

Special Cases Scheme Guidelines

October 2004

These guidelines explain how the Special Cases Scheme works, and what you should do if you believe that you have a Special Case and you would like BAA to include your property under this scheme.

Each application will be considered on its own merits.

Do you qualify?

In applying for this scheme, you must be able to provide detailed evidence from your appropriately qualified medical practitioner that you, or a dependent living with you, are suffering from a medical condition which makes it necessary to move, in the best interests of the affected person's health.

For the avoidance of doubt, medical conditions which may apply could include chronic or degenerative disease but not stress or anxiety.

You must state your reasons for wishing to relocate and the purpose you believe it will achieve.

You must also provide evidence that you are unable to sell your property for a sum for 15% or more below its market value. The market value should take into account the existing airport and current runway but ignore any effects arising from the new runway.

Such evidence would include active marketing of the property for periods similar to those required to qualify for the Home Owner Support Scheme Assisted Relocation through a recognised local estate agent.

Any marketing of the property must have taken place no earlier than 12 months prior to the application for inclusion on the Special Cases Scheme.

Does your property qualify?

You must have a "qualifying interest" at the date of application, in any residential property in the close proximity of the proposed expanded airport boundary. This means you must be an owner-occupier. You will not have a qualifying interest if the property is let by you or if you are a tenant.

In the case of all property, at the time BAA agrees to buy the property you must either:

have owned it and lived there for at least six months before this date; or

if the property is empty, it must not have been empty for more than 12 months and you must have lived there during the six months prior to it becoming empty.

You must also have acquired the property on or before 16th December 2003, the date on which the Government's White Paper: *the Future of Air Transport* was published.

Will your property be eligible?

The property must lie very close to the proposed expanded airport boundary for the new runway. There will be no defined boundary for the scheme, as each case will be considered on its own merits.

Marketing the Property prior to application to the Scheme

BAA will use as a guideline the marketing conditions and periods associated with the Home Owners Support Scheme. This means that we expect you to have made every reasonable effort to sell your property through a recognised local, regional or national estate agent before an application will be considered. We would also expect that there would be a minimum period for the marketing of the property, similar to that required for the Home Owners Support Scheme, and you will be asked to provide documentary evidence of this. For your reference these are as follows:

If the selling price of the property is less than £250,000 the property must have been actively marketed for at least 6 consecutive calendar months, with no offers received within 15% of the Market Price.

If the selling price of the property is between £250,000 and £750,000 the property must have been actively marketed for at least 9 consecutive calendar months, with no offers received within 15% of the Market Price.

If the selling price of the property is more than £750,000 the property must have been actively marketed for at least 6 consecutive calendar months, with no offers received within 15% of the Market Price.

The Process

1. BAA will initially assess each request against these Guidelines and may seek further clarification on points to do with the medical evidence or effect on property value which have been submitted. BAA will then determine whether the application should be passed through to the next stage.

2. If the application is accepted, the medical details will be passed to the BAA Group Medical Advisor and property details to BAA's Valuation advisors.
3. Following submission of the medical evidence to BAA, the affected person must be prepared to permit further medical enquiry by BAA's Group Medical Advisor and assessment by an independent medical specialist if required.
4. The medical examiner will submit his report to BAA Stansted on the evidence which has been provided. This report will not be made available to the applicant.
5. A professional valuation of the property will be sought by BAA to confirm the market value of the property ignoring the effects of the new runway and having regard to the property's age, location and condition, and proximity to the existing airport. They will also verify whether the marketing of the property has been sufficiently active and timely. BAA may also seek further clarification from your estate agent if required.
6. If, in the opinion of BAA and its advisors, the asking price of the property is such that it has deterred offers within 15% of the market value of the property ignoring the effects of the new runway, BAA may refuse the application to the Special Cases Scheme.
7. In this event, the applicant would be permitted to remarket the property prior to reapplication to the Scheme.
8. Once the medical report and the professional valuers report have been obtained, BAA will re-evaluate the application and if it meets the requirements of the Guidelines for inclusion in the scheme, the application will be passed to the Executive Board for the Stansted Generation 2 Project.
9. The Executive Board will consider the evidence of each case together with the medical report and will determine whether the application should be accepted.
10. The Project Director on behalf of the Executive Board will provide the individual applicant with the reasons why their application is or is not successful. This decision and its reasoning will not be made public.
11. There is no right of appeal.

If my application is accepted how will BAA buy my property?

BAA will obtain a valuation to assess the value of your property as it was at June 2002, before the Government's consultation paper was published.

You may also appoint a valuer, whose reasonable costs will be borne by BAA should you proceed with the sale. This valuer must be a qualified member of the Royal Institution of Chartered Surveyors and must carry out the valuation in accordance with the BAA Basis of Instructions – Residential Properties, which are available on

request. Such firms familiar with the housing market in the area include (but are not limited to):

- FPD Savills – 01279 756800
- Gearing and Co – 01279 758758
- Lloyd Williams – 01992 560561
- Mullucks Wells – 01279 755400
- Snow Walker Associates – 01799 521761
- Sworders – 01279 815300

BAA's valuer will also advise both you and BAA if a structural or other survey of the property is required before a valuation can be arrived at. The valuation reports will be submitted to BAA and then copied to you.

BAA will arrive at the valuation of your property based on the mid-point of these two valuations, provided that they are not more than 10% apart. If the valuations are more than 10% apart, then BAA will refer the valuation to a third valuer, which may be the District Valuer. The average of the closest two of three valuations will then be the Valuation Price.

BAA will advise you of the Valuation Price. This figure will be index-linked to the Land Registry figures for the quarter preceding the Valuation Price to arrive at the offer price for the property.

For example, if a valuation price is arrived at on a detached property in August 2005, the market value as at June 2002 will be index-linked to the Land Registry's published record of house price movements for detached properties in Essex for the quarter April-June 2005 compared with April-June 2002. This will give the Offer Price for the property.

These figures are available to view on the Land Registry website on www.landreg.gov.uk

No additional costs or disbursements will be paid.

If however, the only offers to have been received are below the market value but by less than 15%, BAA will only pay 1% of the sale price plus an amount equivalent to the stamp duty payable on the house being sold, up to an overall maximum of 5% of the sale price. This will be paid within 28 days of receipt by BAA Stansted of a certified copy of the Transfer Document drawn up on the sale of the property. For the avoidance of doubt, you will still be required to provide medical evidence in support of your case to benefit from this payment.

How to Apply for the Special Cases Scheme

Use the copy of Form 1C attached as Appendix 1 of these Guidelines. When you, or your agent, have completed it, send it to:

FAO: Mrs Deborah Fazan
Special Cases Scheme
Stansted Generation 2
Enterprise House
Stansted Airport
Stansted
Essex CM24 1QW
Telephone: 01279 663112

You should note that the Special Cases Scheme may be amended or withdrawn at any time without notice. Please check with the Stansted Generation 2 team whether any changes have been made to the Scheme. The team can be contacted on 01279 663112.

Appendix 1: Form 1C

**Form 1C
Application for Special Case Scheme**

Name.....

Address.....

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Postcode.....

Telephone.....

I/We acquired a qualifying interest in this property on the following date:.....

I/We wish to apply for inclusion in the Special Case Scheme

Nature of medical Condition.....

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Please continue on separate sheet if necessary

Please attach supporting medical evidence to this application. This should include but is not limited to:

- Statement from current medical practitioner outlining medical condition
- Details of tests undertaken in arriving at diagnosis

Please provide details of benefits to health of moving and reasons for relocation

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Please continue on separate sheet if necessary

Please attach details of property marketing, including initial estate agent's valuation, sales particulars, viewing records from your estate agent, and details of any offers received.

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Please provide here any further information which you believe may support your application.