

Document Name:	Decant Policy
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Our Vision

Our Housing Service vision is that all homes in East Suffolk are safe, suitable, and sustainable, in communities where residents are proud to live.

This vision supports the Sustainable Housing theme in the Council's Corporate Strategy: Our Direction 2028.

Equality and Diversity Statement

East Suffolk Council is intent on ensuring people or communities do not face discrimination or social exclusion due to any of the following protected characteristics: age; disability; sex; marriage & civil partnership; race; religion or belief; sexual orientation; gender reassignment; pregnancy & maternity and socio-economic deprivation.

This document complies with the Council's equality & diversity policy.

1. Introduction

- 1.1. This policy explains what East Suffolk Council (ESC) will do for its tenants when they are required to move out of their home on a temporary basis to allow for repairs or other housing management reasons. We call this process a temporary 'decant' and is usually planned.
- 1.2. This policy explains what ESC will do for its tenants when they are required to move out of their home and permanently relocate to alternative accommodation. We call this process a permanent 'decant.'
- 1.3. Reasons for a permanent decant include but are not limited to:
 - Structural or Safety Concerns
 - Major Redevelopment or Demolition
 - Health and Safety Risks
 - Regeneration Projects:

2. Relevant Legislation

- 2.1. Land Compensation Act 1973
- 2.2. Housing Act 1985
- 2.3. Landlord and Tenant Act 1985
- 2.4. Housing Act 1988
- 2.5. Homes (fitness for human habitation) Act 2018
- 2.6. Social Housing Regulation Act 2023

3. Policy Details: Temporary Decant

- 3.1. If possible, ESC will carry out repairs and improvements with the tenant and occupants remaining in their home. However, there may be circumstances where this is not possible if the work may be too disruptive or dangerous, and the tenant and occupants will have to move out temporarily. Other reasons for temporary decant may be required, if it is deemed that the work cannot be undertaken with the tenants in occupation. For example, works that require chemicals, disinfectants, and other hazardous substances.
- 3.2. Where possible, it is easier if tenants can stay with relatives or friends for the duration of the works. If the tenant pays rent and council tax at the original home, then East Suffolk Council will cover this for the duration of the decant.

- 3.3. If the tenant cannot possibly stay with relatives or friends, there are two options:
- Alternative council accommodation for a temporary period
 - Staying in Bed and Breakfast or hotel type accommodation, depending on availability.
- This accommodation will be arranged for tenants by ESC.
- 3.4. We will discuss the tenant's re-housing options with them and timescales for the move. In emergency situations such as fire, flood, loss of power or other serious issue, then the tenant must move immediately for safety reasons. Tenants will be provided with a single point of contact at ESC.
- 3.5. The tenant will be made one reasonable offer of alternative accommodation based upon the property size of their current home, alongside consideration of their circumstances, including age. If they have pets, we will do what we can, where reasonable, to accommodate them.
- 3.6. Tenants that are decanted into another council property on a temporary basis will assume and sign a licence to occupy their temporary home. The tenant will also sign a separate undertaking stating that they will return to their original home once works are completed. This licence will not provide any security of tenure over the temporary home.
- 3.7. If the tenant refuses to leave their home to be decanted or refuses to return to the original home once work has been completed and it is safe to do so, ESC will take legal action to resolve this.
- 3.8. The council will either arrange or pay for removal costs. These payments will be for the actual costs of the removal.
- 3.9. If we arrange any appointments or services to help the tenant move and we have to cancel them, the tenant may have to cover the costs. For example, if we need to cancel removals due to a refusal of the tenant to move.
- 3.10. Additional payments can be made to cover other expenses incurred if required. Examples of this include, but are not limited to:
- Meals where facilities are not available. The amount is dependent upon the facilities at the accommodation provided
 - Laundry, where facilities are not available.
 - Travel costs for work or school (taxi, public transport or additional mileage (mileage allowance is based on the National Joint Council (NJC) casual car users' allowance).
 - Disconnection and reconnection of services
 - Redirection of mail

- 3.11. If for any reason any of the costs or expenses are not evidenced or are misrepresented, then the council will seek to recover these.
- 3.12. In some cases, a temporary decant may become permanent—for example, if the temporary arrangement extends beyond six months, as a result of the complexity and scale of the work to their original home. We will ensure tenants are kept fully informed throughout the process and notified of any changes to their housing status.

4. Policy Details: Permanent Decant

- 4.1. When a tenant is required to permanently decant from their home and relocate to alternative accommodation due to significant or irreversible issues with their current home, they will be informed as soon as possible of the need for a permanent decant and will be assigned a single point of contact at ESC.
- 4.2. An assessment of their household composition, medical needs, schooling, employment, and location preferences will be undertaken alongside consideration of any vulnerabilities that will require additional support.
- 4.3. One offer of suitable, permanent accommodation will be offered in line with the tenant's assessed needs in accordance with the Allocations Policy. Tenants will be given reasonable time to view and consider the offer of permanent accommodation.
- 4.4. When a secure tenant is permanently decanted from their home as a result of redevelopment, improvement works, or other qualifying actions undertaken by the Council, the tenant may be entitled to a Home Loss Payment in accordance with Section 29 of the Land Compensation Act 1973.
- 4.5. To qualify for a Home Loss Payment the permanent decant must be due to the redevelopment or improvement of land previously acquired or appropriated by a local authority or the making of an order for possession under Ground 10 or Ground 10A of Part II of Schedule 2 to the Housing Act 1985. Further details can be found in ESC's Housing Compensation Policy. (Add link when policy is approved).
- 4.6. Tenants who are permanently decanted may also be eligible to claim a Disturbance Payment: This can be payable to cover reasonable moving costs (e.g. removals, reconnection of utilities, redirection of post). Further details can be found in ESC's Housing Compensation Policy.

- 4.7. If agreement cannot be reached, the landlord may seek possession through the courts under Schedule 2 of the Housing Act 1988.

5. Appeals

- 5.1. Tenants can appeal decisions related to the suitability of offers of accommodation (temporary or permanent) or offers of compensation through ESC's Customer Feedback Policy: [Customer feedback » East Suffolk Council](#)

6. Roles and responsibilities

- 6.1. The Strategic Lead for Housing Services and the Strategic Lead for Repairs and Maintenance are responsible for ensuring that this policy is adhered to.

7. Policy Review

- 7.1. This strategy will be reviewed every three years unless there are any reasons, such as legislative changes, requiring that it be reviewed earlier.

8. Version Control

Version:	Date:	Author:	Rationale:
1.0	July 2025	Housing Policy and Regulation Officer	New Policy