

Committee(s): Enforcement, Environment and Housing	Date: 20 September 2021
Subject: Decant Policy	Wards Affected: All
Report of: Tracey Lilley - Corporate Director (Housing and Community Safety)	Public
Report Author/s: Name: Angela Abbott, Corporate Manager (Housing Needs and Delivery) Telephone: 01277 312500 E-mail: angela.abbott@brentwood.gov.uk	For Decision

Summary

This report presents the Decant Policy to the Committee for approval.

The policy provides a clear framework for when decants will be used and ensures that the Council adheres to the relevant legislation for making home loss and disturbance payments to residents.

Recommendation(s)

Members are asked to:

R1. To approve the Decant Policy in Appendix A.

Main Report

Introduction and Background

1. The Decant policy sets out how the Council's housing service will meet its obligations to tenants in the event of a decant being required where the Council is responsible for this.
2. A number of decant situations are outlined in the policy along with the solutions the Council will implement.
3. The policy also confirms that home loss and disturbance payments will be made in line with the relevant legislation. The rate of payment is determined by Central Government and is reviewed on a regular basis.

4. The policy also outlines how the Council will approach leaseholders where a decant is required.

Reasons for Recommendation

5. To ensure that the Housing Department has a policy covering the way that decants (both planned and unplanned) are managed and how tenants and leaseholders will be treated.

Consultation

6. Consultation has taken place with the Tenant Talkback group and their feedback on providing clarity in the policy's wording has been included.

References to Corporate Plan

7. Drive continuous improvement of our housing services
8. Continue a service improvement programme to ensure our services are delivered efficiently.

Implications

Financial Implications

Name/Title: Jacqueline Van Mellaerts, Corporate Director (Finance & Resources)

Tel/Email: 01277 312500/jacqueline.vanmellaerts@brentwood.gov.uk

The report suggests that for temporary decants there is the option to pay discretionary amounts to tenants for inconvenience caused. These will be decided on an individual basis and a maximum amount has not been disclosed.

Permanent decants that attract Home Loss payments are currently paid at minimum £6,500 maximum £65,000. That is due to increase on 1st October 2021 to £7,100 minimum and £71,000. Disturbance payments are a separate payment and include such costs as removals. With regards to privately owned properties repurchased as part of a regeneration scheme, conditions may exist which would result in an increased payment being due. This should be confirmed if applicable. Alongside the purchase price and Home Loss/Disturbance Payments there will be additional legal costs to the council. Council Tax and levy (if empty for more than one year) payments for an empty property are still applicable until the property is removed by the Valuations Agency and as owner of the property Brentwood Borough Council's Housing Revenue Account is responsible. Utility connection costs will apply and meters need removal as soon as possible. Site security costs are a further consideration.

Legal Implications

Name & Title: Amanda Julian, Corporate Director (Law & Governance) and Monitoring Officer

Tel & Email: 01277 312500 / amanda.julian@brentwood.gov.uk

The Council by adopting this policy will mitigate the risk of challenge that we are not following statutory provisions.

Economic Implications

Name/Title: Phil Drane, Corporate Director (Planning & Economy)

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There are no direct economic implications. It is important that the Council manages and maintains its housing stock for the benefit of residents. Provision of good homes can bring an indirect benefit to the local economy.

Background Papers

There are no background papers to this report.

Appendices to this report

Appendix A: Decant Policy