

**Our Ref: 20120323/FC/LO**  
**23 March 2012**

**Councillor Fiona Colley**  
**Cabinet Member for Regeneration & Corporate Strategy**

Labour Member  
for Nunhead Ward

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Dear Mr Hilmi,

**Aylesbury regeneration: 1-59 Wolverton leaseholders**

Thank you for attending our third meeting on 7<sup>th</sup> March 2012. Please find attached in Appendix 1 a set of notes from the meeting. These include both introductory comments and information provided by ourselves, together with questions and answers.

Following our meeting, I am keen that we consider how best we can work together and address the very different needs that you all have. We are keen to continue to support you to make the most of the options available, and ensure that you fully understand and take advantage of these opportunities.

I would like to suggest the following as a way forward:

- **Individual meetings:** I would like to offer you all the opportunity to have an individual meeting with two of our senior officers: Mark Maginn, from our home ownership department who can help you with your re-housing issues, and Jane Seymour from our regeneration department, who can help you with any other issues. Mark has overall responsibility for our home owner assessments across the borough, including both Aylesbury and Heygate. Jane is a qualified professional, who is highly experienced at working with leaseholders in your situation. I feel that an individual meeting with them will really help us to respond to your individual issues and concerns, which is sometimes hard to do in a large meeting. Mark and Jane will contact you to arrange a meeting, but if you wish to contact them please call them on **020 7525 7431 (Mark)** or **020 7525 4907 (Jane)**
- **Follow-up group meeting:** I would like to arrange a follow-up meeting for all of you. I propose holding this meeting on Wednesday 30 May 2012 at Thurlow Lodge at 6pm, Thurlow Street. This meeting will be led by Cllr. Dan Garfield and will also be attended

by our Director of Regeneration (Stephen Platts). Unfortunately, I won't be able to attend as I will be going on maternity leave. However as always, if you would like transport, please can you contact our home ownership officers Melanie Hill or Nigel Wearing on **020 7525 4342** or **020 7525 4364**.

Since our meeting, we have also taken the opportunity to discuss with L&Q some of the feedback that you gave us at the meeting, their response has been the following:

- **Capital uplift:** L&Q may be able to offer some flexibility regarding capital uplift, this will depend on the size and location of the property that you are interested in. This is something that they will be able to discuss with you, once they have your financial information.
- **Release of financial information:** Appendix 2 to this letter sets out the financial information that L&Q need. We would encourage you to sign a disclosure form so that we can release this information, however, should you prefer to provide this information directly to L&Q then this is also fine. This information is standard information that anyone seeking to purchase a property under any sort of shared-ownership or shared-equity process has to apply to demonstrate eligibility and affordability. Providing this information does not put you under any obligation or commit you in any way, but it will allow L&Q to give you further information about options that would be available to you.
- **Contact with L&Q:** Your contact at L&Q is Claire Kemp, her telephone number is **07775 818948**. She will be contacting those residents who have agreed to issue their financial information to set up a financial meeting. She will then contact those of you who haven't yet provided financial information, to discuss how you want to approach this. In the meantime, you are also welcome to contact her directly to discuss next steps.

As always, I would encourage you to continue to meet our home ownership officers Melanie Hill and Nigel Wearing to discuss your other options and for help in finding a new home that you can afford and that meets your needs. They are available every Thursday and Friday 10am to 4pm in the Aylesbury housing office in Taplow, Thurlow Street. They can also be contacted on **020 7525 4342** or **020 7525 4364** to arrange a home visit.

Over the last few months there has been positive progress. A resident leaseholder has completed their sale – a total of 4 properties have now been bought back by agreement with the council. Another resident leaseholder has found a council property that they like and are proceeding with the purchase of the property under our shared ownership scheme.

At the meeting, you raised a query as to why we were dealing with your surveyor on valuation issues, rather than directly with yourselves. It also emerged that you understood wrongly from your surveyor that the council's offer to appoint an independent valuer had been withdrawn. As we discussed at the meeting, your surveyor has been appointed by yourselves to act on your behalf and we are obliged to direct our correspondence regarding all aspects of the valuation of

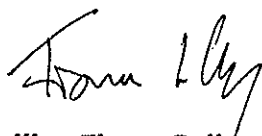
your property to them. I would like to emphasise that we are paying your surveyor's fees to ensure that you are properly advised. We would expect your surveyor to be meeting with you individually and regularly, to ensure that you are properly advised and that he is acting according to your wishes. If at any stage you decide that you are unhappy with the service you are receiving from your surveyor, then you can terminate his instruction and appoint a different surveyor to act for you.

I know that you will be waiting for an update on the possible increase in our offer for your property, based on market evidence from the two properties on the Estate that recently sold at auction. While one of these properties has now completed its sale, the other buyer has been given a further 14 days to complete. We will therefore be in a position to update you within the next couple of weeks.

I very much hope that our discussions around the market value of your homes will be concluded very soon. We remain committed to supporting those of you who remain to find a new home that meets your needs and that you can afford.

I look forward to meeting you again when I return from maternity leave,

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Fiona Colley', written in a cursive style.

**Councillor Fiona Colley**  
**Cabinet Member for Regeneration & Corporate Strategy**



## **APPENDIX 1: MEETING NOTES**

### **ITEM 1: ACTIONS FROM PREVIOUS MEETING**

The Council confirmed that all actions had been completed from the previous meeting.

#### ***Q: Can you please explain again the no worse off clarification?***

Government guidance states that residents should be no worse off in financial terms and no better off in financial terms after the acquisition of their property. The guidance defines what it means by 'no worse off', it defines this as being restricted to the categories under which compensation can be claimed, which are referred to as "Heads of Claim". There are four heads of claim, but one only applies where only part of someone's land is being purchased. The other three heads of claim which apply to Wolverton leaseholders are:

- The value of the land taken
- Disturbance: this represents the reasonable costs and losses incurred as a direct result of being disturbed from the occupation of the property.
- Fees: The reasonable surveyors fees incurred in preparing and negotiating a compensation settlement together with reasonable solicitors fees for any conveyancing are normally paid by the acquiring authority

#### ***Q: When the council's surveyor came to measure our properties, he did not measure the balcony and he did not enter into our gardens, for example one property has a bigger garden, which is well maintained. How was he able to value our properties correctly?***

The balconies on each floor on the Aylesbury Estate are mostly the same sizes. The surveyor took the balconies and gardens into consideration when he valued the properties, even though he may not have measured each balcony separately. The council has written to your surveyors to confirm that all balconies and gardens have been included in the valuations. The council's surveyor has confirmed with the surveyor acting for the leaseholders, that the balconies and flats have been taken into account. Our understanding is that your surveyor is satisfied that this has been done. If you have any further concerns, you need to raise these with your surveyor.

#### ***Q: The internal measurements taken by the council surveyor are inaccurate. What are you doing about that?***

This issue has not been raised by your surveyor. If you believe that the measurements are inaccurate then you need to notify your surveyor. If he feels that the measurements are materially inaccurate, then he needs to raise this issue with our surveyor and then we can arrange for joint measurements to be taken with both surveyors present.

***Q: Why are you dealing with our surveyor and not sending us information directly?***

You have appointed your surveyor to act on your behalf. We are therefore obliged to direct our correspondence regarding all aspects of the valuation of your property to your surveyor, who should then be sharing this with you and advising you as to what, in his professional opinion, should be your response.

***Q: We were told that the council had withdrawn the option of jointly appointing an independent valuer to resolve our disagreement on value, is this the case?***

No. The council is still prepared to refer this matter to an independent valuer, appointed by the President of the Royal Institute of Chartered Surveyors. We were informed by your surveyor that you did not want to proceed with this option. If this is something that you are interested in proceeding with, then you need to instruct your surveyor to inform our surveyor, we can then agree the details of how this would work.

As we discussed at the last meeting, you would all need to agree to use an independent valuer. Before the appointment the council and yourselves would both agree to be bound by the value that this expert assesses. This would mean that the council would have to pay you whatever the expert says your property is worth, and you would have to accept whatever the expert says your property is worth.

***Q: Why the council have not contacted us for the last two years and now all of a sudden you want to throw us in the street?***

We first contacted leaseholders to seek to repurchase your properties in October 2009. In September 2011 we contacted you to confirm that we were now moving forward with the development, making it clear that we were aiming to start demolition in January 2013. These time periods are sufficient to allow us to work with you to help you find a new home that meets your needs and is affordable.

## **ITEM 2: L&Q options next steps**

### **Introductory comments from Sara Waller**

- 8 residents have registered their interest; 1 resident has not registered their interest. The date for registering interest has passed, so the resident who has not expressed interest will not be able to take advantage of the L&Q offer.
- We provided a list with the notes of the previous meeting of 7 L&Q developments in London and the South-East where their offer would be available.
- To help residents understand which of the L&Q options is preferable for them, we need to have their permission to release the financial information that they have submitted to us.
- We have contacted residents to seek this permission, we have had this authority from 3 residents and are waiting for the forms to be returned by the other 5 residents. Mark Maginn has copies of the forms here tonight, if you would like to speak to him afterwards.
- L&Q will also be organising for the residents to see some of the properties, as they become available.
- L&Q asked us to pass onto you a copy of the marketing information for one of the properties, Willow Court. This development is in Sydenham – they feel that this is a particularly nice development, that you might want to have a look at. If you are interested in looking at this, then let Claire Kemp know.

***Q: Why do we have to give all of our detailed financial information to L&Q, why is it any of their business what we spend on a day to day basis? Other people buying a house don't have to share this information.***

Where anyone is seeking to purchase a shared-ownership property then financial information has to be provided to demonstrate that they are eligible for shared ownership and that they are able to afford home ownership. L&Q do not require the same level of financial information as the council does, but they do require some key information. We can find out from L&Q if it would be possible for residents to provide this information directly to L&Q and we can also ensure that only the necessary information is given. However, without providing this information it is not possible for L&Q to provide leaseholders with any additional information.

***Q: Why do we have to forsake capital uplift in our property, this doesnt seem right, we have worked our whole lives to own our properties?***

From our previous discussions, we understood that your major concern with shared ownership was that you had a pay rent on part of the property. The L&Q offer gives you the opportunity not to pay rent. However, where you only have 50% of the value of the

property, then you would not receive capital uplift. The benefit is you don't have to pay rent. You have the alternative option of a more typical shared-ownership where you would get capital uplift but where you would have to pay rent.

***Q: How can we visit L&Q properties?***

The best way is to telephone them and arrange a visit. We would ask that you telephone Claire Kemp at L&Q directly, her telephone number is **07775 818 948**

***Q: Does the council receive any money from L&Q?***

No.

***Q: Leaseholders with pets don't have many options, L&Q and other housing association won't accept them?***

This needs to be discussed with L&Q and housing associations on a case by case basis.

***ITEM 3: 1-59 NEW DEVELOPMENT UPDATE***

***ITEM 4: CPO PROGRESS AND NEXT STEPS***

**Introductory remarks from Sara Waller**

- Final bids from four developers due this Friday. We will be making a decision in April. So we will be in a position to start the development in 2013.
- As a result, we have now served notice on all of the temporary accommodation occupiers of 1:59 Wolverton (21 properties), and will be starting to decommission these properties. Within the next few weeks you will start to see properties being boarded up, and by the summer by the summer we expect the majority of these properties will be welded up. .
- Initial letters about the CPO have been served. We have had a response from 7 of the owner-occupier leaseholders. Thank-you.
- If you have not returned the letter to us, we would be grateful if you could. This simply ensures that all the people affected get the information on the CPO process, as it progresses.
- We will be making the Compulsory Purchase Order in the next few weeks. We will be sending notices of the Order to each property and they will also appear in local newspapers over the following two weeks. Notices will also be displayed on the site.
- There will then be a period of 21 days for any objections to be submitted. They will then be considered by the Secretary of State before the Order is confirmed.

***Q: What is the area included in the CPO?***

The Wolverton proprieties 1-59 the green area and basketball court.

***Q: Why the Creation has spent £ 2000 to refurbish the basketball court, could that money put towards buying the leaseholders?***

The amount of money that we are offering leaseholders is based on our assessment of market value, it is not driven by available budget. The decision was taken to undertake minor repairs to the basket ball court, as Burgess Park is closed and there is a need for more areas for children to play.

***Q: Will you be able to explain to us the CPO notices to us?***

Yes. If you would like us to take you through the CPO notice, then we are happy to do so. Please contact your home ownership officers and we will arrange for someone to explain the information to you.

***Q: Can you please tell us what is going to happen the day of the CPO, will the council throw us out on the street?***

The use of CPO is not something we want to do. We want to work with you to find a solution, to agree a market value and to support you to find a new home that meets your needs and that you can afford. But it is a long process, so in case it is not possible for us to reach agreement with any of you, we are starting the process to make sure that we are able to progress with the regeneration of the area and deliver many more new homes. We will do everything possible to avoid a situation where we would be forcibly evicting anyone.

***Q: If we oppose the regeneration on this site and won't move, maybe the Council will decide to move on with another site first.***

No

***Q: Is it true that the last four proprieties in Heygate are moving into council proprieties?***

No. The rehousing offer for the Heygate leaseholders is the same as for Aylesbury leaseholders. Leaseholders are only offered council tenancy on the basis of strict criteria, principally financial.



## **ITEM 5: VALUATIONS PROGRESS AND NEXT STEPS**

### **Introductory remarks from Jane Seymour**

- Our Principal Surveyor has met with your surveyor Mervyn Warren, who has subsequently met with yourselves. We have received further correspondence from Mr Warren restating the values you would like for your properties. However, we have not received any evidence or methodology to back up your surveyor's position.
- The gap between our valuations and the estimates your surveyor seeks are significant – an additional £60k on average. We are not able to pay these values, as we do not believe that these values represent the market value for your properties.
- So there is a choice for you to make here:
- One option would be for us to agree a valuation now close to the council's current offer – there may be some scope for us to provisionally offer a small increase based on market evidence from the two properties on the Estate that recently sold at auction. Our offer for a three bed property might typically increase by £15k. We will be able to confirm this to you when the sales complete in the next couple of weeks and will then write to individual leaseholders with a specific offer for their property. Agreeing a valuation now would allow you to move home before the block starts emptying, taking advantage of the L&Q offer or our re-housing assistance. If you are interested in this offer, then you need to contact us, either directly or through your surveyor.
- However if you are not willing to consider reviewing your expectations in terms of value now the council will have no choice but to wait for the CPO process to proceed and for the value of your flat to be settled at Land Tribunal. We do not believe that this is in either of our interests. Your property will be in a block that is largely empty of residents for many months, and we recognise that the uncertainty is stressful for you. The land tribunal process is likely to take much longer than the CPO process, so you will need to find alternative accommodation with only 90% of the value of your property. In this scenario the opportunity to take the L&Q offer will have been lost. In addition, our policy is to withdraw our offer of rehousing assistance where we have to rely on a CPO.
- This is something for you to decide.

***Q: Leaseholder accept that they need to move but the council need to assist them more, especially by making a higher offer for our properties.***

We are unable to pay the values that you are seeking. We have to pay you market value for your property, we do not believe that the values that you are seeking are market value. Your surveyor has provided no evidence as to why these values are justified.

***Q: On what market value is the valuation is based on?***

We are basing our valuations on a methodology agreed by the Lands Tribunal in the case of Kidbrooke Estate in Greenwich. This methodology uses properties on the estate as the basis for the valuation. As a result, we will increase our offer to you, if the two properties sold at

auction recently complete their sales.

***Q: If L&Q wins the bid for site 7, should we not wait and talk directly to them?***

No that won't be possible, because even in the event of them winning the bid, the Council will need to hand over to them an empty site. The sale of the land would be conditional on this, so all negotiations need to be with the council.

***Q: Is there any more information that you would need from our surveyor?***

Yes we are still waiting for the additional information from your surveyor, he needs to explain how he arrived at their evaluation. Since the discrepancy between our offers and their request is big, they need to demonstrate what is taken in consideration to arrive to that figure.

***Q: Can we attend the meeting between our surveyor and the council's surveyor?***

Leaseholders need to speak to your surveyor about this.

## **ITEM 6: OUTSTANDING QUESTIONS**

***Q: Why all these people are at this meeting?***

The council officers present are involved in the Aylesbury Programme and Creation Trust is here to support residents. We all feel for the difficult and stressful position that the leaseholders find themselves in, and wish to help however we can. Creation can offer independent financial advice and also have an officer from Southwark pensioners centre at their offices twice a week who can help with forms.

***APPENDIX 2: FINANCIAL INFORMATION REQUIRED BY L&Q***

- Leaseholder name(s)
- Current address
- Telephone number
- Monthly Income
- Monthly Expenditure
- Remainder
- Savings
- Age(s)
- Current valuation of Aylesbury home
- Valuation agreed? Y/N
- Statutory homelessness payment based on current valuation
- Equity based on current valuation (£)
- Mortgage status

