





Homeowners Information Booklet

June 2018

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1. Introduction

This booklet is a written statement that describes how Homes England, Basildon Borough Council (BBC), Swan, and their consultants will work with homeowners that are affected by the regeneration of Craylands.

It will also describe how you will be supported if you are a homeowner with a property affected by the regeneration project and need to move from your home. It sets out the options available to you and gives details of the compensation payable to homeowners.

The aim of the document is to:

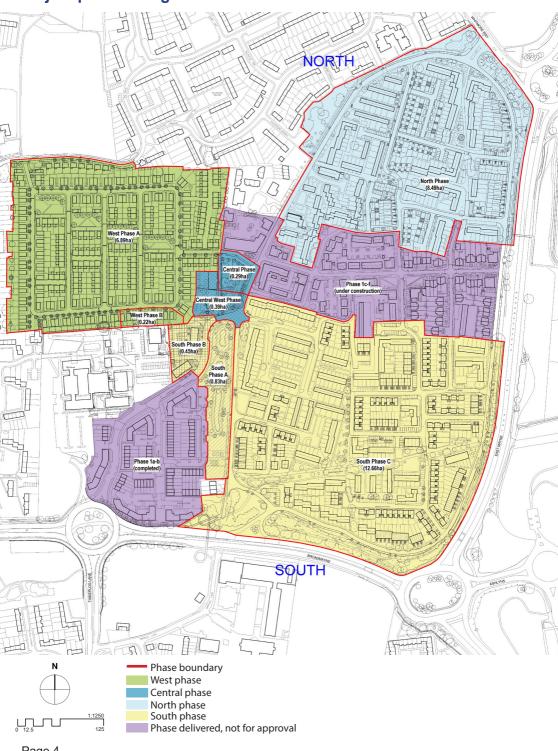
- Inform homeowners what is happening
- Inform homeowners of support and assistance they can receive
- · Inform homeowners how they can keep up to date on the project

2. Project timescales

The first phases of the project have been completed. Phase West is in construction and the next phase of the project affects properties in the North of the Estate. The final phase will cover those properties to the South of the Estate.

Timescales can be subject to change on large scale regeneration projects such as Craylands. The intention is that the redevelopment of the North phase will commence in Summer of 2019. The South phase is due to commence in 2021, subject to the progress of the North phase and detailed planning permission being granted.

Project phases diagram



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3. How we can support you

The Beech Community Centre in Austen Road has replaced the old Consultation Shop originally situated in Exeter Close and later on Lincoln Road. The Beech is a place where all residents can find out more about the regeneration project and how it may affect them. The shop is staffed by staff from Swan: Alexandra Blackwood, Community Development Project Officer and Rob Pearce, Homeownership Project Manager, along with an officer from Basildon Borough Council.

Residents will be able to:

- View plans of the site and homes to be built
- Arrange an appointment to speak to a member of the consultation team,
 Basildon Borough Council or the Independent Resident Advisor
- Homeowners can get assistance with property searches, conveyancing and compensation. We know that moving home can be very stressful, so we can help you look for a new home, find a solicitor and help you through the process of selling your home and buying another.

Opening hours

Tuesday, 10am - 1pm and Thursday, 3pm - 6pm

Individual Appointments

You can make an appointment at any time to speak to someone about your home, get help with housing or relocation or just discuss any queries you may have.

Alexandra Blackwood, Swan Housing Association, Community Development Project Officer **01277 844242** Mob: **07493 867699**, **ablackwood@swan.org.uk**

Rob Pearce, Swan Housing Association, Homeownership Project Manager, 01277 315283, Mob: 07860 411308, rpearce@swan.org.uk

Rab Fallon, Basildon Borough Council, Corporate Specialist, New Business Initiatives: **01268 20792**, rab.fallon@basildon.gov.uk

Louise Humby, Basildon Borough Council, Project Manager, Development & Investment Team: **01268 207919** Mob: **07595 414 930** louise.humby@basildon.gov.uk

Homeowners who would like free, independent advice can contact the homeowners independent advisor, Communities First who can be contacted on **0300 365 7150** or email **craylands@communitiesfirst.uk.com**.

4. Information and Advice

A one stop shop for information and advice:

The Beech Community Centre will be staffed by Alexandra Blackwood, Rob Pearce and staff from Basildon Borough Council. For details of opening hours see section "how we can support you"

- A single point of contact for homeowners.
- A regular Newsletter to all residents
- An Independent Resident Advisor (Communities First) has been appointed.
- A dedicated website for the Craylands and Fryerns regeneration project where residents will be able to look at the latest plans, find out dates of future meetings and see the notes from earlier meetings, join the discussion group and make enquiries.

5. Options for Homeowners affected by the regeneration

Not all Homeowners on the estate will need to be bought out and the property demolished. If your property is to be demolished, you are a home owner who uses your property as your only or principal home and have lived in your property for at least 12 months, there are 5 options for relocation that are set out in detail below. In each option we will agree with you to buy your property from you at full open market value by agreement. You will also receive compensation through a Home Loss payment of 10% of the value of your property and a Disturbance payment to cover the reasonable costs of moving home. More details of Disturbance payments can be found on page 15 of this booklet. The overriding principle is that financially you should be no worse off or no better off financially by having to sell your home and buy another.

The options available to Homeowners will depend on your circumstances so you need to read this document carefully.

Depending on your circumstances, you will be able to use the income from the sale of your home and your Home Loss payment to choose one of the following options:

- Option 1: To purchase a property elsewhere including Beechwood on the open market.
- 2. Option 2: Move into one of the new homes on the new Beechwood development as a shared equity owner.
- 3. Option 3: To purchase a property on Craylands Estate not due for demolition or a resale property on Beechwood as a shared equity owner.
- **4. Option 4:** To purchase a property in the Basildon Town area as a shared equity owner.
- **5. Option 5:** To purchase a property on the Beechwood Estate on shared ownership terms and conditions.

The options for relocation

Negotiations for the purchase price of your home will commence 6-9 months before you are due to move. This will give a reasonable period for you to consider your options for future accommodation.

The options you choose will depend on your individual circumstances. There are 5 options for you to consider, which are set out in detail over the following pages. To qualify, you should be using the property as your only or principal home and will have to have lived there for 12 months immediately preceding the sale to Swan.

Independent Advice

If you would like free, independent advice, please contact the independent advisor, Communities First who can be contacted on **0300 365 7150** or email **craylands@communitiesfirst.uk.com**

Option 1: Resident homeowners who wish to move away from the Estate

Swan will buy your current home at open market value and you will move off the Estate.

This will apply to properties in the North of the estate. Properties in the South area will be subject to planning permission being achieved and confirmation of funding.

You will also receive a 'Home Loss' payment of 10% of the value of your home to a maximum of £61,000 (provided you have used your property as your only or main home for 12 months immediately preceding the date of sale).

You will also receive help with the reasonable cost of moving by way of a Disturbance Payment.

Example for home owners wishing to move away from the estate

Current property value: £150,000

Home Loss Payment: (10% of value) £15,000

A Disturbance cash payment £2,000

Total payment towards new property: £167,000

Swan will also pay the reasonable legal and surveyor fees and disbursements incurred in selling your home to Swan and buying another.

Option 2: Buying an Equity share of a new property on the Beechwood development

We recognise that for different reasons some homeowners may be unable to purchase a property in which case the equity share option may be suitable for you. To qualify, you should be using the property as your only or main home for 12 months immediately preceding the sale, in accordance with section 29 of the Land Compensation Act 1973.

The homeowner sells their property to Swan and purchases a new property on Beechwood from Swan on a shared equity basis using the value of their existing home less any outstanding mortgage (max number of bedrooms based on their existing property). Swan takes an equity share in the property of a maximum value up to £100k; Swan's equity share will be repaid when the property is sold in the future. The homeowner keeps their home loss payment.

An example of how this will work:

Value of existing property £150,000

Outstanding mortgage £50,000

Equity held by homeowner £100,000

Purchase price Beechwood property £250,000

Homeowner transfers or replaces existing mortgage and contributes £150,000 (including the equity held by the homeowner for the existing property towards the cost of the new Beachwood property £150,000

Swan HA retains an equity share in the lease to the value of £100,000

Homeowner will hold an equity share of 60% Swan HA takes an equity share of 40%

- The homeowner will also receive a Home Loss Payment of £15,000 (being 10% of the value of the existing property) and reasonable moving costs.
- The homeowner will not pay any rent or interest on the share they do not own
- The homeowner will be responsible for paying any ground rent, service charges and other property charges that may apply.
- The new lease can be transferred by agreement, to first generation children & relatives. If the property is sold to a third party Swan's share will become payable.

- The homeowner will be able to buy additional 10% shares of the property, at the market value at the time, up to 100%.
- The homeowner must put the minimum of the purchase price of their current property towards their share of the home. If the homeowner can purchase a minimum of 40% they can keep the Home Loss Payment.

Option 3: Buying an equity share of a property on Craylands

The homeowner sells their existing property to Swan and purchases either an existing property on Craylands that is not due for demolition or a resale Beechwood property from a third party on the open market. The new property must have the same number of bedrooms or less as the existing property.

The homeowner will buy the freehold interest using the value of their existing property less any mortgage outstanding. Swan will purchase an equity share of the property from the homeowner of a value up to £100,000. Swan's equity share in the property will be registered as a legal charge, secured by way of a mortgage. The mortgage will be the first charge (or second charge where there is a mortgage lender). The registered charge will be repaid when the property is sold in the future. The homeowner keeps their home loss payment.

An example of how this would work:

Value of existing property £150,000

Outstanding mortgage £ 50,000

Equity held by homeowner £100,000

Purchase price Craylands property or Beechwood resale £250,000

Homeowner transfers or replaces existing mortgage and contributes £150,000 towards the cost of the new Beechwood property £150,000

Swan contributes £100,000 to the purchase price of the replacement property. £100,000

Homeowner owns the freehold interest at 100% (subject to any mortgage transferred or replaced). Swan HA holds a registered legal charge equivalent to 40% share of the value of the property.

 The homeowner will also receive a Home Loss Payment of £15,000 and reasonable moving costs.

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- The homeowner will not pay any rent or interest on the share they do not own.
- The homeowner will be responsible for paying any ground rent, service charges and other property charges that may apply.
- The new lease can be transferred by agreement, to first generation children & relatives. If the property is sold to a third party Swan's share will become payable.
- The homeowner will be able to buy additional 10% shares of the property, at the market value at the time, up to 100%.
- The homeowner must put the minimum of the purchase price of their current property towards their share of the home. If the homeowner can purchase a minimum of 40% they can keep the Home Loss Payment.

Option 4: Buying an Equity Share in Basildon

The homeowner sells their property to Swan and buys a replacement property from a third party on the open market in Basildon Town. The maximum number of bedrooms is based on their existing property. The homeowner will buy the freehold or long leasehold interest using the value of their existing home. Swan will purchase an equity share of the property from the homeowner of a value up to £100,000. Swan's percentage interest in the property will be registered as a legal charge, secured by way of a mortgage. The mortgage will be the first charge (or second charge where there is a mortgage lender). The registered charge will be repaid when the property is sold in the future. The homeowner keeps their home loss payment.

This option is the same as option 3 except the property will be anywhere in the Basildon Town area not specifically the Craylands estate.

An example of how this would work:

Value of existing property £150,000

Outstanding mortgage £50,000

Equity held by homeowner £100,000

Purchase price of replacement property bought on the open market. £250,000

Homeowner transfers or replaces existing mortgage and contributes £150,000 towards the cost of the property £150,000

Swan contributes £100,000 to the purchase price of the replacement property.

Homeowner owns the freehold interest at 100% (subject to any mortgage transferred or replaced). Swan HA holds a registered legal charge equivalent to 40% of the value of the property.

- The homeowner will also receive a Home Loss Payment of £15,000 and reasonable moving costs as required under the Land Compensation Acts.
- The homeowner will not pay any rent or interest on the share they do not own or interest on Swan's legal charge.
- The homeowner will be responsible for paying any ground rent, service charges and other property charges that may apply.
- The new lease can be transferred by agreement, to first generation children & relatives. If the property is sold to a third party Swan's share will become payable.
- The homeowner will be able to buy additional 10% shares of the property, at the market value at the time, up to 100%.
- The homeowner must put the minimum of the purchase price of their current property towards their share of the home. If the homeowner can purchase a minimum of 40% they can keep the Home Loss Payment.

Option 5: Purchasing a shared ownership property on the Beechwood development

The homeowner sells their existing property to Swan and purchases a new shared ownership property on Beachwood from Swan using all the equity in their existing home to purchase a share of less than 100%. Typically, the minimum share that can be purchased on a shared ownership scheme is 30%. Swan will retain the remaining share. The leaseholder will pay a rent on Swan's share calculated at the prescribed shared ownership rental levels (currently 2.75%). The homeowner keeps their home loss payment.

An example of how this would work:

Value of existing property £150,000

Outstanding mortgage and/or debts secured against the property £65,000

Equity held by homeowner £85,000

Purchase price of replacement shared ownership property on Beachwood. £250,000

Homeowner contributes the equity from their existing property. £85,000

Homeowner purchases 35% share

Swan retains 65% share, homeowner pays rent on Swan HA's share.

- The homeowner will also receive a Home Loss Payment of £15,000 and reasonable moving costs.
- The homeowner will pay rent on Swan's share.
- The homeowner will be responsible for paying any ground rent, service charges and other property charges that may apply.
- The homeowner will be able to buy additional 10% shares of the property, at the market value at the time, up to 100%.
- The homeowner must put the minimum of the equity they receive from their current property towards their share of the home.

Swan and Basildon Borough Council will also consider any exceptional circumstances that may apply to individual households who are unable to purchase an alternative property on any of the schemes described above.

The process of selling your home to Swan

If you are a homeowner affected by the regeneration, Swan will contact you individually to discuss the terms and conditions of the purchase of your home and the options available to support you in obtaining alternative accommodation.

What happens if I extend/improve my new home?

Once you've purchased your home through a shared equity scheme, any major improvements you make (for example: a conservatory) may affect the value of the property. If you decide to sell your home in the future, your property will need two valuations. One of these valuations will include the improvements you've made and the other will be based on the original house you purchased. When you sell your property, you'll receive back the value of the percentage of the property you own, plus the difference between the two valuations. You, not Swan, will benefit from improvements you make.

For example, if you own 50% of your property:

Property valuation including improvements: Property valuation without improvements: Value you've added:	£250,000 £220,000 £30,000
Your property sells for:	£250,000
Swan will receive 50% of the sale price, less the value added:	£110,000
You'll receive:	£140,000

The date your home would be purchased

Because the remainder of the regeneration programme is scheduled to take place in phases, not all Homeowners in homes to be demolished will be contacted immediately.

You will be kept informed throughout the process and nearer to the time of moving you will be individually contacted by Swan to discuss the terms and conditions of the purchase of your home and the possible options available to support you in obtaining alternative accommodation

Swan will do its best to ensure that homeowners will only move once to their new home. However, in certain circumstances homeowners might need to move temporarily before moving into their final home.

Being bought out early

If you live in the South of the Estate and wish to sell your property early and move off the Estate, please contact the Development and Investment team at Basildon Borough Council. Each case will be considered on its own merits

Valuing your property and Compensation

Swan will offer you the open market value of your home. For valuation purposes we assume that you would be willing to sell at the open market value that you could reasonably achieve in the market.

In addition to paying the open market value, Swan will pay an extra 10% of the value of the home subject to a maximum of £61,000. This is termed the "Home Loss "payment. A Home Loss payment is only made to homeowners who have lived in their property as their main or only home for at least for 12 months preceding the date of sale.

Disturbance payments for homeowners

In addition, you will qualify for the reasonable costs of moving to be paid by Swan. These costs are known as disturbance costs.

This following is not intended to be a definitive guide to Disturbance payments but as an aid to understanding what constitutes "disturbance". For further information you are advised to seek your own independent advice. This note endeavours to explain the legal requirements and the type of costs that can be claimed by homeowners when having to sell their property in the circumstances of the regeneration scheme.

Section 37 of the Land Compensation Act 1973 stipulates that where a person is displaced from any land as a result of an authority possessing compulsory purchase powers, person shall be entitled to a disturbance payment. A person will not be eligible for disturbance payment if not in lawful possession of the land from which he is displaced. No time limit to pay disturbance compensation.

It is meant to cover the reasonable costs incurred when a homeowner must move, however the costs must not be too indirect and the claimant must do their best to keep the costs down. The principle is that a claimant should not be in any worse or necessarily any better position because they must sell their home.

The costs a homeowner can claim as disturbance varies according to their circumstances so can vary between neighbours. In all events the costs must be reasonable. Examples of the type of costs that may apply to homeowners are:

- Removal costs
- Legal and surveyor's costs
- Disconnection and reconnection of services including cable / satellite TV.
- Forwarding post for three months
- A contribution to adapting carpets and curtains that may be required.
- Where a mortgage is in place it can include any reasonable mortgage redemption fees if payable, surveyor's costs incurred when applying for a mortgage, sometimes mortgage arrangement fees if it is shown they are unavoidable.
- Stamp Duty Land Tax (SDLT) may be included at the rate payable in purchasing an equivalent property.

Swan will pay £2,000 as a Disturbance Payment to cover these costs, however if you can demonstrate that your reasonable disturbance costs are more than £2,000 Swan will consider paying them.

As part of the disturbance payment, Swan will pay your reasonable fees involved in the selling and buying of a property.

Special Adaptations within the Home

If, following the recommendations of an Occupational Therapist you have had special adaptations made to assist you within your home Swan will pay for disconnection/removal from your existing home and refitting in the new home. This will be carried out normally as advised by an occupational therapist who would nominate a suitable contractor if necessary. This would generally only apply to households moving to a home outside of the Estate. If the adaptations could not be reinstalled in the new home, Swan, in consultation with the Council's Occupational Therapists, would arrange for new adaptations

Non-resident Homeowners

If you are a non-resident homeowner, Swan will buy your home, subject to vacant possession, at its open market value. You will be responsible for ensuring that you give Swan vacant possession. This means that everyone living at the property has left it and you have cleared it of all personal effects. If the property is rented, then you will be responsible for ensuring that any agreement has ended and that tenants leave the house.

Additionally, Swan will pay a statutory Basic Loss payment, the reasonable fees incurred in selling your property to Swan and purchasing another. Swan will also pay any reasonable re-investment costs should you choose to buy a replacement property for investment. The replacement property must be bought within 12 months of completing the sale of your existing property. Basic Loss Page 16

Payments are covered under Section 33A of the Land Compensation Act 1973 where persons who have a qualifying interest in land which is compulsorily acquired but whom are not in occupation of the dwelling which is being compulsorily acquired. Therefore to the extent that they are not entitled to Home Loss payments in respect of any part of their interest they are instead entitled to a payment of whichever is the lower of 7.5% of the market value of their property or £75,000.

6. Compulsory Purchase

Basildon Borough Council and Swan are committed to ensuring that all Homeowners can find a new home.

However, if Homeowners do not take up one of the above options, Basildon Borough Council, as an Acquiring Authority will seek to use its powers of compulsory purchase to ensure that the Estate Regeneration can go ahead.

Compulsory purchase powers are provided to enable Acquiring Authorities to compulsorily purchase land to carry out a function which is in the public interest. Anyone who has land acquired is generally entitled to compensation.

The use of compulsory purchase powers is a last resort and Swan and Basildon Borough Council would seek to negotiate with relevant individuals or parties before seeking to make a compulsory purchase order.

Homeowner compensation:

To recap, as a homeowner you would receive:

The market value of your property (without any increase or decrease attributed to the development scheme) & a home-loss payment of 10% of the value of your property (up to £61,000) & other reasonable expenses associated with moving home.

Please note that you have a duty to ensure that you do not make your claim greater than it might have been by spending money on items or improvements that you intend to make a claim for.

The other reasonable expenses which may be claimed for moving home expenses include:

- Removal expenses,
- Legal fees, stamp duty and surveyor's fees arising from the acquisition of a replacement property
- Special adaptations of the replacement property
- Disconnection and reconnection of services telephone, electricity etc
- Forwarding of post (for 3 months)

Every claim will be considered on its own merits. You must justify your claim and you must keep detailed records of losses sustained and costs incurred in connection with the acquisition of your property.

MHLG - Compulsory purchase and compensation booklet 4: compulsory purchase & compensation to residential owners & occupiers.

https://www.gov.uk/government/publications/compulsory-purchase-and-compensation-booklet-4-compensation-to-residential-owners-and-occupiers

Right of Appeal to the Upper Tribunal (Lands Chamber)

Any dispute as to the amount of compensation can be referred either by the tenant or Basildon Borough Council to the Upper Tribunal.

Upper Tribunal (Lands Chamber) Telephone: 020 7612 9710 Monday to Friday, 9am to 5pm

Fax: 020 7612 9723 lands@hmcts.gsi.gov.uk

Upper Tribunal (Lands Chamber)
5th floor, Rolls Building
7 Rolls Buildings
Fetter Lane
London
EC4A 1NL

7. Example of relocated households

In 2002 Swan, in partnership with Basildon Borough Council, needed to purchase 41 properties on the Five Links estate to facilitate the continued regeneration of the area.

This process of 'Buyouts' commenced in the summer of 2002. Below are two examples of how the process went for two of the owners on the estate. They are used for illustrative purposes only.

Example 1:

An older couple on the estate were approached by Swan to acquire their property. They attended several consultation days and met with Swan staff to discuss the process and the options available. They lived in a 3-bedroom house

on the estate and had been considering selling their property and moving to a smaller property or renting so they could spend the money they would receive for their house on their retirement.

Swan worked closely with the couple to look at all the options available and keep them updated with the process. Swan arranged for an independent Valuer to inspect their property and produce a valuation report, at no cost to the owner. The property was valued at £72,500, the couple accepted this amount based on their own knowledge of property values in the area. In addition to this, Swan gave a payment of 10% of the value as compensation and a disturbance cost towards the costs of removals.

In total the couple received a payment of £82,130 from Swan. The couple decided to buy another smaller house in Basildon (2 bedroom), which enabled them to release some equity for their retirement. Swan arranged for the relocation of their grab rails into the new house and helped the couple find suitable removal firms for the move.

Example 2:

A 2-bedroom flat belonging to a single parent with a young child within the Regeneration area of the estate, the family attended consultation sessions organised by Swan and discussed the proposals with Swan staff. An appointment was arranged for Swan to visit the family with a surveyor to discuss in detail the options available and obtain an open market valuation.

Swan's value for the property was £54,000, the owner wanted to have their own valuation undertaken this was £55,000. Swan and the owner came to an agreement of a value of £54,500. The value was agreed at £54,500 and along with the compensation payment of 10%, and disturbance costs the family received a total of £62,200. The owner was keen to stay in the area, so Swan sent her details of all the estate agents dealing with the Laindon area. Swan worked closely with the estate agents to identify suitable properties. Because of the compensation payments the family were able to find a house on the estate with a garden within their budget. They had spent some money replacing kitchen units in their previous property Swan agreed that they would able to take these into the new property with no effect on the valuation.

8. Frequently asked questions

When will work start to demolish properties?

For the North phase we anticipate work will begin in July 2019.

The South phase will depend on the progress of the North phase.

Will my house be demolished?

Some demolitions will be needed. Detailed plans regarding the homes which will required to be demolished on the North are available and all homeowners on the North phase have been notified. As we develop the plans for the South phase of the Craylands regeneration programme we will be in a better position to start advising residents who will be directly affected by demolitions.

Will I be compensated for the loss of my home?

We will provide residents with the market value of their property (without any increase or decrease attributed to the development scheme) + a home-loss payment of 10% of the value of your property

How much notice will you give of the start of demolitions?

We intend to give you at least 6-9 months' notice before your property is needed for demolition.

9. Who can I contact for further information?

General enquires:

If you have any general enquiries, please contact staff at the Beech Community Centre.

Alexandra Blackwood, Community Development Officer, 01277 844242,

Mob: 07493 867699, ablackwood@swan.org.uk

Rob Pearce, Homeownership Project Manager, 01277 315283,

Mob: 07860 411308, rpearce@swan.org.uk

Swan Project Management:

Mark Stallard, Regeneration Manager Tramway House, 3 Tramway Avenue Stratford, London Call: 01277 844728

Basildon Borough Council:

Rab Fallon, Housing Manager (strategy) The Basildon Centre, St Martins Square, Basildon SS14 1DL 01268 294012

Communities First Independent Advisors:

0300 365 7150 or email craylands@communitiesfirst.uk.com

Independent Planning Advice

Planning Aid East of England is part of a national planning aid service that offers free, independent and professional advice on town and country planning issues to community groups and individuals, who cannot afford to pay a planning consultant.

They can be contacted on freephone **0870 850 9801** or visit www.planningaid.rtpi.org.uk

10. Glossary of Terms

A guide to some of the terms used in this document that may be unfamiliar to you:

Homes England

Homes England is the government's national regeneration agency. Our aim is to deliver high quality, sustainable growth in England.

Equity Share

The equity in a property is shared between the homeowner and Swan, usually expressed as a percentage of the value. The terms and conditions are detailed in a Shared Equity Lease. The Homeowner does not pay rent on Swan's share. The homeowner is responsible for all associated property costs such as service charges.

The Estate

Craylands Estate, Basildon Adult Community College, Clinic and the surrounding land collectively referred to as the former Fryerns School site.

Home Loss Payment

The amount of money you would get as compensation for having to move permanently out of your property which you have lived in as your main or only home

Homeowner

Any leaseholder or freeholder owning and occupying a property on the estate as their only or main for at least 12 months prior to acquisition by Swan..

Independent Advisor

An organisation who can offer homeowners independent advice and support during stock transfer and major regeneration schemes.

www.swan.org.uk www.nuliving.co.uk www.beechwoodcommunity.co.uk