

Consumer Choice Policy

Greenbelt on Consumer Choice - Key Facts

At Greenbelt, we believe that all of our homeowner customers, on both new and existing developments, should have the right to make an informed decision about the arrangements for the ownership and maintenance of the open spaces and other features on their development.

Homeowners who may want to choose to transfer ownership of the open space land to their own homeowner-owned management company must understand that exercising this option does involve a transfer of liabilities and responsibilities and that everyone involved, including any associated parties, must fully understand and agree prior to making this decision.

Greenbelt can help homeowners in their choice and make sure the transfers are managed professionally and diligently.

Requirements for the Transfer of Open Space Land to Homeowner-Owned Management Company

Homeowners who wish to undertake the ownership and responsibilities for the open space land management themselves (in place of Greenbelt) may do so provided they have:

- Afforded Greenbelt a reasonable timeframe from the commencement of services (usually between 5 years and 10 years, depending upon the complexity of the open spaces)
- Contacted Greenbelt directly, via a properly-constituted Residents' Association, with suitable evidence that would indicate support by at least 66.6 % of our homeowner customers on the development
- Allowed a period of at least 5 years, since any prior application, to have passed

Upon notification of this intent, Greenbelt will write to all properties advising of a notification of intent to pursue our Consumer Choice Policy and provide an information document explaining this and the process that will be undertaken.

The Residents' Association will then have to obtain and provide evidence, to Greenbelt's reasonable satisfaction, that they have:

- Written evidence that at least 66.6 % of homeowners (based on 1 vote per property) in the development agreed to the transfer of ownership
- Evidenced the formation of a properly-constituted body to own the open space land; such as a limited company with each household being a shareholder/member on the basis of 1 share/member per household or other appropriate ownership body
- Written approval from the local planning authority and any other relevant statutory body and/or relevant third parties stating that they consent to this new body becoming the owner of this land and all features upon it

In addition, the new body will be required to:

- Pay a nominal fee of £1 for transfer of the land
- Meet Greenbelt's reasonable fees and costs incurred, including legal fees and outlays, in connection with the land transfer; fully due and payable on taking ownership
- Assume the responsibility of all outstanding debts due to Greenbelt in relation to the open spaces, their maintenance and the other services rendered, together with any reasonably incurred recovery charges and costs such as, for example, solicitors' fees and outlays; fully due and payable within 3 months of taking ownership of the open spaces
- Accept that the title transfer is made subject to (a) the existing title obligations and planning designations as open space; and (b) any particular provisions required having regard to the particular site in question.
- Accept a transfer of all of the open spaces and features owned/maintained by Greenbelt on the development together with the associated liabilities

Making an Informed Decision

Greenbelt strongly recommends, prior to electing to pursue the Consumer Choice Option, that the homeowners have:

- Identified suitable companies or providers willing to undertake all required services and obtain binding quotes for all the necessary works
- Sought independent legal advice in respect of any queries they may have in relation to the option set out above, to understand and consider the responsibilities and liabilities that they will be assuming as land owners and to instruct an appropriately qualified party to complete the transfer
- Given consideration to the sustainability in terms of community and also financial coherence to ensure the regulatory, safety, social, environmental and insurance requirements that developments require

Greenbelt reserves the right to request a third-party review or arbitration, should there be reasonable grounds to believe that all processes have not been properly carried out prior to the transaction being completed.

This Consumer Choice Policy is reviewed at our sole discretion from time to time.

