

Yorke Drive resident - compensation guide



This guide has been put together to provide more detailed information on **financial compensation** available to residents and homeowners affected by the demolition of their homes as part of the Yorke Drive regeneration plan.

For further information on the re-housing options available or additional assistance available for vulnerable residents, please refer to the Councils Decant Policy available at <https://www.newark-sherwooddc.gov.uk/housing/housingstrategyanddevelopment/yorkedrivefocus/>

Payments and compensation summary

Tenure	Market value of the home	Statutory home loss payment*	Disturbance payments
Council tenant including residents transferred to the Council from PA Housing.	Not applicable	£8,100 home loss payment	Yes – see below
Private tenant	Not applicable	May be eligible – see below**	Yes – see below
Home owner occupier	Full market value	10% of property market value home loss payment.	Yes – see below
Non-resident owner	Full market value	7.5% of property market value home loss payment.	Yes – for legal costs of selling the affected property only.

*Statutory home loss payments are set by the Government and may be reviewed at any time.

** Private tenants who have been living in their home for at least 12 months and with a qualifying interest in the property (including but not limited to assured or short hold-assured tenancy agreement) may be eligible for the statutory home loss payment of £8,100.



Disturbance payments

All those households impacted by the proposed regeneration scheme (i.e. whose property is located within the demolition area) will be eligible for disturbance payments.

Disturbance payments are made to cover **reasonable** expenses relating to the disturbance of moving from your property to your new home. Examples of reasonable expenses include:

- Disconnection and reconnection of utility supplies
- Disconnection and reconnection costs for existing fixtures and fittings (e.g. telephone, cooker, washing machine or other plumbed goods)
- Redirection of post for up to 3 months
- Cost of altering soft furnishings (e.g. carpets, curtains and blinds) or providing replacements where current ones cannot be used
- Purchase of cooker if the fuel type required has changed
- Purchase of new school uniform (if the move requires your child to change schools)
- Removal costs (however the Council intends to offer a full removal service to each resident to support this process).

How will payments be made?

Payment of Compensation

Home Loss payments will be made when you vacate your current property, either by handing back your keys to the Council/ your landlord, or when the Council completes on the purchase of your property.

You must ensure that your property and garden are left free from any rubbish, furniture or unwanted belongings. If it is necessary to send a team to clear the property the Council will charge an additional clearance fee and this charge will be eligible to be deducted from your home loss compensation.

Home Loss compensation will be paid directly into your bank account and make take up to 10 working days from the date you leave your home.

Payment of Disturbance

Disturbance payments can be made through one of two ways:

1) A lump sum

The Council will make a lump sum available to all residents affected by the demolition. The lump sum should cover **all reasonable costs** associated with the move with the exception of removals which the Council intends to provide directly.

Following feedback from the Yorke Drive Resident Panel, the Council will make provision to pay the lump sum up to a fortnight in advance of the move to your new home to support those moving with upfront costs.



The offer of a lump sum will be made on the following basis:

- 1 bedroom - £800
- 2 bedroom - £900
- 3 bedroom - £1000
- 4 bedroom - £1100

2) Through full receipting of costs incurred

In some cases, the reasonable costs associated with the move may exceed those on offer through the lump sum e.g. where an owner is selling their property to the Council and incurring legal fees. In these circumstances, a resident can choose to claim disturbance payments through the provision of receipts for each item of expenditure incurred. It is advised to agree expenditure in advance to ensure the Council is in agreement with the 'reasonableness' of any expenditure. Receipts or invoices must be on company headed paper with information about the service providers VAT number, company registration and VAT details.

In some circumstances, it may be necessary for the Council to directly pay for a service required by a resident e.g. paying a homeowners solicitor directly. Each circumstance will be considered on a case by case basis with expenditure to be incurred **only with prior agreement from the Council**.

Outstanding debts and rent arrears

If you have outstanding debts or rent arrears owed to the Council, the Council reserves the right to seek to use part or all of the home loss payment to settle outstanding debts owed to the Council. Debts that can be recovered in these circumstances include current or former tenant arrears including former temporary accommodation arrears, recharges e.g. for repairs or property clearance, housing benefit overpayments and council tax owed. In these circumstances the Council will write to you detailing the debt types, amounts and setting out the deductions to be made from the payment.

If arrears action has been started and a court date for outright possession or the execution of a warrant has been applied for, the Council will continue with possession and enforcement proceedings where appropriate, with each situation considered on a case by case basis.

Appeals

If you do not agree with a decision made by the Council about how your payment has been calculated you may choose to appeal a decision. Appeals must be made within outlined timescales so if you are considering making an appeal please contact us on the details below so information about the appeals process and timescales for when appeals must be made can be provided.

If you have any questions about the information provided or need the information provided in a different format, please contact Harriet Partington on 01636 655462 or email yorkedrive@nsdc.info