

## Juniper Crescent and Gilbeys Yard decant frequently asked questions (FAQs)

### Moving home

#### 1. What is 'decanting'?

'Decanting' is a word used by people working in housing to describe the process of rehousing residents who live in an area that is being redeveloped so that demolition or construction can take place or when people need to move out while major work in their home is carried out. We appreciate that the word doesn't sound very sensitive towards the people affected so we try not to use it, but like a lot of work jargon people sometimes use it without thinking.

One Housing has a policy that sets out how we 'decant' people. It is different to our general rehousing policy because those affected are automatically given the highest priority for rehousing and qualify for financial compensation as well. Decanting can be temporary (where people will return to the area or home they lived in before) or permanent (when residents decide they want to live somewhere new and not go through the disruption of moving twice).

In its simplest terms, if you are being 'decanted' that means you are being moved by your landlord, either temporarily or permanently, because they need to do something to your home. It means you are moving because your landlord needs you to, not necessarily because you want to.

#### 2. Why is 'decanting' being discussed in relation to Juniper Crescent and Gilbeys Yard?

One Housing is currently considering a number of options for the future of Juniper Crescent and Gilbeys Yard. Some of the options being discussed would involve the demolition of existing properties and replacing them with newly built blocks.

If this were to happen we would need to move residents out of the properties due for demolition. This would involve 'decanting' residents either permanently or temporarily (if they wished to return to a newly built home in the new development).

#### 3. Why are some 'decants' temporary and others permanent?

This is usually down to a resident's preference and whether or not they want their 'right to return'.

When an estate is demolished and rebuilt it is standard practice and a commitment we would offer to all the residents that live there the 'right to return'. This means that they have a right to come back after the development is finished and live in one of the newly built properties.

Most residents want the 'right to return' and so their decant will be temporary. They will move somewhere else long enough to allow the demolition and redevelopment to take place, and then they will return to a newly built home.

Other residents don't want the right to return, usually because they don't want the disturbance of having to move twice in a relatively short space of time, or because they no longer want to live in the area. In those cases the residents can be offered permanent housing elsewhere, in which case they move away and then don't come back once the development is complete.

#### **4. When would I be 'decanted'?**

At the time of writing (February 2018) One Housing has not made a decision as to the future of Gilbeys Yard or Juniper Crescent so this is a difficult question to answer.

However, assuming we will be carrying out some demolition and rebuilding of the estates (also referred to as 'regeneration'), you would normally be looking to decant people shortly before the demolition.

Assuming One Housing does carry out some regeneration on the two estates, we would estimate that the first decants would be at least two to three years from now (February 2018).

It is too early to say because so much still needs to be decided so we are unable to answer if residents would be able to move ahead of a phased programme, however if this could be accommodated earlier decanting could be a possibility for residents who make this request.

#### **5. How long would I be 'decanted' for?**

It is very difficult to say at the moment because so much still needs to be decided and planned. If a decision is made to redevelop the estates, we will work out the timetable for building replacement homes. This will tell us when people in particular areas would need to move and when they could return.

As a very rough guideline, on average you can expect to be decanted for up to two years to allow the demolition of your existing home and the building of a new one.

#### **6. Where would I be 'decanted' to?**

Again, this is a difficult question to answer right now because the details still need to be worked out.

One Housing will commit to allowing every decanted resident from Gilbeys Yard and Juniper Crescent the option of remaining in the borough of Camden if they so wish. As to exactly where residents may be decanted to, there are a number of options:

- you could be decanted into other One Housing stock, either in the borough or outside it if you choose
- if a full regeneration were to be taken forward, typically we would look to build an initial block in an area that doesn't require any demolition. These properties could then be used to decant residents.
- One Housing may be able to enter into an arrangement with the Morrisons site to enable the use of the new homes being built there for decant purpose.

## **7. What is the difference between a transfer and a decant?**

The main difference is a resident who has decided to transfer to another home is because they have decided they would like to be rehoused to a more suitable home for reasons like wanting to move boroughs, or due to being overcrowded or under occupying.

Decanting, as mentioned previously means you are being moved by One Housing, either temporarily or permanently, because they need to do something to your home. It means you are moving because your landlord needs you to, not necessarily because you want to.

## **8. If I wanted to move away permanently to avoid having to deal with the possible demolition of my estate, or to avoid the disruption caused by the proposed Morrison's project, can I do that? If so, how soon could I go?**

Any One Housing resident has the right to apply for an internal transfer, and if you wanted to you could apply for an internal transfer today. Once processed this would enable you to 'bid' on properties that become empty within One Housing's stock. If your bid is successful then you would be able to move.

For your bid to be successful you would need to have the highest priority bid amongst the residents bidding for that particular property. A lot of things can affect your priority including overcrowding or under occupation, health issues or experience of anti-social behaviour. Residents who are due to be 'decanted' are awarded high priority for internal transfers.

It is important to note however that until it is certain you are going to be 'decanted' you would not be awarded this extra priority. On Gilbeys Yard and Juniper Crescent we still don't know exactly what the future holds so if you were to apply for transfer now the standard process and priorities would apply.

People moving as 'standard' transfers do not receive compensation or disturbance allowances (as it is their choice to move, they are not being 'decanted') and gaining enough priority to successfully bid for a property may be difficult without additional circumstances (overcrowding etc.). In addition, you are welcome to approach Camden Council to see if they are able to assist you by accepting you onto their housing register.

You can also apply for a mutual exchange by registering online to home swapper or house exchange. (Mutual Exchanges are explained in more detail below).

## **9. What is the policy on bidding for transfer properties? How many times can I bid?**

Depending on the borough, you could have many chances or only one to bid. It varies from area to area. In the London borough of Camden you can bid on their housing register indefinitely. This is the same for the One Housing internal transfer list.

## **10. If I want to transfer, could One Housing find properties in areas outside of Camden if that's what I want?**

The simple answer is 'yes', but it is dependent on a number of other things.

Most obviously One Housing would need to have alternative suitable accommodation in the area you wish to live. As with any other transfer your 'priority' for moving would also determine your chances of securing another property.

If we don't have a suitable property of our own for you in your chosen area, we can liaise with the local council there to try to find something for you.

You may also wish to consider a mutual exchange (explained in more detail below).

### **11. Would you help me if and when I have to move?**

If you are moved as part of a 'decant' process then yes – we would help and support you to ensure your move goes as smoothly as possible. Typically this would involve arranging and paying for your move using our removal contractors and providing you with packing materials (boxes, Sellotape etc).

If you are elderly, or have a health issue or disability then we can offer extra support. In these cases we can offer a packing and unpacking service. We can also offer a handyman service to help with small issues such as putting together flat pack furniture.

Regardless of whether you need extra assistance a dedicated officer will also be available to offer support and help throughout a move. If you have any concerns and queries about your move, speak to your housing officer for more information.

### **12. What does 'like-for-like' mean if I am decanted?**

'Like-for-like' means that One Housing will ensure that any property you move into as the result of a decant will (as a minimum) have the same number of bedrooms and bed spaces as your current home. So if you live in a flat with two double bedrooms (which would be referred to as a 'two bed four person' property) we will ensure any property you move into has two double bedrooms.

We say 'as a minimum' because if the size of your household has changed since you were allocated your current home, we can also try to find an alternative one for you that better meets your needs.

In addition we would work closely with each household on a one-on-one basis to understand what else about their current home is important to them and try to find a suitable alternative that meets their wishes. For some people keeping outside space or more storage space might be important. While we may not be able to match all the characteristics of your old home, we would do our best to provide you with a property that you're happy with.

### **13. Would overcrowding problems be addressed if I decided to move?**

We know that some households are overcrowded. If redevelopment was a preferred option it would give us an opportunity to create suitable accommodation for overcrowded households.

If a proposal of a new estate was taken forward then ensuring that the new home meets the needs of the existing residents would be a priority.

### **14. Could there be separate accommodation for adult children?**

This could be a possibility and it is something that One Housing would like to explore if a regeneration option was to be taken forward.

It should be noted however that One Housing has a nominations agreement with the Council which determines who gets to live in our social housing properties. This means that Camden council would ultimately have the final decision on how any new housing is to be allocated.

**15. If I decided to move will I be allowed to view the new property before I move?**

Yes, you would be able to view your temporary or permanent property before you move.

**16. If I don't want to move, what will happen?**

At the moment absolutely nothing at all; no decision has been made to redevelop the land your home is currently on.

If we do decide to redevelop the land then we would have to go through a planning process. When that happens you will be able to voice any concerns or objections to the Council, who will ultimately make the decision as to whether the development can go ahead.

If planning is agreed then we will meet with you again to discuss your options which would include the right to move away temporarily and then come back when the new homes are ready or potentially move to a new home subject to phasing.

**17. If I had to move out and I liked my new home, would I have to come back?**

If you move out of your permanent home and decide you don't wish to return, you won't have to – you can remain where you are currently living. You would need to sign a new tenancy agreement and this may affect the rent you pay. This applies to One Housing properties only.

**18. Would there be extra care and assistance for the elderly or disabled?**

One Housing is already a major provider of housing care and support across London and the south east. We have recently committed to expand even further into providing homes with care for older people.

We are committed to working closely with our housing care and support department to find suitable accommodation for residents who choose to move into our housing care and support units.

**19. If I am decanted will I have to pay a higher rent in the property that I move to?**

If you moved to a larger property then what you currently have it is likely your rent would increase, the rent could also decrease if you downsized to a smaller property.

It also depends on which borough you move to, for example if you moved to outer London the rent may be lower due to the location of the property. If you remained in central London the rent may increase.

**20. Would I have to pay more Council Tax at a home I am decanted to?**

This would depend on the size of the property you are decanted to and if you have more or less bedrooms than in your principal home. The local borough where the property is situated set their council tax rates and these may differ from borough to borough based on the value of the property.

**21. Would my water rates (and other utilities) stay the same?**

We can't guarantee water rates because they are dependent on the water supplier. Water rates are generally measured on your usage.

## Compensation, tenancy and rent

### 22. Would I be compensated for either being decanted or transferring?

If redevelopment goes ahead, then all decanted residents whose homes are demolished would be entitled to a statutory home loss payment, which at the time of writing (February 2018) is £6,100. This amount is reviewed by the government every September so the figure may change.

As a decanted resident you will also get a range of payments to cover reasonable moving expenses such as removal services, packing materials, disconnection and reconnection of domestic appliances, reconnection of telephone line and redirection of mail.

One Housing may provide you with a service to assist with your move rather than making a cash payment to you – for example we may arrange and pay for our removals contractor to provide packing materials and carry out your move, rather than give you money to arrange this for yourself.

If you move away from the area via a transfer *before* planning permission is granted for redevelopment or regeneration then you would not receive any compensation. This is because you would be choosing to move away while there is the possibility that the area may be regenerated. As there is no definite need for you to move there would not be any compensation offered, in effect your move would be treated as a standard internal transfer.

### 23. I installed new kitchen units a few years ago and I have also recently redecorated my living room. Would you compensate me for what I have spent on decoration, fittings, fixtures and structures if I have to move out and my old property is demolished?

We would look to ensure that you are sufficiently compensated for any redecoration or fittings you have installed that cannot be transferred to a new property. This would be covered as part of a 'disturbance' payment that aims to ensure no resident loses money as the result of being decanted.

When it comes to larger home improvements (such as new kitchen or bathroom units, extensive shelving etc) then you would be financially compensated providing you have had our permission to carry out this work.

This is in accordance with your tenancy agreement which says that you need the permission and approval of One Housing to make any significant improvements to your home.

### 24. If I agree to move, or I'm decanted would I have the same 'preserved right to buy' or 'right to acquire' if I have them now?

We believe that a small number of Juniper Crescent and Gilbeys Yard residents have either right to acquire or preserved right to buy. If you are one of those that do, then it is possible to transfer that right to another property that you move to, but only if that new property belongs to One Housing.

### 25. What is the preserved Right to Buy (PRTB)?

Right to Buy is attached to the person rather than the property. This means that if a tenant with Right to Buy is permanently moved, then they will continue to have the right to buy at their new property. This is called having 'Preserved Right to Buy'.

When calculating the discount for any right to buy application you always go from the start date of the original tenancy, rather than any subsequent tenancies.

## **26. What is the Right to Acquire (RTA)?**

Right to Acquire is attached to the property rather than the person. This means that if a tenant with a Right to Acquire is permanently moved they are likely to lose that right.

Where possible when being permanently 'decanted' tenants will be moved into an alternative property which also has the right to acquire. This will ensure that the resident is not disadvantaged by the move.

When moving the resident into an alternative property with right to acquire is not possible, the consequence of this will be fully explained to the resident before they move.

Right to Acquire allows housing association tenants to purchase their home with a discount of up to £16,000 off of the current market value dependent on the borough that they live in. Not all properties are eligible for the Right to Acquire as it is dependent on when the property was acquired by One Housing, the outstanding debt on the property and if the freehold is held by a social landlord. The actual discount depends on the amount of years you have been a tenant.

## **27. What's the difference between 'Right to Buy' and 'Right to Acquire'?**

There are three main differences between the Right to Buy and the Right to Acquire. Firstly, Right to Buy can only be offered to local authority (Council) tenants and Right to Acquire is for housing association tenants.

Secondly there is a difference in the level of discount that can be offered. The maximum Right to Buy discount is £104,900, whereas the maximum Right to Acquire discount is £16,000.

Thirdly, Right to Buy is attached to the tenant, not the property that they live in, whereas Right to Acquire is attached to the property and not the tenant (this is explained in more detail below).

Some housing association tenants may have a Right to Buy if they were once Council tenants that transferred to a housing association as part of a stock swap or transfer. This is called a Preserved Right to Buy.

One Housing also offers a Social Homebuy scheme to tenants who are not eligible for the Preserved Right to Buy or Right to Acquire schemes with a discount of up to £16,000 dependent on the borough that they live in. The scheme also allows tenants to purchase a share of their home with an apportioned discount. This is a discretionary decision by One Housing and would be managed on a case by case basis.

## **Redevelopment**

### **28. If my home was redeveloped would I be able to come back to a flat in the new development?**

Yes, if you wish to return, this will be possible. All One Housing tenants would have a guaranteed right to return to a new home on the redevelopment.

### **29. If I came back what rent would I pay?**

The rent you pay would continue to be in line with the terms of your current tenancy agreement meaning this is unlikely to change drastically unless you moved to a property of a different bedroom size whereby it may increase or decrease depending on the property size you live in.

**30. If I came back what service charges would I pay?**

Without a scheme we are unable to say what the service charges would be as it is far too early. However we would endeavour to keep these to a minimum increase.

**31. Would my tenancy agreement change if I came back?**

Regardless of your tenancy type, your tenancy status will remain the same, meaning you will keep all your existing rights as a tenant. For example, if you have an assured shorthold tenancy on an affordable rent this would be reissued on your return to the new development. If redevelopment was a preferred option you would keep all your existing tenancy conditions and terms will be continued as long as you stay in a One Housing property (ie as long as we are still your landlord).

**32. Will One Housing continue maintaining and repairing our homes and the estate while we are waiting for the redevelopment decision to be made?**

Day-to-day repairs and maintenance will continue as normal.

**33. Who can I speak to for advice and help?**

As well as a dedicated officer, you also have independent resident advisors Ian Simpson and Louis Blair from Communities First who can provide you with advice and information to help you make informed decisions about your future housing.

Free phone number: 0300 365 7150

Email: [gilbeyandjuniper@communitiesfirst.co.uk](mailto:gilbeyandjuniper@communitiesfirst.co.uk)

Ian Simpson - 07740 611817

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