



# Information for property owners

This factsheet describes the arrangements proposed for the provision of information and assistance to owners and occupiers of property subject to compulsory purchase under the proposed hybrid Bill.

Version 1.0

Last updated: September 2020

# 1 Introduction

- 1.1.1 High Speed Two (HS2) is the Government's proposal for a new, high speed north-south railway. The proposal is being taken forward in phases. Phase One will connect London with Birmingham and the West Midlands. Phase 2a will extend the route to Crewe. The Western Leg of Phase 2b comprises an extension of the network to Manchester and a connection to the West Coast Main Line at Golborne, and is referred to as the Western Leg hybrid Bill. The Eastern Leg of Phase 2b currently comprises an extension of the network from the West Midlands through the East Midlands to Leeds.
- 1.1.2 HS2 Ltd is the non-departmental public body responsible for developing and promoting these proposals. The company works to a Development Agreement made with the Secretary of State for Transport.
- 1.1.3 The construction and operation of Phase One of HS2 is authorised by the High Speed Rail (London – West Midlands) Act (2017). In July 2017, the Government introduced a hybrid Bill to Parliament to seek powers for the construction and operation of Phase 2a.
- 1.1.1 In February 2020, the Government announced its intention to draw up an Integrated Rail Plan. This will recommend a way forward on scoping, phasing and sequencing the delivery of HS2 Phase 2b, Northern Powerhouse Rail, Midlands Rail Hub and other proposed rail investments across the north. At the same time, the Government asked HS2 Ltd to prepare the Western Leg hybrid Bill, provided it does not prejudge any recommendations or decisions that will be taken in this plan, which will be published by the end of the year.
- 1.1.2 It is intended to deposit a Western Leg hybrid Bill seeking powers to construct and operate this phase in Parliament in early 2022 or sooner if possible (the Proposed Scheme). The work to produce the Bill will include an Environmental Impact Assessment (EIA), the results of which will then be reported in an Environmental Statement (ES). The ES would be submitted alongside the Bill when it is introduced to Parliament. As was the case with Phase One and Phase 2a, when the Bill is introduced to Parliament the Secretary of State will also publish draft Environmental Minimum Requirements (EMRs). The EMRs will set out the environmental and sustainability commitments that will be observed in the construction of the Proposed Scheme.
- 1.1.3 A series of information papers were produced for the Phase One and Phase 2a hybrid Bills, explaining the commitments made in those Bills and EMRs. It is the Secretary of State's intention to follow a similar process for the Western Leg Bill. These information papers will be used to provide information about the Proposed Scheme itself, the powers contained in the Bill and how decisions on

the Proposed Scheme have been reached. It is currently proposed that these information papers for the Western Leg of Phase 2b will be published at the time the Bill is introduced in Parliament.

- 1.1.4 The Secretary of State for Transport will be ‘the Promoter’ of the Western Leg Bill. The Promoter will also eventually appoint a body responsible for delivering the Proposed Scheme under the powers to be granted by the Bill. This body will be known as the ‘nominated undertaker’. There may well be more than one nominated undertaker. However, any and all nominated undertakers will be bound by the obligations contained in the Bill, the policies established in the Western Leg EMRs and any commitments provided in the Western Leg information papers.
- 1.1.5 These Western Leg factsheets have been produced to provide information on the emerging proposals for measures to manage the design process for the Proposed Scheme and to control impacts which may arise from the construction and operation of the Proposed Scheme. These measures may then be applied to the Western Leg as commitments made through the eventual Bill, EMRs or information papers.

## **2 Overview**

- 2.1.1 This factsheet describes the arrangements proposed for providing information and assistance to owners and occupiers of property that may be subject to compulsory purchase under the Bill.

## **3 Continuing communication**

- 3.1.1 The Secretary of State and HS2 Ltd have already conducted several major mailing exercises with a view to keeping those most affected by the Proposed Scheme informed about its expected impacts on their properties. In addition to letters and leaflets publicising information events, letters to owners were sent out when the preferred route was first announced in January 2013; when draft safeguarding maps were published; when safeguarding was confirmed; and when the working draft Environmental Statement report was published. Formal notification will be issued to affected landowners when the Bill is deposited in Parliament.
- 3.1.2 During the passage of the Bill and following Royal Assent, the Secretary of State will undertake a continuing communications exercise with the owners and occupiers of property that is expected to be subject to compulsory acquisition for the Proposed Scheme.

- 3.1.3 As a minimum, this communications exercise with property owners and occupiers would provide:
- an indication of whether the property which they own or occupy is likely to be required, and if part only of the property is likely to be required, which part; and
  - the best estimate available of the date on which such property is likely to be required.
- 3.1.4 If there are any proposed amendments to the Bill during the parliamentary process that affect new or existing property owners there would be further communication.
- 3.1.5 The above will not apply in cases where property is subject to an agreement to purchase under any non-statutory HS2 property purchase scheme, or where compulsory acquisition is for a subsoil interest only (such as a property above a proposed tunnel).
- 3.1.6 HS2 Ltd (and, in due course, the nominated undertaker) will maintain a helpdesk which will enable all property owners and occupiers to contact HS2 Ltd and its property advisers.

## **4 Assistance to residential property owners**

- 4.1.1 Since safeguarding was confirmed on 15 November 2016 and updated 17 July 2017, 27 September 2017, 6 June 2019, 15 April 2020 (for individual sites) and 7 October 2020, owner-occupiers of property within the safeguarded area have been able to serve blight notices, requiring the Government to consider purchasing their property on compulsory purchase terms (before it is actually required for the Proposed Scheme). This is a statutory process, not specific to HS2.
- 4.1.2 In addition to the statutory blight provisions that apply within the safeguarded area, property owners inside and outside of this area may be eligible for one of a number of schemes, in most cases depending on the distance of the land or property from the planned route. These schemes are non-statutory, formulated specifically for properties affected by HS2. They include property purchase schemes and cash payment schemes. Property owners may have more than one option available to them.

- 4.1.3 Please see the 'Guide to HS2 Property Schemes' at:  
[www.gov.uk/government/publications/hs2-property-schemes-between-london-and-the-west-midlands](http://www.gov.uk/government/publications/hs2-property-schemes-between-london-and-the-west-midlands)

## 5 Assistance to business

- 5.1.1 Businesses displaced by the Proposed Scheme will be compensated within the provisions of the relevant compulsory purchase legislation - generally known as the Compensation Code<sup>1</sup>. This recognises the importance to businesses displaced from their existing premises (by compulsory purchase of those premises for public works) of being able to relocate to another site. The Compensation Code normally provides for the cost of such relocation to be taken into account under the heading of disturbance compensation.
- 5.1.2 The Secretary of State considers that the Compensation Code provides a fair basis for compensation in respect of such costs. He will expect the nominated undertaker to take all reasonably practicable steps to limit the impact of the Proposed Scheme upon existing businesses, thereby keeping to a minimum the need to incur liability for disturbance compensation to such businesses under the Compensation Code.
- 5.1.3 Where appropriate, the Secretary of State (or the nominated undertaker) would pay businesses that need to move due to the Proposed Scheme the reasonable costs of appointing their own agent to find suitable premises.
- 5.1.4 The Secretary of State recognises the importance for existing businesses being able to plan their relocations with as much advance information as is reasonably practicable, to ensure a smooth transition of their operations from one location to another. Therefore, once the Bill has received Royal Assent, the Secretary of State or his nominated undertaker would make arrangements to provide businesses with a longer period in which to relocate than the three months specified in the Bill, where this is practicable. In such cases, the Secretary of State's overall aim would be to provide as long a period as is practicable, commensurate with the coordinated progress of the works.

## 6 More information

- 6.1.1 Further factsheets and details on the Proposed Scheme can be found at:  
[www.hs2.org.uk/phase2b](http://www.hs2.org.uk/phase2b)

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<sup>1</sup> The code is described in guidance published by the Department for Communities and Local Government. See <https://www.gov.uk/government/publications/compulsory-purchase-process-and-the-crichel-down-rules-guidance>

6.1.2 For more information on the statutory and non-statutory property schemes see:  
[www.gov.uk/claim-compensation-if-affected-by-hs2](https://www.gov.uk/claim-compensation-if-affected-by-hs2)