

DECANT POLICY AND OPERATING PROCEDURE

Contents

	<u>Page No.</u>
1.0 Introduction	3
2.0 Policy Purpose	3
3.0 Eligibility	4
4.0 Communication and Consultation	5
5.0 Housing Needs Assessment	6
6.0 Rehousing Principles	7
7.0 Rehousing Options	12
8.0 Home-loss and Disturbance Compensation Payments	12
9.0 Disputes and appeals	13
10.0 Equality and Diversity Statement	13
11.0 Links to Strategies, Policies and Associated Documents	14
12.0 List of Appendices	15
Appendix 1 Rehousing Options available to tenants and owner occupiers and when they apply	
Appendix 2 Guidance on statutory Home-loss and disturbance payments	
Appendix 3 Items commonly permitted in disturbance payments / items included in disturbance payments	
Appendix 4 Process for purchasing private homes	
Appendix 5 Possession Orders and Compulsory purchase orders	
Appendix 6 The Allocation of SWT new build homes in regeneration schemes to existing tenants and owner occupiers (To be revised-outstanding)	
Appendix 7 Equality Impact Assessment	

Decant Policy and Operational Procedure

1.0 Introduction

- 1.1 Decanting is a term used to explain the process where households need to move from their homes because either their landlord or an authority with compulsory purchase powers has redevelopment plans for their home. Decanting is also used when the Council as landlord need to refurbish or carry out emergency repairs which cannot be done safely when the property is in occupation.
- 1.2 This policy sets out the Council's approach for SWT tenants who are asked to leave their home by the Council;
- 1.2.1 On a permanent basis in order for neighbourhood regeneration to take place
- 1.2.2 On a temporary basis in order for the Council to carry out substantial works to the property and where it has been agreed by the Council that the property would be unfit for occupation during works
- 1.3 This policy also applies to owner occupiers and private landlords whose homes are being purchased by SWT in order to progress neighbourhood regeneration.

2.0 Policy Purpose

- 2.1 The Council acknowledges that moving home is a stressful experience, especially where households may feel their options are limited. This policy seeks to ensure that all decants are carried out appropriately and efficiently with the minimum stress and difficulty to the tenant. The policy also seeks to maximise the accommodation options available to tenants when they are asked to decant on a permanent basis.
- 2.2 The aims of this policy for households decanting both temporarily and permanently are:-
- To provide choice to customers;
 - To ensure decants operate in a fair, equitable and reasonable manner;
 - To deliver simple but effective consultation and feedback with decanting households at the earliest opportunity and throughout the process;

- To enable decants to be carried out in a way which minimises the disturbance to households;
- To establish a basis for making offers of support, both financial and practical, to households obliged to decant;
- To enable the Council to make best use of stock through timely access for refurbishment work or where a decision has been made for demolition; and
- That the best use is made of the Council's resources.

3.0 Eligibility

3.1 This policy relates to SWT households where the Council has agreed to rehouse:

3.1.1 On a permanent basis in order for neighbourhood regeneration to take place;

3.1.2 On a temporary basis in order for the Council to carry out substantial works to the property and where it has been agreed by the Council that the property would be unfit for overnight occupation during works.

3.2 This policy also applies to owner occupiers whose homes are being purchased voluntarily or by compulsory purchase by SWT in order to progress neighbourhood regeneration.

3.3 Tenants will be eligible for rehousing if the property being decommissioned is occupied as their only or principal home at the time of the Full Council's decision to take forward the regeneration project/scheme and they are still residing at the property as their principal home at the time of rehousing. Any concerns about whether or not a tenant is living at a property as their only or principal home will be verified by relevant investigations.

3.4 Tenants are not eligible for assistance under this policy and will not be rehoused if the Council obtains an outright possession order against the tenant which has been issued by a court, for a breach of their tenancy (for example, antisocial behaviour) or the tenant is found guilty of tenancy related fraud, unless the Council has determined there are exceptional circumstances. This does not apply to orders granted by the court which are suspended on certain terms (for example rent arrears with a payment plan or antisocial behaviour order with conditions of behaviour or adjourned possession proceedings).

3.5 Emergency Decants

- 3.6 Where a tenant has been temporarily decanted in the event of an emergency situation rather than a programme of works Council officers will help the tenant liaise with their family and friends or assist with making the necessary rehousing arrangements.
- 3.7 If the tenants do not have their own insurance, they may be rehoused in temporary accommodation by the Council, as is deemed to be appropriate.
- 3.8 Where a tenant is being temporarily decanted in the event of an emergency situation it will be initially on a short term temporary basis. Once the customer has been provided with temporary emergency accommodation a decant plan will be quickly developed taking account of relevant circumstances including customer needs, the extent of the damage and anticipated repair timescales for resolution.
- 3.8 If the decant plan establishes that the property can be made good the tenant will be treated as a temporary decant under this policy including their ability to qualify for a disturbance payment.

4.0 Communication and Consultation

- 4.1 Any major refurbishment project or regeneration scheme requires tenants, home owners, officers and Councillors to work together.
- 4.2 The Council will ensure affected residents have the details of how to contact the Council in relation to proposals and works.
- 4.3 The Council has a duty to consult and actively engage with all Council tenanted households. Initial consultation with tenants must be at a time when proposals are at an early stage and the level of active engagement can vary. The Council has a legal obligation under Section 105 of the Housing Act 1985 to consult with its tenants when they are substantially affected by a matter of housing management. The Council must consider the views tenants provide before making any decisions on those proposals.
- 4.4 In general, consultation and communication with home owners will happen alongside that carried out with the Council's tenants.
- 4.5 Information concerning a refurbishment or regeneration scheme will be available to all households at an early stage and further detailed information will be shared

as soon as available. This information will include details of the works or scheme, timescales and if appropriate phases.

4.6 Formal consultation will be carried out in accordance with current legislation, and tenants will be given a minimum of 28 days in which to respond. These time periods are in addition to any formal periods of notice which have to be given. During this consultation period, all households will be visited or contacted by an officer of the Council and will receive advice and information on:

- What the regeneration/refurbishment of the area is about and why it is being undertaken;
- When it will be done;
- The decanting policy and process;
- What re-housing options there are and how to apply or progress your preferred rehousing option;
- What the Council will do to help households prepare for decanting; and
- Named contact details of officers.

4.7 The Council will carry out an Equality Impact Assessment in relation to each regeneration scheme and the use of this policy. Action will be taken to mitigate the impact of any negative outcomes identified.

4.9 The consultation process outlined does not apply to residents being decanted in an emergency situation where health and safety of residents is the priority.

5.0 Housing Needs Assessment

5.1 Once a formal decision has been made by a meeting of Full Council to proceed with a programme of investment requiring the decanting of tenants a full housing needs assessment of all the households with a SWT tenancy will be completed.

5.2 As part of the housing needs assessment information will be collected in order to understand the housing needs of customers affected by the proposals.

5.3 Every household within the scheme will be visited by an officer of the Council where their preferences, expectations and options will be discussed. This visit will include an assessment of support needs.

- 5.4 Information provided by tenants as part of the assessment may be shared in accordance with current data protection law and practice with Homefinder Somerset to ensure accounts are updated and reflect a household's current needs.
- 5.5 Each household will receive a copy of their housing needs assessment upon completion, if required. Customers are required to inform the Council of any changes to their household until they are decanted.
- 5.6 The Council may also consider information held in the Homefinder Somerset system and the Council's housing management data base.
- 5.7 Officers will proactively review housing needs assessments of residents awaiting decant. Assessments will be reviewed every 12 months but no longer than every 18 months between reviews.

6.0 **Rehousing principles**

- 6.1 The Council will seek to apply the following principles when tenants and owner occupiers are subject to decanting;
- 6.1.1 To support households to move home, on a voluntary basis by mutual agreement, with as little disruption as possible
- 6.1.2 To help households select the right rehousing option for them which will result in either their permanent or temporary rehousing.
- 6.1.3 To help households remain in their locality if they wish with an opportunity of a new build property where regeneration is taking place, subject to the properties being of the appropriate size and type.
- 6.1.4 To help households being asked to move from their home temporarily to return to their home after works are completed where this is desired by the tenant
- 6.2 The Council will listen to tenants to understand how their ongoing housing needs can be met and will use its reasonable endeavours to match them up to suitable alternative accommodation. However, where Council tenants refuse three formal offers of suitable alternative accommodation, either temporary or on a permanent basis and in circumstances where rehousing by mutual agreement has not been possible, the Council will exercise its legal right to seek possession.

- 6.3 If a tenant is already in a temporary home and refuses three suitable offers of a new home the Council may consider the tenant's temporary home suitable as a permanent home.
- 6.4 Where a tenant is identified as vulnerable due to physical, sensory or mental health impairment and likely to have difficulty with a move, they will be provided with extra support during the decant process. This may include assistance with packing, help on the day of the move as well as additional support to understand the bidding process and help with property viewings.
- 6.5 In a small number of situations a household can request to be split and be offered two separate tenancies as a result. A split of household request will be reviewed by the Council and if granted, will be at the discretion of the Council, This request will only be considered if it does not result in a net loss of bed spaces for the Council.
- 6.6 Following approval of a scheme for redevelopment, regeneration or other substantial works to properties, tenants moving via Homefinder Somerset to another SWT property will, where appropriate having regard to their housing needs assessment, be entitled to a like for like property offer. Tenants will be eligible for this regardless if their existing property is in a live phase or not. Where a like for like property is not possible due to lack of suitable alternative accommodation and expenditure or where health needs would benefit from a different housing offer discussions will take place with the household to find a housing solution compatible with their housing need.
- 6.7 A like for like property is:
- 6.7.1 A property with the same number of bedrooms
 - 6.7.2 A property of the same type, wherever possible for example house, flat or bungalow
 - 6.7.3 A property with a similar rent .
 - 6.7.4 A property with the same tenancy rights
- 6.8 A like for like property does not take into consideration the property footprint, components, internal or external features or fittings.
- 6.9 Tenants who have aids and adaptations in their homes will have their needs met in their new home in accordance with the Council's disabled facilities obligations.

The Council will work with an occupational health professional to ensure needs are assessed correctly and works are specified to meet the recommendations.

- 6.10 Providing replacement sheds and fencing will be considered on an individual basis and the Council will consider the current provision and quality of a shed and/or fencing and the suitability of the new property which the tenant is moving into when making their decision.
- 6.11 The Council may consider additional aspects such as gates, patio, specific matters relating to animals and pets, where the tenant;
- 6.11.1 Has funded their own improvements,
 - 6.11.2 Has previously gained permission from the Council for the work or pets (where permission for pets is required). Approvals assume the tenant retain responsibility for the approved item
- 6.12 A like for like rent may sometimes mean a different rent amount for the same size property as social rents are based on a calculation which takes into consideration the property value.
- 6.13 Tenants re-housed under this policy will retain their Secure Tenancy Agreement rights existing Council tenants who opt to move to another housing landlord's property will be subject to that landlord's rents, service charges, tenancy terms and conditions. Rights gained under secure tenancy arrangements cannot be transferred to non-Council owned properties.
- 6.14 Tenants will have the right to downsize and benefit from any incentive under the Council's downsizing policy. For some households a smaller property will be easier to maintain, afford and may suit their health needs better.
- 6.15 Tenants and owner occupiers will have the right to home-loss and disturbance payment as set out in this policy
- 6.16 There are two types of payments that tenants and home owners will be entitled to under this policy:
- 6.16.1 Home-loss payments; and
 - 6.16.2 Disturbance compensation payments.

- 6.17 The Council may also choose to use discretionary payments where the benefit of the payment outweighs the potential costs of legal action. Discretionary payments are not an entitlement of tenants or home owners.
- 6.18 The level of home-loss payment is set by the Government in accordance with the Planning and Compensation Act (1991), the Land Compensation Act (1973) and Home-loss Payments (Prescribed Amounts) (England) Regulations (2015). The level is reviewed annually. As from 1st October 2021 it is;
- 6.18.1 £7,100 for local authority tenanted properties; and
- 6.18.2 10% of the purchase price for owner occupiers with the minimum sum of £7,100 and the maximum sum of £71,000. Therefore an owner's property purchased for £150,000 would benefit from £15,000 home-loss payment in addition to the sale price.
- 6.18.3 Private landlords will receive a non-statutory home-loss payment of 7.5% of the sale price.
- 6.19 Tenants, owner occupiers or landlords who have any other Council related debt such as rent arrears, Council tax arrears, housing benefit overpayments, court costs or rechargeable repairs costs will have these deducted directly from their home-loss payment before the balance is paid. In addition any recharges due to the Council from the owner, landlord or tenant on leaving their home will be deducted from the home-loss payment. Tenants and owners must ensure when decanting from the property that it is:
- 6.19.1 vacant and keys handed to the Council;
- 6.19.2 free from tenants' and owners' belongings and rubbish, including gardens and outhouses;
- 6.19.3 the property condition has been assessed and any recharge for damage identified including gardens and fencing and agreement for payment is made for any damage;
- 6.20 Tenants will be provided with priority Homefinder Somerset status (gold band) when their decant phase commences. The commencement of a decant phase makes the phase a 'live phase'. Customers who live in the regeneration area but whose home is not in a live phase are not automatically placed on gold band. The use of 'live' and 'non-live' phases allows customers whose home is required

sooner for works to have a greater opportunity for rehousing which in turn will allow the programme of works to be delivered efficiently.

- 6.21 The Council will help all tenants enroll on Homefinder Somerset even when their property is not in a live phase. Households without additional needs are generally placed on bronze band.
- 6.22 The Council will work with tenants to help them benefit from the home choices available through the Homefinder Somerset scheme.
- 6.23 The Council will work closely with vulnerable tenants and their family or carers where appropriate and lawful. The Council reserves the right to place bids or direct match properties on behalf of vulnerable tenants where this is agreed with the tenant.
- 6.24 Decanting tenants will be responsible for clearing their belongings from their home and for giving vacant possession of that property. Any items left behind will be cleared and there will not be any opportunity to reclaim them, or to claim compensation to their value. The cost of clearance and disposal of any such items will be recharged to the tenant. In exceptional circumstances, the Council may agree items can be left at the property but written agreement of the Council is required. All fixtures and fittings left in the property are automatically transferred to the Council and no compensation will be due.
- 6.25 Where a tenant is classed as vulnerable, and there is no support within their household, the Council will provide a packing service to support the customer. Assistance could also be provided to vulnerable tenants who have items stored in their lofts, the Council will consider removing any items subject to health and safety considerations and a risk assessment.
- 6.26 Tenants will be required to provide access to their home to contractors, as necessary.
- 6.27 There will be a pre-void visit where such items will be identified and the tenant informed about the work that is required before they move out. Failure to undertake such work could result in a tenant being recharged, in accordance with the Council's recharging practices.
- 6.28 It is the responsibility of each tenant to make other members of their household aware of the decant arrangements and to move on the agreed date. In addition, they must make appropriate arrangements for any pets and ensure that they are not abandoned in the property after they have moved out.

6.29 The Council encourages tenants to have home contents insurance. If a tenant has home contents or other insurance, the tenant is advised to notify their insurance company as their circumstances change.

6.30 To support a move, Council officers will visit to help resolve any minor issues which may arise. If necessary, where there has been a temporary decant, officers will keep in contact whilst the tenant lives in the decant property.

7.0 **Rehousing options**

7.1 Options available to tenants and private owners are contained in Appendix 1 under the following headings:

- SWT tenants where their homes will be demolished or repurposed:
- SWT tenants in homes which will undergo significant work which will prevent their home being fit for overnight habitation for a temporary period.
- Home owners where their homes will be demolished or repurposed
- Housing options for private landlords and their tenants

8.0 **Home-loss and disturbance compensation payments**

8.1 There are two types of payments that tenants and home owners will be entitled to under this policy:

8.1.1 Home-loss payments; and

8.1.2 Disturbance compensation payments.

8.2 There are differences in the eligibility for home-loss and disturbance payments depending on the applicant being a SWT tenant or private owner and if the customer is moving on a permanent, temporary or emergency basis. Details can be found in Appendix 2 and Appendix 3.

8.3 The Council may also choose to use discretionary payments where the benefit of the payment outweighs the potential costs of legal action. Discretionary payments are not an entitlement of tenants or home owners.

8.4 The level of home-loss payment is set by the Government in accordance with the Planning and Compensation Act (1991), the Land Compensation Act (1973) and Home-loss Payments (Prescribed Amounts) (England) Regulations (2015).

8.5 Home-loss payments are made:

8.5.1 when the sale of an owner occupier or landlord's property is completed with vacant possession;

8.5.2 within 21 working days from the date at which the tenant decants on a permanent basis, and/or has formally agreed their new permanent or temporary home, and/or has signed a tenancy agreement for their new home or temporary home and ended their existing tenancy.

8.6 Compulsory Purchase Powers in relation to home owners

8.7 Sometime it is not possible to negotiate a purchase and the Council may consider the use of compulsory purchase powers where appropriate. Where the Council chooses to pursue compulsory purchase it will do so in accordance with current legislation governing the use of Compulsory Purchase Orders under the Town and Country Planning Act 1990 (as amended) and the payment of compensation in accordance with the Land Compensation Act 1973 and the Planning and Compensation Act 1991.

8.8 Opportunities remain during the compulsory purchase process to resolve matters between both parties voluntarily.

9.0 Disputes and appeals

9.1 Tenants can appeal to the Council about how the application of this policy has been applied to their personal circumstances. Appeals must be made by email or in writing and within 10 days of any written notification, setting out the reason why the tenant believes any decision does not accord with the policy. The Director or an Assistant Director will consider the appeal and provide the Council's answer to the appeal. If the appeal is successful an alternative decision will be made. If the appeal is unsuccessful the Council's original application of this policy will remain.

9.2 If a home owner is not satisfied with the amount recompensed through this policy, they should write a complaint to Somerset West and Taunton Council. In addition, they may have the right of appeal under the Land Compensation Act 1973 and any claims should be made to the Upper Tribunal. Their address is:-

Upper Tribunal (Lands Chamber)

5th floor, 7 Rolls Buildings

Fetter Lane, London EC4A 1NL

Email: lands@justice.gov.uk Telephone: 020 7612 9710 Fax: 020 7612 9723

10.0 Equality and Diversity Statement

10.1 This policy seeks to ensure that households with differing needs and preferences are taken into account. Central to this is the contact households will have with the on-site officers who will carry out the housing needs assessments at the beginning of the process, which allows the Council to:

10.1.1 Identify those who may need more support;

10.1.2 Ensure tenants are kept informed in the way most appropriate to them;
and

10.1.3 Make suitable rehousing offers, with full consideration made of adaptations required.

10.2 By aligning this policy with the current Homefinder Somerset allocations policy the Council is ensuring there is no advantage or detriment to households affected by the decanting process and that decanting households are treated fairly and equitably alongside applicants on the housing register, including those the Council has a statutory duty to rehouse.

10.3 By establishing an allocations panel of senior Council officers to determine offers of accommodation whether on a temporary or permanent basis and only in circumstances where households have expressed a preference for the same unit, this policy seeks to ensure the Council has an allocations process that operates in a fair, equitable and reasonable manner;

10.4 The home-loss and disturbance compensation payments seek to make sure that no-one is out of pocket or disadvantaged as a result of being required to move out of their home.

10.5 By carrying out an Equality Impact Assessment this policy seeks to ensure that all people are treated fairly and live their lives free from discrimination and that there is equality of opportunity for all. This also ensures that careful consideration is given to households about the likely impact of our work on those protected under legislation.

11.0 Links to strategies, policies and associated documents:

11.1 This policy has links with the following documents:

- Homefinder Somerset Policy
- SWT Tenancy Agreement

12.0 List of Appendices

12.1 The following appendices are attached to this policy

- Appendix 1 Rehousing Options available to tenants and owner occupiers and when they apply
- Appendix 2 Guidance on statutory home-loss and disturbance payments
- Appendix 3 Items commonly permitted in disturbance payments / items included in disturbance payments
- Appendix 4 Process for purchasing private homes
- Appendix 5 Possession Orders and Compulsory purchase orders
- Appendix 6 The allocation of SWT new build homes in regeneration schemes to existing tenants and owner occupiers
- Appendix 7 Equality Impact Assessment

Name:.....

Position: Director of Housing

DOCUMENT HISTORY

Revision	Description of Changes	Date of Revision
01	First issue	May 2019
02	Policy revised	December 2020
03	Policy update	October 2021
03	Policy update	Target January 2022

APPENDIX TO THE DECANT POLICY AND OPERATING PROCEDURE

Appendix 1 Rehousing Options available to tenants and owner occupiers and when they apply

- Rehousing options for SWT tenants where their homes will be demolished or repurposed
- Rehousing options for tenants in homes which will undergo significant work which will prevent their home being fit for overnight habitation for a temporary period
- Rehousing options for home owners where their homes will be demolished or repurposed
- Housing options for private landlords and their tenants

Appendix 2 Guidance on statutory home-loss and disturbance payments

- Home-loss payments to SWT Tenants
- Disturbance payment to SWT Tenants
- Discretionary payments to SWT Tenants
- Home-loss payments to Owner Occupiers
- Disturbance Payment to Owner Occupiers
- Discretionary Payments to Home Owners

Appendix 3 Items commonly permitted in disturbance payments / items included in disturbance payments

Appendix 4 Process for purchasing private homes

Appendix 5 Possession Orders and Compulsory purchase orders

Appendix 6 The Allocation of SWT new build homes in regeneration schemes to existing tenants and owner occupiers

Appendix 7 Equality Impact Assessment

Appendix 1

Rehousing Options available to tenants and owner occupiers and when they apply

For SWT tenants where their homes will be demolished or repurposed:

1. Decant directly into a new build home within the regeneration area (subject to availability). This would be a one move decant into a new home and tenants who have lived in their existing property for at least 12 months would be eligible for home-loss and disturbance payment.
2. Decant on a permanent basis into a SWT home in the district using a priority Homefinder Somerset banding to successfully bid for a new home. This would be a one move decant into a new home and the tenant would be eligible for home-loss and disturbance payment.
3. Decant on a permanent basis into an affordable home owned and managed by a registered provider (Housing Association) within Somerset using their Homefinder Somerset banding. The properties available for tenants to bid on would reflect housing need rather than the size of the tenants' current home. The like for like principle will not apply when bidding for housing association properties. This would be a one move decant into a new home and the tenant would be eligible for home-loss and disturbance payment.
4. Decant on a permanent basis to another type of property such as private rented or owner occupation or to move in with family. In these circumstances tenants will need to identify their own accommodation. Officers will provide interested tenants with information about low cost home ownership schemes. This would end the tenants' SWT tenancy and the like for like principle would not apply. This would be a one move decant into a new home and the tenant would be eligible for home-loss and disturbance payment.
5. Decant on a temporary basis to a SWT home in another part of the district until a new home is available within the scheme. This would be a two move decant into a new home and the tenant would be eligible for ONLY one home-loss payment. The Council will provide services and items to manage the essential costs relating to the temporary move. The decant payment identified in Appendix 3 will be paid

when the customer moves to their permanent address. Tenants who move on a temporary basis and decide when they are in the property they would like to remain as their permanent address can apply to remain on a permanent basis and will be asked to complete tenancy forms. If this is requested within six months the move to the temporary accommodation the Council will provide a disturbance payment in line with clause Appendix 3 less a value for items provided by the Council to support the temporary move.

For tenants in homes which will undergo significant work which will prevent their home being fit for overnight habitation for a temporary period.

If a tenants' property will be unfit for habitation during works the following options may apply depending on the length of time the tenants will not be able to use their home.

Tenants decanting on a temporary basis for longer than one month will be provided the same banding priority under Homefinder Somerset as those tenants permanently decanting. This means that once tenants are in a priority phase they will receive gold band status. However they will not receive priority status if they are in phases of a refurbishment yet to be prioritised by SWT unless their housing needs assessment has qualified them for silver or gold band status under the Homefinder Somerset policy for other reasons.

For tenants whose home will be unfit for temporary overnight accommodation and where works will be less than two months, the Council will consult with residents on the most appropriate decant solution which will include nightly paid accommodation and direct matching tenants to available accommodation.

Rehousing options are;

- 1 Decant on a temporary basis to a SWT home in the locality until the tenants' home is available for reoccupation. No home-loss payments will be made but the Council will pay a disturbance allowance on the return to the tenants' home from which they have decanted. The Council will provide services and items to manage the essential costs relating to the temporary move. Tenants who move on a temporary basis and decide when they are in the property they would like to remain as their permanent address they can apply to remain on a permanent basis and will be asked to complete tenancy forms. If this is requested within six months of the move to their temporary home the Council will provide a disturbance payment in line with clause Appendix 3 less a value for items provided by the Council to support the temporary move.

- 2 Decant on a temporary basis to a SWT home in another part of the district until the tenants' home is available for reoccupation. No home-loss payments but disturbance cost at per clause Appendix 3 will be paid on return to the permanent address. The Council will provide services and items to manage the essential costs relating to the temporary move. Tenants who move on a temporary basis and decide when they are in the property they would like to remain as their permanent address can apply to remain on a permanent basis and will be asked to complete tenancy forms. The Council will provide disturbance payment in line with clause Appendix 3 less a value for items provided by the Council to support the temporary move.
- 3 Decant on a temporary basis to nightly paid accommodation identified by SWT officers until the tenants' home is available for reoccupation. This option may only be available when decanting is estimated to be necessary for a short period of time and will not always be an available option for tenants. No home-loss payments will be made but disturbance cost at per clause Appendix 3 will be paid on return to the permanent address. The Council will provide services or costs where required relating to the temporary move.
- 4 Decant on a permanent basis into a SWT home in the district using their Homefinder Somerset banding to compete for accommodation. No home-loss payments will be made but tenants are eligible for disturbance payments in line with Appendix 3.
- 5 Decant on a permanent basis directly into a new build home within the regeneration area (subject to availability). This would be a one move decant into a new home for tenants who have lived in their existing properties for at least 12 months. No home-loss payments will be made but tenants are eligible for disturbance payments in line with Appendix 3. Home-loss is not paid as the customer has the opportunity to return to their home after works.
- 6 Decant on a permanent basis into an affordable home owned and managed by a registered provider within Somerset using their Homefinder Somerset banding to successfully bid. This would end your SWT tenancy. The properties available for tenants to bid on would reflect housing need rather than the size of the tenant's current home. The like for like principle would not apply when bidding for housing association properties. No home-loss payments will be made but tenants are eligible for disturbance payments in line with Appendix 3. Home-loss is not paid as the customer has the opportunity to return to their home after works.

- 7 Decant on a permanent basis to another type of property such as private rented or owner occupation or to move in with family. Tenants would identify their own accommodation. This would end your SWT tenancy and the like for like principle would not apply. This would be a one move decant into a new home. No home-loss payments will be made but tenants are eligible for disturbance payments in line with Appendix 3. Home-loss is not paid as the customer has the opportunity to return to their home after works.

Tenants decanting on a temporary basis for longer than one month will be provided the

Emergency Decants

Where a tenant has been temporarily decanted in the event of an emergency situation such as fire or flooding rather than a programme of works Council officers will help the tenant liaise with their family and friends or assist with making the necessary rehousing arrangements.

The Council will consider the most appropriate rehoused options and rehouse the tenant on a temporary basis.

Where a tenant is being temporarily decanted in the event of an emergency situation it will be initially for a short term temporary basis. Once the customer has been provided with temporary emergency accommodation a decant plan will be quickly developed taking account of relevant circumstances including customer's needs, the extent of the damage and risk and anticipated timescales for resolution and this will set out all appropriate arrangements.

If the decant plan establishes that the property can be made good the tenant will be treated as a temporary decant under this policy including their ability to qualify for a disturbance payment.

Rehousing options for home owners where their homes will be demolished or repurposed

The Council will always seek to purchase privately owned properties through negotiation, however it may consider the use of compulsory purchase powers where appropriate.

It is the Council's aim to make sure all home owners are made suitable offers based on their requirements and within a reasonable timescale to enable regeneration works to proceed.

Owners within a regeneration project area may be given assistance to find alternative accommodation, the options available to them are dependent on their individual circumstances and the equity available to them.

Where a home owner agrees to sell their property to the Council, the Council will offer support with the process to help the owner to purchase their new home. The owner will be eligible for a discretionary home-loss payment of 10% of the value of their home and a fixed rate disturbance payment as set out in the table 1 at 7.16.2

In addition to the payment options set out above the Council can provide additional financial assistance to home owners looking to purchase a new property both within and outside the District. The Council operates an equity loan scheme which can be made available to qualifying households to provide financial assistance to help a home owner purchase an alternative property (subject to available funding and formal approval by the Council).

If an owner wishes to purchase a property, owned by the Council, in the area being redeveloped, this may be possible subject to availability and the following conditions. Owners will NOT be able to buy homes in the redeveloped area on a buy-to-let investment basis. The offer of a new build property in the regeneration project will be conditional on the owners voluntarily selling their existing property to the Council and properties being built for outright sale or shared ownership within the new scheme. The Council will withdraw any offer on a new build property in the regeneration project area if the home owner breaches these conditions or if the development of new build property is unable to go ahead for any reason.

Where an owner decides to move into rented accommodation either within or outside the District (including on a short-term basis) the Council may provide if requested housing advice and information.

Where the Council have purchased a property, it may at its reasonable discretion, grant a licence enabling the seller to continue residing at the property up to the date the Council requires the property for redevelopment.

Officers will support home owners by working to accommodate notified preferences so far as reasonably practicable. Owners will be informed of any phases and the anticipated timescales relating to each phase.

Under the Homefinder Somerset policy, a home owner who has significant difficulties in meeting their ongoing housing need through their own means, can apply for rehousing. The home owner's application will be considered against the eligibility criteria for Council housing as set out in the Homefinder Somerset policy. A Housing Officer will meet with the home owner to explain the assessment process and complete the necessary forms. Where the Council agrees to rehouse an owner it will need to be their sole and principal home. The Council will not re-house any unauthorised occupants, sub-tenants, lodgers.

Housing options for private landlords and their tenants

Where regeneration is being proposed negotiations will take place to purchase a private landlords property through mutual consent in a similar way to how the Council would purchase owner occupiers properties.

Landlords will be entitled to a discretionary home-loss payment in addition to the purchase and a number of legitimate costs defined in law. The discretionary basic loss payment is 7.5% of the value of the property. The landlord is not entitled to disturbance payments as they do not live in the property.

The Council, as a condition of purchasing the property, will require vacant possession. It will be the responsibility of the Landlord of each property to bring to an end any existing tenancies at that property in accordance with all current law and good practice.

Advice for tenants who rent privately will be made available if required from the Council's Housing Options service. If a privately rented property is Compulsory purchased by the Council the tenant may be eligible to receive a payment, Notwithstanding this Council may provide a discretionary payment to a tenant in a privately rented property [in what circumstances?].

Appendix 2

Home-loss payments and disturbance compensation payments

There are two types of payments that tenants and home owners will be entitled to under this policy:

1. Home-loss payments; and
2. Disturbance compensation payments.

The Council may also choose to use discretionary payments where the benefit of the payment outweighs the potential costs of legal action. Discretionary payments are not an entitlement of tenants or home owners.

The level of home-loss payment is set by the Government in accordance with the Planning and Compensation Act (1991), the Land Compensation Act (1973) and Home-loss Payments (Prescribed Amounts) (England) Regulations (2015). The level is reviewed annually. As from 1st October 2021 it is ;

- £7,100 for local authority tenanted properties; and
- 10% of the purchase price for owner occupiers with the minimum sum of £7,100 and the maximum sum of £71,000. Therefore an owner's property purchased for £150,000 would benefit from £15,000 home-loss payment in addition to the sale price.
- Private landlords will receive a home-loss payment of 7.5% of the sale price but this is not required by law.

Tenants, owner occupiers or landlords who have any other Council related debt such as rent arrears, Council tax arrears, housing benefit overpayments, court costs or rechargeable repairs costs will have these deducted directly from their home-loss payment before the balance is paid. In addition any recharges due to Council from the owner, landlord or tenant on leaving their home will be deducted from the home-loss payment. Tenants and owners must ensure when decanting from the property that it is vacant and keys handed to the Council;

- free from tenants' and owners' belongings and rubbish, including garden and outhouses

For SWT tenants:

- the property condition has been assessed and any recharge for damage identified including gardens and fencing and agreement for payment is made for any damage;
- the tenants' rent account is clear.

Home-loss payments can be made in either of the following ways:

- When the sale of an owner occupier or landlord's property is completed with vacant possession;
- Within 21 working days from the date at which the tenant decants on a permanent basis, and/or has formally agreed their new permanent or temporary home, and/or has signed a tenancy agreement for their new home or temporary home and ended their existing tenancy.

Home-loss payments for SWT tenants

Home-loss payments are made to tenants who are losing their home on a permanent basis due to a decision of the Council. If the tenant's home is in a regeneration scheme and their home is being demolished and they move to a new build home on the scheme, they would be entitled to a home-loss payment as they would be returning to a totally new home.

If a tenant moves prior to the formal Council decision to deliver regeneration or works it would not be entitled to any form of payment i.e. home-loss or disturbance compensation. .

Once a formal decision is made by the Council the home-loss payment will be provided for tenants upon moving to their permanent home. Only one home-loss payment is paid per household.

Home-loss payments can be claimed by tenants who meet the following criteria:

- A tenant/joint tenants who have lived in their property as their principal home for at least 12 months prior to the date of formal Council approval for the regeneration project. A tenant who has succeeded to the tenancy of a property cannot count the previous length of residence of the deceased tenant towards their qualifying period; and

- Are required to move out of their property permanently as a result of their property being proposed for demolition or remodelling.

In all circumstances the home-loss payment is limited to one payment per household, not per tenant. Joint tenants will therefore receive one payment between them. In the case of joint tenants the sum will be divided equally between them or tenants jointly nominate a single bank account.

A home-loss payment is not payable for tenants who temporarily move out of their home and are able to return to their original property once the work is complete.

Disturbance Payments for SWT tenants

Disturbance compensation payments cover 'reasonable expenses' involved in the tenant or householder moving. For tenants moving on a permanent basis the disturbance payment is made in full in advance to minimise any financial hardship during their move and whilst they await home-loss payments

Council tenants that are being moved permanently will receive disturbance compensation payments in line with Table 1. For tenants who are being asked to move on a permanent basis this payment is in addition to the home-loss payment. For tenants being asked to move on a temporary basis the Council will provide services and costs to manage the temporary move and provide a disturbance payment in line with Table 1 once the tenant moves to their permanent home.

For tenants moving on a permanent basis a flat rate payment (Table 1), depending on property size of the future permanent property, will be paid and this covers all disturbance costs relating to the household. The disturbance will cover items contained in the checklist of items found at Appendix 3.

Table 1 Fixed Rate Disturbance payments for SWT Tenants

Property Size	Fixed Rate Disturbance payment
1 bed	£1,900
2 bed	£2,500
3 bed	£3,000
4 bed	£3,500
5+ bed	£3,800

If the Council carry out any disturbance related services such as fitting carpets, removal company services, etc the cost will be deducted from the home-loss payment (if the tenant is entitled to it) rather than the disturbance payment. The Council will provide for tenants a schedule of rates for different services it provides to ensure tenants are aware of the costs they may incur if they choose to use the Council's service.

For tenants required to move to a new home on a permanent basis the disturbance payment will be made no earlier than one month in advance of their agreed move date and not later than 1 week before the agreed move date. To receive payment the named tenant(s) must sign relevant documents to claim the disturbance payment.

If, for any reason, the tenant does not move into the new property no further disturbance payment will be made and if the tenant goes on to downsize permanently the disturbance payment will be deducted from the home-loss payment.

Tenants moving on a temporary basis will receive a flat rate disturbance payment on returning to their permanent home in line with Table 1. The Council will provide services or costs to support the tenants move to their temporary home.

Tenants moving on a temporary basis will receive payment in two stages. The first payment of the disturbance payment will be paid no earlier than one month and no later than one week before the tenant is due to return to their permanent home. The first payment will be the sum identified in Table 1 less £500. The balance will be paid within 21 days of the tenant moving back to their home subject to no outstanding debt.

Should the tenant fail to comply with clauses 6.19 deductions can be applied to the second payment.

Tenants may choose to use the Council to manage some of the disturbance costs. Appendix 3 contains a list of services available. The Council has an established process for acquiring goods, works and services from third parties. The Council will secure the best mix of quality and effectiveness for the least outlay

Discretionary payments to SWT tenants

The Council may occasionally decide to award discretionary payments that will cover costs incurred over and above the Council's legal obligations. The Council may decide to award such payments, having regard to all the circumstances, for example, where a tenant does not qualify to receive a home-loss payment as they have been resident for less than a year.

The costs/benefits of making discretionary payments will be balanced against taking legal action to secure the vacant possession of a property.

The Council needs to be satisfied that making discretionary payments is a reasonable approach and will therefore balance the costs of a discretionary payment against the costs of legal action.

Home owner disturbance payment

Where the Council is seeking to purchase an owner occupier property the value of the property will be assessed at market value in order to establish the correct home-loss and disturbance payment amount, but the homeowner may also be entitled to other payments as set out in the relevant legislation.

Home owners will be entitled to a set rate disturbance payment as set out in Table 2 below. These will only be paid when home owners complete their sale of the property to the Council and provide vacant possession including clearance of all household items.

Table 2 - Fixed rate disturbance payments to owner occupiers

Property Size	Fixed Rate Disturbance payment
1 bed	£1,900
2 bed	£2,500
3 bed	£3,000
4 bed	£3,500
5+ bed	£3,800

Discretionary payments to home owners and landlords

The Council may occasionally decide to award discretionary payments that will be payments made over and above the Council's legal obligations having regard to all the circumstances. The costs/benefits of making discretionary payments will be balanced against those of taking legal action to secure the possession of a property.

Appendix 3

List of services and goods assumed included in the fixed rate disturbance payment

This list is not exhaustive and other reasonable additional costs incurred by Council tenants as a result of moving may be met within the fixed disturbance payment.

List of services and goods assumed included in the disturbance payment	Tenants Permanent Decant	Tenants Temporary Decant	Additional services available for vulnerable customers (dependent on assessed need)	Tenants / Owner occupiers may arrange their own service	Services SWT can provide and deducted from disturbance payments
The redirection of post (following the tenants' completion of the postal redirection form) for a maximum period of 6 months;	Yes	Yes	Yes	Yes	No
The disconnection and reconnection of any existing telephones, broadband, television aerials and satellite dishes (providing Council permission had been given for their original installation);	Yes	Yes	Yes	Yes	Yes
The disconnection and reconnection of existing kitchen appliances, or room heaters using Gas Safe or equivalent registered plumbers or electricians.	Yes	Yes	Yes	Yes	Yes
The removal of furniture and effects from and back to the tenants' permanent home and supply of packing materials.	Yes	Yes	Yes	Yes	Yes

<p>A full packing service will be available. This includes clearing items from sheds subject to a reasonable determination by a Council officer. Items will not be removed from the loft as the loft is not permitted as a safe area for storage for SWT due to fire risk.</p>	No	No	Yes – funded in addition to disturbance payment by the Council	Yes	Yes
<p>In exceptional circumstances temporary storage of items may be required. If this is the case the Council would consider meeting these costs for a time limited period of not greater than six months and reviewed monthly from the tenants moving date.</p>	Yes	Yes	Yes	Yes	Yes
<p>The provision and fitting of new good serviceable carpets at the permanent address from an approved supplier up to an approved upper limit per metre,. Tenants can get an upgraded carpet by paying the additional costs themselves.</p>	Yes	No – will be provided as standard already	Yes	Yes	Yes
<p>The fitting of laminate flooring if tenants' existing flooring is unable to be re-used. Payment will be up to the same approved upper limit per metre as set for carpets. Tenants can get upgraded flooring by paying the additional costs themselves;</p>	Yes	No	Yes	Yes	Yes
<p>The provision of new curtains up to a reasonable cost per pair where the existing curtains do not fit due to different window sizes; payable upon percentage rate according to age and condition of existing curtains.</p>	Yes	No	Yes	Yes	No
<p>The provision of new curtain tracks/poles if not possible to remove and refit existing curtain tracks/poles. Payable upon percentage rate according to age and condition of existing provision.</p>	Yes	No – blinds will be provided as standard. Existing curtains will be required to be kept for	Yes	Yes	Yes

		permanent decant			
Moveable fixtures and fittings e.g. light fittings as must meet health and safety requirements.	Yes	No	Yes	Yes	Yes
A decoration pack may be provided at the Council's discretion if the tenants' new home has not been fully decorated to a standard considered reasonable by the Council's Void team. A decoration pack would not be provided where the property has been decorated by the Council as part of void works or at a new build home.	Yes	No	Yes	Yes	Yes
Plants and small shrubs which are in pots will be moved to the tenants' new home. The Council will not take responsibility for the health of the plant or survival replanting of the plant or shrub.	Yes – if possible under removals	Yes – if possible under removals	Yes – if not possible through removals, SWT will carry out and fund in addition to disturbance payment	Yes	Yes – community groups
The moving of plants and small shrubs, the Council will consider each request on its own merit and practicalities, where no other assistance is available such as a family member or community group. A plan will be agreed between the tenant and the Council. The Council will not take responsibility for the health or survival of the plant or shrub.	No	No	Yes – carried out by SWT and funded in addition to disturbance payment	Yes	Yes – community groups

Support with some costs associated with pets (such as fish pond or bird aviary) where the tenants have permission to keep the pet in the property they decant from and the property they will live in on a temporary or permanent basis. The support available will be discussed on a case by case basis.	No	No	Yes	No	Yes
Tenants who incur extra travelling expenses for work or educational travel only (not including social travel) as a direct result of being relocated out of their current area may be entitled to make a claim for this additional cost for the period in which they are temporarily displaced (up to 12 months) at an 'approved mileage allowance' payment if using a car, motorbike or moped or by providing bus/rail tickets.	No	Yes – funded in addition to disturbance payment	No	No	No
Minor aids/adaptations previously assessed and required in the new property	Yes	Yes	Yes	No	Yes with Somerset Country Council
Refitting of special locks and alarms	Yes	No – exceptional circumstances only.	Yes	Yes	Yes

Note; White good and furniture and furnishings other than those mentioned above are not included in disturbance compensation payments

Process for Purchasing Private Homes

1. The Council will always initially seek to purchase private properties through negotiation.
2. The Council will organise for a qualified surveyor to value the property.
3. The valuation will take place when the owner has expressed they would like to move or a date mutually agreed at that point.
4. Properties will be valued at market value in a 'no-project world'. This means that the value will be assessed on the assumption that the regeneration is not proceeding. The principle is that your market value should not be better or worse off than before the regeneration proposals.
5. Market value reflects the condition of the property at the date of valuation (subject to paragraph 5) and, for example will reflect:
 - The internal condition and size;
 - External condition;
 - Internal improvements to the property including new bathrooms, kitchens and facilities;
 - The location of the property and local area amenities; and
 - The nature of the housing market in the immediate area including recent sale prices
6. When the Council completes the valuation of the homeowner's home, a valuation letter will be sent which includes the market value of the home and entitlement for home-loss payment.
7. The property valuation figure will be valid for a 3 month period from the date of the valuation.
8. Should a home owner disagree with the valuation, they can obtain their own valuation using an independent RICS surveyor and the Council will cover the legal fees up to £750. The coverage of fees should be agreed between the independent chartered surveyor and the Council before work is incurred for costs to be covered. Details of independent chartered surveyors operating in their nearby locality can be found by contacting the Royal Institute of Chartered Surveyors (RICS) on www.rics.org.uk and their telephone number is 0870 3331600.
9. To reach agreement, there will be a negotiation between the home owner and the Council. If agreement cannot be reached, the Council will agree to a third

party arbitration process which will involve an independent surveyor making a final decision on the price.

10. If agreement cannot be reached through the arbitration process, the Council's only option will be to pursue a Compulsory Purchase Order.
11. Home owners can also appeal to the Lands Tribunal if they disagree with the original market valuation. The Lands Tribunal is an independent judicial body set up by Government to resolve disputes concerning land issues.

Appendix 5

Guidance on Compulsory purchase powers

Compulsory Purchase Powers in relation to home owners

Sometime it is not possible to negotiate a purchase and the Council may consider the use of compulsory purchase powers where appropriate. Where the Council chooses to pursue compulsory purchase it will do so in accordance with current legislation governing the use of Compulsory Purchase Orders under the Town and Country Planning Act 1990 (as amended) and the payment of compensation in accordance with the Land Compensation Act 1973 and the Planning and Compensation Act 1991.

- Opportunities remain during the compulsory purchase process to resolve matters between both parties voluntarily.
- The information set out in this policy regarding statutory home-loss and disturbance compensation payments is not exhaustive. It is a simplified guide and cannot cover every situation that may arise. It is not intended to be a complete guide to the law and should not be regarded as a substitute for professional legal advice.

Possession Orders and Compulsory Purchase Orders

1. The Council is committed to working with all households to ensure a smooth transition into alternative accommodation in order for the regeneration project to proceed. However, where this may not be possible, the Council will take appropriate legal action to obtain vacant possession of the properties in time for the regeneration work to start.
2. Where Council tenants have refused three reasonable formal offers, the Council will pursue a Possession Order in order to obtain vacant possession.
3. If the Council needs to apply for a Possession Order for any individual Council tenant where a mutual agreement has not been reached or in circumstances where a tenant refuses to move out, then it is the Court that will decide when the tenant will need to leave the property. The current legislation governing this is the Housing Act 1985 (as amended) - grounds 10 or 10A of Schedule 2.
4. For home owners the Council will pursue a Compulsory Purchase Order (CPO). Compulsory Purchase Orders enable the Council to compulsory acquire land

where it will facilitate development, redevelopment or improvement works which will contribute to achieving the promotion of the economic, social or environmental wellbeing of any land the Council is administratively responsible for.

5. If a CPO is sought the Council will write to households to advise them of how this will affect them and how they will be involved in the process.
6. Using CPO powers is a last resort, when negotiation and other means of achieving vacant possession have failed, but may be considered necessary if vacant possession of dwellings is unobtainable, causing high risk to the regeneration project.
7. Compulsory Purchase Orders are subject to approval and confirmation by the Secretary of State. Given the length of time CPO applications can take, for practical purposes the Council may start drafting preparation for a CPO application at the same time as informal negotiations are occurring with households. However it will only be applied for, as the last option.
8. Those affected by the issue of a CPO have a statutory right to object to the Compulsory Purchase Order through consultation, at a Public Local Inquiry (if called) or by written representation. The outcome of the consultation outlining any objections will be passed to the relevant Statutory of State with the Council's application for the CPO. Objections will be heard either by a written representation or a Public Inquiry will be held. The Secretary of State will confirm, modify or reject the CPO. If the Secretary of State decides to confirm the CPO there is a statutory right of appeal to the High Court but only on extremely limited legal grounds.

Note: The law in this area is complex and this section is intended to only provide a summary of the legal framework. If the Council decides to pursue Compulsory Purchase Order in any case, then it will comply with current legislation covering the use of Compulsory Purchase Orders under the Town and Country Planning Act 1990 or the Housing Act 1985 (as amended by the Planning and Compulsory Purchase Act 2004). This legislation governs the length of notice to be given.

Appendix 6

The Allocation of SWT New Build Homes in Regeneration Schemes to Existing Tenants and Owner Occupiers.

This appendix and process will be revised and consulted on again with the IWG separate to the policy approval

1. To ensure new homes built within regeneration schemes are fairly allocated the Council will establish an allocations panel of senior Council officers with appropriate knowledge and experience who will take into account information and evidence relating to the housing needs of individuals/households in making a final decision on an allocation offer.
2. The panel will determine the allocation of new homes where a mutual agreement is not possible and there are multiple preferences expressed for a property.
3. The panel will use the tenants' latest housing needs assessment and any other evidence relating to the current housing needs of households including, for example, physical and mental wellbeing, social and welfare considerations and supportive neighbourly connections.
4. In cases where applicants need specially adapted units we will aim to pre-allocate a suitable property during the construction phase. This will enable us to make the necessary adaptations in the early stages of the development in collaboration with the tenant and their support professionals.
5. In some circumstances if a household's assessed housing needs change (for example the number of bedrooms required increases) while temporarily rehoused, and then upon returning to a new property (under an option to return) priority between returning decants, with the same assessed housing needs, who have expressed an interest for the same property will be determined on the household's needs prior to the change. This is because the Council has committed to enable those that wish to return to the project area to do so and provision will have been made following a housing needs assessment stage to ensure sufficient units of each size and mobility are available (where possible).

Equality & Diversity Impact Assessment



Somerset Equality Impact Assessment

Organisation prepared for	Somerset West and Taunton Council		
Version	1	Date Completed	2019/20
Description of what is being impact assessed			
<p><u>Decanting policy and operating procedure for the North Taunton Woolaway Project.</u></p> <p>The policy sets out the Council’s approach for decanting households, i.e. tenants and home owners, in the North Taunton Woolaway Project area who need to move to facilitate redevelopment.</p> <p>The Council acknowledges that moving home is a stressful experience, especially where households may feel their options are limited. The decanting policy will help to ensure that all decants are carried out appropriately and efficiently with the minimum stress and difficulty.</p> <p>The aims of the policy for households decanting both temporarily and permanently are:-</p> <ul style="list-style-type: none"> • To ensure decants operate in a fair, equitable and reasonable manner; • To deliver simple but effective consultation and feedback with decanting households at the earliest opportunity and throughout the process; 			

- To enable decants to be carried out to minimise disturbance to households;
- To establish a basis for making offers of support, both financial and practical, to households obliged to decant;
- To enable the Council to make best use of stock through timely access for refurbishment work or where a decision has been made for demolition; and
- That the best use is made of the Council's resources.

By carrying out an Equality Impact Assessment the Council seeks to ensure that all people are treated fairly and live their lives free from discrimination and that there is equality of opportunity for all. This also ensures that careful consideration is given to households about the likely impact of our work on those protected under legislation.

Evidence

What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset's Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#), should be detailed here

Data:

The most current available data (2019) records held on our tenants, the home owners and our housing stock in the North Taunton Woolaway Project area.

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

Engagement:

Residents of the North Taunton Woolaway Project area were invited and attended 3 workshop meetings held between January 2019 and May 2019.

Wider engagement with Council officers throughout 2019/20.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
<p>Age</p>	<p>The policy seeks to ensure that households with differing needs and preferences are taken into account. Central to this is the contact households will have with the on-site officers who will carry out a housing needs assessment at the beginning of the process, which allows the Council to:</p> <ul style="list-style-type: none"> • Identify those who may need more support; • Ensure tenants are kept informed in the way most appropriate to them; and • Make suitable re-housing offers, with full consideration made of adaptations required. <p>By aligning the policy with the current Homefinder Somerset allocations policy the Council is ensuring there is no advantage or detriment to households affected by the decanting process and that decanting households are treated fairly and equitably alongside applicants on the housing register, including those the Council has a statutory duty to rehouse.</p> <p>By establishing an allocations panel of senior Council officers to determine offers of accommodation whether on a temporary or permanent basis and only in circumstances where households</p>	□	☒	☒

	<p>have expressed a preference for the same unit, the policy seeks to ensure the Council has an allocations process that operates in a fair, equitable and reasonable manner;</p> <p>The home-loss and disturbance compensation payments seek to make sure that no-one is out of pocket or disadvantaged as a result of being required to move out of their home.</p> <p>Communications on any complex changes may disproportionately worry older tenants living within the project area.</p> <p>Where a tenant is moving to another property, they will have the option to request the Council to provide a packing service.</p>			
<p>Disability</p>	<p>Eligible tenants will particularly benefit from the provision of disabled adaptations (major and minor) to existing Council housing.</p> <p>Where a tenant is identified as vulnerable due to physical, sensory or mental health impairment and likely to have difficulty with a move, they will be provided with extra support during the decant process. This may include packing and helping on the day of the move as well as assistance to understand the bidding process and help with property viewings etc.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Gender reassignment</p>	<p>There is not expected to be any particular negative impact on this specific group.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<p>Marriage and civil partnership</p>	<p>There is not expected to be any particular negative impact on this specific group.</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>Pregnancy and maternity</p>	<p>There is not expected to be any particular negative impact on this specific group.</p> <p>Where a tenant is moving to another property, they will have the option to request the Council to provide a packing service.</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>Race and ethnicity</p>	<p>The opportunity within the project for wider tenant participation and engagement will increase the proportion of tenants providing feedback to inform service delivery and improvements.</p> <p>Rehousing could potentially have a negative impact on a specific group of tenants, depending upon the location.</p> <p>Communication about the project may not fully reach those for whom English is not their first language.</p>	<p><input checked="" type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>Religion or belief</p>	<p>Supporting staff to provide great customer service will ensure appropriate and sensitive services are delivered to the religious or belief requirements of tenants.</p> <p>There is not expected to be any particular negative impact on this specific group.</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>

Sex	<p>There is not expected to be any particular negative impact on this specific group.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual orientation	<p>Investment in the local community will ensure information about our services are accessible so that people can benefit from all our activities. People experiencing alarm, distress and harassment will benefit from investment being made into providing great customer services which will be community inclusive.</p> <p>There is not expected to be any particular negative impact on this specific group.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<p>By aligning the policy with the current Homefinder Somerset allocations policy the Council is ensuring there is no advantage or detriment to households affected by the decanting process and that decanting households are treated fairly and equitably alongside applicants on the housing register, including those the Council has a statutory duty to rehouse.</p> <p>To help support tenants on low incomes the Council will continue to provide a number of initiatives to enable them to manage their finances and maximise their income:</p> <ul style="list-style-type: none"> • Publish clear information on rent which helps tenants to manage their own finances; • Signpost tenants to a relevant benefit agency to help ensure they are maximising their income to meet their living costs; • Take action to raise the awareness of accessing a range of welfare benefits; and 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

	<ul style="list-style-type: none"> Provide the opportunity to access direct support in checking they are in receipt of the welfare benefits they are entitled to claim. <p>The Council will consider offering financial assistance to help a home owner secure permanent accommodation i.e. a Council Loan.</p> <p>For Council tenants and home owners who are being moved permanently, disturbance compensation payments will be made in addition to home-loss payments. Council tenants will also receive disturbance compensation payments for their reasonable expenses involved in moving to temporary decant accommodation.</p>			
--	--	--	--	--

Negative outcomes action plan
 Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
Communications on any complex changes may disproportionately worry older living within the project area. We will communicate with all tenants to explain any significant changes affecting them and what we are investing in.	2019 - ongoing	Case Management Officers	Regular meetings and wider engagement with stakeholders.	<input type="checkbox"/>
There is potential to alienate specific ethnic groups when housing is identified for regeneration/redevelopment. We will consider re-supply of appropriate housing to meet the needs of ethnic groups as part of our rehousing approach.	2019 - ongoing	Case Management Officers	Regular meetings and wider engagement with stakeholders.	<input type="checkbox"/>

<p>Those for whom English is not their first language are not made fully aware of changes. We will offer translation of communication into alternative languages. We will engage with minority groups using existing officers who have been assigned to the project.</p>	<p>2019 - ongoing</p>	<p>Case Management Officers</p>	<p>Regular meetings and wider engagement with stakeholders.</p>	<p><input type="checkbox"/></p>
<p>There is potential to alienate religious or belief groups when housing is identified for regeneration/redevelopment. We will consider re-supply of appropriate housing to meet the needs of any religious or belief groups as part of our rehousing approach.</p>	<p>2019 - ongoing</p>	<p>Case Management Officers</p>	<p>Regular meetings and wider engagement with stakeholders.</p>	<p><input type="checkbox"/></p>
<p>To help support tenants on low incomes the housing service will continue to provide a number of initiatives to enable them to manage their finances and maximise their income:</p> <ul style="list-style-type: none"> • Publish clear information on rent which helps tenants to manage their own finances; • Signpost tenants to a relevant benefit agency to help ensure they are maximising their income to meet their living costs; • Take action to raise the awareness of accessing a range of welfare benefits; and • Provide the opportunity to access direct support in checking they are in receipt of the welfare benefits they are entitled to claim. 	<p>2019 – ongoing</p>	<p>Case Management Officers</p>	<p>Regular meetings and wider engagement with stakeholders.</p>	<p><input type="checkbox"/></p>
<p>Where a tenant is identified as vulnerable due to physical, sensory or mental health impairment and likely to have</p>	<p>2019 - ongoing</p>	<p>Case Management Officers</p>	<p>Regular meetings and wider</p>	<p><input type="checkbox"/></p>

difficulty with a move, they will be provided with extra support during the decant process.			engagement with stakeholders.	
If negative impacts remain, please provide an explanation below.				
Completed by:	Stephen Boland			
Date	2019/20			
Signed off by:				
Date				
Equality Lead/Manager sign off date:				
To be reviewed by: (officer name)				
Review date:	May 2020			