

## BIZARRE BITES

We digest the latest news so you don't have to!

The law in England and Wales is well known for odd provisions which remain in force over the years and today is no exception. How many of you know that if you find a grey squirrel in your garden you are in fact under a duty to report its presence so that it can be destroyed. This is law under the Grey Squirrels (Prohibition of Importation and Keeping) Order of



1937 which is still good law. The government has its finger on the pulse however and having admitted defeat has now announced its intention to repeal this law. However those of you tempted to relax your vigilance are reminded of the still existing provisions relating to being

drunk in charge of a horse and handling salmon in suspicious circumstances. You have been warned!

## HELP TO BUY – THE DEVIL'S IN THE DETAILS

The governments Help to Buy scheme has recently been extended and is already proving useful to people who are looking for assistance in funding purchases of new properties. However please spare a thought to the poor solicitor when dealing with the unusually heavy paperwork necessary to deal with the Help to Buy legislation. As with all government schemes the Help to Buy scheme comes with its own rainforest of paperwork.

When your solicitor has finally managed to go through all of the procedures necessary to recover the money it is useful for you to remember that it takes at least five days for the money to arrive. The unduly bureaucratic nature of the scheme also means that costs in this area can be surprising. However with the recently announced extensions to the scheme it seems that it is here to stay and any of you who feel it may assist you should not hesitate to contact the firm for details.

## LEASEHOLD ENFRANCHISEMENT OR HOW TO BUY YOUR FREEHOLD REVERSION

Those of you living in flats on long leasehold interests will know that under the Leasehold Reform Housing and Urban Development Act 1993, you may in certain circumstance act together with all other flat owners to buy the freehold reversion of your property. However the requirement for all long leasehold owners to act personally has before now been a logistical barrier to such claims.

On the 14th March 2014 the Queen gave royal assent to an amendment bill which now means that a duly authorised person such as a solicitor or someone holding a Power of Attorney can now sign on behalf of the freehold owners. This will make it much easier for flat owners to access their rights to buy especially where some of the owners live abroad. This will make claims to larger freehold blocks much easier to bring.

For assistance in this area please do not hesitate to contact any member of Heppenstalls conveyancing staff for advice on your rights.



*Edited by Denise Oatham*

# Property Bites

continued

## POSSESSION ORDERS AND THE HUMAN RIGHTS ACT

Human rights get into every aspect of our lives these days and it is not unusual to read in the paper of this or that person complaining that they should not be extradited because it would infringe their human rights. It can be most exasperating to see the lengths to which people will go to claim that their human rights need to be protected.

In the latest of a bizarre series of cases the High Court was recently asked to consider whether a protestor occupying a protest camp has the right for his or her occupation of the protest camp to be protected under the European Convention on Human Rights. Fortunately in this case reason prevailed and the right of the landowner to recover possession of their property was enforced. So it seems even landlords have human rights!

## LAND REGISTRATION FEES REDUCTION ANNOUNCED

We are pleased to be able to confirm that from the 17th March 2014 Land Registry has announced that a new Fee Order is being brought into force and for the most part this means that fees are being reduced.

We are happy to be able to announce a pleasing direction in service being provided by a government organisation. Unfortunately rumours that Stamp Duty Land Tax and Income Tax are also going to be reduced were wildly exaggerated.

## OFT INVESTIGATION OF SERVICE CHARGES

The OFT has been charged with carrying out and investigation of service charges by residential landlords. The report is due out in September of this year with a view to seeing if legislation is needed to prevent landlords from charging for services they are not providing. We will bring you news of this as it develops.

## STOP PRESS BUDGET ANNOUNCEMENT

We would be delighted to announce that the Chancellor has confirmed the threshold for payment of Stamp Duty Land Tax has been raised.

We would be delighted but unfortunately he has announced no such thing. However we feel sure that you will be relieved to note that Bingo Duty has been reduced to 10%!



*This newsletter is not intended to be relied upon for specific advice or situations. Heppenstalls Solicitors Limited offer specialised commercial and residential property advice. For information please contact Denise Oatham, Julian Heath, Marie Redman or Catherine Reynolds on 01425 610078 (New Milton) or 01590 689500 (Lymington).*

## OUR PROPERTY TEAM

