

Brentwood Borough Council

Meanwhile Offer

Version 4 - September 2021

Introduction

The following document sets out in general terms the approach that will be taken by Brentwood Borough Council (the Council) to the management and maintenance of properties and buildings impacted by regeneration.

Each regeneration will have different issues to resolve, and the Council will work with residents to identify and put measures in place to address these issues. This document sets out the general approach with specific meanwhile offers being written as and when required.

The Council is mindful of its responsibilities under the Public Sector Equality Duty and the general duties within Housing legislation to consult with residents. The Meanwhile Offer will be implemented in this context.

The general approach to implementing meanwhile offers will be agreed with the Environment, Enforcement and Housing (EEH) Committee.

The Council has established a working format for 'Meanwhile Offers' with residents from their experience at Brookfield Close and this will form the basis for the approach to be implemented at future sites. This is sometimes referred to as a landlord offer or regeneration offer. The Council will use the term regeneration offer for consistency in the future.

The Director of Housing and Community Safety in consultation with the Chair of Environment, Enforcement and Housing Committee will be asked to approve the meanwhile offer for specific sites.

Aims of the Meanwhile Offer

The aim of this document is to set out in broad terms the Council's approach to managing the regeneration of its housing stock and specifically.

- The general approach to regenerating an area.
- How the impact of the regeneration will be managed.
- How tenants will be rehoused.
- How the Council will work with leaseholders.
- How the properties in the regeneration area will be maintained before and during the regeneration phase.

A Consistent Approach to regeneration

Where an area is to be regenerated the Council intends to adopt a consistent approach in achieving the completion of the regeneration, including:

- The Council will consult with residents, consider their interests, and address the concerns raised.
- Current homeowners will be entitled to the market value of their home should they wish to take the option to sell their home to the Council.
- Current tenants will be entitled to be rehoused in a new home of appropriate size considering the number of people in the household.
- Existing Council tenants will keep their current rights and the same tenancy agreement conditions, including rent levels, at the new property.

- Where possible, we will endeavor to build properties that will be more energy efficient, easier and cheaper to heat than existing properties
- The Council will aim to keep disruption to a minimum and will do what it can to ensure residents only move once if it is necessary to house them temporarily while their new home is being built.
- The Council will offer extra help and support to vulnerable people, older people and/or disabled residents throughout the regeneration works.
- The Council will continue to repair the homes of residents throughout the planning process until regeneration starts, including ensuring an effective responsive repairs service.
- Where an area is due to be regenerated, the Council may decide to stop the allocation of homes to secure tenants and may use the properties for temporary accommodation or let them through a property guardian company.
- Any growth in the number of homes will be in accordance with the Council's Development Plan, so that it is considered responsible and suitable for the area.

Managing the Impact of Regeneration

Different phases of construction will mean that some households will lose their existing home before a new home is available. When this happens tenants will have the opportunity to move to another home in the Borough, either temporarily or permanently.

This will help the Council 'obtain vacant possession of '(or take back) parts of the estate as they are needed for regeneration, as well as manage the decant process. The Council will ensure people are given notice to vacate their old property in line with our legal duties.

The Council will ensure that secure tenants are offered suitable alternative accommodation that meets their need. Where secure tenants refuse suitable offers of alternative accommodation and rehousing by negotiation or voluntary agreement is not possible, the Council will seek possession through the use of appropriate means. Means may include the use of powers under the Housing Act 1985 to secure possession on the grounds of the Council's intention to redevelop the estate or the use of Compulsory Purchase Order (CPO).

The Council is committed to doing all that it reasonably can to support households to move on a voluntary basis by mutual agreement. Support will be provided to tenants to move through the rehousing process with as little disruption as possible and this process will begin with all those affected being assessed through a housing needs survey.

Where homes are being managed before and during the regeneration of an area, there is a need for the Council to maintain these homes to a suitable standard. In some cases, there will need to be decisions taken on the property standard and the level of investment required. It may be the case that investment in the homes that are to be regenerated is paused whilst consultation takes place with residents and decisions are made by the Council. This is to prevent the Council investing money in homes that are due to be regenerated.

Rehousing Options for Tenants

The following table sets out the potential rehousing options for secure tenants.

Options	Detail
Move straight into a newly built home	<p>When new homes are built the Council will aim, where possible, for new homes to be completed before the need for the tenant to move out of their old property.</p> <p>If you are asked to move, a secure tenant will retain the same terms and conditions.</p>

Options	Detail
Move into another property before the regeneration begins	<p>Where the Council asks for a resident to move, their application may be given additional priority to bid for other homes in the Borough through the Council's Choice Based Letting (CBL) scheme. This may be with the Council or another registered provider. Alternatively, the Council may consider a direct let to tenants for a specific property.</p> <p>The higher priority means the tenant will have a stronger chance of being offered the property as a permanent rehousing offer. This offer might be attractive if there is a particular estate, family member, friend, workplace or school the secure tenant wants to live closer to.</p>
Move into a sheltered housing scheme	<p>Secure tenants who qualify for sheltered housing may choose to be rehoused in one of the sheltered housing schemes in the Borough.</p>
Become a homeowner through a shared ownership scheme	<p>Secure tenants will receive priority for the new homes being built for shared ownership by the Council.</p> <p>As a secure tenant you will need to make your own financial arrangements to ensure you can afford to enter into any such an arrangement.</p>
Move into temporary accommodation before returning to a home in the regenerated area	<p>As a secure tenant you may be asked to move into temporary housing whilst regeneration takes place, but with the option to return to a new home in the regenerated area.</p> <p>If it is not possible to complete the new-build homes before a secure tenant moves out of their old property, the Council will temporarily re-house the secure tenant until construction of the new home is complete.</p>

Allocation of New or Temporary Accommodation

In accordance with the Housing Allocations Policy, the size of alternative accommodation offered will depend upon the household's housing needs and the number and ages of the individuals who are deemed to be authorised occupants at the time of the move.

Consideration may be given to tenants who are currently under-occupying their homes as to whether an offer of one bedroom over their assessed housing need could be made. However, this will only normally be considered if, for example, a resident is in poor health and needs a bedroom for a full-time carer in line with the allocations policy. Furthermore, any request will be assessed by the Council's Medical advisor in line with the guidance set out in the Housing Allocations Policy.

Applicants requiring wheelchair/mobility homes will be assessed in line with the Housing Allocations Policy and property allocated as appropriate, in accordance with the household's needs and an Occupational Therapist assessment.

The Council will provide information required to bid for properties and the date the application will be activated with decant priority. The Council will also confirm an estimated time period that a secure tenant can expect to wait until returning to the newly regenerated area, if exercising the option to return.

The Council will support tenants through the process with information on request to answer any questions about the assessment and decant process. Where needed the Council will bid on behalf of vulnerable residents to ensure that their needs are addressed.

Where needed a time limited period will be given for residents to self-bid before the Council auto bids on their behalf.

The Council will also consider direct letting of specific properties to tenants in accordance with their housing needs and requirements.

This will ensure that unnecessary delays to the regeneration can be avoided, and the needs of the resident are met.

Decants

Where tenants need to be decanted, the Council will implement its Decant Policy.

The decant programme will move households either on a temporary basis, whilst new homes are being built (a temporary decant), or directly from their current secure tenancy to a new home (a permanent decant).

Information will be developed to support the decanting programme, including:

- The Local Lettings Plan (LLP) - that covers the allocation of the new homes in the regenerated area
- The decant strategy - this is a plan that will identify the priority of rehousing some tenants and some blocks or properties for decanting.
- A communications plan explaining how the Council will keep those affected informed.

Rehousing Options for Leaseholders

The following table sets out the rehousing options for leaseholders.

Options	Detail
Move into a sheltered housing scheme	Leaseholders who qualify for sheltered housing may choose to be rehoused in one of the sheltered housing schemes in the Borough, if they meet the eligibility for the housing register.
Become a homeowner through a shared ownership scheme	Leaseholders will receive priority for the new homes being built for shared ownership by the Council. As a leaseholder you will need to make your own financial arrangements to ensure you can afford to enter into any such arrangement.
Buy back of a property from a leaseholder	In those areas affected by regeneration, the Council will purchase from the leaseholder in Council owned blocks (i.e. where the Council is the freeholder) the privately owned properties in the blocks affected. The valuation of the property will be agreed in line with a property valuation provided by a third party.

Financial Payments

Financial payments to secure tenants will be made in line with the Council's decant policy and these are referred to as Home Loss and Disturbance payments. The Council will discuss the payments that are available with households at the appropriate time.

Financial payments will be made in line with the valuation achieved at that time to purchase a leaseholder's property.

Support available to Vulnerable Tenants

Tenants will be supported through the decanting process and will be asked to work closely with officers to ensure the application, rehousing process and subsequent moves go as smoothly as possible with minimal disruption for tenants.

Council Officers will support households who have been identified as vulnerable people, older people and/or disabled people, working with support professionals and housing staff where appropriate.

Additional practical support can be undertaken by the Council where required which can include, the organisation of removals, arranging the disconnect and reconnection of white goods and utilities.

Maintenance of the Buildings Before and During Regeneration

The Council will continue to repair and maintain occupied buildings to ensure that they are safe and comply with health and safety standards before and during the regeneration phase. This includes the repairs for secure tenants and within the communal areas of buildings.

In some cases, the Council may consider the use of Property Guardians for properties in a regeneration area where the cost of maintaining the Council's lettable standard does not represent value for money.

Use as Temporary Accommodation

Where there is a plan to regenerate an area, the Council will decide the point in time that any vacant properties are no longer to be let to secure tenants. This is to avoid letting a property to a household on a permanent basis only to then involve them in the regeneration phase.

In this situation, the Council may decide to use the properties that become available for temporary accommodation. Where this is the case, the homes will meet the Council's lettable standard and help to support the response to homelessness or the regeneration of other areas by providing accommodation.

Property Guardians

Where a property is left vacant due to regeneration and where the Council has decided that it is not suitable to be let to tenants due to the cost of meeting the Council's lettable standard, the Council will consider the use of property guardians.

There is no statutory or official definition of a property guardian, however a property guardian is someone who has entered into an agreement to live in a building or part of a building that would otherwise be empty for the primary purpose of securing and safeguarding the property. This is a property let by a property guardian company at a rate that is significantly less than the current rent charged.

The Council will identify a suitable property guardian company through a procurement process, this ensures that safeguards are in place for the people who live in the properties. In addition, regular checks will be made on the safety requirements of the properties (e.g., gas and electric checks).

This arrangement will provide the Council with an income from the properties, without the need to invest funding into achieving the lettable standard where the property will be regenerated.

The properties will meet the required standards for health and safety (e.g., gas and electricity checks) but may not meet the decent homes standard (e.g., for the age of the kitchen or bathroom).

The Council will work with a property guardian company that finds residents ("property guardians"). The Council will have no legal relationship to the property guardians who live there temporarily and will not be responsible for the rehousing of this group when this arrangement comes to an end (i.e., at the start of the regeneration).