

Camden's Community
Investment Programme

Information for **Non-Resident Leaseholders**



Estate Regeneration, Gospel Oak and Haverstock



What regeneration means for you – non-resident leaseholders

Camden People's Regeneration Pledge for non-resident leaseholders – key points

- You will be compensated for loss of your property at market value plus a statutory compensation
- You will receive compensation for having to move home and the Council will reimburse you for the costs of moving.

We will make sure that all leaseholders get a fair deal from the regeneration of council housing estates.

If you own your home on a Camden Council estate but do not live in it, and we need to purchase it either to demolish it or to refurbish it, then this leaflet is relevant to you.

If you are a resident leaseholder (that is you live in the home that you own on a Camden Council estate), then we have a separate booklet outlining the options available to you.

When will I be told what is happening to my property?

The Council will be open and transparent with residents and property owners when it is considering developing plans for the regeneration of an estate. This is not only to allow people as much time as possible to plan, but also so that all non-resident leaseholders can give plenty of time to private tenants of leaseholders to make future living arrangements.

Where the Council is considering demolishing some homes in order to deliver the maximum benefit from estate regeneration, then we will discuss the available options with residents.

Where a proposed scheme is large, for example building over 150 homes and demolishing existing council homes, the Council will carry out a ballot of all estate residents. If a majority of the residents who vote are in favour of the proposals, then regeneration will proceed.

Acquisition of homes to facilitate regeneration

If your property needs to be demolished to facilitate wider regeneration, then as a non-resident leaseholder, the Council will seek to buy back your current property at an open market value and you will receive an additional 7.5% basic loss payment if it has not been your principal home for at least 12 months. If you were resident within the last 12 months but are no longer, you may be entitled to 10% payment instead of 7.5%.

You will also be eligible for disturbance payments to cover the costs associated with the sale of your property to the Council and your onward purchase of a new property. You must, however, buy a new property within 12 months of selling your existing home to the Council in order to be able to claim costs of such onward purchase. You can seek to purchase a new home on the redeveloped estate, however this will be sold to you at its full market value and you are not entitled to any discounts.

The timing of when the Council will start looking to acquire leaseholder properties on an estate will be linked to the regeneration programme for that estate. We will keep you informed of progress on the regeneration programme to enable you to plan ahead.

Private tenants of a non-resident leaseholder

If you are a non-resident leaseholder who has private tenants living in the home that you own, you are responsible as their landlord. When you sell your home to the Council, you will need to give your private tenants notice and then provide an empty property to the Council.

As a private landlord you will be required to give up your property empty when you sell it back to the Council. This is called Vacant Possession. It is therefore very important that you properly terminate the tenancy agreement with your tenant and that you keep them informed of the timescale of selling your property back to the



Council, so that your tenant can make alternative arrangements for their housing. If you are using a standard Assured Shorthold Tenancy Agreement, you must give your tenant 2 months' notice. You may wish to take advice from your Solicitor as to how to do this.

The Council will work with you and your tenants to give all of you adequate time to plan and move. The Council will not be able to provide accommodation for your tenants, however they are encouraged to engage with community liaison officers on your estate and the Council's housing options team to discuss their options if they have any concerns.

When is the value of my home determined?

The valuation of your home will take place when you seek to proceed to sell your home or when the Council seeks to acquire your home.

Properties will all be valued by a Royal Institute of Chartered Surveyors (RICS) valuation

surveyor instructed by Camden Council. You are also entitled to instruct a surveyor if you would like a second opinion. The Council will pay for you to have your own independent legal and valuation advice as part of this process, to support you in ensuring you obtain a fair deal. Any costs associated with the surveying and selling of your home will be reimbursed by the Council.

To reach a valuation figure, the surveyor instructed by the Council will carry out detailed research of the local property market and analyse sales information from comparable properties. The figure offered to you is known as the market value based on the price it is believed your property would achieve if it were to change between a willing buyer and a willing seller, neither being under any compulsion to buy or sell and having reasonable knowledge of the relevant facts. The valuation reflects the value of your property at the time of valuation and assumes that you will not be better off or worse off

than before the regeneration proposals. Most valuations are valid for three months.

If you do not agree with the valuation, the Council can pay for your own surveyor to carry out a further valuation. Please keep in mind that the surveyor must be a member of the RICS. If there is any difference between the valuation figures, the two surveyors will negotiate and normally reach an agreement to produce a final valuation. In most similar cases to-date an agreement has been reached at this stage.

What are the costs of moving and buying a new home?

In addition to a statutory basic loss payment, you are entitled to disturbance payments representing the costs of moving. You will be able to claim back any reasonable costs associated with your move including:

- legal, surveyor and mortgage fees associated with the cost of selling your home
- removal expenses
- legal fees associated with the

cost of buying a new home within 12 months of selling your existing home

- stamp duty arising from the costs of buying a new home
- surveyors and survey fees associated with buying a new home

Can Camden Council buy my property back earlier?

Currently early buybacks are not being considered by Camden Council. Should this situation change this will be communicated to all leaseholders.

What if I do not want to sell my existing home?

It is Camden Council's intention to work with every household to make sure that people get an offer and an option that works for them. When an agreement can't be reached, the Council has the power to buy land and property despite the owner not wanting to sell – this is called compulsory purchase. This will only be used as a last resort.

If an agreement cannot be reached, the Council will seek



a Compulsory Purchase Order (CPO) which, if confirmed by the Secretary of State, will entitle the Council to enter and take possession of your property, leaving the level of compensation to be settled later. If necessary, a reference may be made to the Lands Tribunal, an independent body with the power to determine the amount of compensation payable for property compulsorily purchased.

The Camden People's Regeneration Pledges

- **Building more social homes** - There will be no net loss of council homes in Camden - more council homes will be built under the Community Investment Programme (CIP) as well as new Living Rent homes for key workers and families on low incomes.
- **Right to Stay and Right to Return** - Camden tenants will not be moved out of the borough during regeneration and will be given priority on new council flats built. If tenants choose to stay, they will be guaranteed a home on the new estate at

a social rent level with the same tenancy conditions as they have now. A housing needs assessment will ensure tenants are provided with a new home that meets their requirements whether that is wheelchair accessibility or other adaptations or more bedrooms to address overcrowding. If they move away during regeneration, they will have a right to return, unless they move into another home newly built by Camden.

- **A fair offer for leaseholders** - Leaseholders will be compensated for loss of their property at market value plus a statutory compensation. If resident leaseholders wish to buy into the new scheme, where the new property is more expensive than the sale price of their existing home, they will be able to do so by means of a shared equity option. Thereafter, homes for sale will be marketed first to local people and key workers.
- **Support to move** - To reduce disruption to individuals and families, residents will receive financial compensation and paid reasonable disturbance costs.

- **Community-led regeneration** - Camden believes that estate regeneration schemes should proceed only with the support of the majority of estate residents. Camden is committed to ensuring that residents have a continuing opportunity to feedback and have their voice heard on schemes – this includes opportunities to say whether they think schemes should proceed.
- **Designing your new home and neighbourhood** - Tenants and resident leaseholders will be involved every step of the way in designing their new homes and neighbourhoods, from the layout of new flats to the design of open spaces. We are committed to working together to design schemes and to involve estate residents in all aspects of developing new homes, so they are designed by residents, for residents.
- **Protecting our vibrant and mixed communities** - The private development market is failing Camden. Camden has to step-in. As a direct builder we can do more than other developers by prioritising

council housing and social benefit. We are creating developments to maintain Camden's unique social mix and ensure the borough remains a place for everyone. Camden will deliver more than other developers can and prioritise:

- Social rented housing,
- Camden Living Rent,
- **Placeshaping** - As part of CIP we will also improve the wider area and as part of schemes deliver high quality new community facilities, where required.
- **Funding our building programme** - We will only build private homes to fund regeneration. All of the money raised from sales or from private renting homes through the Camden Collection will be redistributed into the building of new council and Living Rent homes, other community facilities as part of CIP or used to help fund improvements to existing council homes through our Better Homes Programme.
- **Ballots** - We will ballot residents on any estate regeneration proposals that



involve the demolition of existing social rent homes and the construction of over 150 homes to ensure that everyone understands and agrees with the offer that the Council is making to them, which will be in line with the Camden People's Regeneration Pledges.

Getting more information

This booklet is a continuation of our conversations with all residents – not the end. It does not provide all the details you will need to make an informed decision about your options and does not include the detail about the proposals for your estate.

We hope this booklet helps address some initial questions or concerns that you may have regarding the process of estate regeneration. If you have any further questions, please do not hesitate to contact the CIP development and community engagement team for your estate.

<https://www.camden.gov.uk/community-investment-programme>