HAVERING COUNCIL’S
HOUSING REGENERATION PROGRAMME

Local Lettings Plan

This document provides information on the Council's offer for Council tenants, Leaseholders, Freeholders and Private tenants
Dear Resident,

Over the next 10 years the Council will embark on an ambitious Housing Regeneration Programme in order to provide much needed affordable housing for local residents.

The focus of the Regeneration Programme will be to provide general needs rented properties, low cost home ownership and supported housing for Havering residents in consultation with tenants, leaseholders, freeholders and the wider community.

I believe that this programme will bring lasting benefits to communities, offering a range of high-quality, modern and energy efficient accommodation; sustainable enough to satisfy the diverse and changing needs within the borough for years to come.

There are a number of estates to be redeveloped within the overall programme. Therefore we will prioritise schemes over the period as it would not be practicable to start work on all sites simultaneously.

The Local Lettings Plan sets out our commitments to support you fully throughout the process, explains your re-housing options and the compensation which will be available to you.

This plan is based on three key themes:

**Choice**: We want to ensure the regeneration provides better housing choice for residents. We will ensure that you have a range of re-housing options to choose from, including moving back into a property in the regeneration estate once the new homes are built.

**Fairness**: We will be open, transparent and fair when developing and delivering the regeneration proposals.

**Better housing**: We want to ensure that local residents live in better quality housing which meets their needs.

We recognise that moving home can be a stressful experience; we are committed to supporting you during the process and hope you will find the information in this document helpful.

**Councillor Damian White**  
**Deputy Leader of the Council and Cabinet Member for Housing**
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This Local Lettings Plan is valid as of November 2016. During the lifetime of this document, the content and timescales advised within the document will be subject to change which will be communicated to affected residents accordingly.
1.1. VISION

1.1.1. The strategic context of the Regeneration Programme is framed by the Council’s adopted Local Plan and Housing Strategy (2014) which sets priorities for the Housing Service to maximise inward investment for affordable housing development and identify assets which can be better used to support the delivery of new homes and estate renewal.

1.1.2. The Housing Regeneration Programme is about increasing and improving the supply of affordable accommodation in Havering and creating a better place to live and work. The Programme is expected to transform existing estates and provide new and improved land infrastructures for the economic benefit of the wider community.

1.1.3. Therefore, the Local Lettings Plan has been developed to provide information on the Council’s offer to the residents affected as a result of the regeneration programme. It provides information on the re-housing options, financial compensation and the support that can be given.

1.2 BACKGROUND

1.2.1. In June 2016, Cabinet agreed for the Council to continue with its Estate and Land review which set objectives to identify development opportunities for regeneration, re-evaluate the use of existing housing resources, improve the quality of the existing housing service and deliver new affordable homes for local people.

1.2.2. As part of the review, regeneration sites in the borough were identified and selected for long-term investment opportunities. The sites were selected on the basis that the current provision of homes were of lower or outdated quality and in some circumstances had units not fit for purpose, failing to meet the Council’s minimum sustainability ratings.

1.2.3. In order to facilitate modernisation and redevelopment works, it is expected homes on the identified sites will need to be demolished and rebuilt over a number of years. It will therefore be necessary for existing residents to move from their existing homes into alternative accommodation to enable the development work to take place. This process is known as “decanting”.

1.3. LOCAL LETTINGS PLAN

1.3.1. As the Housing Regeneration Programme covers a number of estates within the borough, this Local Lettings Plan provides information on the broad offer during the lifetime of the programme. Specific estate requirements will be addressed on an estate by estate basis.

1.3.2. Residents affected by the programme may not legally be required to move from properties affected for some time. However, it is the Council’s intention to facilitate the re-housing of residents who prefer to move as soon as possible. This process is outlined within this Local Lettings Plan.

1.3.3. Havering Council’s current Housing Allocations Scheme (agreed by Cabinet on 15 June 2016) implemented a number of policy amendments, one of which included the approved use of ‘Local Lettings Plans’ under special circumstances such as regeneration of estates.
1.3.4. Section 25.2 of the Housing Allocations Scheme (2016) states:
“Local lettings schemes can be put in place for a specific area or estate on new developments which is agreed with the Provider in response to particular local circumstances. They will include a clear commitment to equality of opportunity, the provision of clear and accurate information to applicants and an appeals mechanism. In order to implement the policy we may have to select applicants for an offer of social housing who are in a lower band than we would usually offer to.

We may also make targeted offers in order to identify suitable applicants in particular circumstances in order to implement a local lettings policy. In such cases the offer will be made to the applicant with the earliest priority date in the highest band that will meet the criteria within the local lettings policy”.

1.3.5. As the regeneration programme will also affect other types of residents including leaseholders, freeholders and private tenants, the Council is also required to ensure the Local Lettings Plan covers the rehousing package applicable for these groups. Therefore, there are different sections within the plan outlining the rehousing options by tenure.

1.3.6. The Local Lettings Plan has a clear exit strategy as it will be time limited and only apply to the temporary and permanent lettings to residents across sites affected by the regeneration programme. All subsequent lettings will be based on the rules of the Council’s current Housing Allocation Scheme at the time.

1.4. OBJECTIVES

1.4.1. The Local Lettings Plan has the following objectives:
- Ensure the delivery of the development proceeds on time by facilitating the moves of affected tenants from the estates into alternative suitable homes
- Fairly manage the rehousing and payment compensation process
- Use the development opportunity to improve housing conditions in the borough
- Create a sustainable community in each regeneration area

1.5. LEGAL FRAMEWORK

1.5.1. The Local Lettings Plan has taken account of the following legal requirements:
- Homelessness Act 2002
- Housing Act 1985
- Housing Act 1996
- Housing Act 2004
- Housing and Regeneration Act 2008
- Human Rights Act 1998
- Land Compensation Act 1973
- Planning and Compulsory Purchase Act 2004
- Town and Country Planning Act 1990

1.5.2. The legislations cover local housing authority options and powers as well as resident rights.
1.6. CONSULTATION AND COMMUNICATION

1.6.1. One of the Council’s key commitments is the principle of ‘on-going consultation’ as outlined in section 2.2. For every regeneration scheme, the Council will provide clear communication to ensure residents are informed and involved.

1.6.2. In addition to this, the Council has a separate, statutory duty for a formal consultation with council tenants in accordance with Section 105 of the Housing Act 1985 in relation to ‘matters of housing management’ and decommissioning of the council’s housing stock. This will be for a minimum period of 28 days and will occur on a site-specific basis when proposals are at a formative stage.

1.6.3. Consultation with homeowners, leaseholders and private tenants will be carried out alongside council tenants even though the Council has no statutory obligation to consult with these groups outside of the Compulsory Purchase Order processes. Those affected will be informed of any estate specific proposal and will be asked to make their views known within the specified period. Representations will be considered before the Council makes any final decision for the scheme.
2. OVERVIEW OF THE HOUSING REGENERATION AREAS

2.1. The Local Lettings Plan covers the identified estates outlined in Table 1 below.

<table>
<thead>
<tr>
<th>Estate</th>
<th>Total Number of Affected Units*</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Waterloo Road Estate</td>
<td>285</td>
</tr>
<tr>
<td>2. Napier and New Plymouth Estate</td>
<td>98</td>
</tr>
<tr>
<td>3. Maygreen Crescent and Park Lane Estate</td>
<td>93</td>
</tr>
<tr>
<td>4. Oldchurch Gardens Estate</td>
<td>84</td>
</tr>
<tr>
<td>5. Chippenham, Farnham and Hilldene Estate</td>
<td>57</td>
</tr>
<tr>
<td>6. Queen Street Sheltered Housing Scheme</td>
<td>31</td>
</tr>
<tr>
<td>7. Maygreen/Park Lane Crescent Sheltered Housing Scheme</td>
<td>40</td>
</tr>
<tr>
<td>8. Solar, Serena, Sunrise Court Sheltered Housing Scheme</td>
<td>55</td>
</tr>
<tr>
<td>9. Brunswick Court Sheltered Housing Scheme</td>
<td>47</td>
</tr>
<tr>
<td>10. Dell Court Sheltered Housing Scheme</td>
<td>29</td>
</tr>
<tr>
<td>11. Royal Jubilee Court Sheltered Housing Scheme</td>
<td>79</td>
</tr>
<tr>
<td>12. Delderfield House Sheltered Housing Scheme</td>
<td>14</td>
</tr>
<tr>
<td>13. Delta TMO</td>
<td>60</td>
</tr>
<tr>
<td>14. Bridge Close</td>
<td>37</td>
</tr>
</tbody>
</table>

* The total number of affected units is an estimate including council tenanted dwellings, leasehold and freehold properties. It is constantly changing as letting and buy-back of properties take place.

2.2. The feasibility of the proposed Housing Regeneration Programme is dependent on the procurement of a development partner for each scheme. Therefore, throughout the lifetime of the programme, some plans may change with additional sites added or removed from the scope of the Local lettings plan. If this happens, any changes will be discussed with affected residents and relevant stakeholders before any formal decision is reached.
PART 3: THE COUNCIL’S COMMITMENTS

3. KEY COMMITMENTS

3.1. The Council makes the following commitments to all residents living on the estates affected by the proposed regeneration programme.

3.2. Regular, honest communication
- We will provide you with regular, honest communication about the regeneration proposals throughout the regeneration period. This will be through regular one-on-one meetings, direct letter correspondence, newsletters, briefings, events, website and email updates.
- We will also provide you with dedicated points of contact so you know who you can talk to with any questions or queries you may have. This will include the Community Engagement Team and Regeneration Housing Officers.

3.3. Dedicated Regeneration Housing Officers
- We will ensure that each household has a dedicated Regeneration Housing Officer to help with every step of the re-housing process. The officers will get to know you on a one-to-one basis to ensure that you are kept fully informed about the re-housing process and the options available to you.
- The Regeneration Housing Officer will be able to identify any additional support you may need, such as packing and unpacking services, dealing with home loss and disturbance compensation claims and payments and answer general queries.

3.4. Suitable re-housing offers, tailored advice and an emphasis on ‘choice’
- The Council’s aim is to ensure suitable and affordable re-housing options are available and the process a stress-free experience.
- Residents will have choice based on the re-housing options available and the Council will offer tailored advice on the suitability of each option.

3.5. No more than two moves for council tenants during the re-housing process
- No tenant should have to move more than twice so that disruption is kept to a minimum. For those tenants who will choose to return to a home in the new development once they become ready for occupation, they will move twice.

3.6. Quality housing advice and support service
- The Council will provide a comprehensive housing support and advice package throughout the re-housing process to ensure all residents are fully supported. This may include organising events and activities to visit regeneration schemes, arranging support groups for residents, helping with claiming benefits, organising skills and training opportunities and liaising with other services to support households at the new address such as schools, social services and health services. This will include support after the move to ensure residents are settled into any new home. Additional support will also be offered to vulnerable residents.

3.7. Independent advice
- Details on how to access impartial advice and support agencies will be provided to residents if requested. This includes any professional, legal or technical advice which may be required in relation to alternative re-housing options, sale of accommodation, valuation processes etc.
3.8. Residents will not be financially worse off
   - We are committed to the principle that residents should not be in a financially worse position as a result of the regeneration scheme. The Council has set out details on entitlements and level of home loss payments, disturbance compensation and reimbursement of reasonably incurred costs in this Local Lettings Plan.

3.9. Developing a range of affordable housing products
   - We are committed to developing a range of affordable housing products for rent and sale within the regeneration schemes in order to provide a wide range of opportunities for residents.

3.10. Keeping the community together
   - The Council will aim to move groups of vulnerable residents together as far as reasonably practicable. This is to ensure that existing neighbours maintain their support networks and communities.

3.11. Safe and secure environment
   - We are committed to the continued maintenance of each estate to a high standard throughout the regeneration period. This will mean keeping noise and disruption of building work at minimum and maintaining site security for the safety of residents.

3.12. Temporary use of empty properties on the Regeneration Site
   - As the regeneration programme will take a number of years, the Council’s aims is to let the empty units on a temporary, non-secure basis to meet ongoing housing demand. This will ensure that properties are looked after as well as offer the flexibility to have vacant possession once demolition of the estate is required.
4.1. There are a number of estates within the overall Housing Regeneration Programme which will be redeveloped over a number of years. Therefore, there will be a prioritisation of estates as it would not be practicable to start work on all sites at the same time. This principle of prioritisation will also therefore apply to the ‘decanting process’ so that residents on the estates that will be demolished first are supported to move into alternative accommodation first.

4.2. Table 2 below shows the prioritisation of the redevelopment of the estates within the Housing Regeneration programme. The timescale shown is an estimate.

<table>
<thead>
<tr>
<th>General need schemes</th>
<th>Estimated date for start of redevelopment work</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Waterloo estate</td>
<td>November 2018</td>
</tr>
<tr>
<td>2. Maygreen Crescent and Park Lane estate</td>
<td>November 2018</td>
</tr>
<tr>
<td>3. Delta TMO</td>
<td>March 2019</td>
</tr>
<tr>
<td>4. Oldchurch Gardens</td>
<td>August 2019</td>
</tr>
<tr>
<td>5. Chippenham, Farnham and Hilldene estate</td>
<td>July 2020</td>
</tr>
<tr>
<td>6. Napier and New Plymouth estate</td>
<td>August 2021</td>
</tr>
<tr>
<td>7. Bridge Close</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sheltered Housing schemes</th>
<th>Estimated date for start of redevelopment work</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Maygreen Crescent and Park Lane</td>
<td>November 2018</td>
</tr>
<tr>
<td>2. Queen Street</td>
<td>January 2019</td>
</tr>
<tr>
<td>3. Delderfield House</td>
<td>April 2019</td>
</tr>
<tr>
<td>4. Solar, Serena, Sunrise</td>
<td>January 2022</td>
</tr>
<tr>
<td>5. Dell Court</td>
<td>January 2022</td>
</tr>
<tr>
<td>6. Royal Jubilee Court</td>
<td>February 2022</td>
</tr>
<tr>
<td>7. Brunswick Court</td>
<td></td>
</tr>
</tbody>
</table>

4.3. Each scheme will have its own development plan within the overall master plan of the programme. The details will be available once the Council’s development partner is procured in early 2018 which may result in changes to the prioritisation of the schemes outlined above.

4.4. Residents will not legally have to move for at least two to three years until a final demolition notice is served. However, the Council will start working with affected residents to identify and facilitate moves into alternative accommodation based on the above timescale and available supply of alternative accommodation.
PART 5: SUMMARY OF THE COUNCIL’S OFFER AND RE-HOUSING OPTIONS

5.1. The Council’s Offer to Council Tenants

<table>
<thead>
<tr>
<th>Offer</th>
<th>Re-housing Options</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Council tenants will:</strong></td>
<td><strong>Council tenants have the following options:</strong></td>
</tr>
<tr>
<td>• Receive a maximum of two direct offers of accommodation.</td>
<td>1. Move to an existing council property elsewhere in the borough.</td>
</tr>
<tr>
<td>• Receive a home loss compensation of £5,800.</td>
<td>2. Move to a property owned by a Housing Association elsewhere in the borough.</td>
</tr>
<tr>
<td>• Receive disturbance payment (Vacant possession is required to be eligible to receive compensation).</td>
<td>3. Move to a property in a Sheltered or Extra Care scheme elsewhere in the borough, if eligible for the scheme.</td>
</tr>
<tr>
<td>• Continue to pay a social housing rent based on the rent formula at the time for both existing council and new build accommodation in the developed area when ready for occupation.</td>
<td>4. Purchase an affordable home within or outside the borough through a low cost home ownership scheme.</td>
</tr>
<tr>
<td>• Have a dedicated Regeneration Housing Officer to help throughout the move-on process.</td>
<td>5. Move to private rented accommodation with a private landlord within or outside the borough.</td>
</tr>
<tr>
<td><strong>Non-Resident Leaseholders will:</strong></td>
<td>6. Move to a new home within the redevelopment area once the development is completed and ready for occupation.</td>
</tr>
<tr>
<td>• Be offered the market value of the home.</td>
<td></td>
</tr>
<tr>
<td>• Receive home loss compensation at 7.5% of the market value of the property, with a minimum of £7,500.</td>
<td></td>
</tr>
<tr>
<td>• Be reimbursed for the reasonably incurred legal costs of selling the property to the Council and costs of acquiring a new property</td>
<td></td>
</tr>
<tr>
<td>• Have a dedicated Regeneration Housing Officer to help throughout the move-on process.</td>
<td></td>
</tr>
</tbody>
</table>

5.2. The Council’s Offer to Resident Leaseholders and Freeholders

<table>
<thead>
<tr>
<th>Resident Leaseholders and Freeholders will:</th>
<th>Resident Leaseholders &amp; Freeholders have the following options:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Be offered the market value of the home.</td>
<td>1. Sell the property to the Council and purchase a property elsewhere within or outside the borough through a low cost home ownership scheme</td>
</tr>
<tr>
<td>• Receive home loss compensation at 10% of the market value of the property, with a minimum of £5,800.</td>
<td>2. Sell the property to the Council and purchase a property outright elsewhere within or outside the borough.</td>
</tr>
<tr>
<td>• Be reimbursed for reasonably incurred legal costs of selling the property to the Council and costs of acquiring a new property</td>
<td>3. Sell the property to the Council and move to private rented accommodation with a private landlord within or outside of borough.</td>
</tr>
<tr>
<td>• Have a dedicated Regeneration Housing Officer to help throughout the move-on process.</td>
<td>4. Purchase a new affordable replacement home in the regeneration area once the development is completed and ready for occupation.</td>
</tr>
</tbody>
</table>

5.3. The Council’s Offer to Non-Resident Leaseholders

<table>
<thead>
<tr>
<th>Non-Resident Leaseholders will:</th>
<th>Non-Resident Leaseholders have the following options:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Be offered the market value of the home.</td>
<td>1. Sell the property to the Council and purchase a property elsewhere within or outside the borough through a low cost home ownership scheme</td>
</tr>
<tr>
<td>• Receive home loss compensation at 7.5% of the market value of the property, with a minimum of £7,500.</td>
<td>2. Sell the property to the Council and purchase a property outright elsewhere within or outside the borough.</td>
</tr>
<tr>
<td>• Be reimbursed for the reasonably incurred legal costs of selling the property to the Council and costs of acquiring a new property</td>
<td>3. Sell the property to the Council and move to private rented accommodation with a private landlord within or outside of borough.</td>
</tr>
<tr>
<td>• Have a dedicated Regeneration Housing Officer to help throughout the move-on process.</td>
<td>4. Purchase a new affordable replacement home in the regeneration area once the development is completed and ready for occupation.</td>
</tr>
</tbody>
</table>

5.4. The Council’s Offer to Private Tenants

<table>
<thead>
<tr>
<th>Private tenants will:</th>
<th>Private tenants have the following options:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Be offered timely re-housing advice through the Council’s Housing Advice &amp; Housing Options Service.</td>
<td>1. Move to alternative private rented accommodation with a private landlord within or outside the borough.</td>
</tr>
<tr>
<td>• Purchase an affordable property elsewhere within or outside the borough through a low cost home ownership scheme.</td>
<td>2. Purchase an affordable property elsewhere within or outside the borough through a low cost home ownership scheme.</td>
</tr>
</tbody>
</table>
PART 6: DETAILS OF RE-HOUSING OPTIONS FOR COUNCIL TENANTS

Offer Summary for Council Tenants

- Receive a maximum of two direct offers of accommodation.
- Receive a home loss payment of £5,800.
- Receive disturbance compensation
  (Council tenants will need to give vacant possession of their current property to be eligible to receive compensation).
- Continue to pay a social housing rent based on the rent formula at the time for both existing council and new build accommodation in the development area when ready for occupation.
- Have a dedicated Regeneration Housing Officer to help throughout the move-on process.

Rehousing Options

| Option 1 | Move to an existing council property elsewhere in the borough |
| Option 2 | Move to a property owned by a Housing Association elsewhere in the borough |
| Option 3 | Move to a property in a Sheltered or Extra Care scheme elsewhere in the borough, if eligible for the scheme |
| Option 4 | Purchase an affordable home within or outside the borough through a low cost home ownership scheme |
| Option 5 | Move to a private rented accommodation with a private landlord within or outside the borough |
| Option 6 | Move to a new home within the redevelopment area once the properties are ready for occupation |

6.1. DEFINITIONS AND ELIGIBILITY

6.1.1. Council tenants are secure tenants who rent a home from the Council, including those who live in sheltered housing or extra care housing developments.

6.1.2. The Council will rehouse any Council tenant being displaced from their home as a result of the Housing Regeneration Programme, with one exception.

- The Council will not rehouse any tenant who has been awarded an outright possession order by a Court for breach of their tenancy conditions for example, due to rent arrears or anti social behaviour.

6.1.3. All household members will be considered as part of the eligible tenant's household. This includes:

- Secure and joint tenants of the council
- Co-habiting partners and spouses living together in a settled relationship with the eligible tenant for at least 12 months prior to the serving of the initial demolition notice.
- Non-dependent children living continuously as part of the settled household since the start of tenancy or who have lived with the household since birth.
- Children born since the start of the tenancy or other dependent children where the eligible tenant has principal care of the child on a permanent basis. Birth certificates will need to be produced to confirm relationship and dependency.
- An adult relative who has become a settled member of the household because they are in need of support and cannot live independently. This may be an elderly relative or someone who is disabled. Such persons must have resided with the household for a minimum of 12 continuous months before being considered as part of the household.
- Live-in carers providing full time care to a member of the household.
6.1.4. The Council will consider any exceptions not covered by the criteria above on a case by case basis. Approval will be given by the Director of Housing or any delegated Senior Officer.

6.1.5. The following household members will be excluded from being rehoused:
- Unauthorised occupants including friends, lodgers and sub-tenants living with the tenant.
- Squatters
- Any household member who has moved in and caused overcrowding.
- Children of the tenant whose main, principal home is elsewhere.
- Any other person the Council deems ineligible.

6.1.6. If the composition of any household changes or is expected to change (i.e. pregnancy) the main tenant is required to inform the Council as soon as reasonably possible. Evidence will be required to support any change to a household’s composition. The Council reserves the right to refuse the addition of a household member or members if the evidence submitted is considered insufficient.

6.2. Re-housing Option 1 - Move to an existing council property elsewhere in the borough

6.2.1. Council tenants who wish to move to an existing council property elsewhere in the borough will be given the opportunity to do so.

6.2.2. Tenants will be entitled to two direct offers of alternative accommodation.

6.2.3. Tenants can choose the option of returning to one of the new-build homes on the estate once the development is completed and the units become ready for occupation.

6.2.4. Further information on the re-housing process is explained in point 4.8.

6.3. Re-housing Option 2 - Move to a property owned by a Housing Association elsewhere in the borough

6.3.1. Council tenants who wish to move to a property owned and managed by a Housing Association elsewhere in the borough will be given the opportunity to do so.

6.3.2. Tenants will be entitled to two direct offers of alternative accommodation.

6.3.3. Tenants who choose this option will be supported by the Regeneration Housing Officer to ensure they understand the differences between the council and Housing Association tenancies and can afford the rent.

6.3.4. Tenants can choose the option of returning to one of the new-build homes on the estate once the development is completed and the units become ready for occupation.

6.3.5. Further information on the re-housing process is explained in point 4.8.
6.4. Re-housing Option 3 - Move to a property in a sheltered or Extra Care scheme elsewhere in the borough, if eligible for the scheme

6.4.1. Council tenants who are eligible and wish to move to a property in a sheltered of Extra Care scheme elsewhere in the borough will be given the opportunity to do so.

6.4.2. Tenants who meet the following criteria will be eligible for offers in a sheltered scheme:
   - 60 years and over; or
   - Aged 55 to 59 years and in receipt of Personal Independence payments
   - Single or joint applicants with no children
   - In need of the housing support provided by the scheme

6.4.3. Extra Care housing is for people who require a high level support due to frailty, ill-health or restricted mobility. Tenants will be nominated for consideration by a Panel for Extra-care accommodation. Dedicated scheme officers provide residents with on-site support.

6.4.4. Tenants will be entitled to two direct offers of alternative accommodation.

6.4.5. Tenants who move to a property in a sheltered scheme can choose the option of returning to one of the new-build homes on the estate once the development is completed and the units become ready for occupation.

6.4.6. For tenants who would like to move outside of London, the Council will identify suitable vacancies through the Seaside and Country Homes Scheme.

6.4.7. All tenants will be given additional support with viewing the property and moving in process by the Regeneration Housing Officers and Scheme Officers.

6.5. Re-housing Option 4 - Purchase an affordable home within or outside the borough through a low cost home ownership scheme

6.5.1. Council tenants who are working and have savings will be supported to purchase an affordable home.

6.5.2. A number of affordable homes are being built in the borough under Shared Ownership and Shared Equity schemes. Tenants can also be supported to purchase a property on the open market.

6.5.3. Regeneration Housing Officers will be able to provide housing advice on whether this is an affordable and viable option based on individual financial circumstances.

6.5.4. More information on Shared Ownership and Shared Equity housing options is provided in Appendix 1.
6.6. Re-housing Option 5 - Move to a private rented accommodation with a private landlord within or outside the borough

6.6.1. The Council can help tenants to move to a property in the private rented sector. This may be a good option for a tenant who would like to move near a support network in another borough or outside London.

6.6.2. The Council can provide assistance by liaising with affordable private rented accommodation landlords in or outside of the borough as well as offer financial assistance towards the required deposit and first month's rent through the Council's 'Find your own' scheme.

6.7. Re-housing Option 6 - Move to a new home in the redevelopment area once the properties are ready for occupation

6.7.1. The Council will build new council housing across a number of sites in the borough as part of the Housing Regeneration programme. Tenants who express an interest in moving back to one of the new homes within the redevelopment area once the properties are built will be given the opportunity to do so.

6.7.2. This option will apply to tenants who have initially:
- moved to a council property elsewhere within the borough
- moved to a sheltered housing property elsewhere in the borough
- purchased an affordable home within or outside the borough

6.7.3. Tenants with rent arrears will not be eligible to move into a new-build property in the redeveloped estate, unless they have been keeping to their agreed repayment plan for a continuous period of 6 six months by the time the new build properties become ready for occupation.

6.7.4. Priority for the new build homes will be given to those who have had to move because of the regeneration programme
PART 7: DETAILS OF RE-HOUSING OPTIONS FOR RESIDENT LEASEHOLDERS & FREEHOLDERS

Offer Summary for Resident Leaseholders and Freeholders

- Be offered the market value of your home.
- Receive home loss compensation at 10% of the market value of your property, at a minimum of £5,800 and maximum of £58,000 (To claim home loss compensation, you must have lived in your property as your sole and principle home for at least one year)
- Receive disturbance payment (vacant possession is required to receive home loss compensation and disturbance payment)
- Be reimbursed for the reasonably incurred legal costs of selling the property to the Council and costs of acquiring a new property
- Have a dedicated Regeneration Housing Officer to help throughout the move-on process

Rehousing Options

<table>
<thead>
<tr>
<th>Option</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option 1</td>
<td>Sell the property to the Council and purchase a property elsewhere within or outside the borough through a low cost home ownership scheme</td>
</tr>
<tr>
<td>Option 2</td>
<td>Sell the property to the Council and purchase a property outright elsewhere within or outside the borough (Open Market Purchase)</td>
</tr>
<tr>
<td>Option 3</td>
<td>Sell the property to the Council and move to private rented accommodation with a private landlord within or outside the borough</td>
</tr>
<tr>
<td>Option 4</td>
<td>Purchase a new affordable replacement home in the regeneration area once the development is completed and ready for occupation</td>
</tr>
</tbody>
</table>

7.1. DEFINITIONS AND ELIGIBILITY

7.1.1. This section outlines the Council’s offer to resident leaseholders and freeholders affected by the Housing Regeneration Programme. On a number of the regeneration estates, leaseholders and freeholders make up a significant part of the community and the section provides information on how the Council can assist.

7.1.2. Leaseholders are home owners who have purchased their home under a fixed term lease but who do not legally own the land on which the property or building is based.

7.1.3. Resident Leaseholders are those who have lived in their leasehold property as their main and principal residence for at least 12 months prior to the date of displacement.

7.1.4 Freeholders are residents who own their property outright along with the freehold of the building or land on which the property is based. Freeholders may also be investment owners with a private tenant in occupation.
PART 7: DETAILS OF RE-HOUSING OPTIONS FOR RESIDENT LEASEHOLDERS & FREEHOLDERS

7.2. **Re-housing Option 1 - Sell the property to the Council and purchase a property elsewhere within or outside the borough through a low cost home ownership scheme**

7.2.1. The Council is building new council and affordable homes across the borough. Using the money received from the sale of the home, other income and savings, a low-cost ownership home can be purchased through the ‘Help to Buy’ initiative.

7.2.2. Sell the property to the Council and purchase a property elsewhere within or outside the borough through a low cost home ownership scheme

7.2.3. The Regeneration Housing Officers will provide information on the types of new low cost home ownership properties that will be available and the location of these new homes.

7.2.4. The Regeneration Housing Officers will offer support with the buy back process (selling the property to the Council); affordability and registration processes. The way in which homes can be purchased will depend on the scheme type and individual financial circumstances of the affected resident.

7.2.5. Low cost home ownership will be an attractive option for leaseholders who wish to remain on the housing ladder as owner-occupiers or move out of the borough, in a location where property prices are more affordable. It may also be suitable for freeholders in financial difficulty or for those who are unable to afford another freehold property at full market value in the borough.

7.2.6. Leaseholders and Freeholders may be subject to restrictions on buying homes in redeveloped areas on a buy to let basis.

7.2.7. More information on Low cost home ownership schemes including Shared Ownership can be found in Appendix 1.

7.3. **Rehousing Option 2- Sell the property to the Council and purchase a property outright elsewhere within or outside the borough (Open Market Purchase)**

7.3.1. Purchase of an open market property is an option with the funds from the value of the property and the compensation and disturbance costs. An option for those who wish to choose a location of their future home.

7.3.2. The Regeneration Housing Officer will offer support with the buy back process (selling the property to the Council); finding an alternative affordable market property; the mortgage applications or determining affordability.
PART 7: DETAILS OF RE-HOUSING OPTIONS FOR RESIDENT LEASEHOLDERS & FREEHOLDERS

7.4. Re-housing Option 3 - Sell the property to the Council and move to private rented accommodation with a private landlord within or outside the borough

7.4.1. Leaseholders and freeholders in financial difficulty may find private rented accommodation with a private landlord within or outside the borough an affordable housing option. This rehousing option may also suit leaseholders or freeholders who wish to find an interim rehousing solution while new homes are being built in the redevelopment area for them to buy when completed.

7.4.2. The Council can provide housing advice to help affected freeholders and leaseholders find a suitable affordable private rented home. This may include signposting to affordable providers, letting agencies and accredited landlords operating within or outside the borough and liaising with relevant parties.

7.5. Rehousing Option 4 – Purchase a new affordable replacement home in the regeneration area once the development is completed and ready for occupation.

7.5.1. We want leaseholders and freeholders to have the opportunity to stay in the area so that the community can be kept together and able to benefit from the improvements being undertaken. Therefore, they are being given an opportunity to return and purchase a new home in the redeveloped area.

7.5.2. Those who express an interest in returning to a new development will have first refusal of homes that become available.

7.5.3. Should leaseholders and freeholders purchase another property through a low cost home ownership scheme and want to sell this property when homes on the new development become ready for purchase, this option will be available. Shared ownership and shared equity homes can be sold at any time. However, under the terms of the lease there will normally be a time period when the housing provider has first priority to find a buyer (usually at least 8 weeks) before owners are able to sell privately or through an agent. Leaseholders should therefore bear this timeframe in mind.

7.5.4. Leaseholders and freeholders will not be entitled to secondary home loss compensation or disturbance payments when they move from any replacement home to a property in the redeveloped area. This will only be paid once when leaseholders and freeholders move from their original home as a result of the regeneration programme to their replacement home.

7.5.5. The offer of a new-build home on any regeneration site will be conditional on the leaseholder or freeholder selling their property on the regeneration site to the Council as well as meeting the eligibility criteria required for the redeveloped properties. The Council will withdraw any offer on a property in the redeveloped area if the leaseholder or freeholder becomes ineligible to purchase it, or if the development is unable to go ahead for any reason.

7.5.6. Leaseholders and freeholders will not be able to buy homes in the redeveloped area on a buy-to-let investment basis.
**Offer Summary for Non-Resident Leaseholders**

- Be offered the market value of the home.
- Receive home loss compensation at 7.5% of the market value, at a minimum of £7,500 and maximum of £75,000. *(Affected non-resident leaseholders will need to give vacant possession of the affected property to be eligible to receive compensation)*
- Be reimbursed for the reasonably incurred legal costs of selling the property to the Council and costs of acquiring a new property.
- Have a dedicated Regeneration Housing Officer to help throughout the move-on process

**Rehousing Options**

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</tr>
</tbody>
</table>

**8.1. Definitions and Eligibility**

**8.1.1.** This section outlines the Council’s offer to non-resident leaseholders affected by the Housing Regeneration Programme. In general leaseholders are home owners who have purchased their home under a fixed term lease but who do not legally own the land on which the property or building is based.

**8.1.2. Non-resident Leaseholders** are persons who do not live in their property but may be an investment owner who rents the property out to a private tenant. Non-resident leaseholders also include persons who are residents of the accommodation but who have not lived in their property for at least 12 months prior to the date of displacement.

**8.2. Re-housing Option 1 - Sell the property to the Council and purchase a property elsewhere within or outside the borough through a low cost home ownership scheme**

**8.2.1** The Council is building new council and affordable homes across the borough. Using the money received from the sale of the home, other income and savings, a low-cost ownership home can be purchased through the ‘Help to Buy’ initiative. Therefore, can sell the property to the Council and purchase a property elsewhere within or outside the borough through a low cost home ownership scheme.

**8.2.2**. The Regeneration Housing Officers will provide information on the types of new low cost home ownership properties that will be available and the location of these new homes.

**8.2.3.** The Regeneration Housing Officers will offer support with the buy back process (selling the property to the Council); affordability and registration processes. The way in which homes can be purchased will depend on the scheme type and individual financial circumstances of the affected resident.
8.2.4. Low cost home ownership will be an attractive option for leaseholders who wish to remain on the housing ladder as owner-occupiers or move out of the borough, in a location where property prices are more affordable. It may also be suitable for freeholders in financial difficulty or for those who are unable to afford another freehold property at full market value in the borough.

8.2.5. Leaseholders and Freeholders may be subject to restrictions on buying homes in redeveloped areas on a buy to let basis.

8.2.6. More information on Low cost home ownership schemes including Shared Ownership can be found in Appendix 1.

8.3. **Re-housing Option 2 - Sell the property to the Council and purchase a property outright elsewhere within or outside the borough (Open Market Purchase)**

8.3.1. Purchase of an open market property is an option with the funds from the value of the property, the compensation and disturbance costs. An option for those who wish to choose a location of their future home.

8.3.2. The Regeneration Housing Officer will offer support with the buy back process (selling the property to the Council); finding an alternative affordable market property; the mortgage applications or determining affordability.

8.4. **Re-housing Option 3 - Sell the property to the Council and move to private rented accommodation with a private landlord within or outside the borough**

8.4.1. Non-resident leaseholders in financial difficulty may find private rented accommodation with a private landlord within or outside the borough an affordable housing option. This rehousing option may suit a leaseholder who moved out of their property on a temporary basis and let it to a private tenant in the meantime but would like to move back in a property within the redevelopment area in the future.

8.4.2. The Council can provide housing advice to help affected non-resident leaseholders find a suitable affordable private rented home. This may include signposting to affordable providers, letting agencies and accredited landlords operating within or outside the borough and liaising with relevant parties.

8.5. **Re-housing Option 4 – Purchase a new affordable replacement home in the regeneration area once the development is completed and ready for occupation**

8.5.1. We want leaseholders and freeholders to have the opportunity to stay in the area so that the community can be kept together and able to benefit from the improvements being undertaken. Therefore, non-resident leaseholders who would like to return and purchase a new home in the redeveloped area which will be their main and principle home are being given an opportunity to do so.
8.5.2. Those who express an interest in returning to a home in the redeveloped area as their main and principle home will have first refusal of homes that become available.

8.5.3. Non-resident leaseholders will not be able to buy homes in the redeveloped area on a buy-to-let investment basis. Regeneration Housing Officers will be able to provide further information on the detail of these restrictions once the Council’s development partner has been procured.
9.1. DEFINITIONS AND ELIGIBILITY

9.1.1. This section sets out the Council’s offer to private tenants living in properties within the Housing Regeneration estates.

9.1.2. The Council has no formal statutory obligation to rehouse private tenants of leaseholders or freeholders who are currently living in a property affected by the regeneration programme. However, the Council is committed to offering relevant support to enable affected tenants to find a replacement home.

9.1.3. It is the Council’s commitment to ensure that tenants and their landlords are provided with regular honest communication about the programme and estimated timescales. The Council’s Housing Options Officers will provide tailored housing advice to enable all private tenants to find an alternative affordable and suitable home.

9.2. Re-housing Option 1- Move to alternative private rented accommodation with a private landlord within or outside the borough

9.2.1. The Council’s Housing Options Officer will work with private tenants to ensure those affected can access suitable and affordable housing in a timely manner and are prepared well in advance for the move-on process.

9.2.2. The Council’s Housing Options and Advice Service will support affected tenants by providing details of local letting agencies operating in and outside of the borough, liaising with such agencies and landlords, helping households to complete applications and advising on benefit entitlements.

9.2.3. If eligible, the Council may also be able to provide financial assistance by paying deposit and first month’s rent through its ‘Find your Own’ scheme.
PART 10: TENANTS LIVING IN PRIVATE SECTOR LEASED ACCOMMODATION (TEMPORARY ACCOMMODATION)

Tenants living in Temporary Accommodation provided by the Council

Tenants who are living in private sector leased temporary accommodation provided by the Council either as a result of:
- Accepting a homelessness duty OR
- Preventing homelessness
are not covered within this Local Lettings Plan.

This includes tenants placed by the Council into Houses of Multiple Occupation (HMO) properties who were threatened with homelessness.

The Council will liaise with the private owners of the properties in relation to termination of the leases when required in order to ensure that vacant possession is obtained as part of the regeneration programme.

Affected tenants will be supported by the Council’s Housing Advice & Homeless service to ensure that their needs are reassessed and if eligible, alternative accommodation is provided.

Financial support will also be provided to assist with a deposit and first month’s rent for a private rented home with a private landlord.
PART 11: COUNCIL TENANTS – THE RE-HOUSING PROCESS

11.1 APPLICATION PROCESS AND ASSESSMENT OF NEED

11.1.1. Regeneration Housing Officers will carry out one to one meetings with council tenants to help with completing the housing application form and establish the needs of the family including whether or not they would like to register an interest to return to a new build property in the redeveloped area when they are become available.

11.1.2. As part of the application, the following information will be gathered:

- Proof of tenancy
- Housing composition (verifying who lives at the home and that all household members are eligible for rehousing)
- Rehousing option preference
- Bed size requirement
- Type of property preferences (floor level, block type and house type)
- Location of property preferences (ward preference in Havering or any out of borough)
- Preference to be near to friends, family, current neighbours (as a group move) or support service
- Any medical, health, mobility, social or risk factors that should be considered
- Current location of children’s schools and workplace
- Preference of when they would like to move (i.e. as soon as possible, within the next year or 2 years+)
- Equalities information for monitoring purposes

11.1.3. The information will also be collated for the Council’s development partner, helping to understand what existing tenant’s accommodation needs are for the new provision.

11.1.4 The tenant will be notified of the outcome of the application within 28 days of completing the form. The letter will:

- Confirm the Housing Needs Band that the tenant has been placed in
- Confirm the size (and if applicable, the type) of property the tenant is eligible for
- Confirm the tenant’s effective date
- Include a reminder about informing the Council of any change in the household’s circumstances
- Provide details of the appeal process

11.1.5. The tenant will be awarded the Emergency Rehousing Priority Band as the reason for re-housing is in order to decant for regeneration purpose. The effective date will be based on the date the tenancy commenced in the first council property that the tenant occupied.

11.1.6. Where the tenant is already on the housing register, the application will be updated with the relevant housing priority band and effective date.

11.2 IDENTIFYING AND MAKING AN OFFER OF ACCOMMODATION

11.2.1. Tenants will be entitled to a maximum of two direct offers of accommodation.

11.2.2. The Council will check whether a vacant property is suitable for a tenant on the regeneration decant waiting list.
11.2.3. Once a suitable property has been identified, the Council will contact the tenant by telephone to give the details of the property that is being offered and make an arrangement for the tenant to view the property. This will be followed by a formal offer letter.

11.2.4. The tenant will be asked to view the property and then to sign the tenancy agreement. If they do not consider the property is suitable for themselves or their household, they will be asked to complete a form setting out their reasons for refusing the offer. Please note that an applicant can ask for a review of the suitability of the accommodation offered regardless of whether they accept the offer or not.

11.2.5. The reasons will be considered and a decision will be made as to whether the offer was reasonable or not.

11.2.6. If the offer is considered unreasonable, the offer will not count against the tenant. This means that they will still be entitled to two further offers.

11.2.7. If the offer is considered reasonable, it will count as the first offer. This means that the tenant will be left with one more offer to be made.

11.2.8. Should the tenant refuse both direct offers of suitable accommodation; the Council will start possession proceedings in order to obtain vacant possession of the property in time for demolition.

11.2.9. Taking into account the long timescale of the programme and waiting times for rehousing, the Council will check the detail of the needs assessment at the point of making an offer to ensure that there has been no change of circumstances and the offer is suitable.

11.2.10. The Council will liaise with other council services such as Occupational Therapy service, Adult Social Care, Children’s Services etc. to ensure the health and support needs are addressed.

11.3 ESTIMATED WAITING TIME FOR AN OFFER OF ACCOMMODATION

11.3.1. The timescales of when a tenant may be offered alternative accommodation will depend on;
- The available supply of accommodation that is suitable to meet their housing needs
- The redevelopment priority of the estate that the tenant is living in.

11.3.2. Offers of accommodation will be prioritised based on the following criteria:
- A tenant from priority redevelopment estate will be matched to a vacant property
- If there is more than one tenant from the priority estate whose needs are suitable for the vacant property, the offer will be made to the tenant who has been a council tenant the longest (based on the tenancy start date)
- If there is no suitable tenant from the first priority estate, the Council will continue to identify a tenant from the second priority estates and so on until the property is let.
11.4 **RIGHT TO BUY APPLICATION FOR A PROPERTY IN THE REGENERATION AREA**

11.4.1. The Council has the right to suspend the right to buy in certain circumstances. The Council will do this in accordance with current legislation which allows for the following:

(a) **Initial Demolition Notices**

11.4.2. An Initial Demolition Notice is a formal legal document which the Council must serve on all residents affected by the Regeneration Programme to advise them about the future plans to demolish the homes within the programme.

11.4.3. An Initial Demolition notice sets out exactly what properties are included within a regeneration scheme and reasons for why they will need to be demolished. It will provide broad indication of dates when the properties are expected to be demolished and date when the notice ceases to be in force. The notice period will provide a maximum of 7 years before the notice ceases to be valid. It will not confirm the precise date of demolition.

11.4.4. Under the Housing Act 2004, Sections 182 and 183, the “Right to Buy” of any affected council stock will be suspended from the date an initial demolition notice is served and will stay suspended for as long as the notice remains in force. The suspension of any right to buy means, in law, applications can be received however the Council will not be required to complete the transaction.

(b) **Final Demolition Notices**

11.4.5. In order to serve a final demolition notice, the Council must have agreed to, or be entitled to acquire all of the affected properties on a regeneration site. In effect this notice will only be served once plans for the programme has been well advanced and the Council is aware of a date for the demolition taking place from the developer. The final notice replaces the initial demolition notice and will only be served where the actual demolition is expected within 2 years.

11.4.6. The service of a final demolition notice, under current legislation, stops the “right to buy” these properties completely. Any prospective “right to buy” purchases which are underway, but have not completed, will not proceed. No new right to buy application on these properties will be accepted.

(c) **Right to buy expenses**

11.4.7. The tenant may have a right to compensation for certain expenses already incurred in the right to buy process. The Council will pay these expenses where required under the current legislation (the Housing Act 2004). This compensation includes relevant legal fees, surveyor’s fees, and other disbursements which have already been paid. Evidence of fees (receipts, invoices) will be required from the tenant to claim for this compensation.
### 11.5 Bedroom Size Entitlement

11.5.1. The size and type of property that an applicant could have will depend on the size of their household. The table below sets out the Council’s bedroom standards.

<table>
<thead>
<tr>
<th>Bedroom Property Type</th>
<th>Entitlement Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1 bedroom property or studio</strong></td>
<td>Single person or couple with no children</td>
</tr>
</tbody>
</table>
| **2 bedroom property** | Single person / couple with any of the following:  
  - one child of any age  
  - two children of different sexes where both are under 10 years  
  - two children of same sex where both are under 16 years  
  - one other person (not the lead tenant's partner or child) or couple |
| **3 bedroom property** | Single person / couple with any of the following:  
  - two children of different sexes, at least one of which is 10 years or over  
  - two children of the same sex where one is 16 years old or over  
  - three children of any sex or age  
  - four children of the same sex  
  - four children with 2 girls of any age and 2 boys of any age  
  - four children with 3 of the same sex and one of the opposite sex, where one girl and one boy are both under 10 years  
  - one person (not the lead tenant's partner or child), with or without a partner plus one child, or two children of different sexes who are both under ten, or two children of the same sex regardless of age |
| **4 bedroom property** | Single / couple with any of the following:  
  - four children where the need for a 3 bedroom property does not apply  
  - five children of any sex or age  
  - six children of the same sex regardless of their age  
  - six children with five of the same sex and one of the opposite sex where there is one girl and one boy both aged under 10 years  
  - six children with four of the same sex, two of the opposite sex regardless of the age of the children  
  - six children with three girls and three boys where all the bedrooms available to the children can be shared by either a girl and boy under 10 years or the same sex children of any age can share  
  - one of the reasons for being eligible for a three bedroom property plus one person (not the lead tenant's partner or child), with or without a partner |
| **5 bedroom property** | Single / couple with any of the following:  
  - six children where the rules for a 4 bedroom home do not apply  
  - seven children of any sex or age  
  - eight children all of the same sex  
  - seven of the same sex an one of the opposite sex where one girl and one boy are both under 10 years  
  - eight children with five of the same sex and three of the opposite sex, where all four bedrooms available for the children can be shared by either a girl and boy who are both under 10 years or two children of the same sex regardless of age  
  - eight children with four girls and four boys  
  - one of the reasons for being eligible for a four bedroom property plus one person (not the lead tenant's partner or child), with or without a partner |
PART 11: COUNCIL TENANTS – THE RE-HOUSING PROCESS

11.5.2. The Council will support tenants in deciding whether the size of any accommodation is affordable for individual families.

11.5.3. In general, the Council’s bedroom Standard is as follows;
- The bedroom standard allocates a separate bedroom to each: married or cohabiting couple adult aged 21 years or more, pair of adolescents aged 10-20 years of the same sex, pair of adolescents aged 10-20 years of the opposite sex
- A single parent is counted as a couple
- An unborn baby beyond the first trimester is counted as a child. The Council will require verifying documentation
- Single people will usually be offered one bedroom accommodation, studio/bedsit
- Two children of the opposite sex under 10 will be expected to share a bedroom

11.5.4. Tenants needing larger homes - Households who have require more than four bedrooms, the Regeneration Housing Officer will work with them to consider alternative housing options on a case-by-case basis as there is limited supply of larger council-owned accommodation. For example, the family may consider separate housing for adult children. Such housing situations will be approved by the Director of Housing or a delegated Senior Officer where appropriate.

11.5.5. Tenants moving into a smaller property - Under occupiers will qualify for an additional bedroom above their assessed need.
- To qualify for this offer, tenants should have a clear rent account and no history of anti-social or other unacceptable behaviour in their council tenancy.
- Regeneration Housing Officer will complete an affordability assessment to ensure that the tenants can afford to pay the rent for the additional bedroom without discretionary housing payment on a long-term basis. Any shortfall will not be covered by the Council.

11.5.6. Group Moves - Where it is possible and there is available supply, the Council will seek to facilitate group moves where two or more eligible tenants wish to be re-housed in close proximity to each other, if this is requested. This is to ensure existing communities and support networks can be kept intact so far as reasonably practicable. Tenants will be asked as part of their rehousing application if they wish to express this preference.

11.6 TENANCIES

11.6.1. In September 2013 the Council introduced flexible tenancies. For most new Council tenants, the tenancies offered will be fixed term with a 12 month introductory period followed by a 5 year tenancy.

11.6.2. For council tenants moving under the regeneration programme into alternative council accommodation, they will retain the same tenancy rights as they currently have. This means that if you are a secure tenant, you will be offered a secure tenancy and if you are a flexible tenant you will be offered another flexible tenancy.

11.6.3. A tenant on an existing flexible tenancy with an introductory period who is rehoused into another council property will be granted another flexible tenancy with a continued introductory period from their previous tenancy.

11.6.4. Tenants who move into a Housing Association property (Registered Provider accommodation), tenants will be granted an assured tenancy in accordance with the policy of that landlord.
Assured tenancies give tenants similar rights as a secure council tenancy but without the Right to Buy. Regeneration Housing Officers will be able to provide more information on differences between council and Housing Association tenancies.

11.6.5. In split household scenarios, secure tenancy provisions will remain with the primary tenant and any split household rehoused into a council property will be offered a flexible tenancy or the equivalent which may be offered by Registered Providers.

11.6.6. The same principles will apply to those tenants opting to return to a new build home in the redeveloped area once completed and ready for occupation.

11.6.7. All Council tenancies will be granted in accordance to current legislation in operation at the time the tenancy is offered and in line with the Council’s Tenancy Policy.

11.7 RENTS

11.7.1. Rents for new homes will be at Council rent levels set in accordance with Government guidelines.

11.7.2. Tenants are advised that if there are any arrears owed on current or former rent accounts, the Council may deduct this from the Home Loss Payment tenants are entitled to receive. Arrears owed on any associated court cost could also be deducted.

11.8 APPEALING AGAINST REHOUSING DECISIONS

11.8.1. Applicants have the right to information about the decisions which are taken in respect of their rehousing application or suitability of the accommodation that has been offered. Applicants also have a right to request for those decisions to be reviewed.

11.8.2. Applicants who are unhappy with a rehousing decision should in the first instance contact the Regeneration Housing officer who will be able to explain or clarify the situation. If the applicant is still unhappy with the outcome, they can submit a formal appeal which will be considered by the Reviews Officer within 14 days of the request being received. The request can be emailed to: housingapplicationappeal@havering.gov.uk. Where an applicant cannot make a request in writing; they can get help from the Regeneration Housing Officer to do this on their behalf, or as asked the Council to hear their case orally.

11.8.3. Applicants intending to make an appeal may want to take independent legal or specialist housing advice, for example the Citizens Advice Bureau or other advisory agency. Regeneration Housing Officers will be able to provide guidance on how to access the services of independent advice agencies.

Notification of an appeal outcome

11.8.4. Applicants will be notified of the outcome of the appeal in writing including the reasons for confirming the original decision, or why the original decision should be changed.

11.8.5. There is no further mechanism to review the appeal decision; however, an applicant can take legal action to challenge the Council’s decision through judicial review proceedings. An applicant may also complain to the Housing Ombudsman if they consider the Council’s actions amount to maladministration.
PART 12: LEASEHOLDERS – THE RE-HOUSING PROCESS

12.1. The Council appreciates that some leaseholders may want to stay in the area and want to sell their property. The Council will therefore support them by considering whether to purchase the property through the ‘Buy-back’ scheme.

12.2. A dedicated Regeneration Housing Officer will meet with you on a one-to-one basis to explain your options, understand your requirements and answer any questions you may have about the process.

12.3 PURCHASING THE PROPERTY

12.3.1. The Council has an allocated pot of funds to purchase properties from leaseholders and there will be a clear policy which will determine which properties the Council should prioritise for purchasing.

12.3.2. Affected residents will be asked by their Rehousing Officer during the assessment stage in the process indicate preference of when they want to move. Officers will support households by working to preferences so far as reasonably practicable. However, when procured, the Council’s development partner will set maximum timescale dates of when residents must have moved by before the Council seeks legal possession of properties concerned.

12.4 VALUING THE PROPERTY

12.4.1. The Council will organise for a qualified chartered surveyor to value the property.

12.4.2. Properties will be valued at market value in a ‘no-scheme world’. This means that the value will be assessed on the assumption that the regeneration is proceeding. The principle is that you should not be better or worse off than before the regeneration proposals.

12.4.3. Market value reflect the condition of the property at the date of valuation and, for example will reflect:
- The internal condition and size
- External condition
- Internal improvements to the property including new bathrooms, kitchens and facilities
- The location of the property and local area amenities
- The nature of the housing market in the immediate area including recent sale prices

12.4.4. This valuation may occur at the latest, when the Council requires legal possession of the home. At the earliest, the valuation may occur when residents expressed they would like to move.

12.4.5. Following the visit, the surveyor will send written notification of the market value of the property and confirm the entitlement value for home loss payment. The property valuation figure will be valid for a 3 month period from the date of the valuation letter.
**PART 12: LEASEHOLDERS – THE RE-HOUSING PROCESS**

### 12.5 AGREEING THE VALUE OF THE PROPERTY

12.5.1. Should the leaseholders disagree with the valuation, they can obtain their own valuation using an independent chartered surveyor and the Council will cover the legal fees up to a reasonable amount. The coverage of fees should be agreed between the independent chartered surveyor and the Council before work is incurred for costs to be covered. Details of the independent chartered surveyors operating in their nearby locality can be found by contacting the Royal Institute of Chartered Surveyors (RICS) on www.rics.org.uk and their telephone number is 0870 3331600.

12.5.2. To reach agreement, there will be a negotiation between the leaseholder’s and the Council’s valuer. If agreement cannot be reached, the Council will agree to a third party arbitration process which will involve an independent surveyor making a final decision on the price.

12.5.3. If agreement cannot be reached through the arbitration process, the Council’s only option will be to pursue a Compulsory Purchase Order. Further information on this legal process is provided in Part 14.

12.5.4. Leaseholders and freeholders can also appeal to the Lands Tribunal if they disagree with the original market valuation. The Lands Tribunal is an independent judicial body set up by Government to resolve disputes concerning land issues. The Tribunal has the powers of a court of a law and if an appeal is necessary, the decision lies with the Court of Appeal. The decision of the Lands Tribunal and the Court of Appeal is final. The value agreed by the Tribunal is the value owners will receive for their home and this could be higher or lower than what the Council was offering. Leaseholders and freeholders should be aware that the Lands Tribunal determines who will pay legal costs for the tribunal itself and this could be charged to leaseholders or freeholders in some cases. Leaseholders and freeholders are strongly advised to seek legal advice before taking this course of action.

### PART 13: PRIVATE TENANTS – THE RE-HOUSING PROCESS

The Council will assist private tenants through the Housing Options and Advice Service in order to find alternative suitable and affordable private rented accommodation. This can be arranged through letting agencies and private landlords who work with the Council.
PART 14: LEGAL POSSESSION PROCEEDINGS AND COMPULSORY PURCHASE (CPO) PROCESS

14.1. The Council is committed to working with all residents to ensure a smooth transition into alternative accommodation in order for the regeneration programme to proceed. However, where this may not be possible, the Council will take appropriate legal action to obtain vacant possession of the properties in time for the redevelopment work to start.

14.2. Where council tenants may have refused two reasonable offers, the Council will pursue a possession order in order to obtain vacant possession.

14.3. If the Council needs to apply for a Possession Order for any individual Council tenant where a voluntary agreement has not been reached or in circumstances where a tenant refuses to move out, then it is the court that will decide when the tenant will need to leave the property. The current legislation governing this is the Housing Act 1985 (as amended) - grounds 10 or 10A of Schedule 2.

For owners of property and private tenants of an owner, the Council will pursue a Compulsory Purchase Order (CPO).

14.4. Compulsory Purchase Orders enables Local Authorities to compulsory acquire land which it thinks will facilitate development, redevelopment or improvement works which will contribute to achieving the promotion of the economic, social or environmental wellbeing of any land the Council is administratively responsible for.

14.5. If a CPO is sought the Council will write to residents to advise them of how this will affect them and how they will be involved in the process. If obtained, a copy of this order will be served both on the occupier(s) and the owner(s) of the property and land concerned. A compulsory purchase order will bring to an end any private tenancy agreement.

14.6. These powers will ensure development can take place on time. It however is a last resort, when negotiation and other means of achieving vacant possession have failed, but may be considered necessary if vacant possession of dwellings is unobtainable, causing high risk to the programme’s development.

14.7. Compulsory Purchase Orders are subject to approval and confirmation by the Secretary of State. Given the length of time CPO applications can take, for practical purposes the Council may start drafting preparation for a CPO application at the same time as informal negotiations are occurring with residents, however it will only be applied for, as the last option.

14.8. Where the Council seeks as a last resort to acquire properties compulsorily, those affected will have a statutory right to object to the compulsory purchase order through consultation, at a Public Local Inquiry or by written representation. The outcome of the consultation outlining any objections will be passed to the relevant Statutory of State with the Council’s application for the CPO. Objections will be heard either by a written representation or a Public Inquiry will be held. The Secretary of State will confirm, modify or reject the CPO. If the Secretary of State decides to confirm the CPO there is a statutory right of appeal to the High Court but only extremely limited legal grounds.

14.9. The law in this area is complex and this section is intended to only provide a summary of the legal framework. If the Council decides to pursue Compulsory Purchase Order in any case, then it will comply with current legislation covering the use of Compulsory Purchase Orders under the Town and Country Planning Act 1990 or the Housing Act 1985 (as amended by the Planning and Compulsory Purchase Act 2004). This legislation governs the length of notice to be given.
PART 15: NEW HOMES TO BE BUILT IN THE REGENERATION AREA

15.1    DESIGN OF THE NEW HOMES

15.1.1. As the Council is yet to secure a development partner for the regeneration programme, the tenure composition and design specification of the new homes on each site is yet to be agreed. The development partner for the Housing Regeneration Programme is expected to be procured by early 2018.

15.1.2. The new build development plan will take account of outcomes of the consultation, housing needs assessments and corporate requirements for housing delivery. In general the Council’s planning objectives for the replacement homes are to:

- Seek to re-provide the same number of homes on the sites
- Have wheelchair accessible units
- Be built to a life-time homes standard, meaning homes can be adapted as housing needs change
- Be built to London Housing Design space standards (a minimum standard outlined as part of the London Housing Supplementary Planning Guidance 2012)
- Be a sustainable mix of social, affordable, private rented and private homes for sale, including flats and houses, ensuring a mix of 1, 2, 3 and 4 bed accommodation
- Be designed to ensure differentiation between the social, affordable, private rented or private for sale homes cannot be made by the external appearance
- Meet modern energy efficiency levels and will therefore have cheaper energy bills

15.1.3. Affected residents will have the opportunity to view a master plan and design plans of each individual scheme, as and when they are developed. As homes are built, there will be show homes available at regeneration sites so residents can be shown the quality of homes they can expect, should they wish to exercise their right to return. It is the Council’s intention to keep residents fully involved in the design of the new homes through ongoing consultation.

15.2    RENT LEVEL FOR THE NEW HOMES

15.2.1. Rent on new council properties will be based on affordable rent level. However, existing council tenants moving into a new build home will be charged social housing rent based on the formula at the time.

15.2.2. Tenants will be responsible for paying a service charge based on the level of service given.

15.2.3. The level of council tax will be set by the Valuation Office Agency (VOA). The council has no control over this.

15.2.4. The Council will offer money, budgeting and debt advice to determine whether a home in a regeneration area will be affordable based on individual circumstances.
PART 16: HOME LOSS PAYMENTS AND DISTURBANCE COMPENSATION

16.1. The Council is committed to the principle that no resident should be worse off as a result of the re-housing process. Residents will receive payments to cover loss of their home and the reasonable costs incurred in moving. The Land Compensation Act 1973 provides statutory home loss and disturbance payments to be made to qualifying residents who are being displaced as a result of regeneration plans or because of a programme of modernisation and redevelopment work.

16.2. This section summarises the information on payments and compensation.

<table>
<thead>
<tr>
<th>Tenure</th>
<th>Market value of the home</th>
<th>Home Loss Payment</th>
<th>Disturbance Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council tenant</td>
<td>Not applicable</td>
<td>£5,800 Home Loss Payment</td>
<td>Yes entitled to claim</td>
</tr>
<tr>
<td>Resident Leaseholder</td>
<td>Full market value</td>
<td>10% home loss payment at a minimum of £5,800</td>
<td>Yes entitled to claim</td>
</tr>
<tr>
<td>Freeholder</td>
<td>Full market value</td>
<td>10% home loss payment at a minimum of £5,800</td>
<td>Yes entitled to claim</td>
</tr>
<tr>
<td>Non-resident Leaseholder</td>
<td>Full market value</td>
<td>7.5% basic home loss payment at a minimum of £7,500 and maximum of £75,000</td>
<td>Yes eligible to claim for the legal costs of selling the affected property and acquiring a new home</td>
</tr>
<tr>
<td>Private tenant</td>
<td>Not applicable</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tenants in the Council’s private sector leased (PSL) and Houses in Multiple Occupation (HMO)</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

16.3. HOME LOSS PAYMENTS

16.3.1. A Home Loss Payment is made where residents are required to leave their home due to a Local Authority’s plans for regeneration. The payment is a sum in recognition of the distress of having to move out of an existing home.

(a) Home Loss Payment entitlement criteria

16.3.2. A resident should:
- Have lived in the affected dwelling, or a substantial part of it, as their only or main residence for a period of at least 12 consecutive months. Proof of residency is required, for example, mortgage statements, council tax receipts, bank statements and utility bills.
PART 16: HOME LOSS PAYMENTS AND DISTURBANCE COMPENSATION

- Have an interest or right to occupy the property that is freehold, leasehold, statutory tenancy or restricted contract under the Rent Act 1977, or a right to occupy under the terms of the employment or under a licence where secured tenancy or introductory tenancy provisions apply.

(b) **Additional criteria**

- Home loss payments will only be paid once in all circumstances for the displacement from the property affected by the Regeneration Programme.
- Home loss payment is subject to the resident surrendering their tenancy of the property affected and giving vacant possession or selling the property to the Council in order for it to be redeveloped through the programme. It will only be payable once the tenant or owner has handed back the keys to their property to the Council, unless there are exceptional circumstances as agreed by the Director of Housing Services.
- Joint tenants or co-owners i.e. (husband and wife) will be entitled to one home loss payment to share between them.
- Squatters and trespassers will not be paid a home loss or disturbance payment
- Tenants who are being evicted prior to the decant will not receive a home loss payment
- When residents move, the Council will expect them to clear properties completely. If belongings are left behind, the cost to clear and dispose of these items may be deducted from any home loss payment payable. The Council will inspect properties before any home loss payment is made.
- Home loss payment will not be paid if the tenant moved into the property after the decision to carry out the regeneration work was formally made by the Council and they were advised in writing of this decision.
- Home loss payment will not be paid to a tenant living in the property on a temporary tenancy as a result of being homeless (Council’s PSL/HMO)

(c) **Home Loss Payment Levels**

16.3.3. The level of home loss compensation is set by the Government in accordance with the Planning and Compensation Act (1991), the Land Compensation Act (1973) and Home Loss Payments (Prescribed Amounts) (England) Regulations (2015). The level is reviewed annually.

16.3.4. The Council reserves the right to seek to use part or all of the home loss payment to settle outstanding debts owed by council tenants i.e. rent arrears. Residents must therefore make every effort to clear any debt owed.

(d) **Administration of Home Loss Payment**

16.3.5. Property owners - When the Council completes the valuation of the home, a valuation letter will be sent which includes the market value of the home and entitlement for home loss payment.

16.3.6. Council tenants – When a property has been identified for a tenant to move into, the Council will notify you of the home loss payment entitlement.

16.3.7. Compensation levels set out within any documentation will be conditional on vacant possession of the property.
16.3.8. Payments will only be made after keys to the property have been handed to the Council with vacant possession including clearance of all household items.

16.3.9. Depending on individual circumstances, the Council will make payment on or before latest of:
- The date of displacement or
- Within at least three months from the date of the displacement
- The date on which the market value of interest was agreed or determined or paid.

16.3.10. The claims will be dealt with in accordance with the Council’s financial regulations. The Council will make payments directly into the resident’s bank or savings account.

16.3.11. Home loss payments made where there is no Compulsory Purchase Order (CPO) in place on the property, is done as a discretionary offer, This is because the Council is not obliged by law to make a payment unless there is a CPO in place and under such circumstance there will be a statutory requirement to make a payment to affected residents.
16.4. DISTURBANCE COMPENSATION

16.4.1. Disturbance compensation is paid where residents are required to leave their home to compensate for reasonable financial costs associated with moving and acquiring a new home. The aim of the payment is to cover the expenses of moving so that the resident is not financially better or worse off as a result of the regeneration scheme.

16.4.2. Disturbance compensation is generally restricted to occupiers. However investment owners (non-resident leaseholders/freeholders) can claim for reimbursement of the reasonable legal costs incurred in a replacement of a UK property within 12 months of the acquisition of the new property.

16.4.3. ‘Reasonable costs’ will not include weekly rent payments or any other personal loss incurred through the process that should normally be covered by the investment owner’s own insurance policy.

16.4.4. Disturbance compensation can be claimed for:
- Expenses related to arranging own removal or the Council would arrange removals and pay for these directly.
- Re-direction of mail for each authorised surname living at the address (for one year only)
- Alterations to furnishings, e.g. uplifting, refitting and alteration of carpets and curtains
- Disconnection and re-connection of services e.g. broadband, phone line and domestic appliances
- Moveable fixtures and fittings e.g. light fittings
- Special adaptations previously assessed as required in the new property
- Refitting of special locks and alarms
- Costs of new school uniforms if being rehoused in a different area and children need to change schools
- Replacement carpets and curtains (reasonable costs allowed if residents can demonstrate existing furnishings will not fit in new home or be modified)
- Home improvements that have been notified and approved by the Council less the cost of depreciation
- Legal fees arising from the sale of the property and the acquisition of a replacement property including:
  - Solicitor and surveyor fees arising from the sale of the current home and acquisition of a replacement property
  - Mortgage redemption and arrangement fees
  - Stamp Duty land tax arising from the acquisition of a new property (up to the agreed value of the home)

This list is not exhaustive and other reasonable additional costs incurred by residents may be met. Regeneration Housing Officers will be able to advise whether an expense will be considered reasonable.

(a) Disturbance Compensation Levels

16.4.5. The level of disturbance compensation will vary from claim to claim and is dependent on claimant’s specific circumstances. Payments will be paid for each eligible item.
PART 16: HOME LOSS PAYMENTS AND DISTURBANCE COMPENSATION

16.4.6. Property owners - will be entitled to claim for reimbursement of the legal costs of conveyance incurred when acquiring a new property. These costs will be paid up to the amount that would be payable if the purchase price of the new property was not more than the market value of the old one.

16.4.7. Council tenants – payments will be made to cover each move. For tenants who move into alternative accommodation as their settled accommodation, the payment will be made once. For tenants who move twice (to an initial home and back to the redeveloped home), the payment will be made twice.

(b) Administration of Disturbance Compensation

16.4.8. In line with Government guidance, it is the Council’s policy that the onus is on the resident to provide supporting evidence for the claim. Therefore, residents will be asked to provide receipts or invoices for each item being claimed for. Individuals will need to prove they should be compensated rather than expecting the Council to pay.

16.4.9. In order to make a claim, a form will be completed. The claim must be submitted within six years of the date the household has moved out and must be in writing.

16.4.10. Payments will be paid directly to the resident (main or joint tenant’s bank account).

16.4.11. The Council will have a contractor to help residents to assist with removals, disconnection and reconnection of appliances and other actions associated with the moving process. In such cases, residents can choose to have an ‘assisted move’ through the Council or make their own arrangements. The Council can refuse costs which are considered unreasonable and all services used must comply with the appropriate trading standards. In all cases residents are advised to check with the Council before choosing their own service providers in order to ensure that the cost is considered reasonable to be covered by a disturbance compensation.

16.4.12. Should a property owner use their own service provider, it is advised that receipts and invoices are on a company headed paper with information about VAT number, company registration and contact details.

16.4.13. If there is a dispute over whether the Council will pay for an item or an amount, then either the person concerned or the Council can apply to the Lands Tribunal for a decision on this. Independent advice or a third party arbitration process may also be considered depending on the individual circumstances of the case.

(c) Advance Payments

16.4.14. The Council will consider requests for upfront payments on a case by case basis.

16.4.15. If the Council has taken possession of any land under its compulsory purchase powers, there is an obligation to make an advance payment of compensation, if the claimant makes a request (section 52, LCA 1973). In this case, the advance payment must be 90% of the amount estimated by the Council or 90% of the amount agreed between the Council and claimant. The payment is registerable as a local land charge by the Council and can be set off against any payment to a subsequent owner.
17.1. Residents will be supported through the rehousing process by dedicated Regeneration Housing officers. The officers will work closely with all relevant teams to ensure the re-housing process and compensation payments are dealt with effectively.

17.2. The Council is not obliged by law to provide any practical assistance to owners to move home; however the Council is fully committed to ensuring all moves occur with minimal disruption and all residents are adequately supported in the rehousing process.

17.3. Throughout the rehousing process, the following support will be available for affected tenants:

17.4. **General advice**;

- Explain the re-housing options, assess the suitability and affordability of the options based on individual circumstances.
- Advise on services of alternative housing providers and letting agencies.
- Advise on solicitors and legal services and getting information on legal rights.
- Advise on processes of legal possession and Compulsory Purchase Order.
- Help to process Home Loss Payment and Disturbance Compensation claims.
- Help complete forms and other paperwork.
- Advise on local amenities will be given to support households in moving to their new home and this will include assistance with setting up links to local support services and schools.

17.5. **Viewing support** – accompany residents to view properties (if moving into alternative council-owned accommodation) so that questions regarding the property can be answered. Arrange visits to each new development once show home properties become available.

17.6. **Housing Benefit Claims** – tenants who are eligible for housing benefit will be assisted. This will include help in filling out forms and liaising with the housing benefit team to ensure claims are processed on time. The Council will support all tenants moving into the private sector with these claims.

17.7. **Removal services** – work with the removal contractor to move residents into their new homes.

17.8. **Liaising with support agencies and arranging care packages** - work with the relevant providers to ensure that agreed care package remains in place after a move. This could include, for example, day centre care, community nurse visits, or “meals on wheels”. It may also include setting households up with new care or support agencies if the household is moving out of the borough. We will ensure that residents with support needs have access to services in their new home.

17.9. **Arranging property adaptations** – work with occupational therapists to arrange for property adaptations at the new address if required.

17.10. **Settling in** - visit or make contact with the tenant after re-housing to ensure that the move has gone well and provide additional assistance if required.
PART 17: PRACTICAL HELP AND SUPPORT FOR AFFECTED RESIDENTS

17.11. **RESIDENT RESPONSIBILITIES**

In addition to the above support, tenants will be reminded of their responsibilities during the re-housing process which includes:

17.12. **Clearance of unwanted items** - The tenant is responsible for clearing their belongings from the property and for ensuring vacant possession of that property. Any items left behind will be cleared and disposed of. Tenants will not be able to reclaim for them, or the value once they have been left in the property. The cost of clearance and disposal will be charged to the tenant. Households will be advised of this in advance of the moving date.

17.13. **Advising organisations of new address** – it is the tenant’s responsibility to inform relevant persons and organisations of their new address. This includes advising Council Tax, Housing Benefits and the Benefits Agency. The Regeneration Housing officer will support and advise tenants through this process as appropriate. If the tenant has moved into accommodation designated for older people, then the scheme officer or warden will support and assist them with this task as required.

PART 18: MONITORING AND EVALUATION

18.1 The Council will monitor the impact of this Local Lettings Plan on an on-going basis to ensure it meets best practice and current legislation throughout the lifetime of the Programme. It will also be reviewed annually to reflect Government changes in the level of financial compensation payments owed to affected residents.

18.2. The rehousing process of tenants will be monitored and used to improve other regeneration schemes. The Council will also be recording the key characteristics of each letting in order to ensure the community is mixed and balanced.

18.3. The Council may make amendments to, suspend or withdraw this plan at any time. Any amendments will be communicated to all stakeholders.

18.4. The operation of the Local Lettings Plan will be in accordance with the legal, regulatory framework, policies of the Council and relevant legislation. The Director of Housing Services, in consultation with the Cabinet Member for Housing may make amendments to the Local Lettings Plan at any time if required. Affected residents will be informed of any change.

18.5. **EQUALITY AND DIVERSITY**

18.5.1. The Council will apply this Local Lettings Plan consistently and fairly and will not discriminate against anyone as set out in the Equalities Act 2010. No person will receive less favourable treatment on the grounds of race, gender, religion or belief, age, sexual orientation, disability, economic or marital status.

18.5.2. The Council will make this document available in other languages and formats on request.

18.5.3. The Council will also carry out an equality impact assessment on this Local Lettings Plan in line with the Council’s corporate procedures. This will identify whether there is any adverse impact on specific groups and the mitigation action in place if required.
APPENDIX 1: LOW COST HOME OWNERSHIP

About Shared Ownership Schemes

Shared ownership schemes offer a way of part owning and part renting a property and is aimed at helping people who cannot afford to purchase a property on the open market.

To purchase a shared ownership home, applicants could use the funds from the sale of their property, any home loss payment (if entitled), any savings and any mortgage entitlement. An initial share of no less than 25% and no more than 75% of the full market value of the property would have to be purchased. Rent would be paid on the remaining share of the property which would be owned by the Local Authority, Housing Association or through a development partner. The rent level would be set by the provider. The rent that is paid could be no more than 3% of the value of the share in the property that is not owned.

Over time, the leaseholder can purchase further shares in the property which is otherwise known as ‘staircasing’. In most cases they can if they wish, purchase additional shares up to 100% of the equity in the property, thus becoming the outright owner. The cost of increasing the share will depend on the value of the property at the time. Shared ownership leaseholders will have the normal rights and responsibilities of a full owner-occupier however will not usually be able to let or sub-let the property.

Prioritisation

In accordance to the Council’s Shared Ownership policy, priority for shared ownership is given to:

- Existing social tenants in Havering, serving military personnel and former military personnel.
- Existing Havering residents
- Eligible applicants who work but do not reside in the Borough

Eligibility

In order to be eligible to purchase a shared ownership property in general, under the Help to Buy initiative applicants must:

- Have a household income of less than £80,000
- Be otherwise unable to afford a suitable property on the open market
- Be able to afford to purchase the largest share they can sustain alongside all associated housing costs
- Not be in rent arrears or in breach of their current tenancy agreement at the time of making the application (in the case of leaseholders, council tenants and private tenants) In the case of private sector tenants, the Help to Buy agent must also be satisfied that the tenant has not had a history of rent arrears.

Freeholder’s applications will be subject to assessment by Help to Buy agents and providers to determine whether they are in housing need and cannot comfortably afford an alternative home. This will be the Council’s discretion.

To advise residents on general applicant eligibility and affordability for Help to Buy schemes, the Council will use Government’s HCA ‘Capital Funding Guide’ (2016) which contains rules and procedures surrounding the delivery of affordable housing. The Councils rehousing officer will support applicants with registration on the Help to Buy Scheme for the locality and with initial assessment to ensure basic eligibility criteria is met.

Selling a shared ownership home

The property will be able to be sold at any time but the owner of the remaining share in the property has the right to find a buyer for the home if it still owns a share of it and to buy the property back first.
APPENDIX 1: LOW COST HOME OWNERSHIP

About Shared Equity Schemes

Shared equity schemes allow applicants to take out a low-interest equity loan which is added to a deposit amount when buying a property. A mortgage is taken on the remainder of the property price. Unlike shared ownership, buying a home with a shared equity loan could mean residents can own 100% of the property.

To purchase a shared equity home, resident leaseholders and freeholders would use the funds acquired from the sale of their home on the estate and any compensation to buy a property on a new development, continuing to invest the same level of mortgage borrowing that was held with the property on the estate.

If the cost of the new property is higher, then the Council or development partner of the scheme would hold on to a share of the property. No rent or interest would be charged on the share of the property that the Council or development partner would hold.

This means that resident leaseholders and freeholders could purchase a new higher value property without increasing their previous level of borrowing. If desired, using the funds acquired from the sale of the existing home, those affected could invest more in the new property.

Affected residents would have the opportunity to increase the share in the property over time by buying up the Council or development partner’s equity share.

Eligibility

The eligibility for intermediate housing is determined by the London Mayor. The home that is purchased must:

- be a new build
- have a purchase price of up to £600,000 in England (or £300,000 in Wales)
- be the only one that is owned by the household
- not be sub-let or rented out after purchase

Applicants would need at least a 5% deposit and would need a mortgage of up to 75%. The government may lend up to 40%. Equity loan fees will have to be paid and the loan itself will have to be paid back after 25 years or when the home is sold, whichever comes first, where the amount that is paid back will depend on the market value of the home at the time of sale.

Selling a shared equity home

If leaseholders wanted to sell their new shared equity home, they would keep their share of the proceeds and the Council would keep its share it has in the property. Any increase in property value would be shared between the leaseholder and council according to the proportion of equity owned by each party.

If a leaseholder owned 60% of the value of the property, they would therefore receive 60% of the value if sold and any increase in value.
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assured shorthold tenants</td>
<td>Mainly are private tenants with an assured shorthold tenancy agreement</td>
</tr>
<tr>
<td>Assured tenancy</td>
<td>Is the agreement mainly provided by Housing Association tenants</td>
</tr>
<tr>
<td>Basic Loss Payment</td>
<td>Under the Planning and Compulsory Purchase Act 2004, non-resident leaseholders who meet qualifications can claim a basic loss payment which is calculated at 7.5% at a minimum value of £7500 and £75000</td>
</tr>
<tr>
<td>Compulsory Purchase Order(CPO)</td>
<td>A CPO allows certain bodies to obtain land or property for purposes such as regeneration without the consent of an owner</td>
</tr>
<tr>
<td>Confirmation of a CPO Order</td>
<td>Once a public inquiry has concluded, the inspector will make a judgement. The confirmed decision will be publicised in local media. If the process is agreed a copy of the notice and a copy of the confirmed CPO will be served on all people with an interest in the land concerned</td>
</tr>
<tr>
<td>Court of Appeal</td>
<td>A Court whose jurisdiction is to review the decisions of lower courts or agencies</td>
</tr>
<tr>
<td>Decanting</td>
<td>The process of moving residents out of their current homes and rehousing them. Decants is a status given to tenants rehoused as a result of the regeneration</td>
</tr>
<tr>
<td>Disturbance compensation</td>
<td>Disturbance compensation is to compensate for the reasonable expenses incurred by moving home during a regeneration process for example, removal expenses, costs of altering soft furnishings, reconnecting movable fixtures and fittings and telephone reconnection charges.</td>
</tr>
<tr>
<td>Freeholder</td>
<td>Has ownership of the freehold of the property (property and land on which the property is based)</td>
</tr>
<tr>
<td>Home loss payment</td>
<td>Home loss payment is made in recognition to the personal distress and inconvenience suffered by people who are being displaced from their homes as a result of a regeneration scheme or other qualifying circumstances</td>
</tr>
<tr>
<td>Havering Housing Allocation Scheme (2016)</td>
<td>Is the Council’s Housing Allocation Policy (2016) which applies rules to how the Council offers social housing to people in the borough. This Local Lettings Plan sets out some different conditions on which allocations to council tenants will differ from principles set out within the allocations scheme. This is because the policy allows for Local Lettings Plans to manage rehousing processes under certain circumstances such as due to a regeneration scheme.</td>
</tr>
<tr>
<td>Housing Associations</td>
<td>Housing Associations are independent not for profit bodies that provide low cost social housing for people in housing need</td>
</tr>
<tr>
<td>Local Lettings Plan</td>
<td>Is a plan setting out how the Council intends to manage the rehousing under a regeneration scheme and let new homes in a regeneration area.</td>
</tr>
<tr>
<td>Non-resident leaseholder</td>
<td>A non-resident leaseholder or freeholder is someone who has not lived in the property in question as their sole or main residence for a period of 12 consecutive months.</td>
</tr>
<tr>
<td>Open market value</td>
<td>Is a price that a good or service is offered at or will fetch in the market place with a free and willing buyer and seller</td>
</tr>
<tr>
<td>Right to Buy</td>
<td>The right at which council tenants can buy homes from the council</td>
</tr>
<tr>
<td>Regeneration estate</td>
<td>Regeneration estate is a special term which has been given to an estate either because it has plans for demolition or a large amount of work is required on buildings within the estate. While in the majority of cases this will mean complete demolition of selected blocks, there may be extensive refurbishment or redevelopment of some areas within the estates, that also require affected residents to move home while this work is being undertaken</td>
</tr>
<tr>
<td>Resident leaseholder</td>
<td>Is a leaseholder who the property in question has been their primary residence from at least 12 months prior to the date of displacement. Residents of a leasehold property affected by a regeneration scheme will usually be those who have purchased from the Council under the right to buy, for which the Council owns the freehold.</td>
</tr>
<tr>
<td>Shared ownership</td>
<td>The purchase of a share of a property and payment of rent to the Council for the remainder. The purchasers monthly outgoings will include repayments on any mortgage you have taken out, plus rent on part of the property retained by the Council and a service charge</td>
</tr>
<tr>
<td>Shared equity</td>
<td>When the Council or Housing Association offers the option of buying a proportion of the value of the property and the leaseholder purchases the rest. Rent is not paid on the proportion owned by the Council. The Council claims their proportion of the property on disposal of the lease (i.e. sale)</td>
</tr>
<tr>
<td>Tenant</td>
<td>“Tenant” as used in this policy means a tenant of Havering Council unless it specifically states otherwise. For this Local Lettings Plan, tenants refer to those affected by a regeneration scheme.</td>
</tr>
<tr>
<td>Tenancy agreement</td>
<td>A contractual agreement on the tenancy terms and conditions and relationship between a tenant and landlord</td>
</tr>
</tbody>
</table>
### APPENDIX 3: USEFUL CONTACTS

| Regeneration Housing Team | Council tenants  
Tel: 01708 434130  
Email: housingneeds@havering.gov.uk  
Leaseholders and freeholders  
Lead Officer – Ian Nolan  
ian.nolan@havering.gov.uk  
Private Tenants  
Tel: 01708 432818  
Email: homeless_advice@havering.gov.uk |
|--------------------------|---------------------------------------------------------------|
| Online Information       | This document is available on the Council’s webpages covering the Regeneration Programme at:  
www.havering.gov.uk/housingregeneration  
www.havering.gov.uk/shelteredhousingdevelopments  
The webpages will cover up-to-date information and link to each scheme’s particular development page. |
| Keep in touch            | **E-newsletters**  
To receive updates on the Council’s Regeneration Programme, you can sign up for e-newsletters at:  
www.havering.gov.uk/enews  
**Social Media**  
To receive updates via Twitter, follow @LBHousing  
To receive updates on Facebook ‘like’ us at www.facebook.com/HaveringHousing  
Queries  
Residents can submit ongoing queries regarding the regenerations scheme and this LLP to  
www.havering.gov.uk/askhousing |
| Other useful contacts    | **Communities and Local Government**  
(for advice on CPO Processes and compensation)  
Tel: 0303 444 0000  
Website: http://www.communities.gov.uk/corporate/  
CPO and Compensation (Home loss and Disturbance) guidance from Communities and Local Government can be found here:  
http://www.communities.gov.uk/publications/planningandbuilding/compulsorypurchase  
**Citizens Advice Bureau**  
9 Victoria Road  
Romford  
RM1 2JT  
Tel: 01708 763531  
Website: https://www.haveringcab.org.uk  
**DirectGov**  
Website: http://www.direct.gov.uk  
Link to information on Getting Legal Advice and Aid:  
https://www.gov.uk/legal-aid  
**The Royal Institution of Chartered Surveyors (RICS)**  
12 Great George Street  
Parliament Square  
London  
SW1P 3AD  
Tel: 020 7222 7000  
Website: http://www.rics.org  
**The Lands Tribunal**  
Procession House  
55 Ludgate Hill  
London  
EC4M 7JW  
Tel: 020 7029 9780  
Website: http://www.landtribunal.gov.uk |