



NORTHAMPTON
BOROUGH COUNCIL

CABINET REPORT

Report Title

Housing Regeneration Policy

AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	6 February 2019
Key Decision:	YES
Within Policy:	YES
Policy Document:	YES
Service Area:	Housing and Wellbeing
Accountable Cabinet Member:	Councillor Stephen Hibbert
Ward(s)	All

1. Purpose

- 1.1 The purpose of this report is to ask Cabinet to approve a Housing Regeneration Policy that sets out the principles and processes that will be applied and followed when regeneration involves demolition or reconfiguration and the works make it necessary for residents to move permanently out of their homes.

2. Recommendations

- 2.1 It is **recommended** that Cabinet approves the Housing Regeneration Policy (attached to this report as Appendix 1).

3. Issues and Choices

3.1 Report Background

- 3.1.1 Northampton Borough Council's housing stock is managed and maintained on the Council's behalf by Northampton Partnership Homes (NPH).

- 3.1.2 With its emphasis on sustainability, NPH's "**Whole Home, Whole Neighbourhood**" approach to neighbourhood regeneration minimises future maintenance costs, contributes positively to improved efficiency in housing and neighbourhood management, and enables residents to live happy and healthy lives in enriched communities.
- 3.1.3 Works are only scoped following extensive consultation and a holistic review of the opportunities and challenges within a neighbourhood and, wherever possible, cost effective solutions are found to deliver neighbourhood regeneration through refurbishment.
- 3.1.4 It is sometimes necessary, however, to demolish or reconfigure homes because of the high cost of the works and/or the size, age, condition or density of the homes. Where it is necessary to demolish or reconfigure homes, this can be very disruptive for the residents involved.
- 3.1.5 The purpose of the Housing Regeneration Policy (see **Appendix 1**) is to set out, in clear and unambiguous terms, how the Council and NPH will help and support residents who have to move permanently out of their homes because the regeneration will involve demolition or reconfiguration of their homes.

Principles underpinning the Housing Regeneration Policy

- 3.1.6 Recognising the significant negative impact that regeneration can have on residents who are required to move out of their homes, the Housing Regeneration Policy seeks to mitigate this as much as practicable and affirms that, in delivering regeneration, the Council and NPH will always seek to be:
- **Diligent** in identifying viable proposals which deliver the best outcomes in relation to housing and sustainable communities;
 - **Fair** in dealing with residents affected by regeneration and transparent regarding the options available to them
 - **Organised and efficient** in approach, to minimise uncertainty and disruption
 - **Timely** in making decisions to reduce uncertainty and stress for the residents involved

A clear, 18-stage process

- 3.1.7 The Housing Regeneration Policy sets out a clear 18-stage process that the Council and NPH will follow when considering, planning for, consulting on and implementing Northampton's regeneration schemes.

3.2 Issues

Feasibility

- 3.2.1 A decision to proceed with a regeneration scheme which makes it necessary for residents to move permanently out of their homes is never taken lightly.
- 3.2.2 Such a course of action will only be recommended in situations where there are major issues relating to the size, age, condition and/or density of the homes.
- 3.2.3 In most cases, NPH's 'Whole Home, Whole Neighbourhood' approach is resulting in investment in refurbishment works and landscaping which is having a very positive impact on residents' quality of life. However, in exceptional circumstances, the best and most sustainable outcomes will be achieved by demolition or major reconfiguration and a new build housing scheme.
- 3.2.4 After carrying out a conditions survey, producing a concept design, obtaining advice from Planning, Highways and other statutory consultees, carrying out technical, legal and financial due diligence and completing a community impact assessment, NPH will present a feasibility report to Council Officers.
- 3.2.5 Following its presentation of the feasibility report to Council Officers, NPH will consult with the local Ward Councillors (Northampton Borough Council and Northampton County Council) and the local Parish Councillors. NPH will share with the Councillors the feasibility report, the proposed communications plan and the Resident Offer (see **Appendix 1**).

Consultation and engagement

- 3.2.6 Consultation with residents will be inclusive and meaningful.
- 3.2.7 Consultation and engagement will take place, initially, with those residents who are directly affected by the proposed regeneration scheme and then, secondly, with those residents who are living adjacent to the proposed scheme and may be indirectly affected by the development proposals.
- 3.2.8 It is proposed that resident consultation and engagement will be conducted through home visits in order to ensure that the full implications of the proposal are thoroughly explained and each household's needs are fully understood.

Formal submission of planning application

- 3.2.9 By the time the plans are presented to residents during the period of consultation and engagement, they will already have been shared with the planning and statutory consultees (such as Highways and the Environment Agency) through the pre-application process. This is to ensure that the proposed scheme will meet all necessary requirements in relation to such things as parking, access and ridge heights, etc.

- 3.2.10 During the consultation process, the residents and other stakeholders will have the opportunity to provide their views on the design proposals. Following consultation, the designs will be updated (where feasible) to reflect the feedback, and the plans will then be submitted with a planning application.
- 3.2.11 As part of the planning process, residents will have another opportunity to comment on the proposals by speaking in person at, or submitting their written comments to, the Planning Committee.

Final approval by Cabinet

- 3.2.12 Following resident consultation and the granting of planning permission, a report will be submitted to the Council's Cabinet, seeking approval to proceed with the regeneration scheme. In order that the Cabinet can take residents' feedback into account when it makes its decision, residents' feedback will be included in the Cabinet report.
- 3.2.13 If Cabinet approves the regeneration scheme, NPH will work collaboratively and proactively with the council tenants and home owners to facilitate their move to suitable, alternative accommodation.
- 3.2.14 Eligible tenants will be supported in bidding for suitable rented housing, but may also have the right to return. Home owners will be helped to complete the sale of their homes and, if they have lived in the property continuously for at least the last 12 months, they may have a right to return.

3.3 Choices (Options)

Option One (preferred)

- 3.3.1 The preferred option is for Cabinet to approve the Housing Regeneration Policy (**Appendix 1**) which sets out the principles and processes that will be applied and followed when regeneration involves demolition or reconfiguration and the works make it necessary for residents to move out permanently.

Option Two (not recommended)

- 3.3.2 Cabinet can decide not to approve the Housing Registration Policy.
- 3.3.3 This option is not recommended because it would mean that, in the absence of a policy, NPH's approach to housing regeneration would be inconsistent, lack transparency and may result in the following unintended consequences:
- Inconsistent offers being made to residents
 - An inconsistent approach to consultation and communication.
 - Legal challenge over the lack of transparency
 - Poor customer service to residents
 - Reputational damage to the Council and NPH

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 Approval of the Housing Regeneration Policy will help the Council meet its policy objectives in relation to regeneration, tackling homelessness, meeting housing need and maximising the supply of new homes.

4.2 Resources and Risk

- 4.2.1 At this stage, Cabinet is only being asked to approve the Housing Regeneration Policy.
- 4.2.2 The financial implications of implementing the Housing Regeneration Policy will be assessed on a scheme by scheme basis.
- 4.2.3 Finance Officers will have an input into the evaluation of each regeneration scheme, including the financial implications and funding arrangements and risks. Each regeneration scheme that is covered by the Housing Regeneration Policy will be the subject of a separate Cabinet report.

4.3 Legal

- 4.3.1 Legal Services have reviewed the contents of this Cabinet report and the Housing Regeneration Policy and have no further comments to add.

4.4 Equality and Health

- 4.4.1 A full Community Impact Assessment has been completed.
- 4.4.2 Regeneration will improve the wellbeing and life chances of people with protected characteristics, including older people and people with disabilities and, overall, it will have a positive impact on Equality and Diversity. However, any regeneration scheme that involves residents moving permanently out of their homes will have a major impact on residents.
- 4.4.3 The emotional and physical impact of moving home can be greater for older people and people with disabilities. This will be addressed through the needs assessments undertaken in residents' homes.
- 4.4.4 It is essential that residents fully understand the information that is presented to them and the choices that are available to them. It is also very important that they are able to ask questions and communicate any concerns. Translation services will be available to assist any residents for whom English is not their first language, and extra support will be given to anyone who has additional communication needs due to a disability or illness.
- 4.4.5 The anticipated improvements that will be delivered as a result of the Housing Regeneration Policy are part of the Council's commitment to improving communities and our town as a place to live.
- 4.4.6 During every regeneration scheme, the Council will work closely with NPH, have due regard to its Public Sector Duty and continue to work to tackle discrimination and inequality and contribute to developing a fairer society.

4.5 Consultees (Internal and External)

4.5.1 The Management Teams of the Council and NPH have worked collaboratively to produce the Housing Regeneration Policy and will continue to work closely with one another to ensure that it is successfully implemented and applied.

4.6 How the Proposals deliver Priority Outcomes

4.6.1 The Policy will help meet three of the priorities in the Council's Corporate Plan:

- More homes, better homes
- Shaping place and driving growth
- Spending your money wisely

5. Next Steps

5.1 If approved, the Housing Regeneration Policy will be published on the Council's website.

5.2 If regeneration of an area involves demolition or reconfiguration and the works make it necessary for residents to move permanently out of their homes, the Housing Regeneration Policy will be applied and the 18-step process followed.

Appendices

Appendix 1 – Housing Regeneration Policy

Background Papers

Community Impact Assessment

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APPENDIX 1



Housing Regeneration Policy

6 February 2019

1. Introduction

- 1.1 Northampton Borough Council's housing stock is managed and maintained, on the Council's behalf, by Northampton Partnership Homes (NPH), the Council's Arms Length Management Organisation (ALMO).
- 1.2 NPH's '**Whole Home, Whole Neighbourhood**' approach to neighbourhood regeneration means that works are scoped following extensive consultation and a holistic review of the opportunities and challenges within a neighbourhood.
- 1.3 With its focus on sustainability, this approach minimises future maintenance costs, supports a more efficient approach to housing and estate management and enables residents to live happy and healthy lives in enriched communities.
- 1.4 Wherever possible, cost effective solutions are found to deliver neighbourhood regeneration through refurbishment. However, it is sometimes necessary to demolish or reconfigure homes because of the cost of the works and/or the size, age, condition or density of the homes.
- 1.5 Where it is necessary to demolish or reconfigure homes, this can be very disruptive for the residents involved. This Housing Regeneration Policy sets out the principles and processes that will be applied and followed when regeneration involves demolition or reconfiguration and the works make it necessary for residents to move permanently out of their homes¹.

2. Principles

- 2.1 In delivering regeneration, Northampton Borough Council (NBC) and NPH will seek to be:
 - **Diligent** in identifying viable proposals which deliver the best outcomes in relation to housing and sustainable communities;
 - **Fair** in their dealings with residents affected by regeneration and transparent regarding the options available to them
 - **Organised and efficient** in their approach to minimise uncertainty and disruption
 - **Timely** in making decisions to reduce uncertainty and stress for the residents involved

¹ Please note this policy does not apply to temporary decanting of properties for planned investment works

3. Decision making process

3.1 The decision to proceed with the demolition or major reconfiguration of housing is not made lightly. It will follow a series of stages to ensure that the principles set out in Section 2 of the Policy are upheld. The table below sets out the key stages, followed by an explanation of each stage.

STAGE	ACTIONS
1	Feasibility: <ul style="list-style-type: none">• Conditions survey• Concept design• Pre-application advice from planning, highways and other statutory consultees• Technical, legal and financial due diligence• Community Impact Assessment
2	Consideration of Feasibility Report
3	Consultation with NBC / NCC / Parish Councillors
4	Resident Offer agreed
5	Communications Plan agreed
6	Serving of Intention to Demolish Notice to all tenants and owner occupiers alongside: <ul style="list-style-type: none">• Introductory letter with resident offer• Home visit• Needs assessment• Property inspection
7	Wider planning consultation with community on plans
8	Designs updated (where possible) following consultation
9	Planning application submitted
10	Planning approval
11	Council (Cabinet) approval including resolution to grant a Compulsory Purchase Order (CPO) as a last resort
12	Formal demolition notice
13	Decant process commences: possession proceedings and Compulsory Purchase Order (CPO) as a last resort
14	Decant process completes
15	Construction commences ²
16	Construction completes
17	New homes let: <ul style="list-style-type: none">• Tenants and home owners with a right to return prioritised through a local lettings policy if they meet the eligibility criteria (size and type of property)• Remaining homes let
18	Occupation: Programme complete

² Please note that in the case of larger scale regeneration it may be possible to phase construction whilst decant is taking place

4. STAGE 1 – Feasibility

4.1 The following factors may indicate that the demolition or major reconfiguration of homes is required:

- **Condition:** the works required are extensive, go far beyond standard planned investment works and may not be financially viable;
- **Size and layout:** the size and/or layout of the homes do not meet housing need and/or the problems caused by the size and layout of the homes are compounded by other issues such as anti-social behaviour and crime;
- **Density:** the density of the scheme is very low and there is an opportunity to create additional homes on the site; and
- **Reputation:** the scheme is stigmatised and this cannot be addressed through standard planned investment works alone.

4.2 Typically, there will be more than one factor to consider; it is very rare that one aspect alone will indicate a need for demolition or major reconfiguration.

4.3 The following actions will help identify the option that is most feasible:

- **Production of concept designs** will demonstrate the potential density of the site and how the design and reconfiguration will address the issues affecting the existing homes, such as anti-social behaviour. This needs to be tested with the Planning Authority, Highways Authority and other relevant statutory consultees such as the Archaeology Team, Environment Agency, Environmental Health and Police Authority through the pre-application process;
- **Review of development constraints** (for example, land ownership and ground conditions, etc);
- **Development of a financial appraisal** informed by a cost plan (to include all expenditure) and sales and rental values (informed by an external valuation);
- **Creation of a programme** setting out critical path activities; and
- **Community Impact Assessment** to review the impact demolition or major reconfiguration will have on residents and the wider community.

4.4 This information will be captured in the form of a Feasibility Report.

5. STAGES 2 & 3 – Consideration of Feasibility Report, and consultation with Councillors

5.1 NBC Officers will consider the following:

- **Feasibility Report** (as described in Section 4, above)
- **Resident Offer** (as described in Section 6, below and Appendix A)
- **Communications Plan** (as described in Section 7, below)

5.2 NPH will also brief NCC Councillors and Parish Councillors on the reasons for the demolition or reconfiguration of the homes, the nature and extent of the works, and details of the process, likely timeframe and Resident Offer.

6. STAGE 4 – Resident Offer agreed

6.1 Secure tenants and home owners who are required to move out of their home because it is being demolished or reconfigured will receive a Resident Offer.

6.2 Details of the Resident Offer – which is based on the individual circumstances of each resident – are set out in **Appendix A**.

7. STAGE 5 – Communications Plan agreed

7.1 There will be consultation and engagement with residents ahead of planning and ahead of a formal Council decision. This is important because consultation must inform the outcome³.

7.2 The Communications Plan will include:

- The timing of the letters to residents;
- Communication with other stakeholders, including other public sector agencies, voluntary sector agencies and residents in neighbouring properties;
- The timing of the planning submission and Council approval; and
- The timing and content of press releases and engagement with the media

³ This is based on the 'Gunn Principle'. This principle does not mean that the decision maker has to consult on all possible options. If a decision-maker has formed a provisional view as to the course to be adopted, or is 'minded' to take a particular course subject to the outcome of consultations, those being consulted should be informed of this to help inform their responses.

- The nature and range of different approaches to communication, such as the use of the internet, social media, meetings and newsletters.

8. STAGE 6 – Serving of Intention to Demolish Notice and consultation with all tenants and home owners

- 8.1 Although the proposal is subject to planning permission, consultation and final Cabinet sign-off, the Intention to Demolish Notice is issued early on in order to inform everyone of NBC's proposal at an early stage.
- 8.2 The Intention to Demolish Notice is advertised in the local paper, displayed on site and issued to all tenants and owner occupiers.
- 8.3 When the Intention to Demolish Notice has been issued, NBC is not obliged to conclude Right to Buy applications. Although tenants can still apply for the Right To Buy and NBC must still undertake the necessary checks (including instructing valuations), the purchases will only be completed if NBC's Cabinet decides not to go ahead with demolition.
- 8.4 It is important to impress upon tenants and home owners that the Intention to Demolish Notice is not a 'fait accompli' and is conditional on planning permission being obtained which is subject to consultation. It is good practice⁴ to consult with tenants and home owners when they are substantially affected.
- 8.5 The Intention to Demolish notice will be served at the same time as communication and consultation commences, as set out below.
- 8.6 Communication will be organised and transparent. To be valid, the Intention to Demolish Notice must be advertised and issued to all residents on the same day. Wherever possible, the opening communication will be through a pre-arranged home visit during which the Introductory Letter and Intention to Demolish Notice will be served. NPH will ensure it has sufficient staff available to facilitate appointments from early in the morning until the evening in order to accommodate residents' work and other commitments. If the resident is not interviewed, the letter will be posted through their door.
- 8.7 The letter will be detailed and include:
- Confirmation that NBC is considering demolition or major reconfiguration that will necessitate tenants and home owners moving out of their homes permanently;
 - An explanation of the reasons why demolition or major configuration is being considered;

⁴ In the case of Secure Tenants this is not only good practice but a legal obligation under Section 105 of the Housing Act 1985

- A summary of the Resident Offer: what choices there are, both temporarily and permanently, and how these can be facilitated;
- An invitation to attend follow-up meetings with NPH Officers;
- A 'Frequently Asked Questions' information sheet;
- A single point of contact at NPH with a direct phone line and email address; and
- A web link to a page on the NPH website with the information available electronically.

8.8 **By undertaking a home visit** there is an opportunity, from the outset, for NPH (on behalf of NBC) to do the following:

- Explain the reasons why demolition or reconfiguration is being considered and share early concept plans for the redevelopment;
- Explain the decant policy and process;
- Explain the Resident Offer: what choices there are, how these choices can be made and what the process is for going forward;
- Answer any questions and, where the answers are not known, the NPH Officer will take the question away with them and provide the tenant or owner occupier with an answer at the earliest point possible;
- Support an application for the Housing Register where appropriate;
- Complete a needs assessment, noting any particular needs, household size and any preferences with regards to the options available. Where particular needs are identified, referrals will be made (as appropriate, and with the tenant's permission) to NPH's Occupational Therapist, NPH's Support Workers and/or other professionals within other health and social care agencies; and
- Complete a property inspection

8.8 If English is not the first language of the tenant or home owner, NPH will offer them a translator to assist with the interview.

8.9 The NPH Officer will write notes of the meeting and provide the tenant / home owner with a copy of the notes for their records and information.

8.10 It is very likely that tenants and home owners will want more than one meeting, given the importance of the subject, the volume and complexity of the information to take in and the need to talk the situation through with friends and family. For these reasons, follow-up meeting(s) will always be offered.

8.11 Once a plan is agreed with the tenant, a Decant Agreement will be produced setting out the details of what has been agreed.

9. STAGE 7 – Wider planning consultation with the community

- 9.1 NPH will hold a public meeting at a venue that is close to the development, making copies of the concept plans and other relevant information available to the local community including, in particular, those residents who are living in properties that are adjacent to the development.
- 9.2 The public meeting will take place during the day and during the evening in order to maximise the opportunities for people to attend. People who are housebound will be able to request a home visit by an NPH member of staff.
- 9.3 Residents and other local stakeholders will be able to provide feedback verbally and/or in writing and this feedback will inform the development of the concept designs, ahead of the formal planning application.

10. STAGES 8 & 9 – Designs updated (where possible) following consultation, and submission of planning application

- 10.1 Following consultation, plans may be updated or amended.
- 10.2 The formal planning application will then be submitted.
- 10.3 NPH's detailed pre-application consultation with the Planning and Highways Authorities and other stakeholders should mitigate the risk of refusal. However, until the application is formally approved, the planning risk remains.

11. STAGES 10 & 11 – Planning approval and Council (Cabinet) approval, including resolution to grant a Compulsory Purchase Order (CPO)

- 11.1 Following approval of the planning application by NBC's Planning Committee, a report will be submitted to NBC's Cabinet.
- 11.2 The Cabinet Report will contain the following:
- A summary of the Feasibility Report, setting out the reasons why it is being recommended that the homes should be demolished or reconfigured;
 - Details of the Resident Offer;
 - Details of any feedback received during the consultation period;
 - The programme;
 - The cost plan; and
 - The design that has been approved by the Planning Committee.
- 11.3 The Cabinet will be recommended to approve the regeneration scheme, together with a resolution to grant a Compulsory Purchase Order (as a last resort) in relation to any property that is not owned by the Council where the owner fails to sell the property voluntarily to the Council.

12. STAGE 12 – Formal demolition notice

- 12.1 Following Council approval, the final demolition notice will be issued.

13. STAGE 13 – Decant process commences

- 13.1 By this stage in the process, all tenants will already have received their Resident Offer (see Section 4 and Appendix A) and those who have been offered suitable alternative accommodation may already have moved out before they have been served with a final demolition notice.
- 13.2 When the Council's Cabinet has approved the regeneration scheme, the remaining tenants will be placed in the 'Emergency' (priority) Band of the Housing Register with a view to them being offered suitable, alternative accommodation – temporary if they are planning to return, or permanent if they are not planning to return – as soon as possible.
- 13.3 The Council retains the legal right under Ground 10 or 10a of Schedule 2 of the Housing Act 1985 to seek an order for possession as a last resort, once all other alternatives have been explored and reasonable offers of rehousing have been rejected. Possession will only be granted by a Court with the provision of suitable alternative accommodation.
- 13.4 By this stage in the process, all home owners will already have received their Resident Offer (see Section 4 and Appendix A) and it is likely that some home owners will have sold and moved before the demolition notice is issued.
- 13.5 When the Council's Cabinet has approved the regeneration scheme, negotiations will continue with home owners to progress the purchase arrangements. If home owners refuse to enter into an agreement to sell, the Council will use its compulsory purchase powers as a last resort.

14. STAGES 14 & 15 – Decant process completes and construction commences

- 14.1 NPH will 'twin track' the design development and procurement process with the planning and Cabinet approval process.
- 14.2 However, construction contracts will not be signed until full approval is in place and construction will not commence until the building is empty.

15. STAGES 16 & 17 – Construction completes and new homes are let

- 15.1 As the new homes are built, they will be occupied, first by the tenants and resident home owners who have chosen to return and then by housing applicants who are on the Housing Register and bid for the properties through the choice-based lettings scheme. A local lettings policy may be introduced to give additional priority to certain groups of applicants.
- 15.2 Returning tenants will be allowed to choose the property they wish to return to (subject to clauses regarding bedroom needs) in accordance with the amount of time they had been a tenant on the site prior to its redevelopment. The tenants who have lived there longest will be able to choose first and the tenants who have lived there for the shortest period will choose last.

15.3 Remaining properties will be allocated in accordance with NBC's current Housing Allocations Policy.

16. STAGE 18 – All homes occupied; programme complete

16.1 When all of the homes are occupied, the programme will be complete.

17. Homes that become empty prior to redevelopment

17.1 As it gradually decants the secure tenants and purchases the home owners' properties, NBC will consider placing homeless households into those homes, on a temporary basis, until the site is vacated and works can begin.

17.2 Any households placed in vacant homes on a temporary basis will not receive any of the rights set out in this Policy when they leave their temporary let.

18. Equality and diversity

18.1 This policy reflects NBC & NPH's commitment to take residents' needs and preferences into account. Central to this is the home visit – to carry out a needs assessment at the beginning of the process – which serves to:

- Identify those who may need more support, such as a full packing service or on the day help.
- Ensure that tenants are kept informed in the way most appropriate to them.
- Make suitable re-housing offers, with full consideration being given to the adaptations that are required.

19. Review of this policy

19.1 This policy will be reviewed at least once every two years. However, if there is a key change of policy or the law, the policy will be updated to reflect this.

APPENDIX A – RESIDENT OFFER

This describes the assistance that council tenants and home owners will be offered if they have to move out of their home because it is being demolished or reconfigured as part of a housing regeneration scheme.

1. SECURE TENANTS

Housing rights

- 1.1 Secure tenants who are required to move out of their home because it is being demolished or reconfigured or demolished will remain secure tenants with preserved eligibility for Right to Buy and will have a right to return to the new development if a suitable property is available.
- 1.2 NBC will not re-house the following:
 - Unauthorised occupants
 - Sub-tenants
 - Lodgers
 - Licensees
 - Other non-secure occupants
 - Ineligible persons within the criteria of s 160ZA of the Localism Act 2011 and those deemed ineligible by the Secretary of State.

Housing options

- 1.3 The options available for secure tenants will be:
 - A temporary decant to an alternative property with a right to return⁵ to the new property once complete
 - A temporary decant to an alternative property whilst waiting for a suitable property to become available through the Housing Register
 - The opportunity to bid (via a direct match) as a suitable property becomes available through the Housing Register

Rent levels

- 1.4 If the tenant occupies a like-for-like temporary home during the decant period, they will not be charged a higher rent than they had been paying for their original home. However, they will not be afforded the same protection if the rent they are required to pay for their new permanent home is higher than they had been paying for their original home.

⁵ Please note that tenants may have initially opted to return but once they have occupied the temporary decant property wish to remain there. Wherever possible this will be supported.

- 1.5 In order to help tenants to make an informed choice about their future housing, NPH will carry out an affordability check with the tenant, as there is a possibility (depending on the size, type and location of the home they move into) that the rent they pay for their permanent home will be higher than they were paying for their original home.

Disturbance Payments

- 1.6 A **Disturbance Payment** (in the form of financial support and/or practical assistance) will be provided to cover reasonable moving costs:

- Based on each resident's identified needs, NPH will arrange and pay for specialised contractors to carry out the removal of furniture and effects from and back to the tenant's permanent home and any necessary storage and supply of storage boxes. A full packing service will be available for elderly, frail or disabled tenants to allow them to move, with on the day support as necessary.
- Financial support will be given towards the supply and fitting of floor coverings up to an approved upper limit per metre in both the temporary home and permanent home.
- Financial support will be given towards the provision of new curtains and curtain track up to a reasonable cost per pair where the existing curtains do not fit due to different window sizes in both the temporary home and the permanent home.
- Financial support will be given towards the redirection of post (following the tenants' completion of the postal redirection form) for a maximum period of 6 months.
- Financial support will be given towards the disconnection and reconnection of existing kitchen appliances, or room heaters using Gas Safe or equivalent registered plumbers or electricians in both the temporary and permanent home.

- 1.7 Tenants will retain responsibility for:

- Informing their insurers of their changes of address
- Informing Council Tax of their changes of address
- Reading meters and paying the utilities of the home they have been decanted from and the one they have been moved into

Home Loss Payments

- 1.8 A Home Loss Payment is a statutory payment that is made to compensate tenants (who have been living in their home for over 12 months) for having to permanently move out of their home. This mandatory lump sum payment is fixed by Section 30 of the Land Compensation Act 1973 and the size of it is reviewed annually in September.

Two reasonable offers

- 1.12 Tenants will be made two reasonable offers of suitable accommodation. “Reasonable” and “suitable” will take into account the preferences of the tenant as well as the availability of stock and the demands from other households for whom NBC has a legal duty to accommodate. It will also take into account any particular adaptations needed for the household.
- 1.13 Where a tenant has not bid within six weeks and has had the support to do so NPH retains the right to bid on their behalf and make suitable offers of accommodation on this basis.

Final offers

- 1.14 The tenant has the right to refuse an offer but, when they have refused two offers of suitable properties, NBC will provide one final offer which will be the first available property that meets the household’s bedroom needs assessment and is as close to their areas of preference as possible. Tenants will have the opportunity to discuss all suitable properties before a formal offer is made to minimise the possibility of refusal.

Possession action as a last resort

- 1.15 NBC retains the legal right⁶ to seek a possession order as a last resort, once all other alternatives have been explored and reasonable offers of rehousing have been rejected. Possession will only be granted by a Court with the provision of suitable alternative accommodation.

2. HOME OWNERS WHO HAVE BEEN LIVING IN THE PROPERTY CONTINUOUSLY FOR AT LEAST THE LAST 12 MONTHS

- 2.1 NBC will purchase properties from home owners (who have been living in the property continuously for at least the last 12 months) for the market value plus a 10% home loss payment.
- 2.2 If the home owner agrees to this within two months of the Council’s Cabinet approving the regeneration scheme, they will be offered an incentive payment of an additional discretionary 5% home loss payment.
- 2.3 The Council will also pay reasonable (pre-agreed) legal and valuation costs. Any additional premium will be at the discretion of the Council.
- 2.4 Where possible, home owners who have lived in their homes continuously for at least the last 12 months will be given the option to return, using one of three options:

- (a) Through outright sale of the new home.

NBC and the home owner will enter into one agreement binding both parties to the sale and purchase of the existing home and the new home.

⁶ under Ground 10 or 10a of Schedule 2 of the Housing Act 1985

As the home owner's financial circumstances may change while the new home is being built, the agreement will be conditional upon the home owner having the funds available at the point of completion.

- (b) Through a shared ownership lease of the new home.

NBC and the home owner will enter into one agreement binding both parties to the sale and purchase of the existing home and shared ownership lease of the new home.

A comprehensive affordability assessment (which will take into account the home owner's income, outgoings, savings / capital and mortgage potential) will inform the level of shares to be purchased.

As the home owner's financial circumstances may change while the new home is being built, the agreement will be conditional upon the home owner having the funds available at the point of completion.

- (c) Through an affordable rental basis.

A comprehensive affordability assessment (which will take into account the home owner's income, outgoings, savings / capital and mortgage potential) will inform NBC's decision on whether or not the home owner can afford to purchase a property through a shared ownership lease.

NBC will purchase the property from the home owner, and the home owner will join Northampton's Housing Register and have the same housing options as the secure tenants (see Paragraph 1.3, above).

Right To Buy Scheme

- 2.5 If the home owner has purchased the property (as a council tenant) under the Right To Buy Scheme, they will have received a discount on the purchase price when they bought it and, if they sell it within five years, they will normally be required to repay all of part of the discount they have received.
- 2.6 Where a home owner sells their property to the Council (either voluntarily or as a result of its compulsory purchase) after the Cabinet has formally approved the regeneration scheme, the Council will not seek to recover any of the money that the home owner received as a discount when they bought the property.

3. HOME OWNERS WHO HAVE NOT BEEN LIVING IN THE PROPERTY CONTINUOUSLY FOR AT LEAST THE LAST 12 MONTHS

- 3.1 NBC will purchase properties from home owners (who have **not** been living in the property continuously for at least the last 12 months) for the market value plus a 7.5% home loss payment.
- 3.2 If the home owner agrees to this within two months of the Council's Cabinet approving the regeneration scheme, they will be offered an incentive payment of an additional discretionary 5% home loss payment.

- 3.3 The Council will also pay reasonable (pre-agreed) legal and valuation costs.
- 3.4 Non-resident home owners will not have a right to return.
- 3.5 Home owners who let their tenancies will be responsible for terminating the tenancies or re-housing their tenants.
- 3.6 Tenants of home owners will be able to access housing advice to ensure they are fully aware of their housing rights.

Right To Buy Scheme

- 3.7 If the home owner has purchased the property (as a council tenant) under the Right To Buy Scheme, they will have received a discount on the purchase price when they bought it and, if they sell it within five years, they will normally be required to repay all of part of the discount they have received.
 - 3.8 Where a home owner sells their property to the Council (either voluntarily or as a result of its compulsory purchase) after the Cabinet has formally approved the regeneration scheme, the Council will not seek to recover any of the money that the home owner received as a discount when they bought the property.
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