

**CANNOCK CHASE COUNCIL**

**CABINET**

**15 SEPTEMBER 2011**

**REPORT OF THE HEAD OF HOUSING**

**RESPONSIBLE PORTFOLIO LEADER - HOUSING**

**MOSS ROAD ESTATE REGENERATION STRATEGY – REHOUSING AND COMPENSATION**

**KEY DECISION - YES**

**1. Purpose of Report**

- 1.1 To consider matters to progress the redevelopment of the Reema flats as part of the agreed regeneration strategy for the Moss Road Estate, Chadsmoor i.e.
- (a) A proposed rehousing policy.
  - (b) A proposed home loss and disturbance policy.

**2. Recommendations**

- 2.1 That the Rehousing policy to facilitate the redevelopment of the Reema flats on the Moss Road Estate as Annex 1 is agreed and implemented from 1 October 2011.
- 2.2 That the Home Loss and Disturbance Policy to facilitate the redevelopment of the Reema flats on the Moss Road Estate as Annex 2 is agreed and implemented from 1 October 2011.
- 2.3 That a budget of £100,000 is established within the 2011-2012 Housing Revenue Account Capital Programme for the payment of Homeloss and Disturbance Allowances (and other ancillary costs) in relation to the Reema flats redevelopment scheme.
- 2.4 That scheme approval and permission to spend is granted for payment of Homeloss and Disturbance Allowances (and other ancillary costs) in relation to the Reema flats redevelopment scheme.

**3. Summary (Inc. Brief Overview Of Relevant Background History)**

- 3.1 Cabinet on 21 July 2011 reaffirmed the Councils regeneration strategy for the Moss Road Estate, Chadsmoor.
- 3.2 As part of the agreed strategy, the 167 Council owned Reema flats (together with 3 flats in private ownership) are to be demolished and replaced with a mixed tenure scheme undertaken in partnership with a Registered Social Landlord and a private developer.

This action is dependant on the rehousing of the existing occupants and in order to progress this, Cabinet (again on the 21 July 2011) agreed:-

- (a) To receive a report on proposed rehousing and compensation (Homeloss and Disturbance) policies for the Reema flat occupants.
- (b) Pending consideration of a proposed housing policy not to relet any further Reema flats.

3.3 As a result 7 new Reema flats have become vacant and following “stripping” of internal fixtures and fittings have been secured with security screens. A new type of polymer security screen is being used which are transparent and therefore far less visible than the traditional steel shuttering. It is hoped this will assist in mitigating the risk of unauthorised access whilst having less of a visual impact on the appearance of the estate.

3.4 In order to accelerate the rehousing process this report presents:-

- (a) A proposed Rehousing Policy (attached as Annex 1) and outlined in Section 4.
- (b) A proposed Homeloss and Disturbance Policy (attached as Annex 2) and outlined in Section 5.

#### **4. A Proposed Rehousing Policy**

4.1 The rehousing of the existing occupants will necessitate amendments to the Councils current allocations policy and is envisaged to take between 24 to 30 months, although the timescale is dependant upon suitable vacancies occurring within the Councils’ and Housing Associations existing stock.

4.2 A proposed rehousing policy is attached as Annex 1. This adopts the same principles (and is based on) the policy which is being used to rehouse the occupants of the Elizabeth Road Area Redevelopment Scheme, with amendments to reflect the differences in relation to the Moss Road Scheme. As a result the proposed policy seeks to ensure that:-

- (a) All occupants are treated equitably, regardless of tenure.
- (b) Where reasonable occupants rehousing aspirations are met.
- (c) The progress of the redevelopment strategy is facilitated in accordance with the project timetable.

4.3 The proposed policy also seeks to “strike” a balance between the rehousing needs of the Reema flat occupants and other applicants on the Housing Register (including homeless households) who require Council or Housing Association accommodation.

4.4 A summary of the proposed policy is summarised together with the ‘policy rationale’ below.

(a) Applications

All residents living in the Reema Flats - Moss Road Estate will need to complete a Uchoosehomes application. However, private tenants and Leaseholders (occupiers only) will only be considered where:-

- (i) Private Tenants. A notice to quit has been served (following successful completion of negotiations to acquire the property for regeneration strategy), and any concealed households rehoused.
- (ii) Leaseholders (occupiers only). Contracts have been exchanged for the acquisition of their property and any hidden households rehoused.

To ensure that longstanding residents receive priority for rehousing, it is suggested that where residents have been a leaseholder or private tenant for more than six months prior to the notice or acquisition date they are accepted for rehousing without a homelessness assessment, with their applications being dealt with on the same basis as a Council tenant.

Residents who have been a tenant or leaseholder for less than six months will be assessed on the basis that they have held settled accommodation as required under homeless legislation.

Concealed households are households residing with another household with no legal interest in the property and not living as a member of the tenant's or owner's family. It is proposed that these households are assessed in accordance with the Homelessness legislation and rehoused in accordance with the agreed Allocations Policy. However, in order to prevent these households being made homeless the tenant or owner occupier with whom they are living will not be rehoused until after rehousing the concealed household.

Note. Concealed households are not eligible for any compensation as they have no legal interest in the property.

(b) Property Type

The Reema flats residents occupy 1 or 2 bedroom flats. In some cases households are overcrowded or under-occupy their existing accommodation. It is therefore proposed that applicants are allocated accommodation in accordance with existing eligibility criteria based on their recognised housing needs. However, where a tenant has been under-occupying a two bedroom flat and has been a tenant for 5-years or more it is proposed that they remain eligible for an alternative two bedroom flat (but not a two bedroom house).

(c) Operation of the Choice Based Lettings Scheme (UChoose homes)

- (i) Applicants will be placed in Band 2 to reflect the pending loss of their home and give them relative priority when expressing an interest in advertised vacancies. Applicants would also be eligible to apply for a higher banding in accordance with the existing allocation policy criteria.
- (ii) Where an applicant is already registered and has been awarded a higher band they will retain the existing band award.
- (iii) Where two or more applicants express an interest in a property the allocation will be made according to date the application valid date. In the event of two

or more application valid dates being the same, other measures of recognised housing need would be used to determine between applications. These will include special needs i.e. location of schools, care needs or provision of care to another family member.

- (iv) Where necessary, in order to meet site handover dates applicants will be placed in Band 1 and where necessary, issued with a priority card or properties will be removed from the advertising cycle and directly allocated to applicants affected by the Reema flat redevelopment scheme.

(d) Temporary Accommodation

It is anticipated that all existing residents will be permanently relocated off site prior to site handover date. However, in the event that suitable property is not available it is proposed that applicants are offered temporary accommodation to enable a start on site (Note, this provision would only be used in exceptional circumstances where the applicant has special needs.)

In any case where temporary accommodation is required it is proposed that the property eligibility criteria is suspended, subject to the prevention of statutory overcrowding. Any subsequent request from the applicant to remain in the property will only be agreed if the applicant is eligible for the type of property and the property does not have disabled adaptations unless these are required by the applicant.

(e) Implementation

Subject to the proposed policy being agreed, it is proposed that this is implemented with effect from 1 October.

The proposed application and rehousing process is set out below:-

- (i) Reema Flats applicants will be requested to make a Uchoosehomes application. Assistance will be available to any residents who wish to discuss their individual situation.
- (ii) Applications will “become live” following receipt of a complete and verified application or in the case of private tenants and leaseholders (occupiers only, not landlords) following notification of the notice or acquisition date.
- (iii) Offers of accommodation will commence after 1 October 2011 as soon as suitable properties are available.
- (iv) Residents will be able to move into a property following acceptance of the offer and the receipt of keys after void works have been completed.
- (v) Home Loss and Disturbance Payments will be paid in accordance with the relevant procedures.
- (vi) Vacated properties will be secured after disconnection of services, and removal of pipework and other internal fixtures to mitigate the risk of unauthorised access.

## 5. **A Proposed Home Loss and Disturbance Policy**

- 5.1 In order to facilitate the rehousing process it is proposed to offer occupants who have a legal interest in their property (i.e. Council tenants, private rented tenants and leaseholders) compensation payments in accordance with the statutory compensation scheme. The exceptions to this are 'Concealed Households' who will not be eligible for any compensation as they do not have any legal interest in the property.

The compensation payments comprise of

- (a) Home Loss. Paid for the loss of the 'substantive home' which must have been occupied by the household for 12 months or more, prior to displacement. At 01 September 2011, these payments are £4,700 for tenants and 10% of the property valuation for owner-occupiers, but are revised annually on 1 September each year, with the next re view in 2012.
- (b) Disturbance. Paid to all residents who have a legal interest in a property prior to displacement. The amounts are not specified but need to reflect 'reasonable' costs incurred as a consequence of moving home.
- 5.2 A proposed Home Loss and Disturbance policy is attached as Annex 2. This details the criteria for Home Loss payments together with the Council's proposed approach to Disturbance Payments. In particular the proposed Disturbance Payment policy provides for the provision of new fittings in cases where existing carpets and curtains cannot be adapted but does not provide for new fittings and fixtures where occupants are rehoused to larger properties, for example, two or three bedroom houses.
- 5.3 Leaseholders are also entitled to reasonable legal and valuation costs in relation to the sale of their existing home whilst investment landlords who acquire a replacement property within twelve months of acquisition are entitled to claim the incidental charges/costs of acquiring another property in the United Kingdom. These matters will be considered as part of the acquisition negotiations and agreement. In order to assist residents with the compensation claim process it is proposed to offer the service of an Independent Valuer whose costs will be met as part of any subsequent compensation claim.
- 5.4 Resources to meet the cost of the Homeloss and Disturbance Allowances (together with other ancillary costs associated with the Reema flat redevelopment) have been included within the initial Housing Revenue Account (HRA) Business Plan agreed by Cabinet on 21 July 2011, profiled as follows:-

	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Total</u>
	2012-13	2013-14	2014-15	
	(000's)	(000's)	(000's)	(000's)
Provision of Homeloss & Disturbance Allowance & other ancillary costs	750	750	-	1,500

- 5.5 There is however, no budget within the agreed 2011-12 HRA Capital Programme to commence the payment of Homeloss and Disturbance allowances (in accordance with the proposed rehousing timetable) during the current financial year. However, the agreed programme

includes £235,322 of uncommitted resources which are currently held as a contingency reserve.

- 5.6 It is therefore proposed that £100,000 of these uncommitted resources are used to establish a capital programme budget to enable the payment of Homeloss and Disturbance allowances to commence during the current financial year, subject to this action being agreed, the allocation of resources within the HRA Business Plan will be adjusted when a draft Business Plan is considered by Cabinet in December 2011.

**6. Conclusion(s) and Reason(s) for the Recommendation(s).**

- 6.1 In order to progress the redevelopment of the Reema flats as part of the agreed regeneration strategy for the Moss Road Estate, this report presents:-

(a) A proposed rehousing policy, attached as Annex 1.

and

(b) A proposed Homeloss and Disturbance policy, attached as Annex 2.

- 6.2 There is no budget within the agreed 2011-12 HRA Capital Programme to commence the payment of Homeloss and Disturbance allowances in accordance with the proposed rehousing policy during the current financial year. It is therefore proposed that a budget of £100,000 is established through the virement of uncommitted capital resources.

**7. Other Options Considered**

- 7.1 Homeloss and disturbance payments are statutory where a CPO (Compulsory Purchase Order) has been obtained. Whilst it is anticipated that the redevelopment of the Reema Flats on the Moss Road Estate can be progressed without a CPO, this is dependant on existing residents being provided with the financial assistance and incentive to move home.

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**Section 1****Contribution to Council Priorities (i.e. Corporate Plan)**

The Moss Road Estate Regeneration strategy has been identified as a key action within the agreed 2011-12 "Place" Priority Delivery Plan.

**Section 2****Contribution to Promoting Community Engagement**

The residents living within the Moss Road Estate Regeneration strategy were consulted about the Council's proposals through "drop in" advice surgeries in.

Since this time residents have been kept informed of scheme progress via a number of circular letters.

**Section 3****Financial Implications**

The 30 year Business Plan 21<sup>st</sup> July Cabinet produced as part of the self financing calculation included the cost of the structural reinstatement works for the Reema houses and the Homeloss and Disturbance allowances for the Reema flats as outlined in the report. The estimates are profiled as follows:

<b>HRA Proposed Capital Programme</b>	<b>2012-13 (£000's)</b>	<b>2013-14 (£000's)</b>	<b>2014-15 (£000's)</b>	<b>Total (£000's)</b>
Homeloss & Disturbance allowance & other ancillary costs	750	750	-	1,500

There is however, no budget within the agreed 2011-12 HRA Capital Programme to commence the payment of Homeloss and Disturbance allowances. HRA 2011-12 Capital resources include £235,322 of uncommitted capital resources.

It is proposed that £100,000 of these uncommitted resources are used to establish a 2011-12 Capital Programme Budget to enable the payment of Homeloss and Disturbance allowances. The HRA Business Plan 2012-13 Proposed Capital Programme will be adjusted downwards by £100,000 to £650k to take account of resources being brought forward from 2012-13 into 2011-12.

**Section 4****Legal Implications**

There are no identified legal implications arising from this report.

**Section 5****Human Resource Implications**

There are no identified human resource implications arising from the report

**Section 6**

**Section 17 (Crime Prevention) Implications**

Redevelopment of the flats will enable improvements to design out petty crime and vandalism.

**Section 7**

**Human Rights Act Implications**

Article 8 provides that:-

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
  
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

The Moss Road Estate Regeneration Strategy will result in 170 households having to leave their existing homes, possibly following compulsory purchase action.

The properties on the estate have however, been designated as defective and the Council needs to take action as a landlord and in the interests of the Cannock Chase Community.

Residents affected by the scheme will be compensated by Home Loss and Disturbance Payments and where necessary the provision of alternative accommodation.

The Council is complying with the legislation which empowers it to undertake the redevelopment of the area and at the same time is considering the needs of existing residents.

For these reasons the Council's actions are considered to be compatible with the Human Rights Act.

**Section 8**

**Data Protection Act Implications**

There are no specifically identified implications in respect of the Data Protection Act arising from this report.

**Section 9**

**Risk Management Implications**

The regeneration of the Moss Road Estate has been identified within the Councils' strategic Risk Register.

**Section 10**

**Equality and Diversity Implications**

There are no specifically identified Equality and Diversity implications arising from this report.

**Section 11**

**List of Background Papers**

**Section 12**

**Report History**

PRC Dwellings – Moss Road Estate And Rowley Close/Bradbury Lane	Cabinet	20 March 2008
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Moss Road Estate Regeneration Strategy	Cabinet	21 July 2011
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**Annexes**

Annex 1	Draft Moss Road Estate Rehousing Policy
Annex 2	Draft Moss Road Estate Home Loss and Disturbance Policy

CANNOCK CHASE COUNCIL

MOSS ROAD ESTATE REGENERATION STRATEGY

DRAFT REHOUSING POLICY

1. Policy Objectives

- (a) To meet the aspirations of residents living in the Moss Road Estate Reema Flats wherever it is reasonable to do so.
- (b) To be fair and equitable to all housing applicants, whether they are residents of the Moss Road Estate Reema Flats or applicants from elsewhere.
- (c) To facilitate the progress of the Moss Road Estate Regeneration Strategy in accordance with the project timetable.

2. Rehousing Policy

2.1 All Reema Flat residents will be required to move from the estate prior to the development commencing and to be relocated permanently off site. In order to achieve this, residents will be given help and assistance to obtain alternative accommodation as set out below:

- (a) Leaseholder - Occupiers (Reema Flats only)
  - (i) Negotiations will be undertaken with leaseholders – occupiers to acquire their properties. Rehousing of certain leaseholders – occupiers only may be resolved through, for example, shared ownership to enable them to purchase alternative dwellings.
  - (ii) leaseholders – occupiers only who have been owner-occupiers for six months or more prior to the acquisition date will also be offered, as part of the negotiations, the opportunity to be rehoused within the Council’s existing stock or through a nomination to a Registered Social Landlord.
  - (iii) leaseholders – occupiers only whose flats are acquired will be entitled to Home Loss and Disturbance Payments subject to them meeting the residence criteria.
- (b) Reema Flats - Council tenants
  - (i) Council tenants will be rehoused within the Council’s existing stock or through a nomination to a Registered Social Landlord.
  - (ii) Council tenants will not be required to give the normal weeks notice on their existing home.
  - (iii) Tenants who move due to the regeneration strategy will be entitled to Home Loss, and Disturbance Payments subject to them meeting the statutory residence criteria.

- (c) Reema Flats - Private rented tenants
- (i) Negotiations will be undertaken with private landlords to acquire any privately rented flats. As part of the property negotiations certain private tenants may be rehoused in alternative private rented accommodation
  - (ii) In cases where no alternative private rented accommodation is available private rented tenants who have been tenants for:-
    - (a) six months or more prior to the notice date, will be offered the opportunity to be rehoused with the Council's existing stock or through a nomination to a Registered Social Landlord.
    - (b) less than six months from the notice date will be assessed by the Council's Housing Options Team under Homelessness legislation.
      - (i) Where the Council has a statutory duty under the homelessness legislation tenants will be offered the opportunity to be rehoused within the Council's existing stock as tenants or through a nomination to a Registered Social Landlord.
      - (ii) Where the Council does not have a statutory duty to rehouse, assistance will be given by the Council's Housing Options Team to obtain alternative accommodation.
  - (iii) Private tenants who move due to the regeneration strategy will be entitled to Home Loss, and Disturbance Payments subject to them meeting the residence criteria

**Note: Notice date refers to the date of a notice To Quit issued by the landlord as a result of acquisition for the redevelopment and not for any other reason.**

- (d) Reema Flats- Hidden Households
- (i) Hidden households i.e. a household residing with another household with no legal interest in the property and not living as a member of the tenant's or owner's family will be assessed by the Council's Housing Options Team under Homelessness legislation and rehoused in accordance with the Council's Allocations Policy.
  - (ii) Hidden households will be rehoused prior to the Council or private tenant or owner-occupier in order to prevent them being made homeless. Offers will not be made to Council or private tenants or Leaseholders (occupiers only) - leaseholders who have hidden households residing with them until the hidden household has been rehoused.
  - (iii) Hidden households will not be entitled to Homeloss, disturbance, or any other compensation payments in relation to the Moss Road Estate Regeneration Strategy.

2.2 Prior to the commencement of this policy (1 October 2011) residents may move from the Moss Road Estate under the existing allocations policy scheme. However they will not be entitled to Home Loss or Disturbance payments as they will be moving for other housing reasons and not as a result of the regeneration strategy.

2.3 In cases where no suitable alternative accommodation is available before vacant possession of their flat is required, residents will be provided with temporary accommodation, until suitable permanent accommodation is available

### 3. Changes to Existing Allocations Scheme – Moss Road Estate - Reema Flats only

#### (a) Eligibility –

(i) Owner-occupiers who have been resident for more than six months from acquisition date will be eligible for rehousing.

(ii) Private tenants who have been resident for more than six months from notice date will be eligible for rehousing.

(iii) Private rented tenants and owner-occupiers who have been resident for less than six months will be assessed by the Housing Options Team.

#### (b) Operation of the Choice Based Lettings Scheme (uchoose homes)

(v) Applicants would be placed in Band 2 to reflect the pending loss of their home which would give them some priority when expressing an interest in advertised vacancies. Applicants would be eligible to apply for a higher banding in accordance with the existing allocation policy criteria.

(vi) Where an applicant is already registered and awarded a higher band they will retain their existing band award.

(vii) Where two or more applicants express an interest in a property the allocation would be made according to date the application valid date. In the event of two or more application valid dates being the same, other measures of recognised housing need would be used to determine between applications. These would include special needs i.e. location of schools, care needs or provision of care to another family member.

(viii) Where necessary, in order to meet site handover dates applicants would be placed in Band 1 and issued with a priority card.

(ix) If necessary, in order to meet site handover dates, properties would be removed from the advertising cycle and directly allocated to applicants affected by the Moss Road Estate Regeneration Strategy in order to meet the site handover date.

- (c) General
- (i) Applicants will be allocated accommodation in accordance with existing eligibility criteria. However, where a tenant has been under-occupying a two bedroom flat and has been a tenant for 5-years or more they remain eligible for an alternative two bedroom flat (but not a two bedroom house).

4. Moss Road Estate - Reema Flats only Temporary Accommodation

a) Eligibility criteria

Where suitable accommodation has not been found in time to meet the site handover date, applicants will be offered temporary accommodation within the Council or Registered Social Landlord housing stock. Eligibility criteria for property types will be suspended subject to the prevention of statutory overcrowding. Nominations to a Registered Social Landlord property will be with the agreement of the Registered Social Landlord at the point of nomination.

Note the suspension is for temporary accommodation only.

b) Temporary to Permanent Rehousing

Where temporary accommodation has been provided within the Council stock and a household subsequently submits a request to remain in the property on a permanent basis, the request will be considered as follows:

- (i) The applicant does not fall within the property type eligibility category - the request will be refused.
- (ii) The applicant is eligible for the property type - the request will be agreed unless the property is adapted property for a disabled person and the applicant does not require the adaptations.

5. Implementation

- 5.1 The Moss Road Estate Regeneration Strategy rehousing policy will become effective adopted from 01 October 2011.

6. Appeals Process

- 6.1 Residents have the right to request a review of any allocation decision through the Council's Appeal and Complaints Procedure.

7. Further Information and Advice

- 7.1 Residents can obtain additional information from Cannock Chase Council by contacting:-

- Housing Department Tel. 01543 462621
- Housing Options Team. Tel. 01543 462621

**CANNOCK CHASE COUNCIL**

**Moss Road Estate Regeneration Strategy**

**Draft Home Loss and Disturbance Policy**

1. Introduction
- 1.1 Council tenants, private rented tenants and leaseholders may be entitled to compensation payments as a result of the implementation of the Moss Road Estate Regeneration Strategy. This policy sets out what they can expect in terms of standards of performance and compensation when they are asked to move from their home due to the redevelopment.
2. Home Loss Payment
- 2.1 Council and private rented tenants who have occupied the property for 12 months or more prior to displacement will be entitled to a Home Loss Payment (HLP). This amounts to £4,700 (as at 01 September 2011) but is reviewed by Central Government on 1<sup>st</sup> September each year, with the next review in 2012.
- 2.2 Leaseholders – occupiers only are entitled to 10% of the value of their home which will be determined as part of the property acquisition negotiations.
- 2.3 The payments are made for the loss of their substantive home.
- 2.4 Tenants of less than a year may also be eligible for a payment provided they previously lived with another person who satisfied the above condition, and that person no longer resides at the premises due to ill health or matrimonial break-up. Payments for joint tenants may be shared equally.
- 2.5 A tenant will be entitled to Home Loss payment if, after receiving a Notice to Quit from their landlord (or a written agreement to pay HLP from the Council) they find their own accommodation, rather than waiting for an offer of accommodation from the Council. In relation to private tenants Home Loss the tenant's landlord must be contractually committed to disposing of his property or be in receipt of a Notice to Treat.
- 2.6 Council and private tenants will receive Home Loss Payment in two instalments:-
  - (a) 50% prior to moving less the deduction of any Council rent arrears, Council Tax or other Council debits.
  - (b) 50% following vacation of their previous home less the deduction of any Council rent arrears, Council Tax or other Council debits and subject to a satisfactory inspection\*.

**Note\*** All properties prior to the tenant vacating will be inspected and the Home Loss Payment will be reduced to pay for the removal of rubbish or belongings (from the property or in the communal areas) or any damage caused by the tenant which requires remedial work for health and safety reasons.

2.7 Leaseholders - occupiers only will receive 100% of Home Loss Payment as part of the settlement for the acquisition of their property.

3. Disturbance Payments

3.1 Council tenants, private tenants and leaseholders - occupiers only will qualify for disturbance payments provided they have been in lawful possession of the property prior to displacement.

3.2 There is no 'fixed cash sum' in relation to disturbance payments. Payments will reflect the 'reasonable' costs incurred as a consequence of moving home and will vary in relation to individual circumstances.

3.3 An Independent advisor will be available to assist Moss Road Estate Regeneration Strategy residents in the negotiation of any claim. The Council will meet the costs of the independent advisor as part of the claim.

3.4 In the event of a disagreement with the Council regarding a Disturbance Payment residents will have the right of appeal to the Council's formal Complaint Procedure.

3.5 **The following gives general items of claim and sets out how the claim will be considered: -**

- Removal Costs

Residents will be required to arrange their own removal following acceptance of the lowest of three quotations from removal firms (Note Invoice and quotations must be submitted)

As an alternative if a resident wishes to move themselves then the cost of van hire can be claimed.

One skip per household for clearance purposes will be provided through the Council's Skip Hire Contract. Residents who require provision of any additional skips will need to make their own arrangements and consideration will be given to their claim on submission of a receipt.

- Disconnection and Reconnection of Cookers, Washing Machines, Dishwashers

Residents will be required to arrange their own disconnection/reconnection by a qualified electrician or a Gas Safe registered gas fitter as appropriate. ( Note A receipt must be submitted).

- Disconnection/Reconnection of Aerials/Satellite Dishes/Sky TV

Residents will be required to arrange their own disconnection/reconnection and submit a receipt for payment.

- Redirection of mail up to 6 months

Residents will be required to arrange their own redirection and submit a receipt for payment.

- Disconnection/reconnection of telephone

Residents will be required to arrange their own disconnection/reconnection and provide a receipt for payment.

- New school uniform

In cases where as a result of the move, any children are required to change school and a different uniform is required. Payments will be restricted to badged and specified coloured items. (Note An itemised receipt is required.)

- Loss of wages

Loss of earnings caused by time off work on the 'day of the move' only will be eligible subject to certification via a letter from the residents' employer confirming the amount.

Note No payment will be made in respect of self employed persons or those not working.

- Carpets

Where possible, existing carpets must be refitted or adapted to fit the residents' new home. The cost of any alterations or adaptations will be paid as part of the claim.

Only in cases where it is not possible to re-use existing carpets (including foam backed carpets) will residents' be eligible for new carpets.

In cases where it has been agreed to compensate via a new carpet the following upper limit will apply as part of a claim:

**£15.00 per sq.m.** For living rooms, hall and stairs including underlay and fitting, but excluding grippers and rods

**£10.00 per sq.m.** For bedrooms including underlay and fitting, but excluding grippers and rods

**£7.00 per sq m.** For bathrooms and kitchens including underlay and fitting, but excluding grippers and rods.

**£4.00 per sq.m.** For medium range underlay where existing carpets are being re-used and underlay no longer suitable.

Residents will be required to choose their own supplier(s) and to submit itemised invoices or receipts as part of any claim.

Residents cannot claim for the cost of carpet/flooring in any additional rooms above the number of rooms in their existing property.

- Curtains/Blinds

Where possible, existing curtains and blinds must be refitted or adapted to fit the residents new home. The cost of any alterations or adaptations curtains and blinds including the re-fixing curtain rails will be paid as part of the claim. Only in cases where it is not possible to

re-use existing curtains will residents be eligible for replacement of either new curtains or blinds<sup>1</sup>. The resident can claim reasonable costs for replacement of curtains subject to being of similar type and quality to existing curtains/blinds.

Residents will be required to choose their own supplier(s) and to submit itemised invoices or receipts as part of any claim.

Residents cannot claim for the cost of curtains/blinds in any additional rooms above the number of rooms in their existing property.

- Change of Address

Costs incurred in notifying a change of address and the alteration of documents, for example, Insurance Companies, DVLA

- Built in wardrobes / furniture that will not fit into the new property

Residents with furniture that is “built in” to their existing home, for example wardrobes or beds, and there is a need to purchase a replacement item for their new home, compensation will be based on the purchase of a replacement item of similar quality to their existing furniture. A receipt for the replacement item must be submitted the “value for money” received from the new item of furniture will be taken into account when assessing their claim.

Residents forced to dispose of items of furniture that are not “built in” but will not fit into your new property will be paid compensation on a “loss on forced sale” basis that will reflect the age and condition of the furniture disposed of, it will not relate to the purchase price of any replacement item.

Residents cannot claim for the cost built in wardrobes/furniture that will not fit for any additional rooms above the number of rooms in their existing property.

3.6 The general items of claim which will apply to most residents are set out above. It is however accepted that the list is not exhaustive and the Council will consider other reasonable claims that arise. The independent advisor will be able to provide advice and assistance on this matter.

5. How to Claim

5.1 Home Loss Payments

(a) Tenants (Council and private) will be required to complete the claim form which will be issued prior to rehousing. The Council undertakes to make a payment by cheque within 20 working days of receipt of a valid claim form. Council and private tenants will receive Home Loss Payment in two instalments:-

- i. 50% prior to moving less the deduction of any rent arrears, Council Tax or other Council debits.

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<sup>1</sup> This policy does not include compensation for both new curtains and blinds at the same window.

- ii. 50% following vacation of their previous home less the deduction of any further rent arrears, Council Tax or other Council debits and subject to a satisfactory inspection\*.

**Note\*** All properties prior to the tenant vacating will be inspected and the Home Loss Payment will be reduced to pay for the removal of rubbish or belongings (from the property or in the communal areas) or any damage caused by the tenant which requires remedial work for health and safety reasons.

- (b) Leaseholders (occupiers only) - leaseholders will receive 100% of Home Loss Payment as part of the settlement for the acquisition of their property.

## 5.2 Disturbance Payments

- (a) Tenants (Council and private) and Leaseholders (occupiers only) - leaseholders will be advised to make a claim through an Independent Adviser.

**Note\*** All properties prior to vacation will be inspected and the Disturbance Payment will be reduced to pay for the removal of rubbish or belongings (from the property or in the communal areas) or any damage caused by the tenant which requires remedial work for health and safety reasons.

## 6. Appeals Procedure

- 6.1 In the event of a disagreement with the Council regarding a Disturbance Payment residents will have the right of appeal to the Lands Tribunal (where a CPO has been made) or if necessary through an alternative Independent Valuer and the Council's formal Complaint Procedure.