



REGENERATION OF COUNCIL HOUSING ESTATES

VOLUNTARY BUY BACK SCHEME GENERAL POLICY AND PROCEDURE FOR RESIDENTIAL AND NON-RESIDENTIAL HOMEOWNERS

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THE BUY BACK PROCESS FOR RESIDENTIAL AND NON-RESIDENTIAL HOMEOWNERS

1. Introduction

1.1 Regeneration

At times, regeneration of an area is necessary in order to improve the quality of individual homes and of the neighbourhood as a whole. Regeneration may involve substantial works to existing buildings and their surrounding environment, the demolition of buildings to construct new developments, or a combination of both.

1.2 Quality of life

The council hopes that the regeneration of an area will build a healthier, more enjoyable, safer and more prosperous environment, where a better quality of life can be had for generations to come.

1.3 How regeneration affects you

You may be aware that an analysis of the area in which your property is situated has concluded that comprehensive regeneration is necessary. The analysis also found that the regeneration of the area would benefit most from the demolition of your building and the development of new homes in its place.

1.4 Repurchase and demolition

The council has accepted these findings and as a result is now moving forward with plans for the demolition of your building. As you live in a building that is selected for demolition, the council will need to repurchase your property. The council will try to accomplish this through its voluntary Buy Back scheme. Consequently, you and the other residents currently living in your building will be required to vacate your homes by **December 2012**.

1.5 What is the Buy Back scheme?

The Buy Back scheme is a voluntary repurchase option offered to leaseholders before or instead of the council exercising the powers of a confirmed Compulsory Purchase Order (CPO), see page 9 for further details. The council hopes that all leaseholders will join the voluntary scheme and that the use of CPO powers will not be necessary. The package offered, and its terms and compensation, is identical to that under a CPO, but the difference is that the Buy Back scheme is a two-way agreement rather than the council entering and taking possession of the property using CPO powers.

2. Buy Back – the repurchase package:

The following is a summary of the benefits that you will receive by selling your property back to the council:

2.1 Market Value for your property

You will receive the open market value for your property. This will be agreed between your surveyors and the council's surveyors. The process is explained in more detail later in this document.

2.2 Home Loss and Basic Loss Payments

You will receive a payment in addition to the market value of your property to compensate you for the compulsory repurchase. The amount you receive will be a percentage of the market value and will depend on whether you are an owner occupier, i.e. you live at your property, or whether you are a non-resident owner i.e. you do not live at your property but may, for example, let it to tenants.

2.2.2. Owner occupiers

If you have lived in the property for the last 12 months prior to displacement you will receive 10% of the market value of your interest in the property (subject to a current a minimum of £4,700 and up to a current maximum of £47,000.) This is known as a Home Loss Payment.

2.2.3. Other owners

If you have not lived in your property for the last 12 months you will receive 7.5% of the market value of your interest in the property (subject to a maximum of £75,000). This is known as a Basic Loss Payment.

If your tenants have lived in the property for the last 12 months prior to displacement they may be entitled to a Home Loss Payment of (currently) £4,700. Please note that this is a one off payment irrespective of the number of occupants resident at the property.

2.3 Disturbance payments

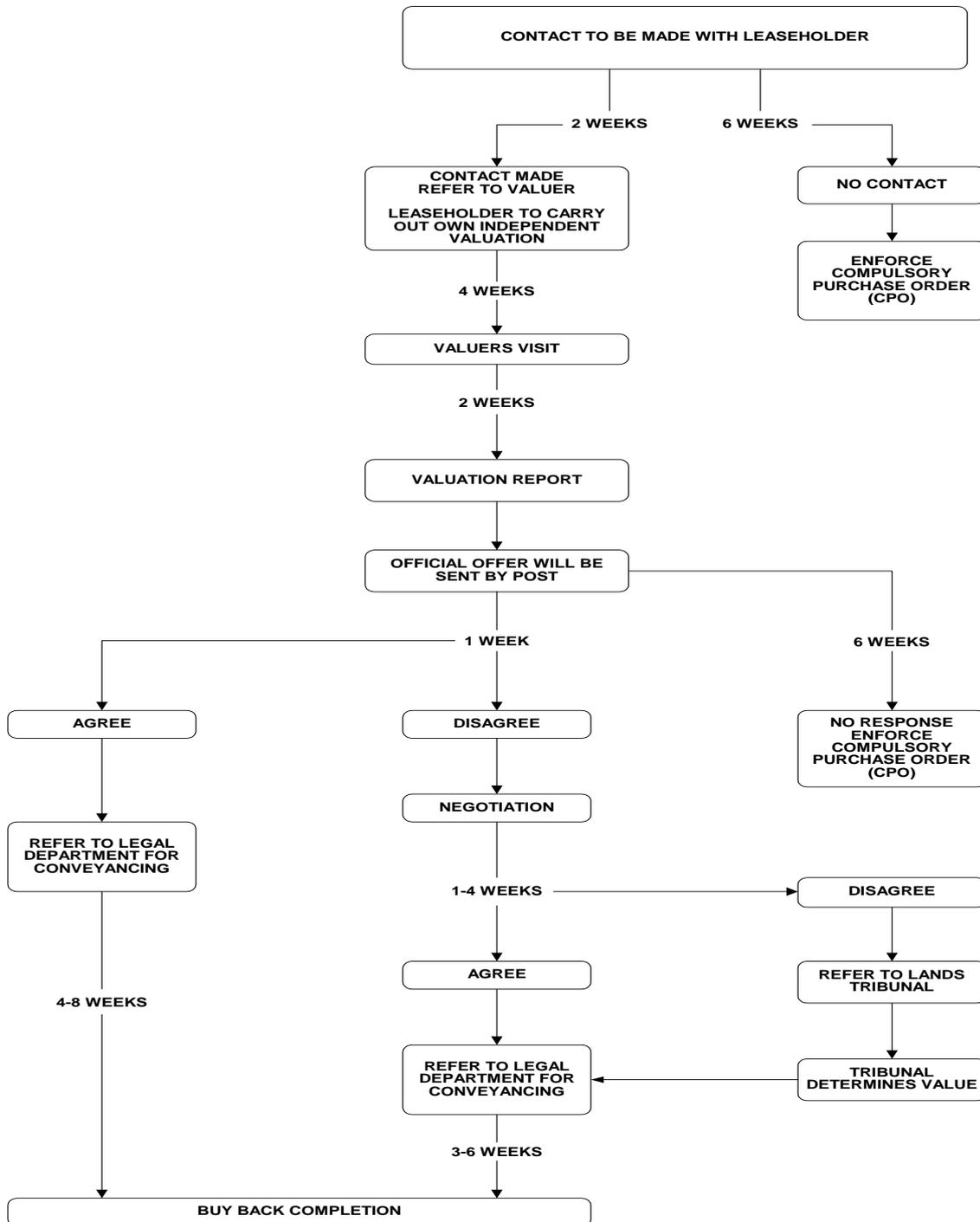
You, as the leaseholder of the property, will receive disturbance costs. This means the council will pay any reasonable costs incurred by you as a direct result of the sale of your property to the council and your purchase of a new property. These are likely to include:

- Your surveyors costs for making a valuation of the property
- Your surveyors negotiation costs reasonably and properly incurred
- The legal costs on the sale of your property to the council and the legal costs on the purchase of a new property, including items such as:
 - Solicitors costs
 - Local authority, Land registry & Environmental Search fees
 - Drainage enquires
 - Bank transfer fees
- Stamp duty on the purchase of a new property (not exceeding the amount of Stamp Duty payable by the council in connection with the purchase of your existing property)
- Removal costs
- Administration fees or mortgage redemption charges
- The cost of a survey for the new property.
- Reconnection and other charges, for example:
 - The cost of reconnecting your telephone
 - The cost of reconnecting satellite or cable television
 - The cost of reconnecting your washing machine
 - The cost of reconnecting your cooker
 - The cost of mail redirection for 6 months
- The council would also be prepared to consider any other costs reasonably incurred as a natural consequence of you having to vacate your property and move to a new one.
- Please note that leaseholders not in occupation (for example where the property is vacant or let to a tenant) can claim reasonable charges or expenses incurred in connection with the purchase of another property in the United Kingdom but only if the purchase of the new property takes place within one year of the council entering your existing property.

You must confirm that charges are eligible to be covered by the Council before committing to services. If you fail to do this, the Council may not be able to reimburse you for expenses incurred.

3. Buy Back – the process illustrated:

The following flow chart diagram is an illustration of the Buy Back process. Although the diagram gives expected time periods between the different stages of the process, it is difficult to say how long the overall process will take, as many factors can influence it. It could take from 3 to 14 months to complete.



4. Buy Back – the process explained:

The Housing Regeneration Team have a dedicated Regeneration Officer who will be in contact with you throughout the process. The Regeneration Officer should be your first point of contact if you have any questions, require help or experience any difficulties (see page 14 for full contact details).

The flow chart diagram on page 6 illustrates the Buy Back Process that will be followed. The following helps to explain the process in more detail and answer many of the questions you may have. If you find that you have further questions, please contact the Regeneration Officer who will be happy to help.

4.1 When do I have to move out?

The council would like all leaseholders to complete the process and vacate their homes by December 2012 at the latest.

4.2 How do I start the process?

The first step in the Buy Back Process is for you to make contact with the Regeneration Officer. The simplest method to begin the process is to telephone the Officer who will take your contact details. This will also give you the opportunity to discuss any concerns or ask questions. (See page 14 for full contact details.)

4.3 What if I have let my property to tenants?

You should inform your tenants of the regeneration scheme and the decision to demolish your building, as soon as possible. You should check the tenancy agreement for the earliest time to terminate and inform the tenants that you will need to serve notice to leave in the near future. This will give them as much time as possible to find another property to live in.

Once the terms of the Buy Back have been agreed, you will need to serve notice on your tenants to terminate the tenancy. The council will do its best to match the date your tenants are due to vacate the property with the Buy Back completion date in order to limit any loss of rent.

4.4 How and when will the valuation be carried out?

Once you have made contact with the Regeneration Team and we have your full details, you will be referred to our valuation contractors. A valuer will contact you within 2 weeks and arrange a convenient appointment for an inspection of your property.

At this stage we recommend you contact your own surveyor for an independent valuation. You may approach any surveyor, valuer or estate agent but we recommend that you approach a member of the Royal Institution of Chartered Surveyors (RICS). For RICS contact details, please see below. Please make it clear to whoever you choose to appoint that your property is subject to a Compulsory Purchase Order and you would like them to make a valuation of your property and carry out any negotiations with the council on your behalf. **Please do not select someone who is only prepared to give you a valuation.**

All reasonable surveyor's costs can be claimed back from the council, but it is best to agree a fee with the surveyor in advance and then confirm the cost with the council. If the surveyor agrees you can ask them to invoice the council directly. Please see point 4.11 on page 10 below for more information on claiming back costs.

RICS can provide you with details of a local surveyor who is a member and who is qualified to help you. You can contact RICS directly on 0870 333 1600 (choose option 4) between 8:30am and 17:30pm Monday to Friday, or visit their website www.ricsfirms.com and fill in your area details in the "Quick search" box.

Following the council's valuation inspection, an official 'Offer to Re-purchase' will be sent to you by post. You should expect to receive the Offer 2 – 4 weeks following the inspection. If you are happy with the offer and wish to continue with the process, you will need to return your acceptance form to the Regeneration Officer.

4.5 How much is my property worth?

It is always difficult to give an indication of property prices due to the many influences that can affect them. The council will value each property on an individual basis and take into account various factors such as the size and condition of the property, the location, size and construction of the building. If there are construction works in the immediate area of your building, resulting from an earlier phase of the regeneration programme, the council will make allowances so that any noise, debris or disturbance arising from the works do not have a negative impact on the value of your property.

You should note however, that the valuation aims to be a true indication of the property's current market value (with adjustments for construction disturbance) rather than an appraisal generally given by estate agents to determine an asking price. In many cases there is a significant difference between the price that properties are

advertised for by estate agents and the price at which the property is eventually sold. The council's valuation will be comparable with the price of similar properties recently sold within the area.

4.6 What if I am not happy with the council's valuation price?

If you disagree with the offer the council makes, you will need to inform the Regeneration Officer.

Once your surveyor has carried out a valuation of your property, they will send you a valuation report. On receipt of the report you may choose to accept the council's original offer or, depending on the advice from your surveyor, you may instruct them to enter into negotiations with the council to see if a higher price can be justified. If negotiations are necessary, please contact the Regeneration Officer who will provide you with contact details of the Valuer who will negotiate on behalf of the council. You should then forward these details to your surveyors and ask them to contact the valuer acting for the council to begin negotiations.

4.7 What happens if an agreement on the price cannot be reached?

If an agreement on the price cannot be reached, the matter may be referred to the Lands Tribunal, which is a Court of Law. The Lands Tribunal will determine an impartial valuation that is binding on both parties. Appeals from its decisions lie with the Court of Appeal.

4.8 What happens if I refuse to sell? (Compulsory Purchase Order)

The council would like to purchase your interest in the property by agreement. However, you should be aware that the council is also promoting a Compulsory Purchase Order (CPO). If confirmed by the Secretary of State, this will entitle the council to enter and take possession of your property.

CPO powers would only be exercised as a last resort and with great reluctance. Our hope is that this will not be necessary. If an agreement for the price of your property has not been reached before the council enters and takes possession, the council must, if requested in writing, pay you 90% of the council's estimate of compensation and leave the final compensation to be settled at a later date. More information about Compulsory Purchase Orders is published by Communities and Local Government (CLG), please refer to page 15 for further details.

4.9 What are the council's responsibilities to re-house me?

Page 12 discusses the various options that have been made available to you for re-housing.

4.10 What happens when the price is agreed?

If you are happy with the offer the council makes or with the revised offer following negotiations, you will need to inform the Regeneration Officer by returning your acceptance form. You will need to appoint solicitors to act on your behalf and inform the Regeneration Officer of their contact details. Your case will then be handed to the council's legal department. They will deal with your solicitors on the legal transfer of your property to the council.

Towards the end of the legal process a completion date will be arranged. It will be a condition of completion that your property is empty and your keys have been returned. On completion, the council will transfer the agreed sum for the purchase of your property, the appropriate Home Loss or Basic Loss Payment, the contribution towards the stamp duty of your new property and any mortgage redemption penalties to your solicitors. They, in turn, will arrange to transfer the money to you or to your mortgage lender. The council's legal department will also arrange to pay your solicitors' costs at this time. This will conclude the repurchase process.

4.11 How are the costs that I incur paid or reimbursed?

It is always best to agree the cost for a service in advance both with the company providing it and the council. If you are uncertain whether the council will reimburse you for a particular cost, you should contact the Regeneration Officer who will be able to advise you.

In order for the council to pay or reimburse any disturbance costs to you **we will require a copy of the invoice from the company undertaking the service**. Some receipts can be insufficient, so it is important that you always ask for a full invoice or letter from the company confirming the costs you have incurred at all times.

The council is happy either to reimburse you for various costs you have paid or to arrange for payment to be made directly to companies if the council is invoiced on your behalf. If you chose to invoice the council directly, please ensure the company makes the invoice out to "Ealing Council".

All requests for reimbursement and invoices should be marked for the attention of the Regeneration Officer to the address stated on page 14.

Payments will be reimbursed to you by cheque and is usually issued within 21 working days of the council receiving the invoice. Requests for payment or reimbursement may be made at any time throughout the Buy Back process.

4.12 How long does the process take?

It is difficult to say how long the overall process will take because there are elements that we will have no control over. The process diagram on page 6 gives an indication of the times that we anticipate each stage to last.

5. Re-housing options:

Finding a new home can be a difficult and time-consuming task and we would advise you to start looking as soon as possible. You should consider the following available options for alternative accommodation. You are not restricted to choosing any one option and may find that searching for alternative accommodation in a number of ways produces the greatest number of results.

Please note that the re-housing options below are only available to resident leaseholders (those who have lived in their property for the last 12 months prior to displacement). If you a non-resident leaseholder (e.g. you have been letting your property) you are limited to buying an alternative property on the open market.

5.1 Buying an alternative property on the open market

We anticipate the majority of leaseholders will want to find a new property of their choice on the open market and we would encourage you to do so. As with any normal purchases and sales you are free to choose any property anywhere that suits your needs. The council does not hold details of any properties on sale so you should look in weekly newspapers, on the internet and contact various estate agents for information, lists and particulars.

5.2 Low cost housing schemes

Whilst many people would like to buy a property on the open market we understand that this may not always be possible. In this case you may wish to consider buying a stake in an alternative property in partnership with a housing association or consider other schemes such as fixed equity loans or key worker incentives that may be offered.

Housing associations and low cost housing providers across London have teamed up and created a 'one-stop-shop' for anyone looking for affordable housing. Tenants, leaseholders and the general public can either phone or visit the Housing Options website for more information and to find out how to apply. By completing just one application form, they will be given details of all the housing schemes across London that they may qualify for. Please see page 17 for contact information.

Catalyst Communities Housing Association, who are currently building new homes on the estate, have put together a fixed equity offer for resident leaseholders, which the Council has already contacted you to discuss. This is a time-limited offer and you must express an interest straight away if you wish to be considered for this option.

5.3 Renting accommodation

If you are unable to find a property that you want to purchase or are unwilling to commit to a purchase, you may consider renting a property on the open market either through an estate agency or privately. As mentioned in section 5.1, the council does not hold details of any properties on sale so you should look in weekly newspapers, on the Internet and contact various estate agents for information, lists and particulars.

5.4 Revert to being a tenant

In exceptional circumstances only, and if you are the original Right to Buy owner, the council will consider the possibility of a leaseholder reverting to a tenancy with the council or with a Housing Association. It should be stressed that this option will only be considered after all other avenues have been fully exhausted and if you are in extreme financial difficulty with little or no prospect of improving the situation.

6. Contact Details

6.1 Regeneration Officer

This is your first point of contact. Please contact the Regeneration Officer if you have any questions, comments, or need help or advice relating to the Buy Back Scheme.

Regeneration Officer Renée Peters-Findley	Telephone 020 8896 9372	Fax 0208 992 3537	Email petersfindleyr@ealing.gov.uk
Postal address	Housing Regeneration 4 th Floor Perceval House 14-16 Uxbridge Road Ealing W5 2HL		

6.2. South Acton Regeneration Office

The South Acton Regeneration Office is a Council office that has been opened on site allowing residents to keep up-to-date with the regeneration scheme. Pop in during opening hours to see drawings and models of the proposed plans. Staff will be on hand to explain the latest developments and answer any questions about the regeneration as a whole.

Opening hours Monday to Thursday, 10.00am – 4.00pm	Telephone 0208 896 9372 or 0208 992 9842	Fax 0208 992 3537
Postal address	South Acton Regeneration Office 108 Bollo Bridge Road Acton London W3 8DD	

6.3. Independent Resident Advisor

The Council has appointed an Independent Resident Advisor for residents living in South Acton estate. Keith Mann (working for a company called PEP) has been employed to offer residents free, confidential and impartial advice on any aspect of the regeneration programme.

Telephone 0800 374 864	Website www.pep.org.uk	Email Follow the dedicated email link on website address
Surgeries	First Tuesday of each month at the Regeneration Office (See address below)	

6.4 South Acton Residents' Action Group (SARAG)

SARAG is the recognised resident association for South Acton.

Telephone 0800 0234 807	Website www.sarag.org	Email committee@sarag.org
Postal address	SARAG 100 Bollo Bridge Road London W3 8DD	

6.5. Communities and Local Government (CLG)

CLG was set up in May 2006 to replace the Office of Deputy Prime Minister. It is a government office responsible for making policy on housing, planning, devolution, regional and local government and the fire service.

It has published five booklets regarding Compulsory Purchase and Compensation providing further information about the process and your rights and they can be downloaded from CLG web site and following the direct internet link to the booklets:

Direct internet link http://www.communities.gov.uk/publications/planningandbuilding/compulsorypurchase
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If you do not have access to the Internet, you may order copies of the publications free of charge, by post, email or telephone:

Telephone 0300 123 1124	Website www.communities.gov.uk	Email communities@capita.co.uk
Postal address	Communities and Local Government Publications PO Box 236 Wetherby LS23 7NB.	

Please quote the following product codes when ordering:

Publication Title	Product Code
Compulsory Purchase and Compensation Booklet 1: Compulsory Purchase Procedure	04PD02635/1
Compulsory Purchase and Compensation Booklet 2: Compensation to Business Owners and Occupiers	04PD02635/2
Compulsory Purchase and Compensation Booklet 3: Compensation to Agricultural Owners and Occupiers	04PD02635/3
Compulsory Purchase and Compensation Booklet 4: Compensation to Residential Owners and Occupiers	04PD02635/4
Compulsory Purchase and Compensation Booklet 5: Reducing the Adverse Effects of Public Development – Mitigation Works	04PD02635/5

6.6. Royal Institution of Chartered Surveyors

Telephone 0870 333 1600	Website www.rics.org and www.ricsfirms.com	Email contactrics@rics.org
Postal address	RICS Contact Centre Surveyor Court Westwood Way Coventry CV4 8JE	

6.7. The Lands Tribunal

The Lands Tribunal was established by the Lands Tribunal Act 1949 to resolve disputes about compensation over compulsory acquisition of land. The Tribunal is a Court of Law and appeal lies to the Court of Appeal.

Telephone 020 7029 9780	Website www.landstribunal.gov.uk	Email lands@dca.gsi.gov.uk
Postal address Lands Tribunal Procession House 55 Ludgate Hill London EC4M 7JW		Public entrance Procession House 110 New Bridge Street London EC4V 6JL

6.8. Leasehold Advisory Service (LEASE)

The Leasehold Advisory Service is an independent advice agency funded by Government grant. It provides free advice to leaseholders, landlords, professional advisers and others on the law affecting residential leasehold property.

Telephone 0207 374 5380	Website www.lease-advice.org	Email info@lease-advice.org
Postal address	The Leasehold Advisory Service 31 Worship Street London EC2A 2DX	

6.9 Housing Options

First Steps is a one-stop-shop for anyone looking for affordable housing in London.

Website www.firststepslondon.org

East, North and West London

South East & South West London

Telephone 020 3 535 2760	Telephone 0844 406 9997
Email firststeps@mht.co.uk	Email firststeps@lqgroup.org.uk

<p>Postal address</p> <p>Metropolitan Home Ownership The Grange 100 High Street Southgate London N14 6PW</p>	<p>Postal address</p> <p>L & Q Cray House 3 Maidstone Road The Grange Footscray Kent DA14 5HU</p>
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7. Further Language Options

If you would like this information in large print, audio or Braille...

please telephone 020 8825 8666

If English is not your first language...

If you would like to discuss this information with someone who speaks your own language, please call this freephone number:
0800 0087650

Jeśli chcesz omówić te informacje z osobą, która mówi po polsku, zadzwoń pod bezpłatny numer telefonu:
0800 0087650

Polish

Haddii aad jeclaan lahayd inaad macluumaadkaan kala hadashid qof ku hadla Somali, fadlan wac telefoonkaan bilaashka ah: 0800 0087650

Somali

જો તમને કોઈ ગુજરાતી બોલનાર વ્યક્તિ સાથે આ જાણારાકી માટે ચર્ચા કરવી હોય તો, મહેરબાની કરી આ ફ્રીફોન નંબર પર ફોન કરો : 0800 0087650

Gujarati

अगर आप इस जानकारी के बारे में हिन्दी बोलने वाले किसी व्यक्ति से बातचीत करना चाहते हैं तो कृपया इस फ्रीफोन नम्बर पर कॉल करें : 0800 0087650

Hindi

ਜੇ ਤੁਸੀਂ ਇਸ ਜਾਣਕਾਰੀ ਬਾਰੇ ਕਿਸੇ ਪੰਜਾਬੀ ਬੋਲਣ ਵਾਲੇ ਨਾਲ ਗੱਲ ਕਰਨੀ ਚਾਹੁੰਦੇ ਹੋ, ਤਾਂ ਮਿਹਰਬਾਨੀ ਕਰਕੇ ਇਸ ਫ੍ਰੀਫੋਨ ਨੰਬਰ 'ਤੇ ਫ਼ੋਨ ਕਰੋ : 0800 0087650

Punjabi

إذا كنت تود مناقشة هذه المعلومات مع شخص يتحدث باللغة العربية، فنرجو الاتصال بهذا الرقم الهاتفي المجاني: 0800 0087650

Arabic

اگر مایل هستید درباره این اطلاعات با یک نفر فارسی زبان صحبت کنید، لطفاً به شماره تلفن رایگان 0800 0087650 زنگ بزنید.

Farsi

اگر آپ ان معلومات پر کسی سے بات کرنا چاہیں گے جو اردو بولتا ہو، تو براہ مہربانی مفت فون نمبر 0800 0087650 پر رابطہ کریں۔

Urdu