

GUIDE FOR HOMEOWNERS AND PRIVATE INVESTORS

Somerset West
and Taunton



1. Introduction

The Council is committed to the regeneration of the North Taunton Woolaway Estate to build new energy efficient and quality homes which meet our residents' needs alongside providing new and improved facilities for our communities in order to provide as many opportunities as possible for our residents to fulfil their potential.

As part of this process, we need to demolish the existing Woolaway properties in Phases A (yellow); B (pink); C (green) and D (grey) and refurbish the existing Woolaway properties in Phase E (blue). Please see the phasing plan above.



Proposed sub-phasing of the Phases B & C

Following the appointment of Equans (formerly known as Engie) as the Contractor in June 2021, the Phasing Plan has been revised and Phase C has been divided into 3 sub-phases to provide a more efficient build programme and enable diversion works to take place with minimal disruption to residents.

2. Assistance for Private Homeowners in Phases A – D

We appreciate this may be a difficult time for some homeowners, but we are determined to make this process as smooth as possible for you.

This guide provides you with the most up to date information of the process involved in the Council's buy back of your property and the options available to you dependent on your circumstances. Please take the time to read this information carefully and if you have any queries feel free to contact the North Taunton Woolaway Project Team.

This guide provides an overview for homeowners of how the Council will purchase your property, how you can find a new home and what support we may be able to provide. We understand that having to sell your home to the Council can be an unsettling and challenging experience, but we will do our best to give you the support and information you need to make it as straightforward as possible. We hope that the information set out here will reassure you about the process and the rehousing options available to you and our officers are on hand to explain the process in more detail and answer any questions you might have.

Whatever your preferred rehousing option is, we aim to make the purchase of your home as straightforward as possible. We are seeking to encourage resident homeowners to remain in the local area in order that they can benefit from the changes that the regeneration will bring to the area. The options set out in this document therefore seek to ensure that:

- All resident homeowners have the ability to purchase a replacement home in the local area.
- Homeowners are not financially disadvantaged, or advantaged, by the regeneration.

The principles within this guide provide all homeowners with details of the general approach in buying back all properties, but any case falling outside of this standard approach will be considered on its own merits on a case-by-case basis.

3. Leaseholders

The regeneration of the estate can be a long process and so please be aware that the Council remains responsible for all communal repairs to the estate and your apartment block during the regeneration process and up to the point of demolition. This does mean that you will continue to receive annual service charge and major works bills during the regeneration programme up until you sell your property back to the Council.

4. When will I have to sell my property?

The redevelopment of the estate is organised on a phased basis, which means that properties are redeveloped in accordance with a programme. The North Taunton Woolaway Project has been divided in to five Phases, Phases A to E. The programme is subject to change and the Council will endeavour to keep you as up to date as possible about any changes to the rehousing programme as and when any changes occur.

In order that any homeowner does not miss out on purchasing a home of their choice which may be available now, the Council is actively seeking to purchase properties from homeowners in Phases C and D of the Project area. Properties in Phases A and B have already been purchased.

5. Am I an Owner/Occupier or Private Investor?

You may have heard the Council describe homeowners as owner/occupiers or private investors but what does this mean in the context of the regeneration?

An Owner/Occupier

Is someone who is in occupation of their North Taunton property as their sole and principal home.

A Private Investor

Is someone who owns their North Taunton property but does not reside there as their sole and principal home. That is the property is occupied by a tenant or someone else, with or without paying rent.

If you are a non-resident homeowner, it is important to note that the Council is under no formal obligation to rehouse your tenant(s) or any other occupant(s) in the property and the purchase will only be concluded once you have provided vacant possession of the property.

6. What is the process of buying back my home?

The Council will write to you to inform you that the Council intends to buyback your property and will provide information of the valuation of your home and the compensation package available.

The Council employs Chartered Surveyors who will undertake valuations on the estate. At the same time, you are contacted by the Council, they will arrange a visit to your home where the Chartered Surveyor will inspect your property and carry out a valuation.

Once you come to an agreement to sell your property to the Council you will need to appoint solicitors to act on your behalf through the sale of your property. At the point that the sale completes, you and anyone living in the property will need to leave your home. You will also need to ensure that all your, or your tenants' belongings have been removed from the property.

7. Valuing your home

Following an inspection of your property the Council will send you a written offer for your property. This will be the market value of the property.

The market valuation offered to homeowners is based “upon what the land might be expected to realise if sold in the open market by a willing seller. In assessing the open market value of your land, you are assumed to be a willing seller. However, it is assumed that you would only be willing to sell at the best price which you could reasonably achieve in the open market¹.”

In coming to the market value of the property the surveyor will have considered:

- The internal condition
- Any internal improvements to the property such as new bathroom and kitchen
- The location of the property and aspect of the property within the area
- Anything else that in the reasonable opinion of the chartered surveyor has a material impact on the value of the property.

Valuations are not based on website estimates or estate agent asking prices, but instead on actual completed sales in the local area. The written offer will also include details of the compensation to which you are entitled. Please see Question 10 for further information regarding compensation.

8. Am I entitled to my own Surveyor?

Yes, homeowners are entitled to obtain their own valuation completed by a Chartered Surveyor. The surveyor will need to be Royal Institute of Chartered Surveyors (RICS) qualified and will provide a written valuation of your property.

¹ Compulsory Purchase and Compensation: Compensation to Residential Owners and Occupiers, Ministry of Housing, Communities & Local Government

We can provide you with details of independent chartered surveyors if needed or more information about appointing a surveyor can be found on the RICS website - www.rics.org or by contacting them by email at contactrics@rics.org.

The Council will reimburse your valuation fee, subject to agreement of the fee prior to instructing the Chartered Surveyor.

9. What happens if I cannot come to an agreement with the Council?

You can instruct a RICS qualified surveyor with experience of compulsory purchase in order that you receive the best advice possible, and they will act in your interests to enter into a dialogue on the value of the property with the Council's surveyor.

The surveyor will be able to advise you and negotiate with the Council on your behalf. If after extensive dialogue between surveyors, they are not able to reach agreement over the value of your property then there are other methods to come to an agreement over value.

If the terms of the buyback are agreed and we purchase your property, the Council will reimburse the surveyor's reasonable and agreed costs. It is important that before you engage your surveyor to undertake any work, you ensure that they have contacted the Council to agree their fees, so you do not find yourself liable for any costs later down the line.

If the valuations of the two surveyors differ significantly and there is no prospect of reaching an agreement, then with the agreement of all owners of the property, and the Council, the parties can seek to resolve the dispute through alternative dispute resolution (ADR). In the first instance this will most likely be the offer of mediation. Mediation can be carried out by a qualified barrister or surveyor with appropriate experience in compulsory purchase valuation cases. All parties will need to agree on a mediator and the Council would advise that you are professionally represented by your surveyor or solicitor in any mediation. The Council will cover the costs of the mediator and also the reasonable costs for you to be professionally represented through this process.

Once mediation has taken place it is hoped that agreement between the parties would be reached. If this is still not possible, then the Council's surveyor and your surveyor will need to come to an agreement as to how to move forward, which could include other methods of ADR including binding arbitration by reference to the Upper Tribunal (Lands Chamber).

The Lands Chamber is part of the Justice system and is a court that decides disputes concerning land and property. Usually, the Tribunal will determine who is responsible for paying the costs in taking a case to the Upper Tribunal. When the matter is voluntarily referred to the Upper Tribunal the Council can pay the homeowner 90% of the valuation of your property, with the final valuation to be determined by the Tribunal, whereupon the balance would be paid. Your surveyor will be able to provide you with more advice about taking your case to the Upper Tribunal.

The value agreed by the Tribunal is the value you will receive for your home, with no further negotiation or right of appeal, and this could be higher or lower than the Council's offer.

10. Compensation

The Council is offering a generous rehousing assistance package for those resident homeowners who would be unable to otherwise afford to secure themselves suitable alternative accommodation after the repurchase of their property.

As the Council wants to buy your property, you will be reimbursed for any relevant costs that you incur as a direct consequence of you moving home. The amount and type of compensation you are entitled to depends on your circumstances and whether you are an owner/occupier or private investor homeowner.

You have up to 12 months following the buy back of your property to make a claim for compensation, in line with government guidance: There are guides which explain what compensation affected owners and owner/occupiers are entitled to and how it is assessed. These are:

- a) business owners and occupiers (Guide 2)
[\(Compulsory purchase and compensation: guide 2 - compensation to business owners and occupiers - GOV.UK \(www.gov.uk\)\)](#)
- b) residential owners and occupiers (Guide 4)
[\(Compulsory purchase and compensation: guide 4 - compensation to residential owners and occupiers - GOV.UK .](#)

11. Compensation for Owner/Occupiers

Home loss payments

Homeowners who have lived in their property for at least 12 months prior to the council's acquisition of the property are entitled to a home loss payment which is in addition to the payment of the market value for your home.

Disturbance payments

A disturbance payment is intended to compensate you for certain costs that you may incur as a result of having to move home. For the most part it is only available to resident homeowners.

Some of the items that can be claimed are listed below, although this is not an exhaustive list:

- Legal (conveyancing) fees arising from the buy back of your North Taunton home and the purchase of a new property.
- Stamp Duty Land Tax for the purchase of a new property.
- Surveyor's fees arising from the buy back of your home and the replacement property.
- Survey fee and costs in connection with the redemption/transfer of an existing mortgage or raising a new one.

In addition to the reimbursement of legal fees, stamp duty land tax and Surveyors costs, a disturbance payment is intended to compensate you for certain costs that you may incur as a result of having to move home. The level of disturbance compensation will vary dependent on bedroom

size of your property. You will receive a flat rate payment (Table 1), depending on property size of your home paid upon completion of the purchase and vacant possession of the property. This payment covers all disturbance costs relating to the household move.

Table 1 Fixed Rate Disturbance payments

Property Size	Fixed Rate Disturbance payment
1 bed	£1,900
2 bed	£2,500
3 bed	£3,000
4 bed	£3,500
5+ bed	£3,800

12. Compensation for Private Investors

Basic loss payments

Private investors may qualify for a basic loss payment if they meet certain criteria:

- You must have an interest (whether freehold or leasehold)
- You must have held that interest for a year or more prior to the Council's acquisition

The basic loss payment is 7.5% of the market value (subject to a ceiling of £75,00) and is in addition to the market value of the property.

Disturbance payments

A disturbance payment is intended to compensate you for certain costs that you may incur as a result of having to sell your investment and purchase a replacement investment.

There is limited right to disturbance for owners of investment properties who are not in occupation. Compensation is payable in respect of incidental charges or expenses incurred in acquiring a replacement property, within a period of one year from the date of the sale to the Council. Some of the items that can be claimed are listed below, although this is not an exhaustive list:

- Legal (conveyancing) fees arising from the buy back of your North Taunton home and the purchase of a replacement investment.
- Stamp Duty Land Tax for the purchase of a new investment.
- Surveyor's fees arising from the buy back of your home and the replacement property.
- Survey fee and costs in connection with the redemption/transfer of an existing mortgage or raising a new one.

Please refer to Compulsory purchase and compensation: guide 2 - compensation to business owners and occupiers - GOV.UK (www.gov.uk) for more information.

13. Finding a new home

For resident homeowners, we appreciate that finding a new home can be a challenging prospect. The Council wants to work with all resident homeowners to help you find a new home that meets your needs, is affordable and provides you with opportunities which will enable you to stay in the local area.

The rehousing option that is most appropriate to you will depend on your individual circumstances, but the options available are:

- a) Purchasing a property on the open market
- b) Purchasing a shared ownership or shared equity property via the local HomeBuy agent
- c) Purchasing a shared ownership property with a housing association
- d) Purchase a property on the open market with the assistance of the NTWP Equity Loan Scheme
- e) Becoming a Council or Affordable Housing Provider tenant.
- f) Renting on the private market

a) Purchasing a property on the open market

Many homeowners will wish to make their own arrangements when they have agreed a valuation for their existing property and simply purchase a home on the open market without any further involvement from the Council. There are many national websites, such as Rightmove, www.rightmove.co.uk or Zoopla www.zoopla.co.uk that provide information about properties available nationwide.

This option is open to both resident and non-resident homeowners.

b) Purchasing a shared ownership or shared equity property via local Help to Buy Agent

There will be new homes on other developments with housing associations or developers within Taunton offered on affordable terms such as shared ownership, shared equity, First Homes or discount market homes. Please contact your local Help to Buy Agent at: <https://helptobuyagent3.org.uk>. They are able to provide you with details of the variety affordable housing options available and details of properties available.

c) Purchasing a shared ownership property with a Housing Association.

Housing Associations will advertise new homes to buy via Shared Ownership or Resales on their own websites. Housing Associations currently developing in Taunton include LiveWest on www.livewest.co.uk; Sovereign Housing on www.sovereign.org.uk; Aster Group on www.aster.co.uk; Magna on www.magna.co.uk; Shal Housing on www.shal.org; Stonewater Homes on www.stonewaterhomes.co.uk and Willow Tree Housing Partnership on www.willowtreehousing.org.uk.

d) Purchasing a property on the open market with the assistance of the NTWP Equity Loan Scheme

Homeowners in the North Taunton Woolaway project area may require financial assistance to enable them to purchase an alternative home elsewhere to bridge the gap between the value of their Woolaway home and purchase of another property on the open market.

The Council have agreed to provide an Equity Loan to homeowners (owner/occupiers) within the regeneration area of NTWP to enable them to achieve the value of capital required to purchase a home elsewhere.

The NTWP Equity Loan Scheme is an equity loan provided to a homeowner which will be secured against the new home being purchased as a percentage of the market value rather than a fixed sum with interest. If you are interested in this option and would like further details, please contact the NTWP Project Team.

The NTWP Equity Loan is only available for resident homeowners and private landlords/private investors are not eligible.

e) Becoming a Council or Affordable Housing Provider tenant

If you need advice about your housing options or you are threatened with homelessness, you can contact the Council's Housing Options Team. You can also register on Homefinder Somerset. To join the register, you must be:

- Over 16 years old
- Have either been living in Somerset for the last 2 years, or have previously lived in Somerset for 3 of the last 5 years, OR
- Have a local connection to Somerset, for example because you work in Somerset or have immediate family who have lived in Somerset for more than 5 years
- Are not subject to immigration control.

To join the Homefinder Somerset Register visit the website www.homefindersomerset.co.uk and complete the online application form. Just click on 'Register' from the home page and follow the instructions.

If you have any difficulties in completing the forms or providing the necessary documentation, please contact the Homefinder Team. team. They can assist you in person, over the telephone or by email.

Homefinder is a choice-based lettings system where your application will be assessed and awarded priority according to your circumstances. Available properties are advertised on the website every week. It is up to you to decide which properties you would like to bid on within North Taunton. Properties are in high demand which is why it is important to bid regularly. It is important that homeowners in an active rehousing phase are proactive and get advice about their housing options as soon as possible.

f) Private renting

If you do not wish to purchase a home and you do not want to apply to the Council for rehousing assistance, then you have the option to rent a property in the private sector.

13. Compulsory Purchase Orders

We aim to negotiate the buy back of your property by agreement and where you are a resident homeowner, we will work with you to find a rehousing solution that works for you. However, to ensure the regeneration can proceed, the Council may make a Compulsory Purchase Order (CPO). This will allow the council to buy back properties without the agreement of the owner.

The Council is likely to start this process before the planned redevelopment of a particular phase and we will inform all homeowners by letter that this is proposed. More detailed information on the

formal CPO process can be found in a guide produced by the Department of Communities and Local Government www.communities.gov.uk/documents/planningandbuilding/pdf/147639.pdf.

The Council have also produced a separate Guide for Compulsory Purchase Orders for Homeowners. If you would like to receive a copy, please contact the NTWP Project Team.

14. Useful contacts

General regeneration enquires

The NTWP Project Team

The Project Team are happy to help with questions related to the project. You can contact the Project Team via Facebook, email or phone. We will be happy to answer any questions.

Email: northtauntonwoolawayprojectsomersetwestandtaunton.gov.uk

Telephone: **01823 219 159**

Facebook: [northtauntonwoolawayprojectgroup](https://www.facebook.com/northtauntonwoolawayprojectgroup)

Council Rehousing Assistance

For any information about the council's rehousing assistance, please contact the Housing Options Team on 0300 304 8000.

To join the Homefinder Somerset Register visit the website www.homefindersomerset.co.uk and complete the online application form. Just click on 'Register' from the home page and follow the instructions.

Independent Advice

For independent advice and guidance about the process of selling your home to the Council or anything regarding the regeneration of the estate you can contact Citizens Advice Bureau at St Mary's House, Magdalene Street, Taunton, TA1 1SB or telephone 0344 4889623

The Royal Institute of Chartered Surveyors (RICS) provide advice on land value and compensation and they hold a list of surveyors who are experienced in offering support on compulsory purchase matters.

RICS Contact Centre, Surveyor Court. Westwood Way. Coventry CV4 8JE

Tel: 0870 333 1600

Website: www.rics.org

Email: contactrics@rics.org

Advice for Non-Resident Owners and Private Tenants

If your property has been let to occupant(s), you will need to recover possession in order to complete the sale process. The Council has a dedicated Housing Options Team who are able to provide specialist advice and support to private tenants as well as landlords. The team ensure that the rights and responsibilities of both parties are observed and protected. The team support landlords to recover possession correctly and to support occupants in securing alternative accommodation. Please feel free to contact the Housing Options Team on 0300 304 8000 for an initial conversation.