

## **Decant Plan for tenants living at 1 – 27 Shalfleet Drive (odds)**

### **1.0 Purpose**

- 1.1 The purpose of this Decant Plan is to provide the details for decanting of tenants living at 1 – 27 Shalfleet Drive (odds) on the Silchester Estate. This plan provides the site specific details which are not included in the Royal Borough of Kensington and Chelsea’s borough-wide Decant Policy.
- 1.2 This plan has been prepared to assist with the decanting of the tenants of 1 – 27 Shalfleet Drive (odds) and to set out clearly the site specific details for the decant process in addition to or in replacement of details set out in the Royal Borough of Kensington and Chelsea’s Decant Policy. This plan must be used in conjunction with the Royal Borough of Kensington and Chelsea’s Decant Policy, which details clearly how decant proceedings will be managed to meet the needs of the affected residents and the Council when regenerating a site.
- 1.3 The plan is set out into the following topics and the details contain replace those set out in the Decant Policy for the purposes of decanting affected tenants from 1 – 27 Shalfleet Drive (odds):
- Needs assessment for decanting tenants and residents
  - Re-housing eligible tenants and residents
  - Financial implications
  - Support and assistance into new properties

### **2.0 Needs assessments**

- 2.1 As set out in the Royal Borough of Kensington and Chelsea’s Decant Policy, a housing needs survey will be completed to identify who will be eligible for assistance.
- 2.2 Below are details which are specific to the decanting of 1 – 27 Shalfleet Drive (odds). Details of the relevant sections of the Decant Policy and Allocations Policy are provided for ease of reference.

<b>Needs survey</b> <i>(section 5.8 – 5.9 of the Decant Policy)</i>	A full Housing Needs Survey of the affected regeneration site will be completed to understand the specific requirements of the proposed regeneration and to ensure a suitable decant programme is followed. It will be updated every 9 months, to ensure it is up to date and reflects the needs of those living on the affected site.
<b>Hidden Households</b>	‘Hidden households’ are separate households which exist within a known household, for example an adult child of the tenant who lives at the tenant’s property with their own

<p><i>(section 5.19 – 5.21 of the Decant Policy)</i></p>	<p>spouse or partner, and child/ children.</p> <p>Any hidden households identified through the Housing Needs Survey may be offered the opportunity to move into a separate property which will meet their housing needs.</p> <p>The size of property allocated to an identified hidden household will be decided through the current Allocations Policy.</p>
<p><b>Non-dependent adults</b></p> <p><i>(section 5.16 – 5.18 of the Decant Policy)</i></p>	<p>There is a duty to re-house non-dependent adults, which include the adult children of households, if they fall within the eligibility criteria detailed in the section 5.4 of the Decant Policy.</p> <p>Non-dependent adults will be offered the option, which they can choose to take, to move into a separate property which meets their housing need.</p> <p>Non-dependent adults must leave the property before the tenant to avoid the necessity of legal action to remove them later in the process.</p>
<p><b>Expectant mothers</b></p> <p><i>(section 5.15 of the Decant Policy)</i></p>	<p>Expectant mothers who at time of their move live in a one bedroom property may be given a two bedroom property (subject to proof of pregnancy and an Estimated Delivery Date).</p>

### **3.0 Re-housing**

- 3.1 The Decant Policy provides full details regarding re-housing of eligible tenants and if necessary gaining possession of a property.
- 3.2 Details specific to the decanting at 1 – 27 Shalfleet Drive (odds) are set out below:

<p><b>Bidding window</b></p> <p><i>(section 5.25 - 5.27 of the Decant Policy)</i></p>	<p>Qualifying households will be given a ‘bidding window’ of 12 months in which they can bid for suitable alternative accommodation through the Council’s choice-based lettings scheme. Affected tenants will be notified by the number of points awarded to each household and the start date of the bidding window by a letter in early 2012.</p> <p>Support and assistance with the bidding and letting</p>
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	<p>processes will be available and this will include assisted choice into lettings where the affected tenant agrees.</p> <p>Once the bidding window has closed, suitable accommodation will be offered directly to the affected households.</p> <p>After the refusal of a direct offer, possession proceedings will be followed to ensure vacant possession of the property within a timely fashion to permit the regeneration scheme to proceed.</p>
<p><b>Local Lettings Plan</b></p> <p><i>(section 5.29 of the Decant Policy)</i></p>	<p>A Local Lettings Plan for the Silchester Estate has been developed to compliment this Decant Plan and to ensure that decanted households have the opportunity to remain in their community.</p>
<p><b>Right to return</b></p> <p><i>(section 7.9 of the Decant Policy)</i></p>	<p>The Council has agreed that seven one bed units will be available on the estate for the purposes of decanting existing tenants. This will allow seven tenants, requiring one bedroom units, to have one permanent move. In the event that there are more than seven tenants who wish to remain on the estate, or that those tenants who require a property larger than one bedroom wish to remain on the estate the Council will seek to negotiate a right of return for those tenants. This will take place on a case by case basis and cannot be guaranteed.</p>
<p><b>Appeals process</b></p> <p><i>(section 5.38 of the Decant Policy)</i></p>	<p>Tenants can appeal against the size of property allocated to them. This will follow the procedure laid out in the Allocations Policy.</p> <p>A request for a review should normally be made in writing, within five working days of a tenant being notified of their points level or the decision..</p>

#### **4.0 Financial implications**

4.1 The financial implications of moving due to regeneration are set out in the Decant Policy sections 5.41 – 5.51.

#### **4.2 Home Loss Payments**

4.2.1 The Royal Borough of Kensington and Chelsea Decant Policy details the eligibility and amounts for Home Loss Payments in sections 5.42 – 5.45.

### 4.3 **Disturbance Payments**

4.3.1 Disturbance Payments are also set out in the Decant Policy in sections 5.46 – 5.50 . However, for affected tenants on 1 – 27 Shalfleet Drive (odds), the following items will be covered by Disturbance Payments:

- Removal costs from the current home to the new home, which will be paid directly to the Council's approved removal firm, or where the tenant obtains two estimates which have been approved by the Council prior to the move. For vulnerable residents, this will 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, including additional lines.
- Disconnection of any television aerials connected either to an existing television or that allows the proper operation of television equipment. Reconnection will only apply with the express approval of the landlord at the new address. New homes may have television aerials and systems installed as part of the specification.
- Washing machine, cooker, dishwasher and plumbed fridge disconnection and reconnections to be carried out by suitably qualified operatives.
- It is generally expected that relocating residents will refit existing carpets or laminate flooring wherever possible, and the costs of this will be covered by the Disturbance Payment. However, where this is not possible, the cost of new carpets or laminate flooring to an equivalent standard of existing carpets or existing laminate flooring will be covered through the Disturbance Payment. The existing carpet or laminate flooring will be assessed and a quote obtained based on this. Any additional rooms in the new home may be carpeted at the request of the tenant, but the cost will be deducted from the Home Loss Payment. Where the tenant is moving into a new property where there is carpeting provided by the landlord, no compensation in respect of existing carpets will be paid.
- The cost of refitting special locks and alarm can be covered if these are currently fitted at the tenants' existing property and the tenant has obtained written permission from their new landlord. Locks and alarms 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 by Disturbance Payments.

- Home improvements that have been notified and approved by the Council or the TMO, less the cost of depreciation.
- Dismantling and re-fitting of fitted resident owned furniture (such as kitchen units and wardrobes) where these have been notified to and approved of by the Council or the TMO and written permission from the new landlord has been obtained.
- Any extra costs 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 old home were previously met by the tenant, and the new landlord is not prepared to replicate these adaptations, the Council will reimburse the tenant subject to relevant receipts being available.
- Reimbursements for wage or salary loss on the day of the removal, provided loss of earnings is certified by the employer, for up to 2 members of the households.
- Other reasonable costs incurred by the tenant if approved in writing by the Council prior to the cost being incurred, for example travel to viewings, compensation for the loss of sheds and outside furniture which cannot be dismantled, etc.

#### **4.4 Payment Procedures**

- 4.4.1 Removals, disconnection and reconnection of services will be arranged by the Council using our contractor. This will be managed by the Housing Opportunities Team, who will liaise with tenants to arrange the move.
- 4.4.2 Where a tenant wants to use their own contractors, two estimate quotes must be obtained. These will then be assessed by the Housing Opportunities Team and a contractor chosen. On receipt of an invoice, the Housing Opportunities will arrange for payment direct to the tenant. Itemised claims for Disturbance Payments can be submitted, as detailed in the Land Compensation Act 1973.
- 4.4.3 Disturbance Payments will cover costs incurred due to the need to move. Payments will be made within 3 months of receiving receipt or confirmation of loss (for example loss of wage certification letter from an employer). Payments will be made within 3 months of receiving the claim once the property has been taken. Claims must be made to the Housing Opportunities Team.

4.4.4 Rent arrears will be offset against Home Loss payments. Arrears will be monitored during the bidding window and tenants made aware of this during the bidding window.

4.4.5 Advance payments for part of the total Home Loss Payment may be available and this will be dealt with on a case by case basis.

## **5.0 Support and assistance with moving**

5.1 Practical help to those who have to be decanted is set out in sections 7.10 – 7.11 of the Decant Policy. For affected tenants and residents of 1 – 27 Shalfleet Drive (odds), support and assistance will be offered in the following ways:

### *General advice*

- General advice will be given, in conjunction with the Council's housing advice services, on:
  - Benefits entitlement;
  - Completing forms and legal paperwork.
- Housing options. Where an individual tenant wishes to obtain more detailed advice about tenancy rights the Council will provide the facility for an individual interview with an Independent Tenants' Advisor;

### *Assistance to view the property offered to them*

- Applicants may be offered the opportunity of assistance on an accompanied viewing of any property that they are offered.

### *Housing Benefit claims*

- If a tenant is in receipt of housing benefit, the Council will consider whether it can pay housing benefit on two homes at once, if there is a period of overlap in the moving process.

### *Clearance of unwanted items*

- Assistance might be offered to help clear unwanted items from the properties, but the cost would be deducted from the Home Loss Payments.

### *Support for vulnerable residents*

- If an eligible resident is an older person, or identified as being particularly vulnerable, for example due to physical, sensory or mental health impairment, and likely to have difficulty with the move, then extra support will be offered. This may include packing and help on the day of the move, assistance to understand the bidding process and help with viewings.

### *Adaptations to properties*

- The need for adaptations will be dealt with on a case by case basis.