HS2

Property schemes

Need to Sell scheme

Guidance and application form

www.hs2.org.uk

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Department for Transport

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1 Introduction

1.1.1 This guidance and application form for the Need to Sell (NTS) scheme is for owners of properties that may be affected by any part of the High Speed Two (HS2) route who have a compelling reason to sell their property (see Criterion 5 – compelling reason to sell on page 15).

1.1.2 This NTS scheme is part of the long-term measures which replaced the Exceptional Hardship Scheme (EHS) for London – West Midlands and West Midlands to Crewe in January 2015 and May 2016, for Crewe to Manchester.

1.1.3 The Government has set up this NTS scheme to support property owners who have a compelling reason to sell their property but due to HS2 are unable to do so other than at a substantially reduced value or, if they are unable to sell their property, would face an unreasonable burden in the next three years. Whether something is an unreasonable burden will be judged on the facts of each case and the degree of hardship caused to you or your family by not being able to sell your property.

1.1.4 The NTS scheme will run until 12 months after the railway opens for public use.

1.1.5 Eligible owner-occupiers whose properties fall fully or partly within the 'safeguarded' area can serve a statutory blight notice on the Government, asking it to buy their property under the criteria that apply under the Town and Country Planning Act 1990.

2 Glossary

Agricultural unit: Land which is occupied as a unit for agricultural purposes, including any home or other building occupied by the same person for the purpose of farming the land. Agricultural purposes are horticulture, fruit growing, seed growing, dairy farming, keeping and breeding livestock , using land as grazing land, meadow land, willow beds, market gardens or nursery grounds, and using land for woodland in a way that supports the farming of land or for other agricultural purposes.

Blight notice: The statutory notice that you can serve on the Secretary of State, through us, asking the Government to buy your property.

Express purchase: A discretionary scheme introduced by the Secretary of State which simplifies the blight notice scheme in two ways. When an owner-occupier who qualifies for statutory blight and owns a property within the safeguarded area serves a blight notice on the Secretary of State, the Government may choose to accept the notice:

- regardless of whether we would need the property to build or operate the railway, as long as the property is fully within the safeguarded area; and
- without asking you to show that you have made reasonable efforts to sell the property.

Cut-and-cover or green tunnel: A tunnel constructed by excavating a trench from the surface, building the railway infrastructure within the trench, and then restoring the surface.

Generalised blight: The negative effect on the market value of land and property, or people's future enjoyment of land and property, resulting from possible future developments.

Homeowner Payment (HOP) scheme: A scheme for owners of property where at least part of the main building (the home) or at least 25% of the total land area of the property is within the homeowner payment zone. This zone spans 180 metres either side of the outer boundary of the RSZ, in the same areas along the HS2 route as the RSZ. Under the scheme, owner- occupiers of these properties who meet a 'no prior knowledge' condition can claim a fixed cash payment. The payment is one of three set amounts, decided by the location of the main building in relation to three payment bands within the zone.

Injurious affection: This is where the value of the land you keep reduces as a result of the proposed construction of the railway, if only part of your land is needed.

Owner-occupier: An owner-occupier is anyone who owns a property (either outright or with a mortgage) as a freehold or on a lease with a certain term (and which has at least three years left to run) and uses it as their main home or place of business. The full definition of 'owner-occupier' is in chapter 2, part 6 of the Town and Country Planning Act 1990.

Part 1 compensation: Compensation that owner-occupiers of homes, small business premises and agricultural units may be able to claim under Part 1 of the Land Compensation Act 1973 if the value of their property reduces as a result of the physical effects of the operation of the railway (noise, vibration, smell, fumes, smoke and artificial lighting, and any solid or liquid substance being released onto the relevant land). You can only claim this compensation after the scheme has been open for public use for one year.

Property acquisition agent: A specialist property firm contracted by us to provide property services. They oversee the process of buying a property once it has been accepted under the NTS scheme and an offer price has been agreed. There are a number of firms that carry out this work on our behalf. The members of staff from these firms who manage the purchase are normally chartered surveyors or similarly experienced property professionals.

Recognised Estate Agent: We use the term 'recognised estate agent' to mean an estate agent who has experience of marketing properties in the local area, advertising through a variety of media. This can include estate agents who do not have an office in the local area but who, for example, speak to possible viewers, collect feedback, provide a 'For Sale' board (or online listing) and a floor plan, and take professional photographs.

Reluctant Landlord: A 'reluctant landlord' is someone who can show that they had a compelling reason to sell at the time they moved out of the property in order to avoid or escape an unreasonable burden, that letting the property would only relieve this burden temporarily, and that they do not own another home.

Rural Support Zone (RSZ): The RSZ is the area that starts at the outer border of safeguarding and stops 120 metres from the centre line of the HS2 railway in rural areas. There are two discretionary schemes available to property owners whose property is within the RSZ – the **voluntary purchase** scheme and the **cash offer**. The voluntary purchase scheme allows you to sell your property to the Government for 100% of its unblighted open-market value. The cash offer is a lump sum payment of 10% of the unblighted open-market value of the property. There is a minimum payment of £30,000 and a maximum payment of £100,000.

Safeguarding: Safeguarding is an established part of the planning system. It is designed to protect land which has been earmarked for major infrastructure projects from conflicting developments which might otherwise take place. From the date safeguarding directions are issued, local planning authorities must consult the authority which issued the directions on planning applications they receive that are within the safeguarded area. Safeguarding also triggers 'statutory blight'. This means that property owners within the safeguarded area may be able to serve a blight notice asking the Government to buy their property before any compulsory purchase.

Statutory blight: The term used to describe a situation where a property is blighted in a legal sense, such as where it is in a development plan or within land safeguarded for a specific purpose, for example the railway, or included within a compulsory purchase order.

Statutory interest: The rate that interest is calculated at if you claim a cash payment under an HS2 property scheme and then later sell your property to the Government. For the HS2 property schemes, statutory interest is defined under the Acquisition of Land (Rate of Interest after Entry) Regulations 1995. It is set at 0.5% below the Bank of England base rate.

Surface safeguarding: Local planning authorities must consult on all planning applications they receive that fall within areas where surface safeguarding applies. For HS2, the land that is identified for surface safeguarding generally involves surface works and structures associated with the railway where the route is above the ground.

Subsurface safeguarding: In locations where subsurface safeguarding applies, local authorities do not usually have to consult on applications for planning permission, unless the proposed development would extend below ground level. For HS2, subsurface safeguarding is usually put in place when the route is in a bored tunnel.

Substantially reduced value: In the context of the Need to Sell Scheme, usually means a reduction in value greater than 15% below the unblighted market value.

Track my Property Case: Our online tracking portal that allows you to keep updated on the progress of your application.

Unblighted open-market value: The value of the property in current market conditions, as if there were no plans for HS2.

3 The Need to Sell scheme

3.1 What is the Need to Sell scheme?

3.1.1 The NTS scheme is available to eligible owner-occupiers who can show that they have a compelling reason to sell their property, but have not been able to do so other than at a substantially reduced value because of the HS2 route. If your application to the scheme is successful, the Government will agree to buy your property at its unblighted open-market value (that is, the value of the property in current market conditions as if there were no plans for HS2).

3.1.2 The NTS scheme is a non-statutory scheme, which means the law does not make the Government offer this assistance, but it has committed to doing so anyway. HS2 Ltd manage the scheme on behalf of the Government. A panel of three professionals who are fully independent of HS2 Ltd and the Department for Transport will look at whether your application meets certain criteria. They will then recommend to the Secretary of State for Transport whether your application should be accepted. A senior civil servant will then review the recommendation and make a final decision. However, if the senior civil servant disagrees with the panel's recommendation, the case will be decided by the Secretary of State or a minister with authority to make the decision (referred to throughout as the 'decision-makers').

3.2 Before applying

3.2.1 The illustration on the next page shows the current schemes and those that will become available. You can find maps on which you can check whether you qualify, at **https://hs2.org.uk/map/**.

3.3 Help from others with your application

3.3.1 The Department for Transport have designed the application process so that you do not need anyone else to act on your behalf. Once you have submitted your application, you are welcome to contact us with questions at any point, using the contact details in our acknowledgement letter.

3.3.2 If you do want someone to help you with your application, you are welcome to do so(however, we and the Department for Transport will not refund any costs you may have in doing this.) You may want to ask a friend, relative or a professional. In your application you must explain the relationship between you and any representative you ask us to correspond with.

3.3.3 If you feel like your personal circumstances mean you would benefit from any other form of support please contact the HS2 Helpdesk in the first instance to discuss available options on **08081 434 434** or email **HS2enquiries@hs2.org.uk**.

3.3.4 For any statement made on your behalf, your representative must sign the statement and declare their name, firm and position in that firm (if this applies), and that the information is correct to the best of their knowledge. The application process may take longer if someone is acting on your behalf.

3.3.5 If your representative is also your estate agent, **the panel will not be able to take into account** any market appraisal or other evidence provided by them. This is to protect both you and the taxpayer by only considering advice from estate agents who are independent and so do not have a personal or financial interest in profiting from the Government buying your property.

3.3.6 You (the person with the qualifying interest in the property) must **sign** and **date** the declaration page and read and understand every page of the **filled-in** application form and every piece of evidence submitted.

3.3.7 We will copy representatives into all correspondence, but we will always send correspondence direct to you for security, transparency and speed. **So please make sure you provide your contact details, such as your email address and phone number (and those for any other applicants), even if you are using a representative.** If the representative holds power of attorney for you, we do not need these details.

3.3.8 We will need you to give your permission if a representative asks to see documents such as valuation reports for your property, before we are able to show that document to the representative.

Line of route

Zone	Distance	Available	Available once line is in public use for a year
Safeguarded area and Extended Homeowner Protection Zone		• Express Purchase (see 1) • Extended Homeowner Protection Zone • Rent Back	Part 1 compensation – where there is no land take (see 2)
Rural Support Zone (RSZ)	120m	• Cash offer or voluntary purchase (see 3) • Need to Sell scheme • Rent Back	Part 1 compensation – where there is no land take
Homeowner Payment Zone	300m	• Homeowner Payments (see 4) – Zone 1: 120m to 180m – £24,000 – Zone 2: 180m to 240m – £16,000 – Zone 3: 240m to 300m – £8,000 • Need to Sell scheme • Rent Back	Part 1 compensation – where there is no land take
Beyond		• Need to Sell scheme • Rent Back	Part 1 compensation – where there is no land take

1) Surface safeguarding only. 2) Compensation for any reduction in the value of property as a result of the physical effects of the operation of the railway.
3) Applies to rural areas only and does not extend to areas beyond deep tunnels. 4) Applies to rural areas only and does not extend to areas beyond deep tunnels.

4 Eligibility criteria

4.1.1 It is in your interests to provide as much supporting evidence as possible to support your application.

4.1.2 In exceptional circumstances, if your application does not meet all the criteria, but a strong overall case can be made to buy your property, the panel may recommend the decision-maker uses their discretion when making their decision.

4.1.3 The application form includes a full list of information and documents that can be used as evidence to show you meet the criteria for the scheme. You can include any documents you believe will be helpful for the panel when considering your case.

4.2 Criterion 1 – Owner/Occupier status

Do I have an interest in the property which means I am eligible to apply?					
Yes I am an owner-occupier of a private home	**Yes** I am an owner-occupier of a business	**Yes** I am an owner-occupier of an agricultural unit	**Yes** I am a mortgage lender (for example, a bank)	**Yes** I am a personal representative of someone who has died	**Yes** I am a reluctant landlord

4.2.1 To be eligible for the NTS scheme, you need to provide evidence that you have a qualifying interest in the property. There is a full definition of 'qualifying interest' in Part 6, Chapter II of the Town and Country Planning Act 1990. You have a qualifying interest if you are:

- an owner-occupier of a private residential property;
- an owner-occupier or a leaseholder with at least three years left on a lease of business premises that have an annual rateable value of no more than £44,200 in Greater London or £36,000 for the rest of England (please see your local authority's business-rate banding for more details of rateable values); or
- an owner-occupier of an agricultural unit. (For agricultural units to qualify for the NTS scheme they must include a property that acts as a main home.)

4.2.2 Owner-occupiers, or leaseholders with at least three years left on a lease of business premises that have an annual rateable value as outlined above, are eligible for the NTS scheme. Any offer we make under the scheme would only be for the unblighted open-market value of the premises. A business itself cannot be sold as a going concern to the Government under this scheme and we will not pay any compensation towards the cost of the business being wound up or relocated.

4.2.3 You must have an 'owner's interest' on the date you sign your application. This means you must have either the freehold of the property or the leasehold (that is, a lease which must be signed for a certain term and have at least three years left to run on the date you sign your application).

4.2.5 The following also have an interest and are able to apply to the NTS scheme:

- Mortgage lenders with a right to sell the property and who can give immediate vacant possession.
- Personal representatives of someone who has died who had one of the above qualifying interests at the time of their death.
- Reluctant landlords (see Glossary).

4.2.6 The owners of a freehold or leasehold interest are those people whose names are on the Land Registry title or, for 'unregistered land', on the deed of conveyance for the property. At least one of the owners of the property will need to show that they meet the occupancy requirements (see page 7) in order to qualify for the NTS scheme. (The Land Registry is the government organisation that records who owns land. Each piece of land bought is called a 'title'.)

4.2.7 The exact boundary of all relevant land titles, including the exact boundaries of any smaller titles within a larger title, will be taken as fixed at the point we receive your first application to the NTS scheme This applies whether the land is registered or unregistered.

4.2.8 If you only want to sell part of your property, you must clearly state this in your application and provide a clear plan of the area you want to sell. This must also match the area you have marketed for sale.

4.2.9 If you are an owner-occupier, you will need to show that you meet the occupancy requirements below.

Do I meet the occupancy requirements?

Private home	Business premises	Agricultural unit	Non-residents
You must be living in the property on the date you submit your application and must have owned it and lived in it as your main home for at least six months before that date. **Or** If the property is empty, you must have lived there for at least six months before it became empty, as long as it has not been empty for more than 12 months and has not been occupied by anyone else since.	You must have a qualifying interest in the premises on the date of your application and must have owned or leased it for at least six months before that date and have run a business from there throughout this time. **Or** If the property is empty, you must have run a business from there for at least six months before it became empty, as long as it has not been empty for more than 12 months.	You must have had a qualifying interest in the agricultural unit and have occupied it for at least six months before the date of your application. **Or** If the agricultural unit is not occupied, you must have a qualifying interest in it (see page 9), and must have occupied it for at least six months before it became empty, as long as it has not been empty for more than 12 months. **And** For the purpose of this scheme, your main home must be located on the agricultural unit.	You must have the right to sell the property and be able to give immediate vacant possession. If you are the representative of someone who has died, the Land Registry title for the property does **not** need to be updated with the names of beneficiaries If you are a reluctant landlord, you must show that the property you are applying for under the scheme is the **only** property that you own and that you stopped living there after the route was announced. You must also show that you now live in accommodation that you **do not** own.

4.3 Criterion 2 – Location of property

Is your property so close to the HS2 route that it is likely to be seriously affected by either the construction or the operation of the new line?

4.3.1 Distance from the route is one factor, but others include:

- the particular characteristics of the property and the nature of its local area, including its position and surroundings;
- the character of the line once it is completed (for example, whether it will run in a cutting or on a viaduct);
- the likely impact of the construction of the line in the area;
- the physical features of the area (for example, whether it is a flat flood plain or hilly); and
- the distance to any nearby points of significant change to the character of the line (for example, a cut-and-cover tunnel entrance or a viaduct).

4.3.2 The panel will consider each application case-by-case, taking into account the different characteristics of the route in different areas (for example, on a viaduct or in a cutting). They will use engineering and construction drawings, mapping software and aerial photographs which HS2 Ltd will provide (if available) to panel members to look at how the construction or operation of the railway would affect your property. If you want to, you can also submit your own photographic evidence of the features of your property (for example, the view towards the railway line) and the immediate area to support your statements about the effect of the railway on your property.

4.3.3 To help you judge how near your property is to the route, there are detailed maps at **https://hs2.org.uk/map/**. Or, you can contact the HS2 Helpdesk on **08081 434 434** or email **HS2enquiries@hs2.org.uk** and ask them to do a property search.

4.3.4 There is no fixed distance from the railway that a property must be to meet this criterion. The purpose of this criterion is to decide whether a property's location means that it is likely to be seriously affected by the construction or operation of the HS2 route. This criterion is needed to link the location of your property and the area's physical features to the HS2 route and will consider the different characteristics of the route. It is not designed to consider generalised blight – we assess that separately under the 'effort to sell and the effect of blight' criterion (see page 12).

4.3.5 If we announce any changes to the route, the panel will consider applications received in the three months after the date of that announcement against both the old route and the new route. Your property would only need to meet the 'Location of property' criterion for one of these routes for your application to be accepted. After three months from the date the route change is announced, the panel will only consider applications against the new route.

Tunnels

4.3.6 Under this criterion, the panel will only consider surface construction and the eventual railway line, which consists of surface or cut-and-cover or green tunnelled sections of the route, vent shafts and tunnel entrances (or any other surface infrastructure). The panel will not consider bored (deep) tunnels near the property unless the tunnel is assessed by HS2 Ltd as likely to give rise to significant effects from ground-borne noise or vibration once the railway comes into operation.

4.4 Criterion 3 – Effort to sell and the effect of blight

The purpose of this criterion is to decide whether the blight resulting from HS2, rather than any other factor, is the reason why your property has not been sold or could not be sold, other than at a substantially reduced value (blighted value).

Exceptions to Criterion

4.4.1 There are certain instances where the Government has said no evidence is needed to show your efforts to sell your property. These include:

- if the estate of someone who has died makes an application that would have otherwise been accepted under the RSZ scheme; and
- if you are a reluctant landlord who does not qualify for the RSZ or express purchase scheme, although the location of your property would normally have meant you qualified for these schemes had you met the owner-occupancy and other scheme requirements. In this case you would also be asking for discretion under criterion 1 – type of property

4.4.2 **We will expect you to provide evidence to show the following:**

- **Before** you place the property on the market you must have sought a minimum of at least three marketing proposals from recognised estate agents; including proposals for what a realistic unblighted asking price for your property should be.
- That your property has been on the market with at least one recognised estate agent for at least three months immediately before the date of your application. You should continue to market your property at least until you know the outcome of your application.
- That you have made all reasonable efforts to sell your property, taking into account the current housing market including testing more than one asking price.
- That HS2 is the reason your property has not been sold or cannot be sold, other than at a substantially reduced value (blighted value), and you know this through feedback through the estate agent from viewings or people who have chosen not to view.
- That you have not received an offer within 15% of the property's realistic unblighted asking price, or you can show evidence that an offer received above this level represents a blighted offer.

4.4.3 The NTS secretariat will share with the panel publicly available information for the local property market including recent property sales.

Offers received

4.4.4 You should provide evidence that you have made all reasonable efforts to sell your property including providing information on any offers made. We would not expect you to accept a blighted value of the property (that is, the amount that the property is worth following the announcement of HS2). If you have evidence that an offer received within 15% of a realistic unblighted asking price is a blighted offer, you should submit this.

4.4.5 If you reject an offer for your property that is within 15% of the unblighted asking price, you need to provide evidence of why the offer was rejected for the panel to consider.

4.4.6 If you accept any offer,your application will not progress to the panel for consideration as it is not appropriate for the Government to intervene in or prevent an open-market sale or to affect the property market by competing with open-market buyers to buy a property under the NTS scheme.

Inability to market a property

4.4.7 The panel will consider evidence you give in your application about how you have tried to actively market your property. This includes evidence that several local estate agents have refused to market the property due to the railway. The panel will take into consideration this evidence when considering whether the property would achieve an unblighted value on the open-market.

Upfront fees and paid representatives

4.4.8 The panel would not expect a recognised estate agent to charge you any upfront, non-refundable marketing fee that is due to the HS2 proposals. If an estate agent asks you for a fee before they will market your property because they do not believe it will sell due to HS2, and you want us to take this into consideration, you must provide clear written evidence of this in your application. This does not apply if the estate agent charges upfront fees for all properties, regardless of the HS2 proposals (for example, if they charge a fee to market the property instead of receiving commission).

4.4.9 If you choose to use a paid representative who is also your estate agent or if you enter into an agreement with an estate agent or other agent who would gain financially from selling your property to the Government under an HS2 scheme, our panel or decision-maker will not take into account any market appraisal, feedback or other evidence they provide. This is to protect both you and the taxpayer by only considering advice from estate agents and agents who are independent and so do not have a personal or financial interest in profiting from the sale of the property to the Government.

Re-applications

4.4.10 For your first re-application (if submitted within six months of the decision letter being issued) we will not require you to re-market your property. However, if you re-apply a second time (regardless of this being within six months of the most recent decision letter) we will expect to see updated marketing information for the property. You will be required to re-market your property for three months immediately prior to you submitting the application. This is to fully evidence that it is due to the effects of the railway and for no other reasons that the property is not selling on the open market. Due to changes in construction as well as the general market we need to be certain that evidence to fulfil this criteria does not become outdated.

4.5 Criterion 4 – No prior knowledge

4.5.1 This criterion is in place to avoid people misusing the NTS scheme by buying a property at its blighted value so they can sell it to the Government at an unblighted value later and profit from the difference. This protects the interests of taxpayers and people who have a compelling reason to sell their property. In cases where the Secretary of State has agreed to buy a property where you have not met the ‘no prior knowledge’ criterion, we will consider whether it would be appropriate to adjust the price the Secretary of State is willing to pay for the property to take account of its value at the time it was originally bought.

Did I buy or enter into a lease for my property before the announcement of the preferred route of HS2?	
Yes If you completed on your lease or the purchase of your property on or before the date the initial preferred route in your area was announced, you will qualify.	**No** We will assess whether you qualify. Please see below.

4.5.2 If you bought or leased your property after we announced details of the high-speed rail proposals closest to your property, we may consider that you had known about the HS2 route before you bought the property.

4.5.3 When considering this criterion, the panel and decision-maker will look at:

- the amount of information about HS2 available at the time you bought the property; and
- whether, from this information, you could reasonably have known generalised blight might apply.

4.5.4 The route announcement dates are as follows:

- London – West Midlands – 11 March 2010
- West Midlands to Crewe – 28 January 2013
- Crewe to Manchester– 28 January 2013

Changes to the route

4.5.5 If you bought your property after the date the railway route was announced, you may find you are now close to the route due to changes or alternatives to the proposed route. In these circumstances, you will need to give us satisfactory evidence that you had no prior knowledge of those route changes, or could not reasonably have known generalised blight caused by HS2 might affect your property.

4.5.6 Following changes that were made to the route on:

- 20 December 2010, 10 January 2012, 16 May 2013 and 25 November 2013 (London – West Midlands));
- 30 November 2013 and 17 July 2017 (West Midlands to Crewe); and
- 7 July 2016, 15 November 2016, 17 July 2017 and 6th June 2019 (Crewe to Manchester);

4.5.7 Following any changes that are made at any point in the future, people who bought their property after the initial route announcement dates may find they are now within a certain distance of the preferred route but were not at the time they bought their property. In these circumstances, you will need to provide satisfactory evidence that you had no prior knowledge of the route.

Timing your purchase

4.5.8 You may have completed the purchase of your property after the relevant initial route announcement date, when you were still unaware of the proposals for HS2 or did not know that the property would be within a certain distance of the route. For example, if the searches relating to the purchase of your property were completed on or before this date, but contracts were not exchanged until shortly after this date, the panel would take this and any other relevant information into account when assessing your application. **You may want to provide copies of the local searches.**

4.5.9 Evidence that may show you could not have known that generalised blight might affect your property could include information available to the public which showed the effect of the HS2 route on your property at the time you bought it. This may include construction or operational plans for the railway, information about changes to the route, the relevant environmental statements (draft and final), and records of parliamentary discussion on relevant proposals.

4.5.10 We would expect the NTS team, who manage the scheme, to provide this information, once they have received a request from you (although you can tell us where you got the information from). Any change in the likely effect of the HS2 route on your property would need to be directly linked to evidence submitted in support of criterion 5 − compelling reason to sell.

4.5.11 If your application relates to prolonged noise or disturbance, we would expect you to also consider and provide evidence on how the change in the impact on your property contributes to the compelling reason to sell.

4.6 Criterion 5 – Compelling reason to sell

Do you have evidence of a compelling reason to sell your property, or that you would be placed under an unreasonable burden if you could not sell it within the next three years?

4.6.1 The aim of the NTS scheme is to allow people who have a compelling reason to sell their property to do so at the full unblighted open-market value where they are blighted by the HS2 route. The scheme is intended to help people who would be put under an unreasonable burden within the next three years if they were unable to sell their property except at a substantially reduced value due to the proposals for HS2. It is not intended to either weaken or exploit the property market.

4.6.2 In the final three years of the NTS scheme, this time frame will only extend to the end of the scheme (i.e when the line is operational in the area where the property is located) and so may be less than three years. This is because the market is expected to return to normal towards the end of the NTS scheme. Also, one year after the HS2 railway is first opened for public use, Part 1 compensation will be available.

4.6.3 The evidence you give us must show why you would suffer an unreasonable burden within the next three years, as a result of the circumstances set out in your application. We only need evidence which supports the compelling reason to sell that you have given in your application. For example, if the reason you give is not financial but is a health-related reason, we do not need financial evidence.

4.6.4 If you receive a State Pension (or expect to receive a State Pension within three years of applying to the NTS scheme), we would not usually need evidence to support your plans to retire under this criterion, unless your application is fully or partly related to financial circumstances resulting from your retirement.

4.6.5 You may have a compelling reason to sell due to a combination of factors. If that is the case you should submit evidence against each of the factors.

4.6.6 In exceptional cases, prolonged disturbance and noise disruption from the construction or operation of the railway may contribute to a compelling reason to sell. However, in general we would first expect you to look at the arrangements under the prolonged disturbance compensation scheme that we have set up for this purpose.

Evidence

4.6.7 This NTS guidance aims to make clear the types of reasons and evidence that you can provide to support a compelling reason to sell your property. For this section of your application, the NTS panel need a clear summary of your reason(s) for selling. Each part of your statement must be supported by suitable evidence.

4.6.8 Please send us as much evidence as possible, as the panel will need to see proof of each statement that you make.

4.6.9 If your application is fully or partly related to health and mobility issues, the panel and the decision-maker will take the following into account when assessing it:

- You should not have to take on extra help to carry out routine maintenance of your property because your medical condition (or conditions) means you cannot do the work you used to do yourself before the start of your medical condition.
- You should not have significant extra expense in adapting your property to meet your medical or mobility needs.
- If your long-term health condition or disability means you need significant support from your family, you should not be expected to live where you cannot access that support.
- If your medical condition (or conditions) means that you will need to regularly use local amenities, you should not be expected to stay living in a location where you cannot access them easily and independently.

4.6.10 If the panel and decision-maker believe that your medical condition is likely to get worse, they can look further ahead than three years when considering whether to accept your application. That is, they may consider that your medical condition will not become a compelling need to sell in the next three years, but that it would do over a longer period. They will decide whether to do this based on the evidence you include in your application.

4.6.11 We will consider a variety of different situations under this criterion and to assist you with what situations may be successful and what evidence is required we have listed below examples of past cases under this scheme. Under each set of examples, we tell you what evidence you could provide. Please note that these are not full and complete lists that will guarantee your application is successful.

4.6.12 We will use the documents you provide as evidence for every statement you have made about why you consider that you have a compelling reason to sell your property to avoid an unreasonable burden (see page 17 of the guidance).

Example 1: Financial – change in circumstance

Successful example	Unsuccessful example
The property owner wanted to sell their property because they lost their job and, as a result, their income significantly reduced and they could no longer meet previous commitments. They had been unable to find a new job that provided the same income. Evidence provided: Detailed financial information outlining their full financial circumstances, income, outgoings, investments and other commitments.	The property owner wanted to sell their property because they had lost their job. The application was not successful because they failed to provide full details of their financial circumstances, for example by sending us a summary of their income and spending.

Example 2: Financial – difficulty

Successful example	Unsuccessful example
The property owner wanted to sell their property to meet financial commitments that were due within three years from the date of their application. The sale would relieve an unreasonable financial burden on them. Evidence provided: Details of a financial commitment that had to be met within three years.	The property owner wanted to sell their property to meet financial commitments following the failure of a business. The application was not successful as they failed to provide full details of the financial circumstances they faced.

Evidence that you may need to provide

(Applies to Examples 1 and 2)

- Official paperwork or records that give a complete picture of your finances, including full evidence of your income and outgoings
- HMRC tax documents
- Audited company accounts
- Redundancy Letter
- Receipts, invoices etc showing spending
- Account Statements
- Evidence of savings, loans, mortgages and other assets (if relevant),
- Evidence provided should be for an appropriate period (normally at least the last six months immediately before the date of your application).

You should provide original documents or certified copies (see application form)

Example 3: Retirement (also see Location and needs of current accommodation)

Successful example	Unsuccessful example
Due to a reduced retirement income, the property owner wanted to sell their property so that they could downsize and move. Selling their property would free up money and reduce their outgoings. Evidence provided: Detailed financial and medical evidence (although medical evidence is not always necessary to prove a need to downsize).	The property owner wanted to sell their property so that they could downsize and move when they retired, as they felt maintaining it would be an unreasonable burden because of their age. The application was not successful as they failed to provide evidence that they cannot maintain their existing property.

Evidence that you may need to provide

- Written evidence to show that you retired and when, or that you plan to retire from your current job and when, for example a letter from your employer.
- Evidence that you have looked for suitable retirement property in the area you plan to retire to, such as correspondence with estate agents.
- Written or photographic evidence to show that you are unable to maintain your current property.
- Details of the costs of maintaining and running your existing property, if the cost is the reason you want to move.
- Evidence of planning for retirement and the need to sell your existing property to provide an income in retirement – detailed evidence of your finances would be needed.
- If you receive the State Pension (or expect to receive the State Pension within three years of applying under the NTS scheme), we do not expect you to provide evidence that supports your plans to retire for criterion 5 – compelling reason to sell, unless your application is fully or partly related to your financial circumstances.

Example 4: Family

Successful example	Unsuccessful example
The property owner was elderly and wanted to sell their property to move closer to a family member. Evidence provided: Medical evidence and confirmation of the address of their family member and the proposed arrangements for their care.	The property owner wanted to sell their property to move in with a family member, who might then provide care for them. This would not be possible without the property owner moving home, due to the family member's work commitments. The application was not successful as they failed to provide evidence of the circumstances they mentioned in the application.

Evidence that you may need to provide

- Property details and photographs showing why your existing property is not suitable for you or your family's requirements.
- Details of the people currently living in the property (for example, birth certificates, proof they are included on the electoral register.
- Details of any special requirements for the people living in the property (for example, a ground-floor bedroom and bathroom for someone who is unable to manage stairs).
- Evidence of those who need to be provided for in your property and those who no longer need to be provided for.

Example 5: Education

Successful example	Unsuccessful example
The property owner wanted to sell their property so that they could relocate to allow their child, who had special educational needs, to go to a school that met their needs. Evidence provided: Evidence of the needs of the child and evidence that this specialist education could not be provided close to where they currently lived.	The property owner wanted to sell their property to move into a different state-school catchment area. The application was not successful as they failed to provide evidence that their child required specialist education that was not available within the school catchment area of their existing property.

Evidence that you may need to provide

- Offer letters and general details of the schools that have provided offers to your child.
- Evidence that local schools are not able to meet the specialist requirements your child needs. This might be a letter from an appropriate educational specialist or medical practitioner, or published details of the services a specific school provides.
- Evidence of issues at your child's current school which mean they need to move to a new school, or other issues causing significant concerns about the suitability of your child's current school.
- Details of your child's existing schooling arrangements and the location and the distances between this school and your property.
- Maps showing the location of the various schools and travel routes and transport options.
- Details of the possible financial or employment consequences resulting from the different school choices available to your child supporting the need to relocate.

Example 6: Location and needs of current accommodation

Successful example	Unsuccessful example
The property owner wanted to sell because they had a long-established retirement plan to move to a different property in a less rural area. Evidence provided: Detailed evidence (past and current) of their plan, including details of the area and property they planned to move to.	The property owner bought their property before having a family and, since having children, felt that the location and layout of their property did not meet their family's needs. The application was not successful as they failed to provide evidence that either the location or the layout of the property was unsuitable for their family.

Evidence that you may need to provide

- Maps showing the location of your property and its distance from local amenities and services.
- Details of the property and its surrounding area.
- Details of the property layout and size or other aspects showing that the property is no longer suitable.
- Details of alternative property and the location of property you have found or are looking for.

Example 7: Type or size of accommodation

Successful example	Unsuccessful example
The property owner had recently had another child and wanted to move to a larger property as they needed more room (including bedrooms) for their growing family. Evidence provided: evidence of the number of children and their ages, and details of their existing property.	The property owner had several generations of their family living in a property that would usually only be big enough for the property owner and a guest. The application was not successful as they failed to provide evidence that they needed to provide permanent accommodation for other members of their family.

Evidence that you may need to provide

- Written evidence, including floor plans and photographs, to show that the size, layout or location of your property makes it unsuitable for your circumstances.
- Written evidence that the property is inaccessible or not appropriate for you or someone you live with who has restricted mobility.
- Details showing that alterations needed to make the property suitable for you are not reasonable, either because they would be too expensive or too complicated or disruptive, or because they would affect the resale value of the property.
- Written evidence that shows the property or its grounds are too large for you to maintain because of the cost or due to your reduced mobility.
- Written evidence showing that maintaining a large property would be a financial burden for you.
- Medical evidence showing why it is no longer suitable for you to stay in the property due to your health (including evidence that the property is no longer suitable).
- Evidence showing you need to move to an alternative type or size of accommodation, because your property is not suitable for the number of people living in it – for example, that you have children and what age they are.

Example 8: Employment – relocation

Successful example	Unsuccessful example
The property owner wanted to move as they had accepted an offer of employment (in an equivalent role to their existing job), and their new job was some distance from their existing property, resulting in a change to their daily commute. Evidence provided: Letters and contract from new employer confirming location and start date of their new job, and evidence of the distance and time of their new commute.	The property owner wanted to move as they had accepted an offer of employment. Their application was not successful as they failed to provide evidence that they received a firm offer of employment and that their existing employment skills or future employment aims were suitable for the role.

Evidence that you may need to provide

- An official, signed letter to you from a named person from your new employer's organisation, confirming the relocation or job offer. This letter should be on headed paper.
- If not provided in the letter, confirmation of that person's position in the organisation and their involvement in the recruitment or relocation process.
- Written evidence or correspondence giving specific details of your old job and your new job, and the timescales involved.
- Written evidence or correspondence giving the reasons for the job move or the business case for the relocation, if this it possible and it applies.
- Details of the location of your existing workplace and the distance between this and your existing property.
- Details of the location of your new workplace and the distance between this and your existing property.

Please note that we will contact your current and/or new employer to confirm the details of the offer.

Example 9: Winding up an estate

Successful example	Unsuccessful example
The property owner was selling the property of someone who had died, so that the executor and beneficiaries could wind up the estate. Evidence provided: Legal documents including grant of probate.	No unsuccessful examples.

Evidence that you will need to provide

- The will of the person who has died
- Legal documents that give the details of the executor of the estate.
- Death Certificate
- Grant of Probate
- We would need original documents or certified copies (see application form).

Example 10: Divorce

Successful example	Unsuccessful example
The property owners wanted to sell their property as they were getting divorced and needed to divide assets, as required by a court order. Evidence provided: Legal documents associated with the divorce which showed that neither party could remain in the property following the divorce.	The property owners wanted to sell their property as they had decided to divorce. The application was not successful as they failed to provide the legal documents needed to confirm the divorce or that the property would need to be sold because of this.

Evidence that you will need to provide

- A decree nisi or decree absolute **and**
- a court order.

Or

- Other evidence of an agreed settlement and how assets from the marriage are being divided, to show the property needs to be sold for the divorce to go ahead.
- Any other official divorce documents that show the need to sell the property.

Example 11: Marriage or civil partnership

Successful example	Unsuccessful example
The property owner was recently married and wanted to sell their property so that they and their partner could sell their individual homes and combine the proceeds to buy one home. Evidence provided: Marriage documents and information relating to the location of the property, owner's partner's property, and both their places of work.	The property owner was recently married and wanted to sell a property so that they could move into a single property that they wanted to buy with their partner. The application was not successful as they had failed to provide evidence of a compelling reason to sell the property, as opposed to continuing to live in one or other of their properties.

Evidence that you may need to provide

- Details of your and your partner's workplace locations and the distances between these and your existing property or properties.
- Details of both your and your partner's properties.
- Details of any dependents who will be living with you.
- Details of where you want to move to or evidence of a property you plan to buy jointly.
- Financial information to support the purchase of a different property, for example, bank statements, mortgage statements and savings statements (for both you and your partner).
- Evidence of why you need to buy a joint property and why your existing property or accommodation is not suitable.

Example 12: Health – care requirements

Successful example	Unsuccessful example
The property owner wanted to sell their property so that they could move into more appropriate accommodation. Evidence provided: Medical information and details of their existing property, together with details of the accommodation they wanted to move to.	The property owner wanted to sell their property to move nearer to their family. The application was not successful as the property owner failed to provide evidence that they needed to move to live with the relative or that the plan to live nearer their relative would work.

Evidence that you may need to provide

- Medical evidence of your current state of health which supports your case that your current accommodation is no longer suitable such as such as letters from health authorities and trusts, hospitals, medical consultants, GPs or dentists
- Evidence, including floor plans and photographs, that shows that the size, layout or location of your property make it unsuitable for your circumstances.
- Details of your care needs and the care plan to be provided as a result of selling your property.
- Details showing that alterations needed to make the property suitable for you are not reasonable, either because of the cost or because they would be too complicated or disruptive.
- Evidence that shows your property or its grounds are too large for you to maintain due to the cost or your health.

Example 13: Health – type of accommodation

Successful example	Unsuccessful example
The property owner wanted to move to a smaller, single-storey property, as they were becoming less mobile. Evidence provided: medical evidence showing that they had limited mobility and were having difficulty using stairs.	The property owner wanted to sell as they would need to adapt their property to meet their medical needs. The application was not successful as they failed to provide evidence that this work would cause significant expense or disruption and, as a result, they would have to sell the property.

Evidence that you may need to provide

See ‘Health – location of accommodation’ on the next page.

Eaxmple 14: Health – location of accommodation

Successful example	Unsuccessful example
The property owner wanted to move from a large and isolated property to one that was nearer to local amenities and services and which had access and a layout that would better suit them as they become less mobile. Evidence provided: Maps showing how isolated the property was, information about local transport links and amenities, details of the property, and evidence of the applicant's age and state of health.	The property owner wanted to move from a large and isolated property. The application was not successful as they failed to provide evidence of a medical or financial need to sell the property in order to move elsewhere.

Evidence that you may need to provide (for both location and type of accommodation)

- Medical evidence of your current state of health such as Letters from health authorities and trusts, hospitals, medical consultants, GPs or dentists.
- Medical evidence that your current accommodation is no longer suitable.
- Details of the types of alternative suitable accommodation you need.
- Evidence of no longer being able to maintain your current property.
- Evidence of no longer being able to readily access your existing property.
- Evidence that your property is not close enough to local amenities, doctors' surgeries and so on.

5 Application process

5.1 Step one – check if you qualify for the scheme and understand your options

5.1.1 If you have read the information above and believe you can evidence compliance with all five criterions, you can fill in the application form provided with this guidance.

5.1.2 The NTS team **cannot advise you on evidence that may result in a successful application**, as each case will depend on individual circumstances. Their role is to manage a fair and efficient decision- making process on behalf of the Secretary of State. **It is your responsibility to supply all the relevant evidence to support your application.**

5.1.3 You do not need to have property valuations carried out by a chartered surveyor ahead of your application being presented to the panel. The people considering your application will take into account the views of the estate agents marketing your property on what the realistic unblighted asking price would be.

5.1.4 It is essential that you read and understand the requirements of the NTS scheme. If you have any questions about the scheme, please contact our Helpdesk.

5.1.5 If you have applied for the NTS scheme before but been unsuccessful, your decision letter will outline whether we need more or different evidence for the eligibility criteria. It is important that you read and understand your decision letter and the feedback from your case officer if you are thinking about applying again.

5.1.6 Decisions on your application are based on the information and evidence you provide. If you re-submit an application using the same information hoping for a different outcome, it is not likely to be successful. If you have no additional evidence to supplement your re-application, or if there has not been a significant change in your circumstances, you would need to consider whether it is worth repeating your application.

5.1.7 If you have read the guidance and application form, but still have further questions, we offer an NTS pre-application service where you can talk with a member of the NTS team on the phone for up to 30 minutes. They can discuss the requirements of the NTS scheme and the types of evidence you might need to provide to support your application. The team can only give advice in the context of the examples referenced in the NTS guidance and cannot talk about your personal situation or tell you what evidence will result in a successful application, as each case depends on individual circumstances. If you are interested in speaking to our NTS pre-application team, please contact our Helpdesk on Freephone: **08081 434 434** or Minicom: 08081 456 472.

5.2 Step two – you send us your application and supporting evidence

5.2.1 Once you have completed step one you can fill in the application form and send it to us, together with your supporting documents. Please give us as much evidence as you can to support your application, as this means we can process your application more quickly.

5.2.2 Please ensure you read the whole of the guidance document and the full application form for examples of the types of documents we will accept as evidence.

5.2.3 You will need to provide original documents or certified copies (see application form)) of your supporting evidence. If you don't provide original documents or certified copies of the evidence we need, this will delay the decision on your application. We need this evidence, or an explanation of why you cannot produce it, before the panel can consider your application.

5.3 Step three – we process your application

5.3.1 The NTS team will acknowledge your application and review your application to make sure that it is ready for the NTS panel to consider and contains the information we have asked for on the application form.

5.3.2 Your application will be set up on the HS2 Track my Property Case portal and you will be sent login details to use the portal. Although discretionary property scheme applications and supporting evidence cannot currently be submitted online, the portal will allow you to track the progress of your application after we receive your original application form and supporting evidence.

5.3.3 You will be given a named Case Officer, who will be your main point of contact.

5.3.4 If information is missing, or if you have not provided evidence for any or some of the criteria, we will contact you and ask if you would like to provide it. We will also contact the estate agents who are currently marketing the property to verify information.

5.3.5 If your compelling need to sell is relocation at the request of your employer we will also contact your employer to confirm the details of the contract and requirements for relocation.

5.3.6 We will take copies of all documents and return the originals to you. If it is not possible to produce a clear copy of the document , we will need to keep the original until a decision on your application has been made before returning to you. We will tell you if we need to do this.

5.4 Step four – a panel of professionals consider your application

5.4.1 We will pass your application to the NTS panel for consideration.

5.4.2 The panel will make a recommendation to the Secretary of State to either accept or reject your application.

5.5 Step five – The Secretary of State decides on your application

5.5.1 A senior civil servant who has authority from the Secretary of State will consider your application. They will either make the final decision or present their view to the Secretary of State or a minister for a final decision.

5.5.2 Once we receive confirmation of the Secretary of State's decision we will write to you to confirm the outcome.

5.5.3 If at any point between the decision letter being sent and you exchanging contracts either we or the Department for Transport become aware of any information or a significant change in circumstances that would affect the decision made on your application, we can review the decision. This could result in withdrawing our acceptance or offer. If this happens, you can reapply to the NTS scheme, to reflect the change in your circumstances or extra information.

Accepted applications

5.5.4 If the Department for Transport has accepted your application because your compelling reason to sell is urgent, we expect you to try to sell your property as quickly as possible.

5.5.5 If you receive an offer on the property from someone else between receiving your offer letter and completing your sale to the Secretary of State your acceptance on to the scheme will remain but we will not be actively progressing your case. Should your other sale fall through, please advise us as soon as possible and we will continue to progress your sale to us.

5.5.6 If your application is accepted, you will have three years from the date of your acceptance letter to begin the process of selling your property. You can begin the valuation process at any time within the first two and a half years, leaving six months for valuations to be carried out, to accept an offer and instruct your solicitors to begin the conveyancing process. If you do not instruct your solicitors within the three- year period, the acceptance will no longer be valid and you will need to reapply. Should this be the case, we will write to you to confirm we have withdrawn your application and offer.

5.5.7 If you accept the offer within the three-year period and have instructed solicitors but do not actively follow up the sale, we will withdraw the offer if conveyancing is not underway and actively going ahead within six months of the three-year period ending.

5.5.8 The offer will represent 100% of the unblighted open-market value of your property at the time of the valuation. The unblighted open-market value at that point may be different from the unblighted asking price used when marketing the property.

Rejected applications

5.5.9 If you are unsuccessful, the NTS team will write to you, setting out in full the reasons for the decision in your decision letter.

5.5.10 You can reapply if there is a significant change in your circumstances or you have new evidence that may be relevant to the reason (or reasons) your application was turned down. If you are unable to provide new evidence, and your circumstances have not changed, it is very unlikely that reapplying on these grounds would result in a different outcome.

5.5.11 You need to reapply only in relation to the criterion (or criteria) under which you were unsuccessful (this excludes Criterion 3 - see 5.5.12), as long as:

- you submit your application within six months of receiving the most recent decision letter; and
- there has been no significant change in your circumstances in relation to the criterion (or criteria) on which you had previously been successful.

5.5.12 For your first re-application (if submitted within six months of the decision letter being issued) we will not require you to re-market your property. However, if you re-apply a second time (regardless of this being within six months of the most recent decision letter) we will expect to see updated marketing information for the property. You will be required to re-market your property for three months immediately prior to you submitting the application. This is to fully evidence that it is due to the effects of the railway and for no other reasons that the property is not selling on the open market. Due to changes in construction as well as the general market we need to be certain that evidence to fulfil this criteria does not become outdated.

5.5.13 Otherwise, when you reapply you would need to cover all five criteria again.

5.6 Step six – valuations

5.6.1 Two valuations will be carried out by two independent valuers registered with RICS (Royal Institution of Chartered Surveyors). One of the valuers will be chosen by us, from a pool of chartered surveyors appointed by us who are familiar with your area and have appropriate experience.

5.6.2 You will choose the second valuer. You can choose another surveyor from our pool, or any valuer registered with RICS in the UK who agrees to do the valuation (including agreeing conditions on the format of the report and a maximum fee).

5.6.3 We will arrange and pay for both valuations. Please do not instruct the valuers yourself.

5.6.4 If the valuations are within 10% of each other (calculated by taking the difference between the two values as a percentage of the higher value) your offer will be the average of the two.

5.6.5 If the valuations differ by more than 10% (calculated by taking the difference between the two values as a percentage of the higher value), we will arrange and pay for another valuation. This will be carried out by a valuer from our pool, chosen by you. We will give this third valuer the two previous valuation reports, with the valuation figures removed. Your offer will be the average of the closest two. If three valuations have been done and there are no two closest figures (that is, the highest and lowest figures are of equal distance from the middle figure), we will use the middle valuation figure as the offer price.

5.6.6 We will also arrange for a Building Survey to be carried out at this stage and the valuers will be provided with this report to consider before submitting their final valuations.

No prior knowledge valuations

5.6.7 We may use a different method of valuing your property if we accept your application even though you had prior knowledge of the railway but the decision-maker used their discretion for criterion 4 when accepting your application.

5.6.8 We reserve the right to determine if the property was bought at a blighted value and if this approach is applicable to you, we will write to you to explain the full process.

5.6.9 If it can be shown that the blight affecting the relevant property has resulted from HS2 and not something else, the Secretary of State may adjust the price they are willing to pay for a property bought under the NTS scheme by the same percentage as the difference between its unblighted and blighted value at the time you bought your property.

5.7 Step seven – offer

5.7.1 We will write to you with a formal offer showing how much we would buy your property for. As with all property purchases in England and Wales, the final price paid depends on the result of any further surveys and will be finalised in a contract.

Revised offers

5.7.2 The building survey will provide details if any further surveys are required to inform the final purchase price. Examples include but are not limited to; damp, structural and asbestos surveys.

5.7.3 If your property has private drainage, we will carry out a drainage survey as a matter of course. Under the Environment Agency General Binding Rules (EA GBR), if an individual has a septic tank or package treatment plant that discharges directly to surface water (ditch, stream, river, etc.) or to a soakaway they must replace or upgrade the system or have plans in place to do so by 1 January 2020, or when they sell their property. If you are unable to provide evidence that the property is compliant with EA GBR we will deduct money from your offer for costs associated with making the system compliant.

5.7.4 We will inform you of any additional surveys required and arrange and pay for these.

5.7.5 If the additional surveys find there to be costs associated with works required to the property that has not been accounted for within the building survey and/or valuations we will submit a revised offer to you taking in to account these additional costs. These surveys will only be done once you accept the original offer.

5.8 Step eight – accepting the offer and appointing solicitors

5.8.1 You will need to accept the offer by writing to us at our postal address. Your acceptance should also include details of your chosen solicitor.

5.8.2 You will need to instruct a solicitor and pay their fees, as you would normally do when selling your property. **Choose your solicitor carefully**. Their performance will affect your experience of selling your property and how efficiently your application is processed through the conveyancing. As with private-market transactions, a solicitor will represent you and act on your behalf, so it is important you find an experienced and good-quality solicitor who also has time to focus on your case.

5.9 Step nine – conveyancing process, exchange and completion

5.9.1 Our solicitors will contact your solicitors requesting them to provide a title pack with full property details.

5.9.2 Our solicitors will request searches on the property, draft the contract and raise relevant enquiries for your solicitor to respond to.

5.9.3 Resolving enquiries may take several weeks depending on the complexity of the title and the responsiveness of your chosen solicitor.

5.9.4 Once enquiries are resolved and the draft contract agreed we will carry out our internal governance before issuing all documents to DfT to sign and seal. We will also at this stage request for the completion funds to be issued to the our solicitors in readiness for exchange

5.9.5 Once we have all documents back from DfT and our solicitors are in receipt of funds we are ready to exchange and you will be contacted to agree a completion date.

5.9.6 Next we exchange contracts and our solicitor will transfer the deposit as set out in the contract.

5.9.7 On completion day we will transfer the remaining funds, take the keys and we will also carry out a walk through to ensure there are no issues with the property that we were not made aware of during the conveyancing process.

5.9.8 If you would like to rent back the property there will be a delay between exchange and completion of up to three months to allow us to carry out necessary health and safety works.

6 Frequently asked questions

Making an application

Who will I be in contact with once I have sent my application?

Your allocated case officer will be your point of contact for any questions you might have about your application. They can support you with your application, but are not able to comment or advise you on what you should say or include in it in order to have it accepted.

How long will it take to consider my application?

As long as you have submitted all information and documents correctly, a decision on your application will normally be made within three months of receiving it, although this can depend on the number of applications we receive. We will aim to process applications more quickly if it is possible.

We will deal with cases in the order we receive them. As all applicants are applying with what they consider to be a compelling reason to sell, it would not be fair to 'fast track' some applications.

How do I keep updated on the progress of my application?

The best way to see how your application is progressing is by discussing it with your Case Officer or online using the Track my Property Case on the HS2 website. You will receive your log in details once we have received your application.

What is your role in relation to the NTS scheme?

We manage the NTS scheme for the Secretary of State for Transport through our NTS team. However, we do not make recommendations or decisions on individual applications.

Why do I have to have a compelling reason to sell when it is clear that the railway is the reason my property hasn't sold?

The Government has been clear that it must aim to balance the needs of individuals with the effect on public money when designing non-statutory property schemes (those that are not required by law). Asking for evidence of a compelling reason to sell means that public money can be targeted towards those most in need.

How long will the NTS scheme run for?

The NTS scheme will run until one year after the railway is operational.

How many applications are successful?

You can see details on the number of applications and acceptances on the HS2 scheme at:
https://www.hs2.org.uk/documents/collections/hs2-exceptional-hardship-scheme-hs2-need-sell-scheme-applications-statistics/

Can I apply to the NTS scheme if I have previously accepted a cash offer under the Rural Support Zone (RSZ) scheme, a payment under the Homeowner Payment (HOP) scheme of received an Injurious Affection claim payment?

If you have already claimed a cash offer under the Rural Support Zone (RSZ) scheme or a payment under the Homeowner Payment (HOP) scheme, or if you have had payments in relation to an injurious affection claim, you can still apply to the NTS scheme. If your application to the NTS scheme is successful, we will reclaim the cash offer, HOP payment or injurious affection payment (plus statutory interest) from the NTS purchase price.

If you have an ongoing claim for injurious affection, we cannot take your NTS application any further. If you want to sell your property, we expect you to withdraw your claim for injurious affection.

If you have claimed a cash offer under the RSZ scheme and then applied to the NTS scheme because you believe you have a compelling reason to sell due to the effect of the construction or operation of the railway, our panel and decision-maker will consider whether there has been a significant change in plans for the railway. They will also look at the effect they think the railway will have on your property since you claimed the cash offer, to assess whether there have been any changes since this time that you would not have been aware of when you claimed the cash offer. They will consider evidence such as environmental statements (draft and final), or revised realignments of the line of the route. They will also consider any change in your personal circumstances since you claimed the cash offer.

Application criterion 1 – type of property

Can I submit an NTS application for a property if I am not the owner-occupier?

There are more details about this on page 9 of the guidance notes and on page 7 in the application form. If you do not own the property or have the right to sell it, we will not process your application.

Can I submit an NTS application for a business or agricultural unit or premises?

Please see page 9.

How do I show that I have a qualifying interest in my property?

Please see the application form.

How do I show that I am the resident of, or occupy, a property?

Please see the application form.

What if the occupancy evidence I submit includes only the details of one of the applicants from a joint application?

We will accept evidence of only one applicant living in the property. However, please make sure all evidence you provided is addressed to that applicant.

What documents do you need to confirm my identity?

Please make sure you provide either original documents or certified copies of documents that confirm your identity. This can be your passport or driving licence. If you have neither of these please speak to your case officer as soon as possible.

I live in a mobile home (or park home or caravan) or on a canal boat (or barge or narrowboat). Can I apply to the NTS scheme?

Whether you are eligible for the NTS scheme is based on the criteria that apply under the Town and Country Planning Act 1990. Residential owner-occupiers, owner-occupiers of small businesses and owner-occupiers of agricultural units would qualify. Generally, someone living in a mobile home, park home,caravan, canal boat, barge or narrowboat would not be able to apply for the NTS scheme because they would not have a 'qualifying legal interest' in the land their home is on.

Application criterion 2 – location of property

Does the property that I want to sell need to be a set distance from the new HS2 route if it is to qualify for the NTS scheme?

Your property does not need to be a fixed distance from the route in order to meet this criterion. However, the property would need to be close enough to the route so that it is seriously affected by either the construction or the operation of the new line.I

Application criterion 3 – effort to sell and the effect of blight

When I market my property, do I have to have a 'For Sale' sign displayed outside the property?

No, you do not have to have a 'For Sale' sign displayed outside the property when you are marketing it.

What if a local estate agent refuses to market my property?

If a local estate agent refuses to market your property, or wants a fee before they will market it because they do not believe it will sell as a result of HS2, you can submit evidence showing this as part of your application such as a letter or email from the estate agent.

If I provide evidence that a local estate agent refuses to market a property because they do not believe it will sell as a result of HS2, do I still need to provide evidence that I asked other estate agents to market my property?

Yes. You must get marketing advice from at least three recognised estate agents. We can accept a refusal by a local estate agent to market your property as one attempt by you to get marketing advice, although we would prefer you to include as many market appraisals as possible if other agents are willing to market the property. If three or more local estate agents refuse to market your property, we would need evidence of this refusal from each estate agent.

What if no estate agent will market my property?

If all local estate agents refuse to market your property, we would need evidence of this (a letter or email from the estate agents). We may then accept this as evidence that it has not been possible to market your property for three months.

Why do I have to re-market my property if I re-apply a second time?

For your first re-application (if submitted within six months of the decision letter being issued) we will not require you to re-market your property. However, if you re-apply a second time (regardless of this being within six months of the most recent decision letter) we will expect to see updated marketing information for the property. You will be required to re-market your property for three months immediately prior to you submitting your second re-application. This is to fully evidence that it is due to the effects of the railway and for no other reasons that the property is not selling on the open market. Due to changes in construction as well as the general market we need to be certain that evidence to fulfil this criteria does not become outdated.

Application criterion 4 – No prior knowledge

How do I show that I did not know about the high-speed rail proposals?

If you completed the purchase or lease of your property before the HS2 route section closest to your property was announced, you are able to show that you had 'no prior knowledge' (that is, you did not know about the proposals because they had not been published). If you bought your property after the rail proposals were announced, it is generally assumed that you had done so knowing about the HS2 route.

Certain property searches would normally have been carried out when you bought your property. These may have shown that the property would be close to a project such as HS2 and your solicitor may have further highlighted this to you in correspondence, searches, the title report or other information. If you bought your property after the announcement date but your searches were carried out before then, you should send us copies of the searches and any other relevant documents to show whether this was raised during the conveyancing process.

Application criterion 5 – compelling reason to sell

What types of circumstances are accepted under the NTS scheme as a compelling reason to sell?

The NTS scheme provides support for people who have a compelling reason to sell their property. As a result, we receive applications from people with a wide range of different circumstances, including to do with their health, employment, financial or family life. Please see pages 17 to 24 for examples of successful and unsuccessful applications under criterion 5 and the types of evidence you can put forward to support a compelling reason to sell. Please note that this list is not exhaustive.

Decisions on applications

How will the panel consider my application?

The NTS scheme is a paper-based scheme, which means you don't need to make any personal representations and we don't need to visit your property. Your application must be supported by full evidence that shows you meet all of the scheme's criteria. To help make sure the application process is impartial and consistent, the decisions of both the panel and the decision-maker are based only on the information in applications and supporting evidence.

Who are the members of the NTS panel?

There are three independent members of the panel. They receive a panel fee and expenses from HS2 Ltd but are not employed by HS2 Ltd or the Department for Transport.

How are members of the panel selected?

Members are selected through a rigorous appointment process which is managed by us and overseen by the Department for Transport.

How do I know that the NTS panel is independent?

When applying to become a panel member, each person needs to show that they have the experience and skills needed to assess applications for the NTS scheme fairly and independently. Once they have reviewed applications to the scheme, each member of the panel has to declare at the start of each panel meeting that they have no conflict of interest. You can review a full list and short biographies for each panel member at: **https://www.hs2.org.uk/about-us/documents/need-to-sell-nts-scheme-panel-membership/**.

How do the panel reach a recommendation?

A panel meeting will be scheduled and each panel member will separately review all the applications to be considered at that meeting. The three panel members will then come together to consider the applications and make a recommendation to the decision-maker.

How do the panel decide to recommend that I qualify for the NTS scheme?

A panel meeting will be scheduled and each panel member will separately review all the applications to be considered at that meeting. The three panel members will then come together to consider the applications and make a recommendation to the decision-maker.

What if the panel cannot agree to recommend that I qualify or don’t qualify for the NTS scheme?

If all members of the panel do not agree on a recommendation, they can make a decision by a majority vote. If a panel member disagrees with this decision, they can produce a ‘dissenting member’ report. This report is then given to the decision-maker when they review the panel’s recommendation.

Can the panel and the decision-maker use discretion in my case?

If the panel believes there are circumstances which mean your application should be accepted despite not meeting all of the criteria, it can recommend that your application should still be accepted. The decision maker will then consider this when carrying out their assessment.

Can the decision maker disagree with the panel members’ recommendation?

Yes, the decision maker can overrule one or more criteria. If the decision maker disagrees with the recommendation from the panel to either accept or reject the application the case will be decided by the Secretary of State or a Minister with authority to make the decision.

Can I reapply to the NTS scheme more than once?

Some applicants are successful on their first application, while others are successful after providing more information or following a change in their circumstances. It is unlikely that resubmitting an application, on the same grounds with the same evidence, would be successful if it has previously been unsuccessful. If you are considering whether to reapply, we would encourage you to carefully review the reasons given by the decision-maker on why your previous application was unsuccessful.

It is your responsibility to explain how you meet the criteria for the NTS scheme, and provide evidence to support this. Providing appropriate, clear evidence greatly helps the panel to make their recommendation and the decision-maker to reach a decision.

Is this my only opportunity to receive help from the Government?

No. The Government has introduced a package of non-statutory property measures to help those who may be affected the construction or operation of the railway.

You can also claim Part 1 compensation under the Land Compensation Act 1973 one year after the railway is open to the public.

Valuations and valuers

If my application to the NTS scheme is successful, what will the valuations and my payment be based on?

The valuations will be based on the unblighted open-market value of the property (that is, the value of the property in current market conditions as if there were no plans for HS2). This will not necessarily be the price you had marketed your property at. It will be an independent assessment, carried out by qualified chartered surveyors, of what the sale price (value) should be.

The payment is simply this sale price. It will not cover extra costs, such as agents' fees, legal fees or removal costs, because you would normally meet these costs yourself.

The Government will buy the property as it was marketed before it was accepted under the NTS scheme. If the property significantly changes after your application has been accepted, for example if you decide you only want to sell part of the land your property is on, or you extend your property, you must reapply to the NTS scheme with this new information. See page 30.

Who can I pick as my choice of valuer?

You can use any valuer who is registered with RICS, as long as they do not have any conflict of interest relating to your property or your household (or anyone else connected to your application). For example, the valuer cannot be employed by or associated with the firm or person who is representing you in your application or has been involved in marketing your property in any way (including any estate agent who provided a market appraisal, even if you didn't use that estate agent).

RICS is the professional body for the valuers that you must use. You can contact RICS to check if a valuer or firm is registered and has the appropriate qualifications (**www.rics.org/uk/**)

If you want to, you can choose any firm in our pool of valuers, or a specific valuer from one of these firms. We would then choose a second firm from this list.

How did you appoint your pool of valuers?

We appointed our valuers following a competitive tender exercise to find those who have the resources and capability to cover valuations across the whole of the HS2 route. All valuers are independent chartered surveyors registered with RICS, and have the competence and professional knowledge to carry out valuations in line with the RICS 'Red Book' manual of valuation standards.

Are the pool of valuers and valuations independent of HS2 Ltd and the Department for Transport?

Yes. We instruct the valuers to provide an open-market valuation of property in line with the RICS guidance – RICS Valuation Global Standards (‘Red Book’). The full definition of open- market value is:

"the estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's length transaction after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion."

Do the valuers on your list have local knowledge?

We appointed the valuers because they are able to cover valuations across the full HS2 route.

How long are valuations valid for?

It is up to you to decide at which point you instruct the valuations to take place within the first two and a half years of receiving your acceptance letter. We will then base your offer on the valuations that reflect the date on which the valuers inspected your property. Once you have received your offer your property will not be revalued at any point (either within or after the three-year period). You will not be able to pay for a revaluation.

Conveyancing and Acquisition agents

If you offer to buy my property and I accept, how will the purchase go ahead?

The purchase will be handled in the same way as any private property purchase. As with any private purchase, how long the process takes will vary depending on the circumstances of the case. Once you have accepted our offer, we will instruct our solicitors and our property acquisition agents.

Who will manage the purchase of my property?

We will assign the purchase of your property to one of our suppliers. You will be allocated a named person from that supplier, who will become your main point of contact (other than your solicitors) throughout the process. Your case officer will still have oversight of your case until completion and can still be contacted.

Can I rent my property from the Government if I sell it to the Government under the NTS scheme?

Yes. If your application has been successful and you have accepted the Government's purchase price offer under the NTS scheme, you can let us know that you are interested in renting the property back from the Government after it has been sold. We would then carry out reference checks to see if you are suitable to rent the property, and assess the property to decide whether it can be let, in line with legal requirements and sound business principles. You should ask your case officer about this in good time, , so that we can look at your request and prepare letting documents. If we receive your request late in the process this may delay the exchange of contracts and completion of the purchase of your property.

Will you pay any agents' fees relating to my application or any further valuations?

No.

Other FAQ's

How should I complain if I am unhappy with the service I receive?

If you are not happy with how we deal with your application, please use our complaints procedure, which is available at: **www.hs2.org.uk/how-to-complain**.

The outcome of an application cannot be altered by complaining to us.

I have been unsuccessful in applying to the NTS or another property scheme. Can you consider my case as special circumstances or my property as atypical?

We only consider cases involving an atypical property or special circumstances if there are exceptional circumstances. You should not use this as a way of appealing if you have been unsuccessful under our established schemes.

What makes my circumstances special or my property atypical?

We only consider cases involving atypical property or special circumstances if there are exceptional circumstances. You should not use this as a way of appealing if you have been unsuccessful under our established schemes. An atypical property or special circumstances cases are those not provided for by existing schemes. You can find more information in our guidance on special circumstances or atypical properties at the following link **www.hs2.org.uk/documents/special-circumstances-or-atypical-properties-guidance-and-frequently-asked-questions/**.

How do I ask to be considered as having an atypical property or special circumstances?

If you consider yourself to be in special circumstances or are an owner occupier of an atypical property, you can contact the HS2 Helpdesk on **08081 434 434** or email us at **HS2Enquiries@hs2.org.uk** and ask to speak with someone from our Land and Property team. Our Helpdesk will then ask someone from the most appropriate team to get in touch with you and discuss your case.

Who decides whether I own an atypical property, or have special circumstances?

Any decision to provide support over and above our property schemes is made by the Department for Transport on behalf of the Secretary of State for Transport, taking into account advice from us. In some cases, approval may also be needed from HM Treasury.

Application form

HS2

Need to Sell scheme

Please send your filled-in application form, along with all supporting evidence, in hard copy (paper format) to the address below. We strongly recommend you send your application using Royal Mail Special Delivery, but we do not insist on this.

Need to Sell
HS2 Ltd, Land & Property
Two Snow Hill
Snow Hill Queensway
Birmingham
B4 6GA

Before posting your application, make sure you have enclosed:

- ☐ your form, signed and dated by all applicants;
- ☐ your proof of identity documents; and evidence against all Criterions:
- ☐ Criterion 1 - Type of property
- ☐ Criterion 2 - Location
- ☐ Criterion 3 – Efforts to sell
- ☐ Criterion 4 – No prior knowledge
- ☐ Criterion 5 - Compelling reason to sell

Before you fill in this application form, please read the guidance in full. When filling in this form, please provide as much information and evidence as you can. This will help us to consider your application as quickly as possible. When sending supporting documents, please send **originals or certified copies**. We will return your original documents as soon as possible, and we will make sure that we keep them safe.

Please return the complete, filled-in application. Any additional supporting information you send should be on separate pages.

Please fill in all sections – we need details and contact information for all applicants in order to process your application.

Please send your application as loose (not bound) sheets.

Section 1 – Personal details

Address of the property you are applying for:

....
....
....
....

Postcode ....

Your details

Please include only your own details here. If you are using a representative, please provide their details on page 5.

Title (Mr, Mrs, Miss, Ms, Dr and so on): ....

First names: ....

Surname: ....

Phone number 1: ....

Phone number 2: ....

Email address: ....

Title (Mr, Mrs, Miss, Ms, Dr and so on): ....

First names: ....

Surname: ....

Phone number 1: ....

Phone number 2: ....

Email address: ....

Title (Mr, Mrs, Miss, Ms, Dr and so on): ....

First names: ....

Surname: ....

Phone number 1: ....

Phone number 2: ....

Email address: ....

Title (Mr, Mrs, Miss, Ms, Dr and so on): ....

First names: ....

Surname: ....

Phone number 1: ....

Phone number 2: ....

Email address: ....

Contact address and postcode, if different from the address above:

....
....
....
....

We will use email as our main way of getting in touch. If you don't check your emails regularly, or you would prefer to be contacted by post, please tick below.

I do not want to be contacted by email. Please send all correspondence by post. ☐

Identity documents

Each applicant is required to provide an original or certified copy of a document that provides proof of their identity. This document must be current and valid and contain a photograph of the applicant.
We accept the following documents as proof of identity:

- passport
- driving licence.

Section 2 – Your declaration

Each applicant is required to read the declaration and sign and date in the box below.

“I declare that all information I have provided in this application, and in any supporting documents, is full, accurate, and truthful. I understand that HS2 Ltd and the Department for Transport will use all the information provided on this form and all supporting evidence to decide my application under the Need to Sell scheme.

I understand that you will carry out security and anti-fraud checks on information and supporting evidence I have provided. This may include checks that use open-source intelligence, market intelligence services, contacting estate agents who are currently marketing the property and contacting my employer (or possible employer). I understand that if any issues arise from these checks, you may refer this information to your Counter Fraud team for further investigation.

I give permission for you to carry out any relevant checks and to contact estate agents and current and/or future employers to verify and complement information provided within this application.

If I give information I know is incorrect, or if I do not include information I know is relevant, my application and the Government’s decision on it will not be valid and the Secretary of State may take legal action against me and that if any fraud or nondisclosure is identified after an award has been made, I understand that I may be pursued for recovery of any payments issued.

Please note: If your application is successful but, at any point between your decision letter being sent and you exchanging contracts we become aware of any information or a significant change in circumstances that would affect our decision, we can review the decision. This could result in us withdrawing our acceptance or offer.

By signing below, I confirm that I understand the above and agree to comply with all requirements.”

Each applicant must sign in the box below, and add the date they signed.

If you are signing on behalf of a limited company, please give your position in that company.

....

Section 3 – Representation

Are you using a representative to act on your behalf?

- ☐ **YES (complete Section 3)**
- ☐ **NO (proceed to Section 4)**

Please provide the representative's name and contact details below.

Name: ....

Job Title: ....

Organisation: ....

Phone number: ....

Email address: ....

Their relationship to you: ....

Has the representative received, or will they receive, any financial payment from you for acting as your representative? Yes ☐ No ☐

To be completed by the applicant

I (the applicant) confirm that I want the person named above to represent me for the purpose of submitting and/or supporting me during the application and/or conveyancing process should my application be successful. I am aware and accept that the Government will not pay any fees charged by the representative in submitting this application or acting on my behalf thereafter. If I wish to withdraw my approval I understand that I will have to provide written confirmation of this.

Each applicant must sign in the box below, and add the date they signed.

To be completed by the representative

I (the representative) confirm that I will act on behalf of the applicant for the purposes of this application.

I acknowledge that, as a paid representative or a representative who would otherwise benefit financially from the sale of the property to the Government, the panel or decision-maker will not take into account any evidence that I provide myself, such as feedback from the marketing of the property.

I declare that the information I have given on this form is correct and complete. I understand that HS2 Ltd and the Department for Transport will use all of the information provided on this form and all supporting evidence to decide the applicant's claim under the Need to Sell scheme.

I understand that you will carry out security and anti-fraud checks on information and supporting evidence provided. This may include checks that use market intelligence services, contacting estate agents who are currently marketing the property, and contacting the applicant's employer (or possible employer). I understand that if any issues arise from these checks, you may refer this information to your Counter Fraud team for further investigation.

If I give information I know is incorrect, or if I do not include information I know is relevant, the application and the Government's decision on it will not be valid and the Secretary of State may take legal action against the applicant or me (or both of us).

Please sign below and add the date you signed.

Representative's signature: ....

Date of signature:...

Section 4 – Re-application

Is this a re-application? (Re-application meaning that you have submitted an application to the Need to Sell Scheme or Exceptional hardship Scheme at any point prior to this application)

- ☐ **YES (complete section 4)**
- ☐ **NO (proceed to section 5)**

If you are submitting an application within six months of the date on the decision letter relating to your previous application you will only need to submit evidence relating to the criterions of which you were unsuccessful, as long as there has been no change to your circumstances for any of the criterias where you were succesful. If there has been a change to your circumstances, you must submit a new, full application covering all criteria.

Note - For your first re-application (if submitted within six months of the decision letter being issued) we will not require you to re-market your property. However, if you re-apply a second time (regardless of this being within six months of the most recent decision letter) we will expect to see updated marketing information for the property. You will be required to re-market your property for three months immediately prior to you submitting your second re-application.

If you are applying after six months of your previous application you will need to submit a whole new application. The remainder of this section is not applicable to you and you can proceed to section 5.

Please confirm the date on your most recent decision letter: ....
(There is no need to send us a copy or the original decision letter – we will check this information in our records.)

Please confirm the date your property was last marketed on / the date you were provided with confirmation from a reputable estate agent that your property cannot be put on the market due to the effects of HS2: ....

Please confirm the criteria you are basing your application on by ticking the relevant box (or boxes) below.

This should be the exact criteria on which your previous application was unsuccessful. Please check if you need to re-market your property (see above).

- ☐ Criterion 1: Type of property
- ☐ Criterion 2: Location of property
- ☐ Criterion 3: Effort to sell and the effect of blight (updated evidence is required if this is not your first re-application)
- ☐ Criterion 4: No prior knowledge
- ☐ Criterion 5: Compelling reason to sell

I declare that there has been no change to my circumstances to do with the criteria under which my previous application was successful.

Each applicant must sign in the box below, and add the date they signed.

Section 5 – Criterions

Please make sure you read the guidance before answering these questions and gathering evidence to support your application.

Please complete the sections below in full and include evidence to support your answers. The evidence you provide should be original documents or certified copies (see 'Certified copies' below). We will not be responsible for any costs you incur in providing these.

Criterion 1: Type of property

Are you:

☐ the owner-occupier of a private residential property

☐ the owner-occupier of business premises whose annual rateable value is not more than £44,200 in Greater London or £36,000 for the rest of England

☐ the owner-occupier of an agricultural unit

☐ the mortgage lender who has a right to sell the property and can give immediate vacant possession

☐ a personal representative of someone who has died

☐ a reluctant landlord (see Glossary for definition)

What category of ownership do you have?

☐ Freehold

☐ Leasehold

☐ Mixed leasehold and Freehold

For any leasehold, how long until the lease runs out? .... years................months

What Land Registry titles are included in the sale?

Please list all title numbers and state whether these are to be sold in full or part. If you only want to sell part of your property, please provide a clear plan of the area you are applying for. **This must be the same as the area of the property that has been marketed for sale.**

....

....

....

Please tell us about any occupants in the property (for example, their leases, licenses, tenancy agreements or informal arrangements).

Evidence – Criterion 1

Evidence of Ownership:

- the epitome of title document
- the conveyance to the current owner (please do not send the original deed of conveyance as this cannot be replaced)
- a copy of the Land Registry entry, or a copy of the lease.

If the property contains more than one title, please provide all titles.

Evidence of Occupation:

Owner-occupiers of residential properties

We need two documents, which must be from different organisations. You can provide one document from List A and one document from List B, or two documents from list A (See both lists below). All documents must include your name and the address of the property and must be original or certified copies of paper statements (that is, not printed from the internet or from an electronic copy). This may mean you need to ask organisations for paper copies to be sent to you.

If you are the owner-occupier of the property:

- One piece of evidence from List A must be dated within the three months immediately before the date on your application.

- The second piece of evidence should then be dated at least six months before the date of the first piece of evidence and within the last 18 months.

If the property is empty:

- you will need to provide evidence that the property has been empty for no longer than 12 months from the date of your application. We would expect to see evidence of the date you left the property; and
- you need to evidence that you occupied it for at least six months before it became empty.

List A	List B
A recent bank or building society statement that shows the date it was issued (or one showing transactions from within the last three months)	Utility bill (e.g. gas, electricity, water or landline phone)
A mortgage statement	Local authority tax bill (for example, council tax or business rates bill)
A recent credit card statement that shows the date it was issued (or one showing transactions from within the last three months)	Home contents insurance certificate for the address for the relevant period (If you want to submit this, you will also need to provide the buildings insurance certificate for the property for the same period (if they are separate), to show that you have both buildings and contents insurance as an owner-occupier)
Loan statements or a student loan statement	
Documents and correspondence about the State Pension, tax credits, Universal Credit or other benefits	
Private pension statements (if you currently receive a pension)	

We may ask for further proof to confirm statements and we will check the electoral roll or other sources to check statements you have made.

Examples of evidence that we cannot accept as proof of occupancy (as they do not provide reliable proof of an address)
Provisional or full driving licence
National Insurance card
Mobile phone bill
Letter from a GP, dentist or similar
TV licence

Owner-occupiers of business premises

We will need:

- evidence as listed above relating to the occupation of the small business premises; and
- a business rates bill.

Mortgage providers

We will need:

- details of any mortgage roll or reference number and contact details of the bank or mortgage provider; or
- proof that you are a mortgage provider and confirmation that you can sell the property with vacant possession.

Personal representative of someone who has died

We will need:

- the death certificate
- power of attorney
- grant of probate
- last will and testament
- letters of administration; and
- Evidence that the person occupied the property before their death (in line with the requirements for owner-occupiers set out above).

Reluctant landlords

- A copy of all tenancy agreements for your new accommodation since you moved out of the property that the application relates to, including proof that the earliest tenancy agreement began after 11 March 2010 (London – West Midlands), 28 January 2013 (West Midlands - Crewe or Crewe - Manchester) or evidence of other living arrangements.
- Copies of any tenancy agreements in place for the property you are applying for since you moved out
- Proof that you are living at the property you are currently renting (see list of acceptable documents above)
- Proof that you lived at the property for at least six of the 18 months before you moved out

If the property you are applying for is currently vacant please provide:

- evidence of marketing it for letting
- a council tax bill to prove it is vacant

Criterion 2: Location of property

Briefly describe in the box below the location and characteristics of the property and its surroundings, including where it is in relation to the HS2 route.

Evidence – Criterion 2

Please include evidence that supports the description you have set out For example:

- the filed plan held at the Land Registry (originals or certified copies);
- a plan of the agricultural unit (if this applies to your application);
- a map showing the exact location and outline of the boundary of the property, if it might be difficult to identify the boundary using just the address; or
- evidence that supports your statement above, such as photographs of the existing surroundings, maps, plans or drawings.

Criterion 3: Effort to sell and the effect of blight

Please give details of the marketing advice you received for your property before you chose your estate agent.

You must provide evidence of having approached **at least three** estate agents.

Estate agent's name, address and website address	Date you received the advice	Proposed price of the property

When was the property first placed on the market? ....

What was the initial asking price for the property? ....

What is the current asking price for the property? ....

Give details of the estate agent currently marketing the property. (If more than one estate agent is marketing the property, please add details on a separate sheet.)

Estate agent's name: ....

Name of your contact there: ....

Branch address: ....

....

....

....

Phone number: ....

Email address: ....

Please list all reductions that have been made to the asking price and when these took place.

Date of reduction	Revised asking price	Additional relevant comments

How has the property been marketed? Tick all that apply (For example; on agents website, adverts in local and national media, internet marketing using national or local websites, 'For Sale' board):

How has the property been marketed?	Please tick
Agents Website	
Adverts in local media	
Adverts in national media	
Internet marketing (Rightmove, Zoopla etc.)	
'For Sale Board'	
Other (if applicable provide details below)	

How many viewings has the property had? ....

Please provide details of any offers you have received for the property

Date of offer	Estate agent the offer came from	Offer amount	**Outcome and details** (i.e whether rejected or accepted, accepted offer that then fell through etc.)

I confirm the following:

	Please tick
I have approached at least three agents for marketing advice	
My property has been on the market for at least three months with one or more agents and I have reduced the asking price at least once	
I have received feedback from estate agents or possible buyers that HS2 is preventing the property from selling	
I have not received an offer within 15% of the unblighted asking price or, if I have, I can show that this offer was unreasonably low, specifically because of HS2	
I am not currently selling my property to anyone else and do not have any outstanding offers that I have not accepted or rejected at this time	

Evidence – Criterion 3

Please include evidence to support your answers. This evidence should be original documents (or certified copies) and should include the following items (if you have them).	
The performance of the current housing market and the efforts that sellers would normally have to make in that market, particularly if they had a compelling need to sell their property. (You can get this information from estate agents, chartered surveyors or the media). Please note that we will provide details of properties currently on the market and recently sold in the vicinity of your property. We will share this information with you beforehand.	
The price your property would be marketed at ignoring the effect of plans for the HS2 (for example, through providing a range of suggested asking prices from estate agents).	
Valuation and marketing proposal letters from estate agents you took advice from before putting the property on the market with the agents you chose	
Evidence that you have approached at least three estate agents for a proposed asking price and that the eventual asking price you use reflects their professional opinion of the price your property would be marketed at ignoring the effect of plans or impact of HS2.	
Instruction letter from an estate agent (or estate agents, if you have appointed more than one).	
Sole or joint agency or sales agreement (for example, your contract with your estate agent). **It is essential that you provide this**	
Proof of the date the estate agent began marketing the property (for example, correspondence from the estate agent, newspaper advert, website entry, promotions).	
Sales details produced by current and previous estate agents for your property.	
Evidence of marketing, such as adverts in local and national media, internet marketing using national or local websites, or evidence of a 'For Sale' board and evidence that the property has been actively marketed with at least one recognised estate agent for at least three months.	
Feedback from viewings or from people who chose not to view the property. (This must come from the viewers themselves or from current and previous estate agents.)	
Other letters and any other relevant documents your agent has sent you.	
Evidence of offers you have received and the outcome of these.	
Evidence that you have tried more than one asking price (for example, through advertisements or correspondence with your estate agent).	

Evidence that an offer received was a blighted offer, such as feedback from a possible buyer to estate agents, and local property market information on the difference between the asking price and the sale price.	
Written evidence (emails or letters) that you are unable to market your property because at least three recognised estate agents refuse to take it on due to HS2. For example, originals or certified copies of letters or printouts of emails in which agents say why they refuse to market the property, records of appointments with estate agents visiting your property and/or promotional materials addressed to you before the agent refused to market the property.	

Criterion 4: No prior knowledge

On what date did you buy the property? ....

Evidence – Criterion 4

Please include evidence to support when you bought the property (or inherited it or received it in a settlement, for example).

If you bought your property after 11 March 2010 (London – West Midlands), 28 January 2013 (West Midlands – Crewe or Crewe to Manchester) you will need to show further evidence that you could not have known that the HS2 route might be in the area of your property when you bought it.

If the property is registered with the Land Registry, the copy of the title you have already provided for criterion 1 is enough – there is no need to provide two copies.

Criterion 5: Compelling reason to sell

Describe why you have a compelling reason to sell your property. On pages 17 to 24 of the guidance, you will find examples of successful and unsuccessful applications under this criterion. Please use extra sheets if necessary.

Evidence – Criterion 5

Please include relevant supporting evidence (either originals or certified copies).

Depending on the compelling reason you have told us about, examples of evidence are set out on pages 17 to 24. This is not a full list and further evidence may be required depending on your personal situation. Please provide as much evidence as possible to support your compelling reason to sell.

Please tick the boxes for each section that you have filled in and provided evidence for.

- ☐ Criterion 1: Type of property
- ☐ Criterion 2: Location of property
- ☐ Criterion 3: Effort to sell and the effect of blight
- ☐ Criterion 4: No prior knowledge
- ☐ Criterion 5: Compelling reason to sell

Please list, in order of the criteria, the supporting evidence that you are sending with this application form. Please use extra sheets if necessary.

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Please use extra sheets to provide any other information you think is relevant to your application, and enclose them with your application. Please number the extra sheets and say which criterion they relate to.

How many extra sheets have you used (not including supporting evidence such as copies of documents)? ....

Certified copies

We accept copies of documents which have been certified by a professional person or by using the official Post Office Identity Document Checking Service.

If you use the Post Office Identity Document Checking Service we will need the original, filled-in checking service form and the original till receipt from the post office, showing you have paid for this service. We should receive your application no later than two months from the date on the till receipt. If you do not meet any of these requirements, we will not accept certification by the Post Office.

We accept documents certified by the following professions:

- bank or building society official
- councillor
- minister of religion
- dentist
- chartered accountant
- solicitor or notary
- teacher or lecturer

The person you ask should not be:

- related to you
- living at the same address
- in a relationship with you

They should write 'I certify this document is a true copy of the original', sign it, and write their name, profession, the date, and the name and address of their employer on each page of the copied document (and not over the top of other text).

Please provide the details of the certifier below so that we can contact them if necessary.

Name: ....

Address: ....

....

....

Contact number: ....

Email address: ....

Employer: ....

If you cannot provide originals or certified copies, when you make your application you should explain why the originals are unavailable.

How we will use your personal information

We and the Department for Transport will use the information you have provided on the application form only for the purpose of processing your application under the Need to Sell scheme.

We will not share your information with other organisations except to prevent fraud or if we have to do so by law.

We will return the original supporting documents to you and keep a copy for our records.

For more details on how we use your information, how we keep it secure, and your rights to access the information we hold, go to: **www.hs2.org.uk/privacy-notice**.

Where did you hear about the NTS scheme?

To help the Government understand how effective communications about the NTS scheme have been, please tell us where you first heard about the scheme.

To help the Government understand how effective communications about the NTS scheme have been, please tell us where you first heard about the scheme.	
	Please tick
National Media	
HS2 Ltd or Department for Transport Staff	
Local Media	
Word of Mouth	
Internet (including HS2 Website)	
Library or community venue	
Public consultation document or event	
Anti-HS2 campaign group	
Other	
If other please specify:	

Keeping you informed

We are committed to keeping you informed about work on HS2. This includes making sure you know what to expect and when to expect it, as well as how we can help.

Residents' and Construction Commissioner

The independent Residents' and Construction Commissioner oversees and monitors our **community engagement strategy**, making sure we fulfil our commitments to you.

The commissioner monitors the way we manage and respond to complaints about construction and advises members of the public how to make complaints.

The commissioner helps settle disputes involving individuals and organisations that we can't resolve.

You can find the commissioner's report and our responses at: **www.gov.uk/government/collections/independent-hs2-commissioner**

The commissioner can be contacted on: **hs2commissioner@dft.gov.uk**

Property and compensation

You can find out all about HS2 and properties along the route by visiting: **www.gov.uk/government/collections/hs2-property**

Find out if you're eligible for compensation at: **www.gov.uk/claim-compensation-if-affected-by-hs2**

Holding us to account

If you are unhappy for any reason, you can make a complaint by contacting our HS2 Helpdesk team. For more details on our complaints process, please visit our website: **www.hs2.org.uk/contact-us/how-to-complain**

Contact us

Our HS2 Helpdesk team are available all day, every day. You can contact them by:

Freephone **08081 434 434**

Minicom **08081 456 472**

Email **hs2enquiries@hs2.org.uk**

Write to

FREEPOST
HS2 Community Engagement

Website **www.hs2.org.uk**

To keep up to date with what is happening in your area, visit:

www.hs2inyourarea.co.uk

Please contact us if you'd like a free copy of this document in large print, Braille, audio or easy read. You can also contact us for help and information in a different language.

We are committed to protecting personal information. If you would like to know more about how we use your personal information, please see our privacy notice (**www.gov.uk/government/publications/high-speed-two-ltd-privacy-notice**).

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