



Supporting Council tenants who are required to move (Decant) Policy

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Housing Services

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Document Responsibility		
Name	Document title	Service
Tenant Relationship Manager	Supporting Council tenants who are required to move (Decant) Policy	Housing Services

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Date	Version	Issued by	Summary of changes
April 2025	Version 1.0	Michelle Elliott	Redraft of Decant Policy for consultation
September 2025	Version 1.1	Michelle Elliott	Minor amendments post consultation

Policy Review			
Updating frequency	Review date	Person responsible	Service
Every 3 years unless required earlier	September 2028	Tenant Relationship Manager	Housing Services

Document Review and Approvals		
Name	Action	Date
Housing Committee	approved	9 September 2025

1 INTRODUCTION

1.1 Purpose and scope

- (a) The purpose of the policy is to ensure a supportive, efficient and effective process for decanting tenants whether on a temporary or permanent basis, aiming to minimise disruption.
- (b) Stroud District Council, as a landlord, is obliged under the terms of its tenancy agreements to keep the structure of its properties in good repair and if improvement works or repairs cannot be carried out with tenants remaining in their homes then the Council is duty bound to offer a temporary or permanent move, dependent on the nature of the works.
- (c) This policy aims to:
- Ensure decants operate in a fair, equitable and reasonable manner.
 - Deliver effective consultation and feedback with tenants at the earliest opportunity.
 - Enable decants to be conducted with the minimal disturbance to tenants.
 - Outline the support both financial and practical that can be provided.
 - Provide clear guidance to officers to ensure rent loss to the Council is minimised and that the best use is made of the Council's resources.
- (d) In line with current legislation and best practice, we will offer appropriate assistance and rehousing to all affected household members in a home appropriate for their needs. This includes:
- Tenants
 - Partners or spouses
 - Children
 - Other family members living in the home.

Support will be tailored to individual needs and may include help with finding alternative accommodation, financial assistance, and practical support throughout the move.

The Council will not rehouse unauthorised occupants, lodgers, licensees, and other non-secure tenants under the decant policy.

1.2 Terms and definitions

To “decant” a tenant means to require a tenant to move from their home, either temporarily or permanently, to allow for major works, redevelopment, or in cases of an emergency such as fire or flooding. The action of decanting fall within one of the following categories:

- **Temporary decant** is when a tenant is moved to enable works or redevelopment of the property to be carried out with the intention of returning.
- **Permanent decant** is when a tenant is moved out of their home and there is no intention to return.

2 DECANT SCENARIOS

2.1 Unplanned Emergency Decant

Tenants are advised to take out their own home contents insurance and in the event of a fire, flood or storm damage the tenant would be expected to check their own insurance policy to see if this would support a temporary move to a hotel.

If the tenant does not have home contents insurance and is not able to secure their own temporary accommodation then the Council will rehouse them in accommodation that is deemed appropriate.

Once the extent of the damage has been assessed a decant plan will be agreed with the affected tenant(s). Where damage has been caused by actions or inactions of the tenant resulting in the need for them to be decanted, the tenant will be recharged for any costs incurred by the Council in line with the Repairs & Planned Maintenance Policy.

2.2 Unplanned Temporary Decant

Where unplanned repair work is required that cannot be carried out whilst the tenant is living in the property then temporary alternative accommodation may be sourced.

Options that will be considered include:

- Staying with family or friends
- Use of hotel accommodation (subject to availability)
- Temporary accommodation available in our own housing stock

2.3 Planned Temporary Decant

A planned decant may be required where structural works such as asbestos removal or other major repairs need to be carried out, but the tenant will be able to return.

The type of accommodation provided will depend on the anticipated duration of the repair works.

2.4 Planned Permanent Decant

A permanent decant may be necessary when there is a planned disposal of stock and or redevelopment of the estate. In these circumstances the Council will work closely with all tenants affected to support them through the process and to help them find alternative accommodation.

Existing tenants will be offered a new tenancy and the Council will match tenants to void properties that become available.

The Council will provide a package of support tailored to each households needs.

For planned permanent decants the following principles apply:

- Tenants will be supported in order to facilitate a move as soon as possible.
- Where a new development is planned, the rights of tenants to return will be subject to the specific approvals relating to the development.

3 THE COUNCIL'S RESPONSIBILITY

If a decant is necessary the Council has a legal obligation under Section 105 of the Housing Act 1985 to consult with tenants when they are affected. For planned decants consultation must be timely and in the early stages of the process.

The Council acknowledges that moving home can be a stressful experience and the Decant Policy ensures that decants are carried out appropriately and with empathy and efficiency.

Every tenant identified as requiring a decant will be visited by a member of the Tenancy & Sustainment team at the beginning of the process and will be supported throughout.

The extent of any tenant's vulnerabilities will be taken into account when the decant is being planned to ensure the tenants needs are met.

4 THE TENANT'S RESPONSIBILITY

When a tenant is being decanted they will be expected to pack their own belongings unless they are deemed vulnerable as assessed by the Housing Team, in which case a packing service can be arranged.

If a tenant is being transferred to alternative Council accommodation, they are responsible for clearing their belongings from the property and the garden and for giving vacant possession of the property. If the Council have to clear the property and/or garden after the tenant has moved out they may be recharged for this.

The tenant may be required to give access to contractors before the move takes place

5 SUITABLE ALTERNATIVE ACCOMMODATION

Wherever possible, the Council will offer like for like accommodation but this depends on availabilities of properties and the urgency with which a tenant needs to move.

The Council will also consider tenants preferences in terms of location, however we cannot guarantee that we will be able to facilitate an exact location and an offer of alternative accommodation will be deemed to be reasonable if it meets the households housing needs.

Where the tenant is currently under occupying, they will normally be offered a smaller property that meets their current needs, in accordance with national bedroom need calculations set out within Benefit regulations.

If a tenant refuses to move or refuses suitable offers of accommodation and other options are not feasible then the Council has the legal right to gain possession of the property for decanting purposes.

6 TENANTS STAYING IN THEIR HOME WHILST WORK IS CARRIED OUT

Tenants who wish to remain in their own home whilst major refurbishment work is carried out may only do so if a qualified Health & Safety professional appointed by the Council has deemed they will not be at risk and may do so.

In this case tenants may receive a disturbance payment dependent on the loss of amenities, which will be paid in lump sum once works are completed. If there is any housing debt against the tenancy, including rent arrears, the sums outstanding will be deducted from the disturbance payment.

7 FINANCIAL AND OTHER SUPPORT

7.1 Disturbance Costs

Tenants who are required to move due to demolition, redevelopment or improvement works have a statutory entitlement to disturbance payments.

The purpose of the payments is to reimburse tenants for all reasonable costs they will incur as a result of the move.

Examples of costs include:

- Removal costs
- Disconnection and reconnection of white goods
- Telephone/Satellite/ Internet connections
- If the decant is from a property with a gas supply to a property with an electric only supply then the Council will provide a new cooker up to an agreed maximum value.
- Redirection of mail
- Adaptations within the home
- Carpets and floor coverings where uplift is not possible.

Compensation for Improvements:

Any improvements the tenant has made to the property, such as a new bathroom will be compensated if the tenant has received our prior written permission. This will be in line with the Right to Compensation for Tenants Improvements scheme and criteria.

7.2 Home Loss Payments

Where the Council requires a tenant to move permanently due to demolition or redevelopment there may be an entitlement to a Statutory Home Loss Payment, to compensate them for the upset and distress of losing their home.

Section 30 of the Land Compensation Act 1973 sets out the provision for the statutory Home Loss Payments to compensate tenants, subject to certain eligibility criteria. This mandatory lump sum payment is reviewed annually and confirmed in the Home Loss Payments England Regulations.

To qualify for the Home Loss Payments the tenant must:

- Be the occupying tenant
- Have occupied the property as their main and principal home for a minimum of 12 months at the date of the displacement
- Be moving as a result of the proposed works

More than one person in the household is not entitled to the Home Loss Payment. In these circumstances the payment is shared equally between those on the tenancy agreement.

If tenants have not occupied their property for at least 12 months then the Home Loss Payment will not be applicable.

If tenants are evicted prior to being decanted they will not receive a Home Loss Payment.

If the tenant has rent arrears or other debt owed to the Council, these will be deducted from any Home Loss Payment due.

7.3 Practical Support

As well as financial support tenants will be supported by a Tenancy & Sustainment Officer throughout the decant process and this practical support will include:

- An initial visit to discuss the reasons for the need to move
- A home visit to complete an assessment of support needs
- Additional support for vulnerabilities that have been identified
- Assistance to view properties
- Assistance to arrange decant moves
- A home visit to ensure resettlement following decant moves

When a tenant is decanted temporarily for improvement works rent will be adjusted to the decant property with no rent due on their principal home during this period, however if there are rent arrears on the principal property these will still be expected to be paid.

8 SUPPORTING HOUSEHOLDS WITH PETS

We recognise that pets are an important part of many households and we are committed to ensuring their welfare is considered throughout the decant process.

- Where pets are part of the household we will offer advice and practical support to help tenants make suitable arrangements for their animals during the decant process. This may include:
 - Identifying and securing pet friendly temporary accommodation
 - Providing information on local boarding facilities or foster care options.
 - Offering financial assistance towards temporary pet care cost, where appropriate
 - Coordinating with animal welfare organisations for additional support
 - Allowing flexibility in move dates to accommodate pet related needs

9 HOME OWNERS

The Council may wish to buy privately owned properties including leasehold property where former tenants have exercised their Right to Buy. The Council will always seek to purchase properties through negotiation, however, we may consider the use of compulsory purchase powers if appropriate.

Owner occupiers and leaseholders may be given assistance to find alternative accommodation in exceptional circumstances dependant on their individual circumstances and equity available to them.

9.1 Compulsory Purchase

Where the Council is unable to acquire a property through negotiation at a reasonable cost and decides to pursue a compulsory purchase the value of the property will be assessed at market value, but the homeowner may be entitled to other payments which may include Home Loss Payments and disturbance costs.

The Council may also have a duty to rehouse the homeowner, where no suitable alternative accommodation is available on reasonable terms.

Homeowners are referred to the Council's Corporate Asset Management Plan for its policies on acquisition and the use of compulsory purchase powers.

10 COMPLAINTS

The Council's Complaints & Feedback Policy is available to any tenant who is unhappy with the service that has been provided and can be accessed on our website www.stroud.gov.uk/complaints-and-feedback or by emailing tenant.complaints@stroud.gov.uk

11 EQUALITY AND DIVERSITY

The policy aims to ensure that all needs and preferences are considered. The personal visit which will carry out a needs assessment at the beginning of the process will ensure that the process is person centred.

12 RELATED LEGISLATION AND DOCUMENTS

- Housing Act 1985
- Land Compensation Act 1973
- Town & Country Planning Act 1990
- Social Housing Regulation Act 2023 (inc. Awaabs Law)
- Equality Act 2010
- Repairs and Maintenance Policy
- Tenancy and Estate Management Policy
- Complaints & Feedback Policy
- Compensation Policy