will do when it is necessary for a tenant or licensee to move home due to major works or redevelopment of their current home. This process is known as 'decant'.
- 1.2 The Executive have approved the Decant Policy & Procedure.

2. Applicability

- 2.1 This policy and procedure applies to Council tenants, including licensees on Gypsy & Traveller sites managed by the Council, who need to move home so that major works or redevelopment can take place to their current home.
- 2.2 For clarity, this policy and procedure does **not** apply to homeless applicants who have been accommodated under a duty arising from Part VII, Housing Act 1996 (as amended) or to any other form of Council licensee.

3. Roles and Responsibilities

- 3.1 The Head of Care Commissioning, Housing & Safeguarding has overall responsibility for ensuring that decant decisions are managed appropriately in accordance with these agreed standards.
- 3.2 The Service Manager (Housing Strategy & Operations) is responsible for:
 - Directing and reviewing this standard.
 - Ensuring that there is effective consultation and communication to Housing and Housing Benefit staff about matters in relation to decant criteria and decisions.
 - Publishing & Promoting the adoption of this procedure to Housing Staff.
 - Ensuring compliance with published standards, procedures, working practices and technology changes in relation to housing services relevant to this procedure.
- 3.3 The Service Manager (Housing Strategy & Operations) is responsible for the dayto-day management of decant decisions, including ensuring implementation of this standard.
- 3.4 All Housing Service staff are responsible for familiarizing themselves with, and ensuring that they comply with this standard.

4. Decant Decisions

4.1 The decision to decant residents will be agreed by the Portfolio Holder via an Individual Decision. Once the decision has been taken, the residents will be decanted into suitable alternative accommodation. The decanting can take 2 forms:

- A Permanent Decant where the resident/s is/are moved out permanently into suitable accommodation. This is usually the case were the property/block is to be demolished or redeveloped.
- B Temporary decant where resident/s is/are moved out for a period of time, enabling their home to be improved or refurbished and then move back to their original home.

5. Suitable Alternative Accommodation

- 5.1 When residents are moving permanently, those under-occupying their current homes will be offered alternative suitable accommodation more appropriate to their needs. For example, a couple occupying a three-bedroom home will be offered a one-bedroom home.
- 5.2 Households with adult children living with them may be offered separate accommodation for the tenant/licensee and the adult child, in line with the Housing Allocations Policy.
- 5.3 In making an offer of suitable alternative accommodation, the Council will have regard to the resident's stated preferences but an offer will be deemed as suitable if it is reasonably suitable to the needs of the resident and his/her family as regards to proximity to work, schools, rental and size of accommodation.
- 5.4 As the Council does not hold stock of its own, it will work with other providers to make an offer of accommodation suitable to the needs of the household. The resident may be decanted to a social rent, affordable rent or privately rented property (in the case of temporary decants only). Where a temporary decant is made to private rented accommodation, the Council will have regard to the affordability of the offer but may also seek to offer a top-up payment, either via Discretionary Housing Payment or via another means.
- 5.5 It is the policy of the Council to make ONE offer of suitable alternative accommodation only. The Council may, at its discretion, extend the number of offers it makes, although this will only be in exceptional circumstances.
- 5.6 If a resident rejects an offer of suitable alternative accommodation, the Council may institute court proceedings to obtain possession of the property.
- 5.7 Where the duration of the refurbishment or major repairs is of short duration (up to 28 days), the use of hotel accommodation may be an acceptable alternative to securing an alternative property. Compensation payments will not be offered as the Council will pick up any costs involved (hotel, storage costs etc but excluding food costs).
- 5.8 Non-authorised occupants, including sub-tenants, lodgers and licensees (excluding lawful licensees of Council-managed Gypsy & Traveller sites) have no right to rehousing under this policy. They should approach the Council's Housing Options team for advice.

6. Right to Move Back

- Where the Council intends to redevelop or refurbish properties themselves or undertake major repairs, and to retain ongoing management, the resident will be offered the right to move back to the block/estate/site and will be given priority for allocations before any other housing applicants are considered.
- Residents do not have the right to move back to the exact home/plot from which they were decanted.
- 6.3 Where the Council intends to demolish then sell, or to simply sell, the site for redevelopment, it is not able to offer the right to move back. This will result in a permanent decant.

7. Notice to Move

- 7.1 The Council will seek to give six months notice to move prior to the anticipated commencement of work/demolition. It is expected that residents will be aware of proposals prior to the six month notice period and will have had a number of opportunities to provide their comments and input.
- 7.2 The decanting process will begin as soon as possible after residents have been notified formally of the Council's intention to decant. The aim is to achieve vacant possession of the premises within the six months notice period and to enable redevelopment/refurbishment to commence as soon as possible.
- 7.3 A notice, in the relevant or prescribed format, will be served upon residents as a matter of course and will serve as formal notification that the decanting process has commenced.

8. Tenancy Status on being rehoused

- 8.1 When residents move permanently to alternative suitable accommodation they will take on new tenancies dependent, upon the tenancy type offered (secure, assured or fixed), at the rent level for that property. This rent may be higher than their existing rent.
- 8.2 When residents move temporarily and are returning to their original homes after works, they retain their tenancies/licenses and continue to pay the same rent, unless the rent on the temporary accommodation is lower, in which case the lower figure is charged.

9. Compensation

- 9.1 **Home Loss Payment** this is a statutory fixed payment, under Sections 29-33 of the Land Compensation Act 1973, paid in recognition of personal upset and distress caused by displacement. It will only be paid for permanent moves, where the following criteria are met:
 - The resident has occupied the property as their sole or main residence for a period of one year prior to the date of displacement
 - The move is permanent.

- 9.2 Qualifying residents are entitled to a lump sum payment of £5,300 (subject to review) per household as a home loss payment. Claims will be processed as soon as the resident takes up occupation of their new home. Given the thresholds are subject to change annually by the Secretary of State, the levels of payment will be reviewed each time this policy is used.
- 9.3 In exceptional circumstances the Council may be able to make a partial advance payment.
- 9.4 Any rent arrears will be deducted from the home loss payment.
- 9.5 **Disturbance Payment** this is intended to compensate residents, under the Land Compensation Act 1973, for their actual expenses with moving, up to a maximum payment of £2000. It is applicable to both permanent and temporary decants.
- 9.6 The payment will be made after production of receipts and paid to the tenant. Where appropriate, consideration will be given for payments to be made directly to a company (e.g. for removal expenses). In such cases, two estimates will be required and the company will be paid following receipt of an invoice. The list of items that is considered reasonable under the Land Compensation Act 1973 is shown below:
 - Removal costs from the current home to the new home. For vulnerable residents this may include additional support, such as furniture packing and unpacking.
 - Redirection of mail for each authorised surname living at the address
 - Telephone and internet disconnection and reconnection
 - Disconnection of television aerials and satellite dishes connected to either an existing television or that allows the proper operation of television equipment. Reconnection only applies with the express approval of the landlord at the new address.
 - Washing machine, cooker, dishwasher and plumbed fridge disconnection and reconnections to be carried out by a suitably qualified tradesman
 - Curtain and carpet options: It is generally expected that relocating residents will refit existing carpets where possible and the costs of this will be covered by the Disturbance Payment. However, where this is not possible, the costs of new carpets to an equivalent standard will be covered through the Disturbance Payment. The existing carpet will be assessed and a quote obtained on this. Any additional rooms in the new home will be carpeted but the cost will be deducted through the Home Loss Payment if applicable.
 - Special locks and alarm refitting if these are currently fitted at the old property. They must be dismantled and refitted by a qualified locksmith or

recognised Alarm Company and all locks and alarms must meet the relevant British standard for security. Front door and window grilles would not be covered.

- Home improvements that have been notified and approved by the Council, less the cost of depreciation.
- Dismantling and re-fitting of fitted resident-owned furniture (such as kitchen units and wardrobes)
- Any extra cost of new school uniform if moved to a different area, which
 necessitates a change of school (supported by letters from the respective
 schools)
- Where the costs of adaptations in the home were previously met by the tenant, the Council will reimburse the tenant subject to relevant receipts being available
- Reimbursements for wage or salary loss on the day of removal, provided loss of earnings is certified by the employer, for up to 2 members of the household
- Other reasonable costs incurred by the tenant if approved in writing by the Council prior to the costs being incurred, for example, travel to viewings, replacement of sheds and outside furniture that cannot be dismantled.
- 9.7 Discretionary Payments the Housing Service may, at their discretion, offer to pay for storage for touring caravans for residents of Council-managed Gypsy & Traveller sites who are temporarily decanted: the resident will be responsible for ensuring they have appropriate insurance cover to limit any damage, theft or other losses arising from the storage and the payment will be made directly to the storage company. The Housing Service may also, at their discretion, pay for home-to-school transport in order to minimise disruption to the education of children who are temporarily decanted: the payment will be made direct to the travel provider. Such decisions will depend upon the length of the decant, availability of school places in schools close to the temporary address and any other key factors (for example, if a child is in GCSE year etc)
- 9.8 Tenants/Licensees facing permanent rehousing will be entitled to compensation comprising both a Home Loss Payment and a Disturbance Payment.
- 9.9 Tenants/Licensees facing temporary rehousing are entitled to compensation by way of a Disturbance Payment only and will not be entitled to Home Loss Payment. Payments relating to storage and home-to-school transport will be considered on a case-by-case basis.
- 9.10 All compensation payments will require a written claim form from residents (and in the case of Disturbance Payments, production of original and company signed receipts) and will be paid upon them moving into suitable alternative accommodation.

10 Decant Procedure

- 10.1 A decision on the redevelopment/refurbishment/major works proposal will be taken by Individual Decision or at Executive: this should include the implications off decant requirements.
- 10.2 Once a decision has been made, the Housing Management Officer (HMO) will visit each affected resident to explain the proposal and the decant policy. During the visit the appropriate notice will be served with a covering letter. A Decant Form (Appendix One) will be completed. The form provides residents with an opportunity to provide details on the size and type of suitable alternative accommodation they require and to raise any relevant medical or social factors as part of their stated preference. Where it is not possible to complete the form as part of the visit, it will be left with the resident to complete and return within 14 days. If the form is not returned, the Housing Service will make decisions on suitable alternative accommodation based on facts known about the household.
- 10.3 Upon return to the office, the Decant Form will be passed to the Housing Register Team who will set up a CHR application if one does not already exist. In addition, consideration will be given to social and welfare needs point and whether an application should be made for discretionary housing needs points. The CHR Team will start to find suitable alternative accommodation for the residents, placing bids on their behalf where required.
- 10.4 Upon an offer being made and accepted, the HMO will complete a Decant Agreement (Appendix Two) with the resident and assist them with the relevant arrangements to move at the earliest possible date.
- 10.5 Upon completion of the move, the HMO will assist the resident to complete the Home Loss and Disturbance Payment Record Sheet, along with any associated invoices or receipts. The HMO will pass the completed Record Sheet to the Housing Options Team Leader or Service Manager, Housing Strategy & Operations for approval. Once approved, the HMO will complete an AP Form to arrange payment to the resident.
- 10.4 The aim will be to decant all residents within 6 months of the decision date, or sooner if possible. The aim is to commence works as soon as is possible.
- 10.5 If a tenant refuses to move or refuses an offer of suitable alternative accommodation, the HMO will institute court proceedings to gain possession. This should start as soon as the refusal is instigated to reduce delay and disruption to the proposed works.

11 Appeals

11.1 There is no requirement for the Council to have an appeals process, however, the Council has decided that an appeal process should be put in place in the event that a resident is dissatisfied with the outcome of a decision made under the decant policy. This will ensure that residents have the opportunity to present any additional information that they think we have overlooked in the original decision.

- 11.2 Applicants will be notified of their right to request a review of these decisions. Anyone wishing to do so must advise the Authority in writing within 21 days of the decision date, giving their reasons for doing so.
- 11.3 As evidence is taken in written form it is very important that, when making the request for a review, the applicant, or someone acting on their behalf:
 - Brings to the Council's attention any new information, not already on file, that they wish to have considered
 - Addresses the reasons for the decision in their case set out in the decision letter
 - Explains why they think the decision is wrong.
- 11.4 If no written representations are received the matter will be decided on the facts already known.
- 11.5 A Manager who has not been involved in the original decision, will carry out the review and respond to the applicant.
- 11.6 The Council will determine the review within eight weeks (56 days). If there is a delay with the review decision the applicant will be advised in writing of the reason for the delay and a revised timescale.
- 11.7 A copy of the Manager's decision, and the reasons for it, will be sent to the applicant as soon as possible after the decision is made.
- 11.7 If the applicant disagrees with the review decision, they can seek judicial review.

12 Equal Opportunities

12.1 An Equalities Impact Assessment, specific to the area of regeneration, will need to be completed when using the Decant Policy.

Appendix One

Decant Form

Please fill in this form carefully and clearly. When completed, please return it to the Housing Management officer in the pre-paid envelope provided. You can also contact the Housing Management Officer if you need help to complete the form.

| YOU AND YOUR | HOUSEHOL | _D | | | |
|--------------------|----------|--------------|----------------------------|----------------------------|--|
| Your Title: | Mr 🗌 | Mrs 🗌 | Miss 🗌 | Ms 🗌 | |
| Other (please spe | ecify): | | | | |
| Surname: | | | First Name | e(s): | |
| Date of Birth: | | | Age: | | |
| Employment Status: | | | National Insurance Number: | | |
| Current Address: | | | | | |
| | | | Postcode: | | |
| Telephone: Home | :: | | Mobile: | | |
| Other: | | | | | |
| WHO WILL LIVE | | | even if they are | e not living with you now: | |

| Surname | First Name | Date of Birth | Age | Sex | Relationship to You | Occupation |
|---------|------------|------------------|-----|-----|---------------------|------------|
| | | | | M/F | | |
| | | | | M/F | | |
| | | | | M/F | | |
| | | | | M/F | | |
| | | | | M/F | | |
| | | | | M/F | | |
| | | | | M/F | | |
| | | | | M/F | | |
| | | | | M/F | | |

West Berkshire Council Executive 28 July 2016

Consultation on the Draft Decant Policy - Supporting Information

MEDICAL OR PHYSICAL NEEDS

answer all of the questions below: Does anyone in your household have a disability? Yes / No Is anyone in your household registered disabled? Yes / No Does anyone in your household have any physical Yes / No difficulties relevant to your housing situation? Does anyone in your household need ground floor or Yes / No another specific kind of accommodation? Is there anyone in your home who requires wheelchair Yes / No adapted accommodation? If you answered yes to any of these questions, please give details below: PETS Dos any member of your household have any pets? Yes / No If yes, please give details below: Please note that you may not be able to take your pets with you into your temporary accommodation.. The Council can arrange kennelling etc if necessary. YOUR CURRENT HOME: How long have you lived at your current address? Years: Months: Ground / 1 / 2 / 3 / 4 What floor is it on? Bedsit / 1 / 2 / 3 / 4 / 5 Number of bedrooms: Is it a caravan? Yes / No If yes, is it rented? Yes / No If rented, please provide details of the landlord:

Do you, or any members of your household, have a medical or physical problem? Please

West Berkshire Council Executive 28 July 2016

| WHERE WOULD YOU L Please answer all of the | | |
|---|---|----------------------------|
| How many bedrooms do | you need? | Bedsit / 1 / 2 / 3 / 4 / 5 |
| Would you like to live in o | older persons accommodation? | Yes / No |
| Do you need wheelchair | adapted accommodation? | Yes / No |
| Can you cope with a long | flight of stairs? | Yes / No |
| If you have children, whe | re do they go to school? | |
| | | |
| Do you have any other ea | ssential requirements? | |
| | | |
| Is there anywhere in the | West Berkshire district that you de | o not wish to live? |
| | | |
| | TION ation you would like to add? For e you have family living there or you | |
| | | |
| | | |
| Name: | Signature: | Date: |
| | | |

Consultation on the Draft Decant Policy - Supporting Information

EQUAL OPPORTUNITIES

We monitor the ethnic origin, age, sex and disability of housing applicants to ensure that we deal fairly with all applicants, regardless of background. The information you provide will be in confidence and will give no advantage or disadvantage. You may refuse to answer if you wish.

| I do not wish to ans | wer | | | | | |
|---|----------------------------|----------|-----------------------------|-------------|----------------------|---------|
| White: British | Irish | | Other [| | | |
| Mixed: White and Black Ca White and Asian | ribbea | _ | and Blad mixed | ck African | | |
| Asian or Asian Britis Indian □ | sh: Pakist | tani 🗌 | E | Bangladeshi | | Other 🗌 |
| Black or Black Britis Caribbean | sh: Africa | n 🗌 | Other [| | | |
| Chinese or Other Et Chinese □ | thnic G Other | ' | | | | |
| Gypsy/Traveller (ple Romany ☐ Scottish ☐ | ease tid Welsh Gypsy | ı 🔲 | ly): English Travelle | er 🗌 | Irish ☐ New Age ☐ | |
| Religion: | | | | | | |
| I do not wish to ans | wer | | None [| | | |
| Buddhist Jewish | Christ Sikh | ian 🗌 | Hindu [Other [| | Muslim 🗌 | |
| Sexual Orientation: | | | | | | |
| I do not wish to ans | wer | | | | | |
| Heterosexual | | Bisexual | H | lomosexual | | |
| I do not wish to ans | wer | Bisexual | H | lomosexual | | |

Consultation on the Draft Decant Policy - Supporting Information

DECLARATION

Even if someone else has completed this form on your behalf, you should sign the declaration if you can.

Please read the declaration carefully before you sign and date it.

I hereby declare the information given on this form is correct and complete to the best of my knowledge.

I understand that under Section 214 of the Housing Act 1996 it is an offence to knowingly or recklessly make a statement which is false and/or withhold information in order to obtain assistance with housing.

It is also an offence if you do not notify the Council of any material changes in your circumstances as soon as possible.

I am aware that if I give information that is incorrect or incomplete the Council may take action against me. This may include court action and anyone guilty of such an offence is liable, upon conviction, to a fine of up to £5,000.

| Signed: | Date: | | |
|---------|-------|--|--|
| | | | |
| | | | |
| Signed: | Date: | | |

Appendix Two

Temporary Decant Agreement

| Tenant / Licensee Name: |
|---|
| Temporary Address: |
| This agreement is to confirm the offer of temporary accommodation whilst West Berkshire Council carry out works on your home at: |
| Permanent Address |
| Your tenancy/license will remain at your Permanent Address and your liability for rent and service charge will remain unchanged at £per week. Housing Benefit entitlement will continue at the permanent address. |
| You must return to your Permanent address when you are notified that the work has been completed to the satisfaction of the West Berkshire Council |
| West Berkshire Council will have the right to take legal action to enforce this agreement under Ground 8 of Schedule 2 of the 1985 Housing Act: |
| Ground 8 "The Dwelling-house was made available for occupation by the tenant (or a predecessor in title of his) while works were carried out on the dwelling-house which he occupied as his only or principle home and — a) The tenant (or predecessor) was a secure tenant of the other dwelling-house at the time when he |
| ceased to occupy it as his home, b) The tenant (or predecessor) accepted the tenancy of the dwelling-house of which possession is sought on the understanding that he would give up occupation when, on completion of the work, the other dwelling-house was again available for occupation by him under a secure tenancy and C) The works have been completed and the other dwelling-house is so available |
| I acknowledge that this is an offer of temporary accommodation and confirm that I will move back to my permanent address at |
| when works have been completed. |
| Agreement has been reached with the Housing Management Officer in respect of financial and physical assistance to enable the decant to proceed. |
| Signed:Dated: |
| Tenant/Licensee Name: |
| Signed:Dated: |
| WBC Housing Management Officer |

Appendix Three

Home Loss and Disturbance Payment Record Sheet

| Tenant/Licensee Name: | | | | | | |
|--|---------------------|----------------------|--------------|------------------------------|--|--|
| Address (Current): | ····· | | | | | |
| Address (Former): | | | | | | |
| Tenancy/Licensee Date: | | | | <u>.</u> | | |
| DISTURBANCE PAYMENT | | | | | | |
| Item | Amount Claimed £ | Receipts Attached | Approved | If not approved, reason why? | | |
| Electricity reconnection | | Yes / No | | | | |
| Telephone reconnection | | Yes / No | | | | |
| Gas reconnection | | Yes / No | | | | |
| Cooker reconnection | | Yes / No | | | | |
| Washing machine reconnection | | Yes / No | | | | |
| Dishwasher reconnection | | Yes / No | | | | |
| Removals | | Yes / No | | | | |
| TV Aerial Transfer | | Yes / No | | | | |
| Relaying/replacement carpets/curtains | | Yes / No | | | | |
| Redirection of mail | | Yes / No | | | | |
| Other (please specify) | | Yes / No | | | | |
| Other (please specify) | | Yes / No | | | | |
| Other (please specify) | | Yes / No | | | | |
| Total Claimed | | | | | | |
| Total Eligible | | | | | | |
| Home Loss Payment | | | | | | |
| Total Payable | | | Date Paid: | | | |
| Tenant/Licensee Signature: | | | Date: | | | |
| Housing Management Signature | : | | | | | |
| Manager Signature: | | | | | | |
| | | | | | | |