

Decant of PCC social housing

Housing and Social Care Scrutiny panel

Evidence 30th July 2019

Overview information

- This evidence was produced based upon a draft scope yet to be agreed by the panel.
- It is split into two parts:
 - PCC's general approach to decanting people from Housing Revenue Account (HRA) properties
 - An overview of the decant process for Leamington & Horatia Houses
- This evidence provides an overview of what happened during the year of the decant project.
- This evidence does not contain:
 - Personal information about tenants
 - Impacts on the lives of individuals
 - Reflection about how decants could be improved in the future (The reasons for this will be covered within this evidence)

Officers attending

- James Hill – Director for Housing, Neighbourhoods & Building Services
- Paul Fielding - Assistant Director – Housing
- Charlotte Smith – Assistant Director of community and communications
- Mark Fitch – Head of Local Authority Housing
- Jo Bennett – Head of Head of Business Growth, Relationships and Support

What is a decant?

- Decant is a legally derived term used to explain the process where residents are required to move from their homes, due to major works, redevelopment, sale of stock etc. For example Leamington and Solihull House refurbishment and in emergency situations, for example Nickleby House flooding resulting in temporary housing for a few households.
- The reason for the decant will influence the options available to the tenants, and PCC.
- There are times when PCC need to undertake major work to the property, which will be returning to occupation once the work is complete. If this happens tenants are normally given the option to either go on a permanent or temporary basis (returning to their original accommodation once the repairs have been completed). In most cases the tenant has a choice about a temporary or permanent move. However there will be occasions, such as the potential of future rent arrears, where a permanent move is not agreed.
- A permanent decant (aka permanent rehousing) is where PCC require someone to permanently leave their home and do not allow them to return. This usually only used where demolition and redevelopment will take place.
- The focus of PCC's Local Authority Housing team is in assisting tenants to move permanently where necessary and there is a business need.

Outcomes for the tenant – security of tenancy

- For the tenant there is continuation of secure tenancy and they cannot be provided with any form of tenancy demotion, if it is a permanent decant.
- If it is a temporary decant, the current tenancy stays in place and a licence is normally granted to occupy the temporary accommodation, clearly showing the intention is to return to the principal home.
- For a permanent decant, a tenant is moved to a new property, with a new secure tenancy and retains the length of occupation (for any future Right To Buy).

Outcomes for the tenants – Financial support

DISTURBANCE PAYMENTS

- Tenants who are asked to move are eligible to claim for disturbance payments. These payments are not fixed and should reflect “reasonable” costs incurred as a direct result of moving home.
- Tenants could qualify for the following items:-
 - Removals
 - Disconnection/reconnection of domestic appliances/showers
 - Telephone/sky/cable/internet connection
 - Flooring
 - Replacement curtains/blinds
 - School Uniform - if Tenant's children have to move school as a result of the move.

Home Loss Payment

- If the Tenant meets the criteria set out in the relevant legislation they are entitled to a statutory payment which is fixed according to the current legislation. This is currently £6,300 per tenant.
- The HRA has a budget of £94,500 pa for home loss and disturbance payments

Relevant legislation

Payments will be paid in all circumstances in accordance with the Land Compensation Act provisions (section 38) 1973.

<https://www.legislation.gov.uk/ukpga/1973/26/section/38>

The Housing Act 1985 (Part II S.26) outlines disturbance allowances

<https://www.legislation.gov.uk/ukpga/1985/68/section/26>

Home Loss Payments (Prescribed Amounts) (England) Regulations 2018

<http://www.legislation.gov.uk/uksi/2018/915/made>

Business as usual decants

- The Local Authority Housing team prepare for approximately 4-5 decants per year but it can vary. In 2018/2019 there was 1 temporary move, 5 permanent moves one of which included a Home Loss Payment and 1 return.
- Decants can happen in any part of the city, and in both houses and flats
- Mainly due to major repairs not being able to be carried out whilst tenant is in occupation.

Leamington House & Horatia
House

L&H - Introduction

- The purpose of this evidence report is to outline the stages of a major decant process, and what happened in the case of Leamington House and Horatia House
- It is not intention of this evidence to review in detail why the buildings needed to be decanted. This has been covered in other reports which are available and published at www.portsmouth.gov.uk/ext/housing/leamington-house-and-horatia-house
- Whilst PCC is experienced in decants of tower blocks, Leamington House and Horatia House provided learning in two key areas.
 1. The initial finding of ACM cladding on the 22 June 2017 presented a scenario in which PCC needed to prepare for an emergency evacuation of all households. The civil contingency / emergency planning team prepared for and set up a response on the same day and gave assurance that we could provide emergency temporary accommodation. The scenario did not arise and households were able to remain in the blocks whilst the cladding was removed.
 2. The decision to permanently rehouse residents from the blocks in June 2018. This was a planned and managed rehousing process which commenced on the 5th June 2018. The process is very similar to the normal decant process but was at a scale not typically seen before (even with major refurbishment programmes in the past).

L&H – About the buildings

- Leamington House and Horatia House were constructed in 1965.
- Bison Large Panel System (LPS) construction
- Each block is 18 storeys high and consisting of a total of 136 flats.
- Mixture of 1,2 & 3 bedroomed flats
- There are 8 flats per storey, with none on the ground floor
- Two escape stairwells per block.

L&H - ACM Cladding (2017)

- The Grenfell Tower Fire tragedy happened on 14th June 2017
- Following this event the government set up a testing process for identifying potential dangerous Aluminium Composite Material (ACM) cladding materials
- Horatia House and Leamington House were identified as having this type of cladding and sent samples for testing. No other council-owned high rise blocks of flats have this material
- On the 22nd June 2017 PCC was informed that the test results confirmed the cladding to be ACM and of the same type found on the Grenfell tower block.
- PCC and the Hampshire Fire & Rescue Service (HFRS) undertook joint inspections to determine if the residents could remain in the blocks. The inspection focussed on the fire safety measures and the impact of additional measures put in place, for example 24 hour fire watch.
- The inspection helped inform the decision that residents could be assured of their safety and could remain in the blocks whilst the cladding was removed.
- The cladding removal commenced on the 23rd June 2017 and was completed in January 2018.

L&H – Emergency preparations

- Whilst the activity around the inspections took place plans were made in the event that all residents had to be evacuated.
- The civil contingency / emergency planning team mobilised the response and prepared rest centres which would provide a means of rehousing all households temporarily.
- Preparation was also made to deal with a scenario where despite the assurances PCC/HFRS could give some residents would still want to be rehoused. That could be dealt with via the housing service.
- Neither situation arose and it is testament to the partnership working that residents were assured of their safety and no rehousing requests were received.

L&H – post-cladding analysis

- The original intention had been to remove the ACM cladding and replace with an appropriate alternative. On 7 August 2017 ECD Architects were appointed to undertake a feasibility study to investigate options for recladding the blocks including structural surveys.
- ECD Architects incorporated the structural report conclusions into the final feasibility study report that was issued to the Council on 26 March 2018 and published on the Council website on 2 July 2018. These can be found at www.portsmouth.gov.uk/ext/housing/leamington-house-and-horatia-house
- The conclusion of the feasibility reports were that extensive major structural works within the properties were deemed necessary including strengthening of internal walls and floors throughout the buildings that can only be undertaken when both blocks are empty.

Leamington & Horatia decant

L&H decant – phases of decant

- Planning and mobilisation
- Inform tenants and staff
- Plan and undertake moves
- Making it business as usual
- Finishing the decant

L&H decant – council teams involved

- Corporate Communications
- Emergency planning
- HNB Housing Options
- HNB Local Authority Housing
- HNB Planned Maintenance
- HNB Business Growth, Relationships and Support

L&H decant - Planning and mobilisation

- Officers from across the HNB directorate coordinated knowledge about the current tenants, their needs, and property sizes within the blocks.
- Using this information, and knowledge about the rate of availability of different types of property, Housing Options were able to predict how long it would take to fully decant both properties.
- However this was only a prediction, and would depend upon the number of suitable properties that became available, and...
- It was understood that it would have some impact upon the rest of system, reducing the number of empty properties available for the rest of the waiting list.

L&H decant - Planning and mobilisation

- Communications were a key part of this stage, a strategy was prepared and timings of information release carefully planned to ensure tenants were the priority.
- Communications were prepared in advance, including:
 - Frequently asked questions (including draft responses to possible questions on social media)
 - Use of a dedicated webpage on the PCC website
 - Range of letters targeted to specific audiences
 - Media briefing/media release
- In addition, through the project a number of other communications have been provided including:
 - Regular letters to tenants
 - Drop in sessions, and meetings with Housing officers
 - Update to councillors
 - Reporting through GASC
 - Monthly update emails to councillors, MPs and fire service

L&H – Mobilisation support

- Director and support team were based in civic offices to coordinate emergency response if required.
- In the event that residents receiving the news about the concrete defects wanted emergency temporary accommodation the civil contingency/emergency plan would have been invoked (rest centre).
- This was felt to be unlikely given the response from residents to the initial fire safety issues with the cladding.
- If some residents requested emergency temporary accommodation the management of that would have been dealt with by the housing service.
- Neither scenario arose.

L&H - Inform tenants and staff

- Decision was made to inform tenants on Tuesday 5th June.
- Operational staff told on Monday 4th June. Included a range of front line teams with experience of working with tenants, all of whom would make up the project team.
- Key local media were briefed on 4 June, under strict embargo until 5 June, so staff and tenants informed by the council first.
- Information on the website went live on 5 June at 8am and social media was monitored to respond to questions and comments.

L&H decant - Project team to work with tenants

- A project team of officers were created, drawing staff from other areas. This has had an impact on the day to day work that has been delivered, and some things will have been slower to deliver or not delivered at all.
- This team was made up of the following:
 - Engagement – gathered information from the tenants and worked to inform and calm the situation
 - New Tenancy – Focussed on taking the initial information gathered and looking for suitable available properties within the PCC stock
 - Rehousing – Focussed on removals, disturbance payments
 - Area Housing Offices – signing up tenants into their new homes

L&H – Inform tenants & staff

- Officers were in the blocks delivering the news from 8am on 5th June.
- Letters were created for tenants of the blocks, other similar blocks and surrounding areas.
 - This was to minimise unfounded fears arising outside of the main blocks
- Security, that was in place since the decladding, was to remain in place.
- The project team and managers were in both blocks to hand deliver letters and have initial conversations with tenants. Teams were based from the common rooms to answer questions and provide feedback to the support team.
- Officers met with 182 tenants on first day. Within the first week officers had met with all tenants in Horatia and all but 23 in Leamington.

L&H - Information given to tenants

- A copy of the initial letter to tenants is provided to the panel.
- The comms team ensured that it was accessible for all, including translations.
- It was also important that every tenant had the ability to have 1-2-1 conversations with a member of staff who listened to their concerns. By doing this support was able to be focussed on the most vulnerable residents.

L&H – Plan moves by gathering information

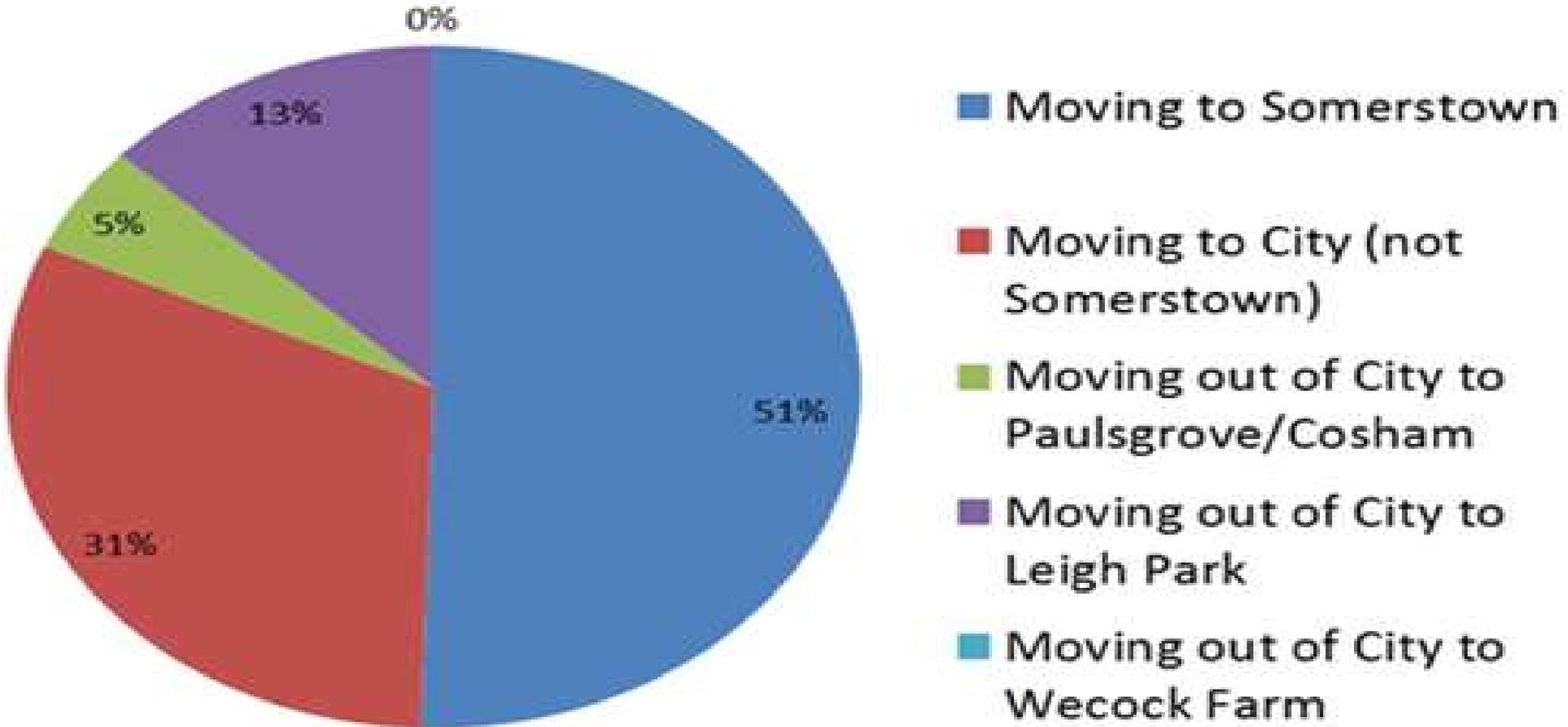
- An Initial Visit Checklist was used to gather initial information about tenants and their needs.
- This helped to ensure that needs were prioritised.
 - Families with children
 - Urgent medical need and residents requiring adapted properties
- Information was collated into a single, controlled place which was used to track progress for the families and the overall project.
- First tenants moved out at the end of July 2018.

L&H – Making it business as usual

- Regular officer meetings to monitor the project
 - Security of blocks
 - Individual cases
 - Overall progress of decants
 - Issues arising
 - Engineering issues
 - Monitoring of payments and contracts

L&H – Example of monitoring data (Dec 18)

Where tenants have moved to



L&H – Example of monitoring data (Dec 18)

	BOTH BLOCKS 1 BEDROOMS	BOTH BLOCKS 2 BEDROOMS	BOTH BLOCKS 3 BEDROOMS	BOTH BLOCKS TOTAL
Total No. of Properties	68	77	127	272
Occupied Properties	59	73	113	245
Empty Properties	9	4	14	27
Completed Offers	50	56	77	183
Accepted Offers	7	9	17	33
Used Offers	1	0	0	1
On Offer	1	3	4	8
Pending Offer	0	5	15	20

L&H – Finishing the decant

- As of 1st April, the total number of households who had moved out of the two blocks was 212, with 25 more having accepted offers and waiting to move.
- This left 8 households with all who required an alternative property having been made an offer.
- These were tenants a number of complex issues for officers to resolve, and some offered resistance to moving.
- The aim was to avoid legal eviction if possible, but it had to be an option if needed.
- Fortunately, by early July, all had accepted a new property and the last is due to move by early August.
- Whilst the last tenants remain, work has been undertaken to strip the buildings of useful items, and make them secure by locking off unauthorised access to empty floors.

L&H - Next Steps

- Cabinet agreed the following recommendations on the 26th February 2019:
 - Results of the feasibility work to strengthen, clad and install sprinklers.
 - It is financially unviable to undertake the works to strengthen, clad and install sprinklers.
 - To the permanent rehousing of all households from the two blocks. Once done they are to be removed from charge, decommissioned and secured.
 - To consider the opportunity for the sites to be redeveloped to create affordable/social housing and regeneration in this area.
 - Regeneration Directorate working with the Housing Directorate to provide a report to Cabinet with an options appraisal for the demolition and redevelopment of the sites in consultation with the local and wider Somerstown community and stakeholders.
 - The re-provision of a minimum of 272 social housing units to be held in the HRA.

L&H – Current work

- Decommissioning / Security
- Demolition feasibility work
- Community engagement