

Executive

Tuesday, 8 September 2026

Housing Decant Policy

Relevant Portfolio Holder		Cllr Ashley Monk
Portfolio Holder Consulted		Yes
Relevant Assistant Director		Assistant Director Community and Housing Services
Report Author: Jon Elger	Job Title: Housing Service Manager Contact jon.elger@bromsgroveandredditch.gov.uk email: Tel: 01527 64252 ext 3272	
Wards Affected		All Wards
Ward Councillor(s) consulted		N/A
Relevant Council Priority		Community & Housing;
Non-Key Decision		
If you have any questions about this report, please contact the report author in advance of the meeting.		

1. RECOMMENDATIONS

The Executive Committee is asked to **RESOLVE** that:-

- 1) The Housing Decant Policy be approved.
- 2) Authority be delegated to the Assistant Director of Community and Housing Services and Assistant Director of Environmental and Housing Property, following consultation with the Portfolio Holder for Housing, to agree any revisions to the Housing Policies following the consultation and in line with any legislative or government guidance updates.

2. BACKGROUND

- 2.1 The purpose of the policy is to set out the assistance available when it is necessary to move residents from their existing home into temporary or permanent alternative accommodation in an emergency, or to facilitate major repairs or modernisation, regeneration or redevelopment works where the property is to be demolished. This process is referred to as decanting.

3. OPERATIONAL ISSUES

- 3.1 The policy outlines arrangements for the rehousing and financial compensation of residents in line with the Council's allocation policy and legal requirements to deliver vacant possession of affected properties and ensure effective use of resources.
- 3.2 The Council recognises the significant impact any such move may have on residents' lives, especially when the move is not through choice. This policy aims to provide residents with a clear understanding of the general approach to be adopted; provide an efficient and fair process for managing decants, set out the level of compensation (if any) that might be offered, explain the types of practical guidance and support the Council can provide to those affected; and to provide a clear approach to managing the decant proceedings.
- 3.3 The Policy gives residents an understanding of the steps the Council will take to deliver vacant possession of properties where needed and secure for residents an alternative home where the Council has an obligation to do so.
- 3.4 The Policy:
- Explains the circumstances in which a tenant will be required to move,
 - Ensures disturbance and home loss payments are made consistently and fairly,
 - Explains what levels of compensation and practical help might be offered,
 - Sets out criteria for allocating vacancies to households who are required to move,
 - Will help minimise disruption to households affected,
 - Protects the authority's most vulnerable residents,
 - Clarifies the Council's decision-making processes.
- 3.5 All Decants that take place are managed and recorded in the Council's CX database. No new or enhanced IT software or hardware are required to deliver this Policy.

4. FINANCIAL IMPLICATIONS

- 4.1 Potential financial implications are specific to the following set out below:

- Reduction in costs in the use of Bed and Breakfast accommodation by making units of the Council's housing stock available for decants.
- Loss of rent where no rent is charged in properties that residents are decanted into.
- Home Loss payments to the prescribed amount as set out in housing legislation.
- Disturbance payments to the prescribed amount as set out in housing legislation.
- Sundry costs and expenses as set out in the policy and at the discretion of the Council

These costs will be met from the Housing Revenue Account.

5. LEGAL IMPLICATIONS

5.1 The Council is duly obliged to adhere to legislation current at the time of the temporary or permanent decant taking place. Specific legislation regarding decants is as follows:

- Tenants- The Council has a legal obligation under Section 105 of the Housing Act 1985 to consult with tenants when they are substantially affected by a matter of housing management. This includes the decommissioning of Council housing stock. The Council must consider the views tenants provide before making any decisions on those proposals.
- Tenants- Home Loss Payment- These payments are statutory fixed payments, made under Sections 29-33 of the Land Compensation Act 1973, paid in recognition of personal upset and distress caused by displacement.
- Tenants- Home Loss payments. The amount of compensation available under a home loss payment is determined by Government regulations as set out in The Home Loss Payments (Prescribed Amounts) (England) Regulations 2020.
- Leaseholders- In the case the Council may need to use compulsory purchase powers to acquire the lease, the rights of the leaseholder to compensation and rehousing will be determined by the terms of their lease, relevant legislation, and the Housing Allocations Policy. A duty to secure suitable alternative accommodation may arise under section 39 of the Land Compensation Act 1973 in certain cases where displacement is permanent and, where compulsory purchase is used, the leaseholder may fall into Band 2 (when displacement

is 6-12 months away) or Band 1 (when displacement is less than 6 months away) of the Allocations Policy.

- Leaseholders- Where a property is owned by a leaseholder and is due to be demolished, the Leaseholder is entitled to 10% of the market value of their interest, subject to a maximum and minimum (in accordance with section 30 of Land Compensation Act 1973 and the Home Loss Payments (Prescribed Amounts) Regulations 2021).

6. OTHER - IMPLICATIONS

Local Government Reorganisation

- 6.1 This Policy is not impacted by local government reorganisation.

Relevant Council Priority

- 6.2 The policy supports the Council's Community and Housing Priority. Current or future decisions by the Council to demolish, refurbish or redesign aspects of their housing portfolio will be in a stronger position with this Policy in place, as it sets out the terms of all aspects of process and compensation in that eventuality.

Climate Change Implications

- 6.3 No direct climate change implications have been identified. However, decants are commonly associated with refurbishment, redevelopment and demolition projects which may present both carbon reduction opportunities and environmental impacts. Future projects requiring decants should consider energy efficiency, embodied carbon, climate resilience and transport impacts through project-specific decision-making processes.

Equalities and Diversity Implications

- 6.4 An Equalities Impact Assessment of this Policy has been undertaken and is attached in Appendix 2.

Community Impact

- 6.5 In the case of emergency short term decants there are no direct community safety implications. There will be health and safety and wellbeing issues linked to the decant of the specific home, as the remedial works would be undertaken because the home is unsafe or uninhabitable until the works are completed.

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- 6.6 In the case of large-scale demolition or refurbishments there may be issues of community safety with regards to fenced off building sites being accessed and crime taking place in empty homes prior to demolition or refurbishment. Mitigating these risks would be considered and dealt with as appropriate to the nature and extent of the works, or demolition taking place.

7. RISK MANAGEMENT

- 7.1 This Policy aims to reduce reputational risk and legal challenge by clearly setting out expectations to those effected and stating the Council's legal obligations clearly.

8. APPENDICES and BACKGROUND PAPERS

- Appendix 1- The Decant Policy
- Appendix 2- The Equalities Impact Assessment for the Decant Policy

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Councillor Ashley Monk - Portfolio Holder for Housing	13/08/26
Lead Director / Assistant Director	Judith Willis- Assistant Director of Community & Housing	03/08/26
Financial Services	Assistant Director of Finance and Customer Services	03/08/26
Legal Services	Assistant Director Legal and Procurement Services	05/08/26
Policy Team (if equalities implications apply)	Equalities Team	29/07/26