



**Genesis**

# **Regeneration of Grahame Park**

## **Voluntary buy-back scheme**

**General policy and procedure  
for established resident homeowners**





## 1. Key aspects of the Grahame Park Regeneration

Genesis Housing Association and Barnet Council are working in partnership as part of the regeneration of Grahame Park. The transformation of the area will include new high quality homes, community facilities, retail space, a college, improved open spaces with accessible street layouts, improved pedestrian footpaths, cycle routes and transport links.

The regeneration project is split into two stages, Stage A and Stage B.

Stage A has either been built or is currently underway. It includes:

- 690 new homes (235 new social rent homes, 81 shared ownership homes, 185 private for sale homes, 38 affordable rented homes and 151 private rented homes)
- New retail spaces. Sainsbury's local and a local pharmacy have now opened
- The new Barnet and Southgate College plans to open in September 2016
- A new public library and a centre for independent living, plan to open in August 2016.

To enable Genesis to continue with its vision of creating new neighbourhoods it is necessary to work in programmed phases, demolishing existing blocks of flats and rebuilding new homes. The next phase of development is the Concourse, which is the first phase in **Stage B**.

You are receiving this handbook as your home is located within the boundaries of Stage B.

## 2. Genesis has prepared this handbook to provide homeowners with information on the buy-back options available.

Working with Barnet Council, we have updated the current Grahame Park Master Plan, which is the design template for the entire estate. The aim is to increase the number of family homes delivered, improve the current open and green space, improve the layout of the estate in terms of the transport network including roads, buses, cars, bicycles and pedestrian access and to ensure community infrastructure is appropriate and in the right place.

This will be achieved through the adoption of a Supplementary Planning Document (SPD). The SPD is policy guidance for the design of all future phases of the development, known as **Stage B**. The SPD was approved in May 2016 having been subject to extensive public consultation in February 2015 and 2016.

## 2.1 First phase of Stage B works

The first phase of works is expected to commence in late 2017, early 2018 and will focus on the Concourse area. The Concourse is split into three plots which contain the following blocks:

**Plot 10:** Nicholson, Nimrod, Nisbet, Nighthawk, Noel, Norris

**Plot 11:** Kemp, March, Martynside, Mercury, Moorhouse, Moineau, Mitchell, Merlin, Nardini, Napier

**Plot 12:** Folland, Galy, Gates, Gauntlet, Hector, Heracles, Hudson

In order for the next phase of development to start, it is important that these three plots are cleared over consecutive phases. Genesis is engaging with leaseholders to negotiate the buy-back of homes and discuss the options available to them.

***If your block is not listed above and it is still in the Stage B area then Genesis would like to discuss the voluntary purchase of your home and the options that are available to you.***

## 3. What is the voluntary buy-back scheme?

The buy-back scheme is a voluntary repurchase option offered to leaseholders and freeholders in Stage B. It is an offer to purchase your leasehold or freehold interest in your home through negotiation. You are under no obligation to sell your home at this time but if you are interested we would like to talk to you.

It is designed to prevent the need for Barnet Council to acquire your property through a Compulsory Purchase Order (CPO). Genesis and Barnet Council hope 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 acquiring the properties using its CPO powers.

### 3.1 The first step

All home owners will be contacted by Genesis Development and Renewal Officer, Diana Edward, who will arrange a meeting to discuss individual cases and to answer any concerns about the buy-back process. Diana will be your main point of contact throughout the voluntary buy-back process from start to finish if you wish to proceed.

### 3.2 The valuation process

Genesis has appointed Savills as its agent to provide valuations for leaseholder and freeholder owners, and to work through the options available to you. Once you have met with Diana, a valuation appointment will be arranged with Savills.

### 3.3 Valuation of your property

Your home will be valued, free of charge by a Valuer from Savills who have been appointed by Genesis.

The valuation aims to be a true indication of the property's current market value (with adjustments for construction disturbance) rather than the type of valuation generally given by estate agents, to determine an asking price. In many cases there is a significant difference between the price in which properties are advertised for sale by estate agents and the price in which they are eventually sold. Genesis valuation will be comparable with the price of similar properties recently sold within the area.

### 3.4 Accepting the offer

Following the valuation inspection, an official 'Offer to Re-purchase' letter will be sent by post. If you are happy with the offer and wish to continue with the process, you will need to confirm your acceptance in writing to Diana Edward at Genesis.

At this stage you may also want to appoint your own surveyor for an independent valuation. We are happy to provide details of registered RICS members as well as specialist surveyors.

As part of your disturbance payment surveyors, costs can be claimed back. To do this, you will need to agree a fee with the surveyor in advance and confirm the cost of reimbursement with Genesis before appointing that surveyor.

### 3.5 Home loss and basic payments for Owner Occupiers

If you have lived in your property for the last 12 months prior to the offer to purchase, you are classed as an owner occupier.

This means you are entitled to receive 10% of the market value of your interest in the property (subject to a current minimum of £5,300 and up to a current maximum of £53,000) in addition to the value of your property. This is known as a Home Loss Payment and is to compensate you for the purchase of your home.

As an owner occupier you are also entitled to receive a disturbance payment. This payment represents reasonable costs and losses incurred as a direct result of the sale of your property to Genesis and your purchase of a new property within one year.

These are likely to include:

- The legal costs of the sale of your property to Genesis and the legal costs of the purchase of a new property, including items such as:
  - ◊ Solicitors costs
  - ◊ Local authority, Land Registry and other search fees
- Stamp duty on the purchase of a new property (not exceeding the amount of Stamp Duty payable by the Council/Genesis in connection with the purchase of your existing property)
- Removal costs
- Administration fees or mortgage redemption charges

Genesis is prepared to consider any other costs reasonably incurred as a natural consequence of having to vacate your property and move to a new one.

Owners 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 purchasing your existing property.

If you are unsure about what is covered or reasonable, please check with Diana Edward, Development and Renewal Officer.

### **3.6 Home loss and basic payments:**

Non-resident home owners (or homeowners who have not lived at their property for the last 12 months)

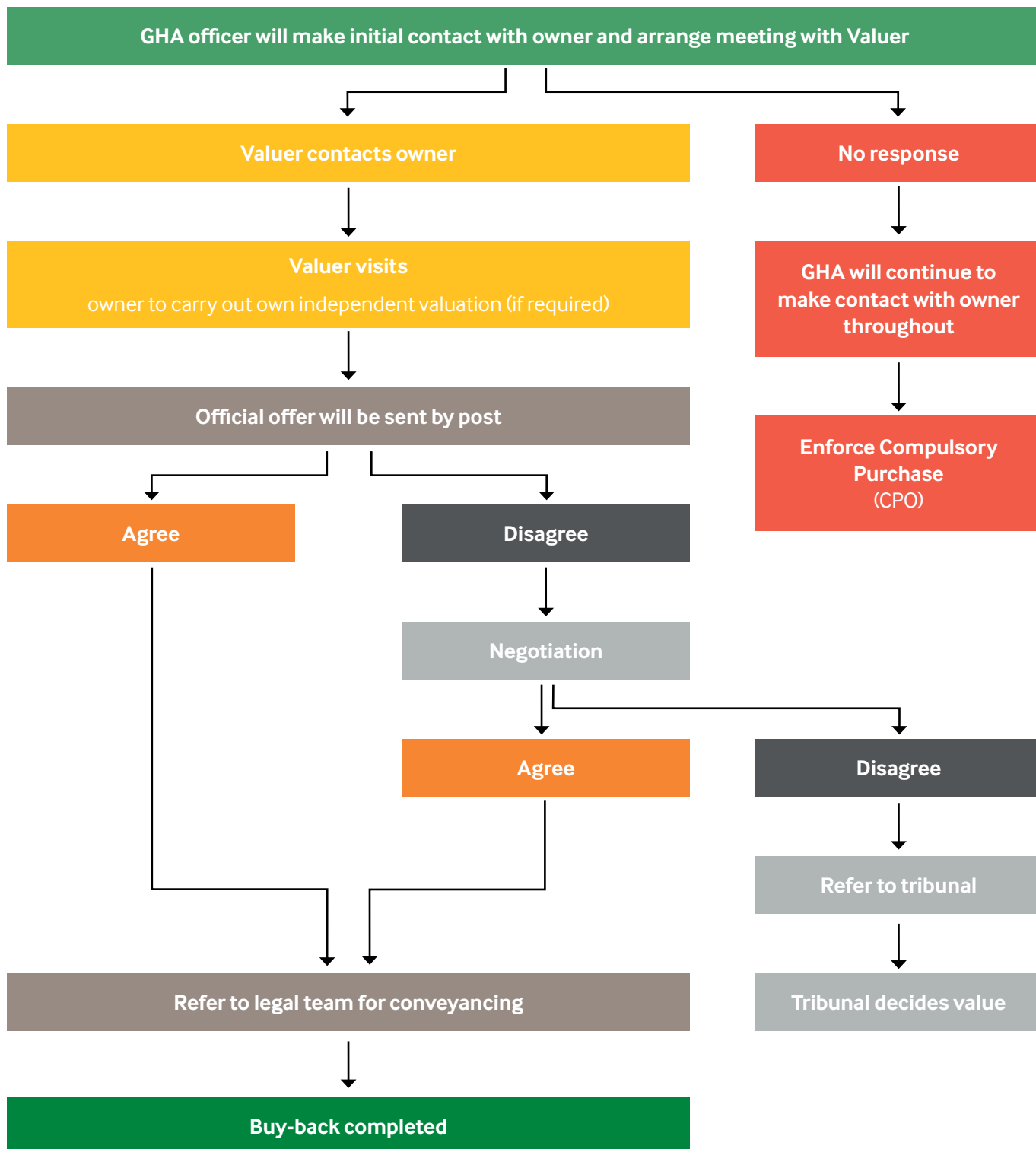
If you have not lived in your property for the last 12 months or you are letting your property to tenants, you are classed as a non-resident home owner.

This means under law you are entitled to receive a basic home loss payment of 7.5% of the market value of your interest in the property (subject to a maximum of £75,000) in addition to the value of your property. Please note there may be a capital gains tax liability as a non-resident owner occupier.

As the homeowner, you are still entitled to receive a disturbance payment. This payment represents costs and losses incurred as a direct result of the sale of your property to Genesis and your purchase of a new property within one year. Disturbance payments are described in the section above.

**3.7 Buy-back – the process illustrated:**

The following flow chart diagram is an illustration of the buy-back process. It is difficult to say how long the overall process will take as many factors can influence it. It can take anytime between three to twelve months to complete.



### 3.8 When do I have to move out?

Genesis would like to complete the purchase of properties in the following phases:

- **Plot 10:** Nicolson, Nimrod, Nisbet, Nighthawk, Noel, Norris – April 2017
- **Plot 11:** Kemp, March, Martynside, Mercury, Moorhouse, Moineau, Mitchell, Merlin, Napier, Nardini – March 2019
- **Plot 12:** Folland, Galy, Gates, Gauntlet, Hector, Heracles, Hudson – March 2019

Buy-backs in future phases will be subject to a different repurchase timescale; however these transactions would still need to be completed by 31 March 2019. There will be future opportunities to sell your home to Genesis after this date, but the timescales for this cannot yet be confirmed.

### 3.9 What if I have let my property to tenants?

As a homeowner if you are letting your property to tenants, agents or have any other person living there, you will need to inform them of the regeneration scheme as soon as possible. It is important they understand that they need to vacate the premises in the near future.

Your tenants may need to seek independent housing advice on what options are available to them. Genesis Housing Association will take no responsibility for rehousing them. If we agree to purchase your property, you as the owner will be responsible for providing vacant possession. This means ensuring that your tenants have left the property to enable demolition to take place.

### 3.10 What if I am not happy with Genesis valuation price?

If you disagree with the offer, you will need to inform Diana Edward, the Development and Renewal Officer, as soon as possible.

If you have not done so already, you will need to appoint a surveyor to carry out a valuation of your property who will send you a valuation report for your consideration. On receipt of the report you may choose to accept the original offer from Genesis or, depending on the advice from your surveyor, you may instruct them to enter into negotiations with Genesis to see if a higher price can be justified.

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

Genesis would like to purchase your property by agreement. Every reasonable effort including mediation will be made to assist you with this process.



If you do not agree with the valuation and you believe your home is worth more, then you will have the opportunity to challenge this through a formal tribunal. Genesis will encourage mediation as an alternative to taking matters to court or a tribunal.

Homeowners do have the statutory right to apply the matter to a specialist Tribunal (Lands Chamber) to seek its determination as to what the compensation should be.

### **3.11 What happens if I refuse to sell? (Compulsory Purchase Order)**

Every reasonable effort will be made to assist you with the choices of purchase packages. In the event of not being able to reach an amicable agreement, Compulsory Purchase Order powers may be enforced.

If a Compulsory Purchase Order is in place it will mean the homeowner will have to accept its terms. Any negotiations prior to the Compulsory Purchase Order will be overruled by the terms of the order. The homeowner will only be offered the open market value of the property, a home loss payment and fee related costs.

If a Compulsory Purchase Order is in place, the legal requirements for compensation replace the offer to the homeowner.

### **3.12 What happens when the price is agreed?**

If you are happy with the offer from Genesis or with the revised offer following negotiations, you will need to inform Diana Edward, Development and Renewal Officer and appoint solicitors to act on your behalf. Your case will then be handed to the Genesis Legal Department. They will deal with your solicitors on the legal transfer of your property to Genesis.

### **3.13 How are the costs that I incur paid or reimbursed?**

In order for Genesis 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. If you are uncertain whether the Council will reimburse you for a particular cost, you should contact the Development and Renewal Officer, Diana Edward who will be able to advise you.

The responsibility is on the claimant to justify a claim and keep all relevant evidence, receipts, invoices and fee quotes. Homeowners have a responsibility to make sure that any claim is supported by three competitive quotes to demonstrate you have ensured value for money.

#### 4. Homeowner plus options

Genesis appreciates that resident homeowners represent a significant part of the long term community of Grahame Park. We also understand that there are a number of leaseholders living in the concourse and wider area who purchased their home before the regeneration of Grahame Park was considered. We refer to these homeowners as '**Established Resident Homeowners**', and the defining date is the purchase of their home prior to **31 March 2003**.

Established Resident Homeowners may be eligible for a special discretionary arrangement called 'Homeowner Plus Options'. If you are in this category please book an appointment with Diana Edward. Genesis is happy to set out the options in more detail. A summary of these options are described below:

***The following options listed below are only available to Established Residents Homeowners, who agree terms to sell their home to Genesis without Barnet Council having to enforce a CPO.***

##### a) A new home on Grahame Park

- If you want to buy a new home on Grahame Park, we will build one for you in the phase before you are due to move, so you will only have to move once
- You will pay the full market value for your new home, which will be higher than the value of an existing similar sized property on Grahame Park
- You will be involved in design decisions for your new home, if you make an early commitment to sell us your existing home and buy a new one
- We will seek to meet any particular disability needs in your new home
- If your current home is in a later phase of the regeneration programme but you think you would like to sell it now and buy a new home being built on Grahame Park in a much earlier phase, we are happy to discuss this with you
- New leasehold flats will incur service charges, just as existing flats do. The new houses are likely to have minimal service charges
- Additionally, if you want to move to a different part of Grahame Park area and would therefore have to move twice to secure the location of your choice, we may be able to arrange this, provided you enter into appropriate legal commitments.

##### b) Selling early and staying put

- If you want to stay in your current home until the last possible moment you can make a legal agreement to sell to Genesis but stay until an agreed date. At this agreed date, your sale to us will be completed and you will have to move out.

### c) Shared ownership at Grahame Park

- If you cannot afford to buy a new home on Grahame Park outright, either because you cannot afford a mortgage to cover the additional cost or perhaps because you are overcrowded and need a larger home, you may wish to buy a new home under our Shared Ownership scheme
- In this scheme you will buy a stake, approximately 30-50% of the home, and pay rent on the balance which Genesis will own
- You can buy additional shares in your home from us over time, if your finances permit
- Just like any other owner you will be responsible for insuring and maintaining your new home and will pay relevant service charges
- If you buy a shared ownership home on Grahame Park, we will buy your existing home by agreement, even if you are not in the next phase of demolition
- If you would like to know more about this option, please contact Diana Edward.

### d) Two homes for one

- Some homeowners living with adult children, sometimes with children of their own, have expressed an interest in trading down to a smaller home for themselves and releasing equity to enable their children to buy a shared ownership home scheme or similar. Genesis is sympathetic to these situations and will work through options with home owners on a case by case basis to see if this is possible.

### e) Shared equity

- Some residents may be entitled to take up the Genesis Shared Equity option. We recognise that some homeowners cannot afford the cost of a new home on Grahame Park and so may wish to invest the money from the sale of their home into part ownership of a new property, with no rent payable on the part they don't own.
- If you feel Shared Equity may meet your needs, this option can be discussed with the Development and Renewal officer – Diana Edward, who can explain the eligibility criteria and will be happy to discuss this option with you on a case by case basis.

### Other options

In addition, established resident leaseholders who are experiencing severe financial difficulties and are assessed as being unable to purchase an affordable home on the estate may be eligible to receive extra support from the council, which could be in the form of returning to a tenancy or purchasing an existing property on the estate which is not due to be demolished.

## 5. Assistance Options for leaseholders

Genesis and Barnet Council are aware that some homeowners have complex housing needs. Working in partnership with Barnet Council, where clients have been assessed as vulnerable due to physical, sensory or mental health impairment and likely to have difficulty with the move, extra support will be offered to residents to secure alternative suitable accommodation by agreement.



Independent advice and support will be available to help each leaseholder consider their options. Priority Estate Project (PEP) is the Independent Tenants Adviser and provides impartial advice to residents living on Grahame Park. Contact details for PEP are on the facing page..

## 6. Contact Details



### Genesis Housing Association

**Diana Edward,**

**Site Office:**

**Telephone:**

**Email:**

Development and Renewal Officer, Regeneration

20 the Concourse, Colindale, London NW9 5XA

**07740 581 305**

**[Diana.Edward@genesisha.org.uk](mailto:Diana.Edward@genesisha.org.uk)**

**Head Office:**

Genesis Housing Association, Atelier House,  
64 Pratt Street, London, NW1 0DL

### Savills

Genesis Housing Association has appointed Savills as its agent to provide valuations for leasehold properties.

**Head Office:**

**Telephone:**

**Website :**

33 Margaret Street, London W1G 0JD

**020 7409 5993**

**[www.savills.co.uk](http://www.savills.co.uk)**





### Department for Communities and Local Government

The Communities Department is the Government office responsible for planning, housing, devolution and local and regional government. 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 website and following the direct internet link to the booklets:

#### Direct link to CPO booklets:

**Website:** [www.gov.uk/government/collections/compulsory-purchase-system-guidance](http://www.gov.uk/government/collections/compulsory-purchase-system-guidance)



### Upper Lands Tribunal (Lands Chamber)

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.

**Website:** [www.justice.gov.uk/tribunals/lands](http://www.justice.gov.uk/tribunals/lands)



### 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.

**Website:** [www.lease-advice.org](http://www.lease-advice.org)



### Priority Estates Project Ltd (PEP)

Independent Resident Adviser: This service offers independent advice to all residents living on Grahame Park regarding their future homes and their community

**Chris McConnachie** [chris.m@pep.org.uk](mailto:chris.m@pep.org.uk)

**Keith Mann** [keith.m@pep.org.uk](mailto:keith.m@pep.org.uk)

**Website:** [www.pep.org.uk](http://www.pep.org.uk)

**Freephone number:** 0300 008 0015





