

# BUY BACK OF EX COUNCIL HOUSES

Approved by Committee on  
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## Document Control

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## 1. Purpose Statement

1.1. With an ever-increasing demand for affordable housing it is important that Aberdeen City Council looks at ways of increasing the housing stock in order to meet this demand. At the City Growth & Resources Committee on the 7 February 2019 the committee members approved the revised criteria of the existing “Buy Back Scheme” to include any ex-council properties.

1.2. This approach will help towards providing a sustainable housing stock that meets the needs and expectations of our tenants and provides more affordable housing within the city which supports vital key workers in education, care and the health sector.

1.3. The Buy Back scheme sits alongside Aberdeen City Council’s, Strategic Housing Investment Plan (SHIP) for 2015-2020, which sets out the Council’s plans for the development of new affordable housing over the next five years.

1.4. The policy has two main objectives, firstly to increase our stock of social housing and secondly to bring Aberdeen City Council back into being the sole or majority owner in particular mixed tenure housing blocks in the city.

## 2. Application and Scope Statement

2.1 This policy will affect all owner’s occupiers who bought their home through the Right to Buy legislation. The current housing market in the Aberdeen area is still slow following the property crash of 2014/2015. House prices have reduced by around 20/25% with two-bedroom flats taking the biggest fall. Sellers are finding the market very challenging with a glut of property and buyers looking for bargains. It is anticipated that the council will be in a position to buy back suitable properties, with council providing 4 million pounds of funding from the Housing Revenue Account.

## 3. Responsibilities

3.1 . The responsible officer for managing the policy is the Chief Officer Early Intervention and Community Empowerment

3.2 . Any non-compliance with policy can be reported to policy owner Chief Officer Early Intervention and Community Empowerment

## 4. Supporting Procedures & Documentation

4.1 The application for the Buy Back scheme are uploaded on to Onedrive together with the associated documents including a Home Report and Energy Certificate. Access to these documents and the proforma is provided to staff who need to make comments and recommendations on the applications. Once all comments have been received the final decision rests with the Chief Officer Early Intervention and Community Empowerment

and the Corporate Landlord. Related Policies include the Strategic Disposal of vacant council houses.

## 5. Policy Statement/s

### 5. How the policy works

5.1. Aberdeen City Council will under certain circumstances buy back ex-council properties sold under the Right to Buy legislation if they meet certain criteria. Each application requesting Aberdeen City Council to consider buy back will be judged on an individual case by case basis. All types, sizes and location of property will be considered including multi storey, adapted and sheltered.

There are several reasons why the council might buy back a property, these are:

1. An identified Strategic need for this type and size of property.
2. Purchasing the property would demonstrate good asset management and represent value for money for the Council.
3. Properties in areas designated for regeneration or demolition.
4. The owner meets the criteria within the Scottish Governments, Home Support Fund (Mortgage to Rent Scheme).
5. Ownership consolidation where re-acquisition returns the block to full or majority Council ownership.
6. Specialist accommodation such as fully wheelchair adapted properties or designated as amenity housing.

### 5.2. Applicants must provide the following documentation;

1. A Home Report dated no more than 4 weeks from time of application.
2. An Energy Performance Certificate (EPC)
3. Power of attorney (if appropriate)
4. Title Plan & Deeds of the property you are selling

There are several statutory compliant surveys the Council require to undertake before a decision can be considered. The following surveys and safety checks are required, so access must be available for the nominated surveyors.

Surveys include;

1. Scottish Housing Quality Standards (SHQS)
2. Electrical Safety Check

### 3. Gas Safety Check (if applicable)

The Council provide affordable housing within the city and as such must work within a regulatory framework within the social housing sector. To ensure affordability and that the potential acquisition represents value for money, any items highlighted by the survey's will be costed allowing the Council to make a balanced decision.

Once all the documentation and surveys are complete, a decision will be available within 28 days. The council will then enter negotiations with you or your representatives to find a mutually acceptable price for your property. If any delays are incurred the owner will be contacted and made aware of the delays. any outstanding debt identified as being owed to Aberdeen City Council will be deducted from the sale proceeds prior to settlement

- 5.3 Aberdeen City Council are under no obligation to purchase your property under the new policy arrangements. You can if you wish to do so also market your property for sale (or let) either privately or through solicitors and estate agents while the Council considers your application for purchase,. There is no formalised appeal process, each decision is considered carefully in the context of housing strategy, affordability and value for money for the Council. However, officers will always explain the reasons for a refusal and help to answer any questions you may have.

**Note: any outstanding debt identified as being owed to Aberdeen City Council will be deducted from the sale proceeds prior to settlement.**

### 5.4 Data Protection

The information you provide will be held in the Housing Asset Database. It will be used for assessing and processing your application. The information will be held securely and will be used in accordance with the Data Protection Act 1998. The Council will use your information for the following purposes:

To decide whether or not the property meets the buy-back scheme criteria and to gather statistical information for future planning

Data may also be matched with information held on other Council ICT systems for the prevention and detection of fraud and to assist applicants who may benefit from services provided by Aberdeen City Council.

To make necessary checks in relation to debt owed to the Council, including private sector housing grants payments and Council tax arrears.

Contact Kenny Paterson on (01224) 346288 or [kenpaterson@aberdeencity.gov.uk](mailto:kenpaterson@aberdeencity.gov.uk) if you have any further questions on the Council Buy Back policy. Alternatively, you go on line for further information at :-

<https://www.aberdeencity.gov.uk/services/housing/buy-back-scheme>.

## 6. Definitions

6.1 No definitions are required at this time.

## 7. Risk

	<b>Risk</b>	<b>Low (L), Medium (M), High (H)</b>	<b>Mitigation</b>
<b>Strategic</b>	That we do not take opportunities to increase our stock of appropriate social housing.	H	The policy sets out in detail how each application is subjected to wide consultation and detailed value for money appraisal in order to determine if the purchase of the property will provide best value for the council and help to increase the stock of social housing.
<b>Compliance</b>	That we are not compliant with legislation and guidance which could open the council up to litigation and intervention by the Scottish Housing Regulator.	H	The new policy clearly outlines the agreed principles through which all Aberdeen City Council purchases ex-council houses will be achieved. It also is compliant with current legislation and any Scottish Housing Regulator guidance.
<b>Operational</b>	That the way we consider applications and execute the purchase ex council houses is inconsistent.	M	This policy will ensure our staff provide a consistent approach to buying back of ex council houses.
<b>Financial</b>	That we are not consistent or robust in managing our housing stock.	H	The policy ensures as far as possible that a consistent and robust approach is taken to managing Buy Backs, ensuring VFM for the council.
<b>Reputational</b>	Inconsistent decision making on individual applications due to the lack of a clear policy could lead to reputational damage to the Council.	H	Clearly setting out the policy principles, terms and conditions for buying back ex council houses will help to eradicate this risk.

## 8. Policy Performance

8.1 The factors that will determine whether the policy is effect and adds value is the number of new social housing units returned to the council stock and the value for money achieved for the council.

## 9. Design and Delivery

9.1 Consider how the policy is aligned to supporting delivery of the Target Operating Model (TOM) and strategic objectives contained within the LOIP

9.2 The policy design and fonts adhere to the Corporate design template

## 10. Housekeeping and Maintenance

10.1. The policy is reviewed annually unless legislative or operational issues require immediate amendments.

- ✓ This policy updates the existing policy
- ✓ New supporting documentation and procedures have been drafted to reflect the policy.
- ✓ No IT systems are affected by this policy

## 11. Communication and Distribution

11.1 The current policy and any changes are consulted upon with service users' staff and elected members. Final changes are reported to committee and updated policy documents are placed on our website. If services users request it, we can provide the documents in other formats such as different languages or fonts.

## 12. Information Management

12.1 The information gathered is stored on our housing management system iworld. The information is shared with housing staff who are required to make comments and approve the disposal of the property.