

**West Hendon Regeneration
Secure Tenants' Moving Pack**

The Residents' Regeneration Group worked with the Council and Metropolitan to develop the promises included in this document.

Judy Lynch, Chair

Secure Tenants' Decant Policy

1. Introduction

- 1.1 This policy applies to all secure tenants living on the West Hendon estate
- 1.2 This policy should be read in conjunction with other relevant policies, procedures and guidance including the West Hendon Allocations Protocol.
- 1.3 A dedicated West Hendon Decant Team made up of officers from Barnet Council and Metropolitan Housing Trust will allocate the new homes.
- 1.4 All secure tenants currently living on the West Hendon estate will have the right to be rehoused.

2. The Decant Process

- 2.1 Approximately 12 - 18 months before a property is required for demolition an officer from Barnet Homes will make a home visit to fill out a housing needs assessment.
 - 2.1.1 Approximately 12 months before a property is required for demolition a Notice of Seeking Possession (NoSP) will be served. A Possession Order will then be sought under Ground 10a. This is to make sure that there are no delays to the scheme as a result of people refusing to move. Before a Court will grant a possession order they will need to be satisfied that there is a suitable alternative property available.
 - 2.1.2 The layouts of the new properties will be available approximately 12 months before a property is required for demolition. Residents will be invited to express their preference for a particular layout and floor level. Where possible these preferences will be met. Where more than one person expresses a preference for the same property priority will be given in accordance with the allocation protocol.
 - 2.1.3 Once a flat has been accepted residents will be invited to select their preference from a range of items such as colour of paint and floor covering.

2.1.4 Where possible decants will be arranged to ensure that no one is left alone in a block.

2.2 This section applies to Secure Tenants who want to stay in West Hendon

2.2.1. All secure tenants currently living on the West Hendon estate will have the right to return to a permanent new home on the estate. This includes secure tenants currently living on the estate who move temporarily to a property off the estate.

2.2.2 Initial letting of the new homes will be as follows:

2.2.3 Where possible secure tenants will move from their current home directly into the permanent new home.

2.2.4 Permanent new homes will have the same number of bedrooms as the accommodation currently occupied or greater if required by housing need. If Secure Tenants have more rooms than they need and choose to move to a smaller property, they will be offered trade down payments in accordance with the Council's policy and payment amounts.

2.2.5 Secure tenants who currently live in a house will be offered a house in the new West Hendon. These will be allocated in order or priority need in line with the allocations protocol.

2.2.6 Secure tenants will be offered a new home on the floor of their preference where a suitable property is available in line with the Allocations Protocol.

2.2.7 Secure tenants who currently do not live in a house who have difficulty with stairs but do not have a housing need for ground floor accommodation will be offered a property served by a lift on the lowest floor available.

2.2.8 Where possible secure tenants will be given the opportunity to view a property of a similar design to the one being offered. You will be able to view your new home at least 2 weeks before you are due to move in.

2.2.9 All secure tenants will be interviewed as early as possible before they are due to move to discuss their rehousing needs and preferences. Where possible this will take place 12 months before their moving date. Evening and weekend appointments will be arranged where necessary. One reasonable

offer will be made based on the details agreed at that interview and any notified change in circumstances.

2.2.10 Secure tenants will have the right to remain a Secure Council Tenant or to choose to become an Assured Tenant of MHT.

2.3 This section applies to Secure tenants who wish to move permanently off the estate

2.3.1 All secure tenants including those who wish to move off the estate will be allocated a suitable property in the new build estate.

2.3.2 Secure tenants who prefer to move off the estate will be registered under the Council's Allocation Scheme. The Council's Allocations Scheme is based on bands numbered 1 to 4. Band 1 is the highest priority and band 4 is the lowest. Secure tenants will be offered one suitable property off the estate. The tenant may appeal against the offer. If the appeal is lost there will be one further chance to accept the property. If the property is refused the offer will be withdrawn and the allocated new build property on the estate will be offered. This property will be held for the tenant until the matter is resolved.

2.3.3 Secure tenants who prefer to move off the estate will be offered a home with the number of bedrooms that they need. This may not be the same as the number of bedrooms that they currently occupy.

2.3.4 Secure tenants who prefer to move off the estate will not be able to choose whether they remain a Council tenant. The type of tenancy they have will be determined by their landlord. If they move to a Housing Association property they will have an Assured Tenancy, if they move to a Council property they will remain a Council Tenant.

2.4 This section applies to secure tenants who have to move temporarily off the estate

2.4.1 If a secure tenant needs to move twice and is not overcrowded they will be offered a property with the number of bedrooms that are needed off the estate.

- 2.4.2 If a secure tenant needs to move twice and is overcrowded they will be offered a property with the number of bedrooms that are needed. Where this is not available they will be offered the largest available property off the estate.
- 2.4.3 When they move to their permanent new home on the West Hendon estate they will have the right to choose to remain a Secure Council Tenant or an Assured Tenant of MHT. Permanent new homes will have the same number of bedrooms as the accommodation previously occupied on the estate or greater if required by housing need.
- 2.4.4 If the temporary move is to a MHT property off site secure tenants will have the right to remain there as an Assured MHT tenant or return to a permanent new home on the West Hendon estate as either a MHT tenant or a Council tenant.

2.5 This section applies to secure tenants who have to move twice on the estate

- 2.5.1 If a secure tenant needs to move twice and is not overcrowded they will be offered a property with the same number of bedrooms as currently occupied on the estate.
- 2.5.2 If a secure tenant needs to move twice and is overcrowded they will be offered a property with the number of bedrooms that are needed. Where this is not available they will be offered the largest available property on the estate.
- 2.5.3 If a secure tenant needs to move twice and is currently living in a house the temporary accommodation will be a house on the estate where possible.
- 2.5.4 When they move to their permanent new home on the West Hendon estate they will have the right to choose to remain a Secure Council Tenant or an Assured Tenant of MHT. Permanent new homes will have the same number of bedrooms as the accommodation previously occupied on the estate or greater if required by housing need.

The following sections apply to all secure tenants.

3. Support Requirements

- 3.1 Reasonable additional help, care and support will be provided to residents with identified support needs. This includes a professional packing service for elderly, disabled or vulnerable tenants. The West Hendon Decant Team will assess Tenants' needs on a case by case basis.
- 3.2 Adaptations will be fitted as recommended by the relevant occupational therapy service.

4. Home Loss Payment

- 4.1 A Home Loss payment will be made to all households with a secure tenancy. Joint tenants share the payment equally. The payment is currently £4,700.
- 4.2 If a resident has rent or service charge arrears these may be offset against any Home Loss payment due and deducted before the payment is made.
- 4.3 Tenants who have been rehoused temporarily and remain in the temporary home for 12 months or longer are entitled to Home Loss Payment on two separate occasions.
- 4.4 As mentioned above, Home Loss payment is currently set at £4,700. However, you may not receive the full amount as the following will be deducted from this payment where applicable:
- Rent arrears
 - Council Tax arrears
 - Any other monies that you owe the council
- 4.5 Payment will be made in two parts:

Stage 1 – The first payment of up to £2,350 (50% of £4,700) will be triggered when your tenancy agreement has been signed for your new home and will (where possible) be paid directly into your bank account. This process takes

approximately five days. When you sign your tenancy, you will be asked to sign a form agreeing to pay back this money if you do not move to your new home. This first payment may be reduced where monies owed to the council exceed 50% of the total Home Loss payment.

Stage 2 – The second part of the Home Loss payment, £2,350 (less deductions listed in 4.4 where appropriate) will be paid when you have returned the keys to your former home to Barnet Homes and your home has been inspected. We aim to make this payment as soon as we have received final statements from Barnet Homes and the Council Tax Department and know if any deductions need to be made from your Home Loss Payment. This second payment will also be made directly into your bank account.

- 4.6 To enable us to make payments directly into your bank account, you will have to provide details of your account prior to your move. The Bank Details Form can be obtained from , Anna Morrel Regeneration Service, London Borough of Barnet on 0207 359 2387.
- 4.7 Payments by cheque will be made in exceptional circumstances only (i.e. for those that do not have a bank account or are in the process of making new banking arrangements). If you have a post office account please make sure it is able to receive BACS payments.

5. Disturbance Allowance

- 5.1 When tenants are asked to move they should not suffer financially. Disturbance payments reflect the reasonable costs incurred as a direct result of moving home. The list below reflects the type of costs covered by disturbance payments although it is recognised that there may be individual circumstances not included in the list that may be covered by disturbance payments.
- Removal expenses

- Disconnection and reconnection of existing telephones and appliances including plumbing washing machines.
- Disability adaptations
- Redirection of post for 3 months
- Provision of carpets.
- A handyperson will be on site to assist where necessary.

5.2.1 Where possible services will be procured and paid for directly by the West Hendon decant Team. This is likely to apply, for example, to removal companies.

5.2.2 Where tenants have paid directly for items covered by the disturbance allowance they will need to submit the original copy of the receipt to the West Hendon decant team for reimbursement. Except in exceptional circumstances receipts must be submitted within 6 months of the tenancy commencement date.

6. Dispute Resolution Process

6.1 Where possible disagreements will be resolved by informal discussion. A property will be considered to be suitable if it meets the following criteria:

6.1.1 It is the same size as the existing property or larger in accordance with Appendix 1 of the Allocations Protocol unless the tenant agreed to trade down,

6.1.2 It is a house that is being offered to a secure tenant currently living in a house.

6.1.3 It complies with any recommendation made by the medical adviser or special assessment panel as to the applicant's essential requirements.

6.2 If a reasonable offer of accommodation is not accepted, application will be made to Court for possession.

7. Appeals

- 7.1 With the exception of the level of statutory Home Loss payment awarded, decants have the right to appeal any decisions relating to their decant.
- 7.2 The West Hendon Decant Team will review appeals.
- 7.3 Disputes relating to Home Loss and or disturbance payments that cannot be resolved can be referred to the Lands Tribunal in accordance with the 1973 Land Compensation Act.

Secure Tenants Allocations Protocol for new West Hendon Homes

1. Introduction

- 1.1. This protocol applies to all new homes built on the West Hendon estate and to permanent lettings of MHT properties initially ring fenced for existing secure tenants living on the West Hendon estate.
- 1.2. A dedicated West Hendon Decant Team will allocate the new homes.
- 1.3. The West Hendon Allocations Protocol should be reviewed in line with the Barnet Council's Allocations Policy and in consultation with the Partnership Board or other approved constituted body as and when required.

2. Priority of Allocations

- 2.1. Priority will be given as follows:
 - a) Secure tenants whose homes are in the priority phase of the regeneration.
 - b) Secure tenants who are currently overcrowded
 - c) Secure tenants with medical needs in accordance with the Council's medical assessment.
 - d) Secure tenants who have children attending secondary school.
 - e) Secure tenants with children currently attending nursery or primary school.
 - f) The length of time the tenant has lived in the property.

2.2. Priority for ground floor accommodation will be given as follows:

- a) Those with medical needs in accordance with the Council's medical assessment.
- b) Those with a child or children under the age of 10 at the time the new home is allocated.

2.3. Tenants with disabilities will be offered accommodation suitable for their needs subject to the relevant Occupational Therapists assessment of the suitability of the property.

3. The following criteria also applies to secure tenants:

3.1. Secure tenants who are overcrowded will be offered larger accommodation in accordance with Appendix 1.

3.2. Secure tenants who are not overcrowded will be allocated a new home with the same number of bedrooms as their current home unless they are under occupying and they choose to move to a smaller property that meets their housing need.

3.3. Secure tenants currently living in a house will get first refusal on a new house. Any surplus houses will be offered to secure tenants with a child or children under 10, who desire a house.

4. Overcrowded Adult Relatives

4.1. A small number of one bedroom flats may be allocated to overcrowded adult relatives of secure tenants. Adult relatives can apply to be allocated a separate property provided the tenant agrees to move to a home that meets their housing need. This is not a right but will be offered when it is to the mutual benefit of the tenant's family and MHT in achieving satisfactory re-housing. The adult relatives rehoused must:

- a) be part of the tenant's household
- b) be listed on the list of occupants
- c) provide proof of residency
- d) be currently residing in the property and have been residing there as their principal home for a minimum of 2 years from the date on which the tenant is informed that their home is required for demolition.

4.2. Only one offer of accommodation will be made. Adult relatives will be rehoused at the same time as the tenant so that no one is left in occupation. Home Loss and Disturbance payments will only be paid to the original tenant.

5. Where there is a surplus of dwellings priority will be as follows:

- 5.1. Secure tenants in the following priority phase of the development and each priority phase thereafter until exhausted.
- 5.2. In accordance with Barnet Council's Allocation Policy at the time of decant.

6. Future Lettings

- 6.1. All future re-lets will be let in accordance with the Nomination Agreement appended to Principal Development Agreement.

7. Dispute Resolution Process

- 7.1. Where possible disagreements will be resolved by informal discussion. A property will be considered to be suitable if it meets the following criteria:
- 7.2 It has the same number of bedrooms as the existing property or more in accordance with Appendix 1 unless the tenant agreed to trade down.
- 7.3 It is a house that is being offered to a secure tenant currently living in a house.
- 7.4 It complies with any recommendation made by the Medical Adviser or special assessment panel as to the applicant's essential requirements.
- 7.5 If a reasonable offer of accommodation is not accepted, application will be made to Court for possession.

Appendix 1

SIZES OF HOMES

- The number of bedrooms you need depends upon the size of your family.
- The chart shows the size of home that it is considered you need.
- A single parent is counted as a single person and an unborn baby is counted as a child.
- Single people without children are usually offered studios.
- Single bedrooms will be used for one person not sharing (for example a single parent).
- Double bedrooms will be used for two people sharing (for example two children sharing)
- Where a single parent has a child under the age of one they will be offered a flat with one double bedroom.
- Two children of the opposite sex under ten will be expected to share a bedroom.
- Some retiring staff are contractually entitled to one bedroom more than they need.
- Council or Housing Association tenants trading down from properties with three or more bedrooms may choose a property with one bedroom more than they need.
- Sometimes Housing Associations adopt different criteria for determining the number of bedrooms a household requires.

Size of Family	Size of Property
Single person	Bedsit/single person home with single bedroom
A couple without children	1 bedroom
Two adults of the same sex and generation for example, flat sharers, or two brothers	1 bedroom
A couple expecting a child or with a child, including an adult son or daughter	2 bedrooms
A couple with two children of the same sex	2 bedrooms
Two adults of opposite sex who do not live as a couple, for example, brother and sister.	2 bedrooms
A couple with two children of opposite sex and both under ten	2 bedrooms
A couple with two children one of whom is over ten	3 bedrooms
A couple with three children	3 bedrooms
A couple with four children (all of the same sex or two of each sex)	3 bedrooms
A couple with two children of the opposite sex under ten and one dependant relative (for example widowed mother)	3 bedrooms
A couple with four children (three of one sex and one of the opposite sex)	3 or 4 bedrooms depending on the age of the children
A couple with more than four children	4 bedrooms
A couple with three children and one dependant relative	4 bedrooms