



City of Westminster

Application Form for Proposed Purchase of a Miscellaneous Area

Name	Address
Telephone Contact Number Work:	Home:

Please describe clearly the area you are interested in buying and provide two copies of a detailed plan of the area, clearly showing any and all services. Provide either actual measurements or scaled drawings.

Please state clearly your intended use of the area:

If you think that you will want to carry out alterations to the area you are interested in buying then please give brief details here. Please note that this is provided for information purposes only. It is very unlikely that we will be able to deal with your request for alterations until the area has been sold to you.

Likewise, if your proposal will include making alterations to your existing premises please give brief details here (you may need to complete a further alterations application form). Again, if the alterations are wholly or partially tied to the miscellaneous area then we will not be able to conclude these until the area has been sold to you.



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If you are registered disabled please indicate here and also let us know if you require any assistance in communicating with you (e.g. larger print) and also if your application is any in way linked to your disability:

IMPORTANT: Please note the following:

Service Charges and Major works

All your service charges and major works charges must be paid in full before we can proceed with your application. Likewise, if your service charge or major works accounts fall into arrears during the course of your application then we will not be able to proceed any further until the arrears are cleared and may indeed have to discontinue your application.

Miscellaneous sales applications

Miscellaneous sales applications can be very time consuming and if proposals change, valuations are contested or matters come to light at a late stage (such as services or structural issues) then not only will this increase costs to you, but may jeopardise the proposed sale (even if you have already paid substantial administration, surveying and valuation fees). It will certainly invalidate any earlier valuation and offer to you and will in effect mean you have to re-apply. This will require a new valuation fee from you and will probably mean an increase in price.

No fees are refundable and if your purchase is subject to alterations then you will have to complete the sale pending our consent to any such alterations you propose. We cannot therefore give any firm undertakings or consent regarding any proposed alterations you make and you will have to complete the purchase with our consent or non-consent pending. Experience has taught us that complex alterations take many many months to resolve and will not be resolved by the time the offer of sale to you has expired.

The more complex your proposal (such as purchasing basement areas) then the greater the amount of time, fees and legal issues are likely to occur. Whilst it is up to you to request a valuation, you must bear in mind that they are only valid for three months and the legal work to complete your sale may well exceed this. If this is the case we will require you to pay for a further valuation (with the price likely to be higher) and conclude the sale at this revised price.

All aspects of your proposal will require detailed examination. Initially our surveyor will comment on the initial technical aspects of the sale, may visit the premises and then make comments accordingly. We will also consult with your local estate office for their views and may have to consult your fellow residents about the sale.



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Note that you will be liable for all our costs, so you need be sure that you want to proceed and certainly that if you do you are ready to submit detailed plans of the area with it being properly surveyed for any potential communal services or works for which you may become liable.

When you purchase the area you will immediately become liable for additional service charges (where applicable) for the area you have purchased. This will be the case even if you have submitted proposals to bring the area into habitable use. We will of course advise you of the additional service charge and indeed any additional repairing obligations you may have as a result of the sale of the area to you.

It is therefore essential that you fully understand the implications and costs involved *before* embarking on a miscellaneous sale. It is in your own interests to provide us with as much detail of the area in question and also to familiarise yourself with the potential technical difficulties (and costs) involved in any refurbishment or alteration works. Please remember that you will have to complete your sale without necessarily knowing if we will agree to any alteration proposals you make. Whilst we rarely totally reject proposals we may do so (we will provide you with written reasons) and in other cases we may impose particular conditions to our consent.

Services

If there are services (e.g. water, gas, electrical pipes/conduits) which currently run through the area you are seeking to purchase this may complicate your application and may prevent it going ahead. In the event that these services have to be moved (and this is feasible) you will be responsible for the City Council's full costs in doing this. It is your initial responsibility to determine these matters and advise us accordingly. In order to obtain access to the area (if this is required) please contact your local estate office.

Alterations

Likewise if any aspect of the building has to be altered then not only will you need consent but any and all costs associated with such events must be met by you. This is the case with your current dwelling, the proposed area you are seeking to purchase and any other area of the building or land.

Detailed Plans

When submitting your application it is very important that you provide not only detailed plans of the area but also establish (and show on the plans you submit) if there are any services that run through the area. As mentioned above, if such issues come to light at a later date this may not only increase administration costs to you, but may prevent the area being sold to you.

You should provide accurate measurements of the area and again, show any and all services, windows, pipe runs etc as illustrated in the examples shown.



Additional Service Charges Payable

It is not unusual that in purchasing an additional area you will become liable for additional service charges. If this is the case, any additional liability will occur from the day of purchase, even if this means that the area still requires refurbishment in order to bring it into use.

Consultation

We will need to consult other residents and your local estate office about your application. It may be the case that as a result of this consultation your application will be turned down. If this is the case, we will set out the reasons for the decision. There is a consultation fee payable of £35.00.

Note that in addition to any consultation exercise we as the landlord carry out, you may also have to seek Planning consent. If this is the case then the Planning Department may also want to carry out a consultation exercise and if so, this will be totally separate to our consultation exercise.

The Role of Leasehold Operations

Leasehold Operations is responsible as the landlord for co-ordinating your application. If you have to seek the consent of other Council Departments (such as Planning or Building Control) you must apply to them separately, although copies of any and all such consents will be required by us.

In the event that your application does not proceed then any administration, surveying, valuation or other fees that you have paid are non-refundable.

Valuation of the area

Whilst you may want to know how much the area may cost you, the valuations we receive are only valid for 3 months. Therefore if you ask us to carry out a valuation (which will be carried out by a professional independent valuer) not only are the fees non-refundable but if the valuation period expires before the sale goes through, (and the delay is in no way caused by the City Council) you will be asked to pay for a further valuation fee. It is not uncommon that purchasers underestimate the time taken to complete a purchase and so a further valuation fee is required.

Please also note that the fee you pay represents only a contribution to what is in effect the City Council's valuation report. We rely upon this as a commercially sensitive document and there for it cannot be copied to you. Of course if you want to obtain your own report then that is a matter for you, but you should note that although the Council will give consideration to that report it is not in any way bound to accept it and it may still base any offer on its own valuation report and will still expect you to contribute to the cost of that report.



Fees

Please bear in mind that in addition to valuation fees (usually around £350-£400, although more than one valuation fee may be required) you will be liable to pay our full administration and surveying costs (these *on average* range from £500 to £2,500). In addition, you are liable for any legal or indeed any other costs we incur in respect of your application. Whilst we will of course always try to notify you in advance of such costs (and indeed usually request payment in advance), unforeseen issues can arise so costs are provided on an estimated basis only.

Again, the more complicated the case the greater the administration and legal fees will be. Note that legal fees range on average between £400 and £1,500.

Once the standard fee of £400 is paid, additional housing administration fees are charged at £30 per hour and surveyor's fees are charged at £90 per hour. These rates are subject to change.

As the liability to pay the fees is an administrative charge recoverable under the terms of your lease, this demand for payment is subject to the provisions of Section 158 and Schedule 11 of the Commonhold & Leasehold Reform Act 2002. A summary of your rights and obligations under the Act is enclosed.

Please enter any other comments about your application here:



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In order to make initial enquiries about your request we will need the following:

Please enclose:

1. Our initial Administration fees of £400.00 made payable to 'City of Westminster'.
2. Detailed plan of the proposed area to be purchased. Please provide three copies. Note we will require professional drawings for more substantial areas such as basement areas.

**For office use:
Received**

 Yes No Yes No

I confirm that I have read the application form and fully understand and agree to my responsibilities and the conditions outlined above in submitting this application.

Name..... Signed..... Date.....



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Current Plan of your dwelling and Miscellaneous area



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Plan of existing dwelling - Proposed plan of your dwelling/Miscellaneous area