



# Decant Policy

Last reviewed November 2018

# Policy for decanting tenants

This policy is managed and adhered to by the housing service. This policy will be reviewed on a regular basis to ensure alignment with government legislation.

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## 1.1 Introduction

Dacorum Borough Council's (DBC's) housing service recognises that there will be occasions where we must ask tenants to move from their home on a temporary basis so that improvements or major repair work can take place. This is known as 'decanting'. A decant is always a temporary move and tenants will return to their home once works are complete.

If a tenant decides that they would prefer to move on a permanent basis, they should apply to the [Housing Register](#) for a transfer.

## 1.2 Aims of the policy:

The aim of this policy is to:

- Clarify the approach taken by DBC housing service when it comes to decanting tenants;
- Ensure that disruption to tenants' lives is kept to a minimum; and
- Ensure the delivery of a responsive and supportive service.

## 1.3 Links to the council's corporate aims:

This policy supports the council's corporate priorities which are set out in ['Delivering for Dacorum' – Corporate Plan 2020 - 2025](#)

- A clean, safe and enjoyable environment
- Providing good quality affordable homes, in particular for those most in need

## 1.4 Equality and Diversity

The Council is committed to promoting equality of opportunity in housing services and has procedures in place to ensure that all Applicants and Tenants are treated fairly and without unlawful discrimination.

## 1.5 Policy statement(s):

We will aim to cause as little disturbance as possible to tenants who are required to decant under this policy (see 2.1).

We can offer assistance to tenants who are required to move under the Decant Policy (see 2.2).

We will offer support payments to tenants who move from their existing property under the Decant Policy (see 2.2).

Under a decant, tenants will maintain their tenancy in their original property and will be given a licence for the property they move into temporarily (see 2.3).

Tenants will be expected to maintain rent payments on their original property (see 2.3).

If a leaseholder is required to decant, they are not covered by this policy in terms of property allocation, support payments or assistance (see 2.4).

*"The Council is required to respond to any local or national restrictions imposed by central government. The administration of this and other Council policies could, therefore, be impacted by a pandemic or other emergency for the period that such restrictions are in operation."*

## 2.0 Decant policy detail

### 2.1) Minimising disturbance

Where possible, we will aim to carry out necessary works around tenants, while they remain in their property, with the minimum of disruption. If work cannot be carried out while the tenant remains in their property, we will aim to make the decant period as short as possible. In deciding whether a tenant can remain in the property during works the following will be considered:

- The health and safety of those living in or visiting the property;
- Proposed timescales for and extent of works; and
- Any potential security issues.

If required to move, we will aim for all tenants to be offered a suitable property for their needs. We will ensure that accommodation is provided with similar adaptations where an individual has particular needs and their existing home has been specially adapted. Tenants who live in properties larger than their housing needs require may be decanted into a smaller property that is deemed suitable for them in line with our Housing Allocations policy.

If an emergency decant is required (i.e. in the case of fire or flood) we may need to place tenants in temporary accommodation and therefore this may not be of the same suitability as their decanted property.

In some cases it may be decided that a tenant needs to move on a permanent basis, for example if:

- The property needs to be demolished or disposed of in line with the housing disposal policy; or
- The property size is to be altered and this will render it no longer suitable to the tenant's housing needs.

In cases such as this, tenants will be moved in line with our disposals policy.

### 2.2 Assistance and discretionary payments

We will offer assistance to tenants when it comes to moving from one property to another. The housing service will:

- Arrange for the removal and storage of personal items; and
- Arrange to disconnect and re-connect the tenant's cooker.

We will offer a payment of £400 to tenants who are required to decant from their existing home. This payment should be used to offset any costs to the tenants resulting from the move, i.e. additional travel costs, loss of earnings and redirection of mail etc.

Where tenants are not required to move and works can be done whilst they continue to live in the property, they will not be entitled to a discretionary payment. Any payments made to the tenant will, in the first instance, be used to cover any outstanding debt owed to the housing service prior to being paid to the tenant.

Where a tenant may be considered vulnerable by the Housing Officer, the housing service may provide additional services to support the vulnerable tenant.

If the Council's Medical Advisers state that the tenant or a member of their household is unable to remain in the property whilst works are being carried out, the housing service will encourage them to stay with relatives where possible.

### 2.3 Tenancies, rent payments and Council Tax

Existing tenancy types will be maintained throughout the decant process. If a tenant is required to move under a decant, then they will be given a licence for their temporary home, which will require no payment. Instead, rental payments on their original home will need to be maintained.

Tenants will be expected to pay the appropriate Council Tax for the property they have been moved to. Council Tax will not need to be paid for the property they have been decanted or moved from (as long as this property is considered to be empty).

### 2.4 Right to Buy and Leaseholders

If required to decant, any outstanding Right to Buy applications will remain valid. However, the property may be subject to a revaluation, depending on the extent and type of works carried out during the decant process.

If a leaseholder is required to decant, we will not offer them an alternative property, assistance with moving or discretionary payments. They will be advised to make their own arrangements and claim any alternative housing costs via their insurance.

## 3.0

### Links to other corporate strategies and policies

This policy links to and should be read in conjunction with the following policies, strategies and other documents:

- Housing Strategy
- Housing Allocations Policy
- Housing Disposals Policy
- Tenancy Agreement

## 4.0

### Legislation

The legislation and policies listed below will be taken into consideration when implementing this policy:

- Housing Act 1985
- Land Compensation Act 1973
- Planning & Compensation Act 1991
- Home Loss Payments (Prescribed Amounts) (England) Regulations 2008
- Human Rights Act 1998
- Data Protection Act 1998
- Equality Act 2010