

Rural support zone

Guidance and application form





Department for Transport

High Speed Two (HS2) Limited has been tasked by the Department for Transport (DfT) with managing the delivery of a new national high speed rail network. It is a non-departmental public body wholly owned by the DfT.

High Speed Two (HS2) Limited
Two Snowhill
Snow Hill Queensway
Birmingham B4 6GA

Phone: 08081 434 434

General email enquiries: HS2enquiries@hs2.org.uk

Website: <https://www.hs2.org.uk>

High Speed Two (HS2) Limited has actively considered the needs of blind and partially sighted people in accessing this document. The text will be made available in full on the HS2 website. The text may be freely downloaded and translated by individuals or organisations for conversion into other accessible formats. If you have other needs in this regard, please contact High Speed Two (HS2) Limited.

© High Speed Two (HS2) Limited, 2020, except where otherwise stated.

Copyright in the typographical arrangement rests with High Speed Two (HS2) Limited.

This information is licensed under the **OGL** Open Government Licence v3.0.

To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3>, write to the Information Policy Team at The National Archives, Kew, London TW9 4DU, or e-mail: psi@nationalarchives.gsi.gov.uk. Where we have identified any third-party copyright information you will need to obtain permission from the copyright holders concerned.



Printed in Great Britain on paper containing at least 75% recycled fibre.

Plain English's Campaign Crystal Mark does not apply to this page.

Contents

1	Introduction	2
2	Glossary	2
3	Rural support zone	4
3.1	What is the rural support zone (RSZ)?	4
3.2	What is available for property owners in the rural support zone?	6
3.3	Am I eligible to apply?	6
4	Application process	11
4.1	Step one – check if you qualify for the scheme and understand your options	11
4.2	Step two – fill in the application form	11
4.3	Step three – we process your application	11
4.4	Step four – decision	12
4.5	Step five – valuations	12
4.6	Step six – offers	13
4.7	Step seven – choosing a scheme and appointing solicitors	13
5	Frequently asked questions	14
	Application form	- 1 -

1 Introduction

- 1.1.1 This guidance provides information about the discretionary schemes available in the rural support zone (RSZ), how to find out if you are eligible, and how to apply for an RSZ scheme. If your application is successful, we will begin the valuation process. You can find details on each stage of the application process in chapter 4.

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.

Deed of receipt: A legal document under which we will pay cash offers, with conditions on repayment under certain circumstances.

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.

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 proposed 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.

Need to sell (NTS) scheme: A scheme for property owners who believe they have a compelling (convincing) reason to sell their property. Owners must meet five conditions and there is no geographic boundary to this scheme.

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 (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.

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.

Safeguarding directions: The directions issued by the Secretary of State that establish the land that is safeguarded. 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.

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.

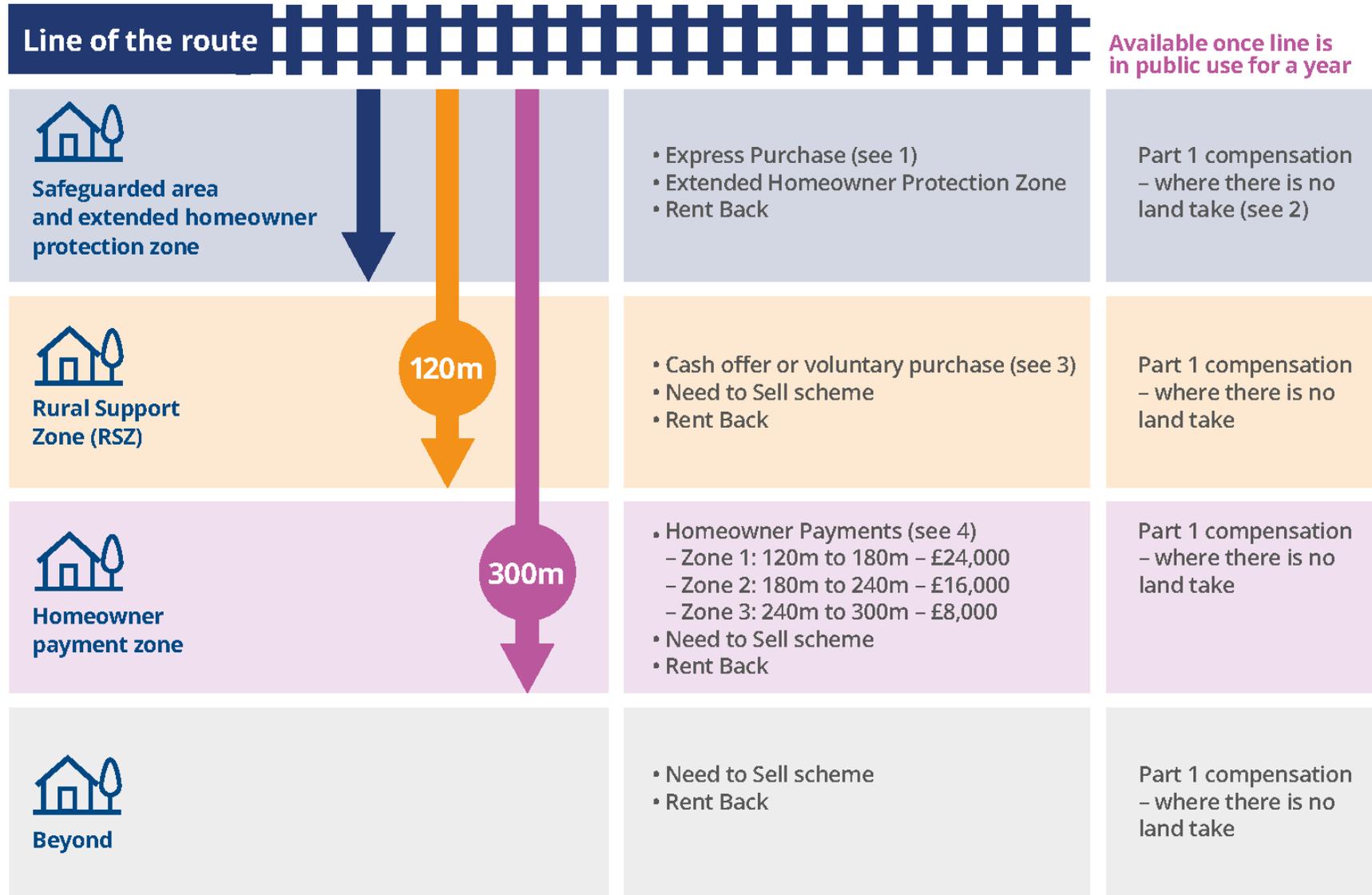
Subsurface safeguarding: In locations where subsurface safeguarding applies, local authorities do not usually have to consult on applications for planning permission, unless the proposed development would extend below ground level. For HS2, subsurface safeguarding is usually put in place when the proposed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

Unblighted open-market value: The value the property would have on the open market, as if there were no plans for HS2.

3 Rural support zone

3.1 What is the rural support zone (RSZ)?

- 3.1.1 The rural support zone is the area that starts at the outer border of safeguarding (see the glossary on page 2) and stops 120 metres from the centre line of the HS2 railway in rural areas. The discretionary schemes set out in this guidance are only available in the RSZ and you may be eligible if you live within it. You can find details of how to find out if you are in the RSZ on page 9 of this guidance.
- 3.1.2 The RSZ applies to all phases of the HS2 route. Phase One is the section of the route from London to the West Midlands, Phase 2a is the section between the West Midlands and Crewe, and Phase 2b is the section from Crewe to Manchester on the western leg and the West Midlands to Leeds on the eastern leg.
- 3.1.3 There are two discretionary schemes available in the RSZ. You can choose from:
- a cash offer; or
 - the voluntary purchase scheme.
- 3.1.4 You will be able to apply to the RSZ schemes until one year after the relevant phase of the railway is first open for public use. This means you have time to consider the options and choose what is best for you and your family. It also means you can begin the application process at a time that suits you. This guidance explains the options and how to apply.
- 3.1.5 The illustration on the next page shows the current schemes and those that will become available. You can find more information on all the schemes, as well as maps on which you can check whether you qualify, at <https://www.hs2.org.uk/in-your-area/assistance-for-property-owners/apply-for-property-assistance-schemes>.



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) Available now for Phase One and Phase 2a; only available for Phase 2b after Royal Assent of the Bill. Applies to rural areas only and does not extend to areas beyond deep tunnels.

3.2 What is available for property owners in the rural support zone?

3.2.1 Two schemes, set out below, are available in the RSZ. The RSZ is the zone adjoining safeguarding and up to 120 metres from the centre line of the railway. There is a single application process covering both schemes.

3.2.2 The two schemes are as follows.

- The **cash offer**. This is a lump-sum payment of 10% of the unblighted open-market value of your property. (In other words, the value of the property in current market conditions, as if there were no plans for HS2.) There is a minimum payment of £30,000 and a maximum payment of £100,000.

The cash offer provides an alternative to owner-occupiers who choose to stay within their community.

- The **voluntary purchase scheme**. Under this scheme, the Government will buy the property for 100% of the unblighted open-market value.

This non-statutory scheme will allow eligible owner-occupiers of properties within the RSZ to ask the Government to buy their property. If you are a small business with either a leasehold or a freehold interest, please see section 3.3.3.

3.2.3 Under both schemes, your property would be valued to assess its unblighted open-market value. You can find more details on the valuation procedure in step 5 of the application process.

3.2.4 Both of the RSZ schemes will be available until one year after the relevant phase of the railway is first open for public use.

3.2.5 If you accept a cash offer, you cannot apply for the voluntary purchase scheme at a later date. However, if you have a compelling (convincing) reason to sell your property, you can still apply for the Need to Sell (NTS) scheme. Also, you might choose a cash offer based on the information available about the expected impact of HS2 at the time. If we pay you a cash offer, but the expected or actual impact on your property is significantly worse than at the time you accepted the offer, you can apply for the NTS scheme. When deciding whether you are eligible for the NTS scheme, we will consider any evidence of a compelling reason to sell. This is one of five conditions for the NTS scheme, and you would need to meet them all.

3.2.6 If your application to the NTS scheme is successful and the Government agrees to buy your property, we would take our cash offer payment, plus statutory interest, from the NTS purchase price. You can find details of the NTS scheme at <https://www.hs2.org.uk/in-your-area/assistance-for-property-owners/apply-for-property-assistance-schemes>.

3.2.7 We will also reclaim the value of the cash offer, plus statutory interest, if you sell to the Government under the statutory blight or express purchase schemes or if your property is bought under compulsory purchase. If you accept the cash offer you will still be able to claim for loss of value due to the physical effects of the railway under Part 1 of the Land Compensation Act 1973 or under 'injurious affection' (see the glossary).

3.3 Am I eligible to apply?

3.3.1 To be eligible for property schemes in the RSZ, we need to see evidence that:

- you have a qualifying interest in the property (details on the next page);
- you were not aware of the proposed HS2 route in your area when you bought the property;
- and

- your property is fully or partly in the RSZ. If it is partly in the RSZ, either your house (generally the building you live in) or at least 25% of the whole area (generally the house and garden, but also other land included within the property) must be in the zone.

3.3.2 We explain these requirements in more detail below. If you apply without the proof stated in 3.3.1, or if we are not satisfied with the proof you provide, we may reject your application.

Q1. Can I apply?			
<p>Yes I am an owner-occupier of a private residential property</p>	<p>Yes I am an owner-occupier of a business</p>	<p>Yes I am an owner-occupier of an agricultural unit</p>	<p>Yes I am a mortgage provider (for example, a bank)</p>

3.3.3 To be eligible for the RSZ schemes, we need to see evidence that you have a qualifying interest in the property. The full definition of 'qualifying interest' is in Chapter 2, Part 6 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 of business premises with an annual rateable value of not more than £44,200 in Greater London or £36,000 for the rest of England (please see your local authority's business rates banding for more details of rateable values); or
- an owner-occupier of an agricultural unit. (For agricultural units to qualify for the RSZ schemes they must include a property that acts as a main home.)

3.3.4 You must have an 'owner's interest' on the date you sign your application for the RSZ scheme and, in the case of the cash offer payment, when we make the payment to you. 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).

3.3.5 For the purpose of the RSZ schemes, a mortgage provider is only eligible for the voluntary purchase scheme and must have a right to sell the property and be able to give immediate vacant possession.

3.3.6 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 8) in order to qualify for the RSZ schemes. (The Land Registry is the government organisation that records who owns land. Each piece of land bought is called a 'title'.)

3.3.7 If you choose the cash offer, we can only make one cash offer payment per property (a property could consist of one land title, or more than one adjoining land titles).

3.3.8 Owners of more than one house or more than one agricultural or business unit within one property would not be eligible for more than one cash offer for that site, regardless of any changes to occupancy which may happen over time.

- 3.3.9 However, where one residential home and one small business unit is within one property, we may pay more than one cash offer. This recognises that a business owner sometimes lives in a private home and also owns and runs a business in a unit on the same site, paying separate rates.
- 3.3.10 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 any HS2 property scheme. This applies whether the land is registered or unregistered.
- 3.3.11 If you want to sell your property (through the voluntary purchase scheme) and have outbuildings or units that are habitable, you should speak to your case officer as soon as you have applied for the scheme. We may ask you for further evidence or documents to help us decide whether you are eligible under the RSZ schemes.

Q2. Do I meet the occupancy requirements?

Private home

You must be living in the property on the date you submitted 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.

Business premises

You must have owned the premises (freehold or leasehold with more than three years left on the lease) for at least six months before the date you submitted your application 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.

Agricultural unit

You must have occupied the premises for at least six months before the date you submitted your application.

Or

If the agricultural unit is not occupied, you must have a qualifying interest in it (see page 7) 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 these schemes, your main home must be located on the agricultural unit.

Q3. Is my property fully or partly in the rural support zone? (Please check the maps and plans at www.gov.uk/hs2)

Yes – fully

You can apply for the cash offer or voluntary purchase scheme.

No

You may be eligible for the Need to Sell scheme, or the homeowner payment scheme if this is still in place.

Yes – partly

If this is the case, you can apply for the cash offer or voluntary purchase scheme.

We will assess whether any part of your home is within the RSZ according to Ordnance Survey electronic mapping.

If no part of your home is within the RSZ, we will assess the percentage of the total area of your property (generally the house and garden, but also other land included within the property), on the same basis as above. If more than 25% of your property (that is, the whole property, including the house, garden and land) is within the RSZ, you may be eligible to apply for either the cash offer or the voluntary purchase scheme. We will assess your ownership of the land and the footprint of your property (the area of land it covers) as it was on 17 July 2017 to decide whether at least 25% of your property is within the RSZ. This means that any changes to your title, including parts built, sold or bought after 17 July 2017, will not be counted when we consider whether you qualify under either scheme. We will base this on planning records and the Land Registry title (or titles) for the property or, if the property is not registered with the Land Registry, other legal documents which show the extent of the property.

The construction of your property must be in line with planning law and regulations.

Q4. 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.

3.3.12 For applications along Phase One of the route, if you bought your property at any time after we announced the Phase One initial preferred route on 11 March 2010, we will generally consider that you bought it 'with prior knowledge' of Phase One. (You had 'prior knowledge' if you were aware of the proposals for HS2 at the time you exchanged contracts when buying your property. For applications along Phase 2a and Phase 2b, if you bought your property at any time after we announced the Phase 2a or 2b initial preferred route on 28 January 2013, we will generally consider that you bought it with prior knowledge of Phase 2a or 2b. We will consider the amount of information available at the time you bought the property, and whether this information would have meant you could have reasonably known generalised blight might apply. (Generalised blight is 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.)

3.3.13 **Changes to the route**

Following changes that were made to the route on:

- 20 December 2010, 10 January 2012, 16 May 2013 and 25 November 2013 (Phase One);
- 30 November 2013 and 17 July 2017 (Phase 2a); and
- 7 July 2016, 15 November 2016 and 17 July 2017 (Phase 2b);

or 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

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, we would take this and any other relevant information into account when assessing your application.

We will need copies of the local searches.

4 Application process

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

- 4.1.1 If you have read the information above and believe your property is in the RSZ and eligible for the property schemes, you can fill in the application form provided with this guidance. This process is the same for both the cash offer and the voluntary purchase scheme. We will not ask you to decide which scheme you want to opt for at this point.
- 4.1.2 There is no need to decide immediately about applying as the schemes will be open until one year after the HS2 railway is opened to the public. This gives you time to consider your circumstances and apply to the schemes when the time is right for you.
- 4.1.3 It is essential that you read and understand the requirements for the RSZ schemes. If you have any questions about the schemes, please contact our Helpdesk. If you have applied for a scheme before but been unsuccessful, your case officer will have contacted you to explain why, and whether we need more evidence for some of the eligibility criteria. It is important that you read and understand this feedback from your case officer if you are thinking about applying again because your circumstances have changed or you are able to provide further evidence.
- 4.1.4 The RSZ schemes are aimed at supporting people who are most directly and negatively affected by the proposals for HS2. We decide if you qualify for a scheme based on the information in your application. If you resubmit an application using the same information and hoping for a different outcome, it is not likely to be successful. If you have no further useful evidence to give us, or if there has not been a significant change in your circumstances, we would advise against simply repeating an application.

4.2 Step two – fill in the application form

- 4.2.1 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.
- Please see the application form for examples of the types of documents we will accept as evidence. These include proof of your identity and proof of ownership and occupancy.
- 4.2.2 You do not need to appoint professional representatives to help with your application. We have designed the application process so that you do not need anyone else to act on your behalf.
- 4.2.3 If you do need (or want to ask) someone to help with your application, you are welcome to do so. You may want to ask a friend, relative or professional. In your application you must explain the relationship between you and any representative you ask us to correspond with. For any statements made on your behalf, your representative must sign the statement (or statements) and give their name, organisation and position in the organisation (if this applies) and declare that the information is correct to the best of their knowledge. The application process may take longer if someone else is acting on your behalf.

4.3 Step three – we process your application

- 4.3.1 We will acknowledge that we have received your application form and supporting documents. You will be given a named case officer, who will be your main point of contact if you have any questions.

4.3.2 Your case officer will first check whether your property is in the RSZ. If only part of the property and no part of your home is in the RSZ, we will calculate the percentage of the total area of your land (generally the house and garden, but also other land included within the property) in that zone. We will do this using the Land Registry title (or titles) for the property or, if the property is not registered with the Land Registry, other legal documents which show the boundary of the property. If there is any dispute about the boundary, it will be up to you (the owner) to prove the boundary of your property and to provide us with a revised Land Registry title.

4.3.3 If your property is in the RSZ, the case officer will check that your application is complete. They will also check the supporting documents you have provided and contact you if they need more evidence. Once your application is ready it will go on to the next stage, where we will consider it.

4.4 Step four – decision

4.4.1 Once we have considered your application, we will tell you whether we have accepted or rejected it. If we have accepted it, we will arrange independent valuations of your property. The valuations will be based on the unblighted open-market value of your property.

4.5 Step five – valuations

4.5.1 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.

- You can choose another surveyor from our pool, or any valuer registered with RICS in the UK (see the frequently asked questions section below for more information) who agrees to do the valuation (including agreeing conditions on the format of the report and a maximum fee).
- We will arrange and pay for both valuations.
- 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.

4.5.2 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.

Streamlined valuation

4.5.3 If you think your property is likely to be valued at £250,000 or less and you already know that you will choose the cash offer, you can choose to have a 'streamlined' valuation, instead of the inspected valuations set out in 4.5.1 and 4.5.2 above. A streamlined valuation is where a RICS-registered valuer, chosen by us from our pool, carries out a 'desktop' valuation (where the valuer doesn't visit the property but uses available information to value it). If they value your property at £250,000 or less, we will offer you the minimum £30,000 cash offer payment. If your property is valued at more than £250,000, we will follow the full valuation process in 4.5.1 and 4.5.2 above.

4.5.4 The full valuation process will stay available to you until you ask solicitors to prepare the deed of receipt (see the glossary) for the cash offer payment. This is in case you change your mind and ask us to buy your property through the voluntary purchase scheme.

4.5.5 To protect your interests, the £250,000 limit is intentionally lower than £300,000, which is the point at which the cash offer would rise above the minimum of £30,000 (cash offers above this property value would be 10% of the purchase price). The difference between the two figures acts as a buffer to make sure that the value of the property is below £300,000 if we are to offer the minimum payment. We believe it is important that nobody loses out from choosing this streamlined process, given that it will be based on one, rather than two, valuations.

4.5.6 We expect streamlined valuations to reduce timescales and keep any disruption to you to a minimum. If you think this option may apply to your property and you are interested in finding out more, please say on your application form that you would like to ask for a cash offer. Your case officer will then contact you with more information.

4.5.7 Streamlined valuations are an alternative to the standard valuation process for properties valued at £250,000 or less (and which is described in 4.5.1 and 4.5.2). If you use a streamlined valuation, you will still be able to use standard valuation up to the point that you ask solicitors to prepare the deed of receipt for your cash offer payment.

4.6 Step six – offers

4.6.1 We will write to you with a formal offer showing the value of the cash offer and how much we would buy your property for (unless you had a desktop valuation, in which case you would only receive a formal offer for the minimum cash offer payment). As with all property purchases in England and Wales, the final price paid depends on the result of a survey and will be finalised in a contract. You must sign a deed of receipt (see below) to receive your cash offer.

4.6.2 You will have 12 months from the date of our offer to choose the cash offer or voluntary purchase, at the price we have offered.

4.7 Step seven – choosing a scheme and appointing solicitors

4.7.1 If you choose the cash offer, we will make a payment equal to 10% of what would have been the unblighted open-market value of the property. There is a minimum payment of £30,000 and a maximum payment of £100,000. You will need to instruct a solicitor as we will need you to sign a deed of receipt to receive the payment. We will pay up to £500 (plus VAT) towards these legal costs.

If you choose voluntary purchase, we will buy your house under a normal conveyancing process. You will need to instruct a solicitor and pay their fees, as you would normally do when selling your property. The full voluntary purchase process is set out in a separate booklet called 'Discretionary property schemes; Selling your property'. You can ask our Helpdesk for a copy of this (see the last page). It is also published online at https://assets.hs2.org.uk/wp-content/uploads/2020/05/15141745/Land_and_property_booklet_v1.10_web.pdf.

4.7.2 Choose your solicitor carefully. Their performance will really affect your experience of selling your property and how efficiently your cash offer is processed. 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.

4.7.3 If you don't want to opt for either scheme within the 12 months from the date of your offer letter, you are under no pressure to accept either offer. Although the offers will end after 12 months, you will be able to apply again after this date if you want to. However, you will need to make a contribution of £1,000 (or £500 if you have had a desktop valuation) towards the cost of new valuations.

5 Frequently asked questions

My property is partly in the rural support zone and partly in the homeowner payment zone. Can I claim a cash offer and a homeowner payment?

No. We will only make one payment under our property schemes. Which payment applies to your property will depend on what part and how much of the property is covered by each zone. Specifically, any part of your home or 25% of the whole area of your land (generally the house and garden but also other land included within the property) would need to be covered by the RSZ. If this does not apply and your property is covered by one or more of the homeowner payment bands, you may be eligible for a homeowner payment. For more details, please see <https://www.hs2.org.uk/in-your-area/assistance-for-property-owners/apply-for-property-assistance-schemes>.

My property is partly in the RSZ and partly in the safeguarded area. Can I sell my property under the express purchase or statutory blight scheme and claim the cash offer?

No. We will only make one payment under either express purchase or statutory blight, or the cash offer scheme. If we make a cash offer payment and then your property is bought under express purchase or statutory blight, we would reclaim the cash offer payment (with statutory interest) from the express purchase or statutory blight purchase price.

Can you take the amount of my property in safeguarding into account when deciding whether I qualify for the RSZ schemes?

Yes.

My property is partly in the RSZ and partly in the safeguarded area. Can I apply for the cash offer and can the part of my property that is in the safeguarded area still be bought under compulsory purchase?

Yes. Also, it does not matter which happens first. However, you should be aware of the effect an earlier compulsory purchase might have on whether you can later claim the cash offer for the rest of the property. For example, you may no longer be eligible to claim the cash offer if the home associated with the property had previously been bought under compulsory purchase.

If some of my land has been bought under compulsory purchase and I am not eligible for express purchase or statutory blight for the whole of my property, can I apply for voluntary purchase for the rest of my property?

Yes, as long as you qualify for voluntary purchase (in line with the rules set out in section 3.3 above, including that your home or 25% or more of the whole of the property is in the RSZ). However, we will reclaim any injurious affection (see the glossary) paid, plus statutory interest, from the voluntary purchase price.

If I claim the cash offer, and the safeguarding boundaries later change and my property is compulsorily purchased, will the cash offer be taken off the compulsory purchase price?

Yes. We will reclaim the value of the cash offer, plus statutory interest, if we later buy your property under statutory blight, express purchase, or compulsory purchase.

Why is property I built, bought or sold after 17 July 2017 not taken into account when you assess the 25% needed for eligibility for the RSZ schemes?

We have adjusted the rules on entitlement to the RSZ schemes (and specifically the 25% rule) to make sure that people cannot change the boundary of the land they own in order to qualify for the RSZ schemes. On 17 July 2017 we updated the RSZ policy to include this change, and now we will take only the land you owned before this date into account for the 25% needed to qualify for the RSZ schemes.

I own more than one home or business unit within one Land Registry title or on adjoining titles, situated within both the RSZ and the homeowner payment zone. Can I claim both a cash offer and a homeowner payment, or more than one of either payment?

If more than one home or more than one agricultural or small business unit is within a property (a property could consist of one land title or more than one adjoining titles), you can only claim one cash offer or homeowner payment. Owners of more than one home or more than one agricultural or business unit would not be eligible for more than one cash offer or homeowner payment for that property, regardless of any changes to occupancy which may happen over time.

However, if one home and one small business unit is within one property, you may be able to claim one cash offer or homeowner payment for each class of use. This recognises that a business owner sometimes lives in a private home and owns and runs a business on the same land, paying separate rates.

I own several buildings that are within the same property, part or all of which fall within the RSZ. What should form a single application?

In this case, we will check whether each building is associated with a separate council tax or business rates listing (by using the council tax valuation list at <http://cti.voa.gov.uk/cti/inits.asp> or, for business rates, by checking with the local authority). Please see paragraph 3.3.7. If you choose the cash offer, we can only make one payment per type of property. For example, if there are two homes, you can only claim one cash offer. Likewise, if there are two commercial units, you can only claim one cash offer.

I own a property made up of several Land Registry titles and part or all of my property falls within the RSZ. What happens here?

For our purposes, what forms a single property will depend on the council tax or business rates listing rather than the Land Registry titles. (We use the council tax valuation list at <http://cti.voa.gov.uk/cti/inits.asp> or, for business rates, information held with the local authority.) It is possible for more than one Land Registry title to be covered by a single council tax listing. In this case, we will treat all Land Registry titles covered by a single council tax listing as a single application (where you will need to meet each of the eligibility criteria).

If there is a clause in my leasehold title, leasehold interest or freehold title which prevents me from selling the property, can I still apply and choose the cash offer?

Yes. However, voluntary purchase will not be open to you.

Can I still apply for Part 1 statutory compensation when the railway is open to the public if I have accepted the cash offer?

Yes. If you claim the cash offer you will still be able to make a claim for statutory compensation if your property loses value due to physical effects of the operation of the railway, under Part 1 of the Land Compensation Act 1973 (see the glossary).

Can I reapply to the schemes?

Yes. If you have applied before and been rejected under the RSZ schemes but you believe there has been a change in your circumstances which means you are now eligible, you can reapply.

The offers are valid for 12 months. After this time you can reapply to the schemes. However, you will need to make a fixed contribution of £1,000 (or £500 if you had a desktop valuation) towards the cost of new valuations.

I bought my property after March 2010 (for Phase One) or after January 2013 or a later date for some sections of the route (for Phase 2a and Phase 2b). Am I eligible for either the cash offer or voluntary purchase?

No, unless you can show that you were not aware of the HS2 route in your area at the time you bought your property and could not have known generalised blight might apply. For example, if the searches on the property were completed on or before the date the initial preferred route was announced, but you did not complete the purchase until after that date, we would take this into account when assessing your application.

With your application you would need to provide copies of local authority searches and a signed statement saying that you were not aware of the location of the HS2 route in relation to your property, nor were you made aware of it during the sale process. Your statement should include a full explanation of the circumstances and confirm the following.

- Your solicitor, estate agent or any other person did not make you aware of the location of the HS2 route during the sale process.
- You were not made aware of the RSZ schemes through published documents (including electronic information), letters, or national or local press during the sale process.

If your property is partly in the homeowner payment (HOP) zone, you bought it after the date the relevant initial preferred route was announced and you knew about HS2, you may be eligible for a homeowner payment under the HOP scheme. A HOP scheme is now open for Phase One and Phase 2a, and will be launched for Phase 2b following Royal Assent to relevant hybrid Bills.

You can find more information on the Phase One HOP scheme at

<https://www.hs2.org.uk/documents/homeowner-payment>

Are personal representatives of someone who has died allowed to apply to these schemes?

No. These schemes are for people who are currently living in the RSZ. If you are a personal representative of someone who has died, you can still apply to sell the property through the Need to Sell scheme.

I live in a mobile home (or park home or caravan) that is within the RSZ. Does living in a mobile home affect my eligibility for the RSZ schemes?

Whether you are eligible for the RSZ schemes is based on the conditions that apply under Chapter 2, Part 6 of the Town and Country Planning Act 1990. People who will qualify for the scheme include owner-occupiers of residential properties, owner-occupiers of small businesses and owner-occupiers of agricultural units. Generally, someone living in a mobile home, park home or caravan would not be able to apply for the RSZ schemes because they tend not to have a 'qualifying legal interest' in the land on which their home sits.

I have a second home that is in the RSZ. Can I apply for voluntary purchase or the cash offer?

No. Only owner-occupiers of property in the RSZ can apply for these schemes.

I have let out part of my property in the RSZ on a short-term basis. Do I still qualify?

You may qualify for the cash offer. However, to be eligible for voluntary purchase, you would have to be in 'substantial occupation' of the property. This means that you should occupy a significant part of the property. We will assess applications for voluntary purchase on a case-by-case basis.

I own agricultural land in the RSZ. Do I qualify for either voluntary purchase or the cash offer?

You may qualify, as long as your main home forms part of your agricultural land.

Will you pay my legal fees?

We will pay reasonable legal fees towards a deed of receipt (see the glossary) for all cash offers up to £500 (+VAT). We will not pay legal fees under voluntary purchase.

How did you appoint your pool of valuers?

We carried out competitive tendering to find valuers who have the resources to cover valuations across all phases of the HS2 route. Our valuers are independent chartered surveyors who are registered with the Royal Institution of Chartered Surveyors (RICS) and who have the competence and professional knowledge to carry out valuations in line with the 'Red Book' manual of valuation standards.

Are the valuers and valuations independent of HS2 Ltd?

Yes. We instruct the valuers to provide an open-market valuation of property in line with RICS guidance. 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 have local knowledge?

We have appointed the valuers because they are able to cover relevant sections of the HS2 route. It is important to recognise that many local estate agents are not RICS-registered valuers, and so are not considered to be qualified to provide open-market valuations for this scheme.

Who can I pick as my choice of valuer?

You can use any valuer who is registered with RICS, as long as that valuer does 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 and must not be involved in any way in marketing your property.

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

If you like, you can choose a valuer from any of the firms in our pool of valuers. We would then pick a second firm from this list.

How long is your offer valid for?

Once we have received the valuations on your property, we will send you an offer letter. The offer is valid for 12 months from the date of the letter.

In the case of voluntary purchase, the offer depends on the result of a building condition survey and other necessary surveys. As with a normal property sale, we may change our offer if the building survey finds significant issues (such as the need for major repairs). We do not carry out surveys in the case of cash offers, unless the valuation has highlighted significant concerns that would affect the property's value.

If you offer to buy my property and I accept, what happens next?

We will handle the purchase in broadly the same way as a purchase of a private property. The process should take around three months from the date that both your and our solicitors are instructed. As with any private purchase, this may vary depending on the particular circumstances of the case.

Once you have accepted our offer, we will instruct our solicitors to start the legal process and our property acquisition agents to start the purchase process. They will appoint surveyors to carry out structural and condition surveys. The surveyors will contact you direct to make an appointment to do the surveys.

Why do I need a deed of receipt when I receive a cash offer payment?

A deed of receipt links the cash offer payment to your property. This allows the Government to keep a record of the payment made in relation to a particular property, and makes sure that we do not pay under two separate schemes. For example, if someone claims the cash offer and then makes a successful application under the Need to Sell scheme, the deed of receipt will allow us to reclaim the cash offer (plus statutory interest) from the need to sell purchase price. The deed of receipt does not place a charge on the property, and is not entered into the Land Registry details for the property.

Will I have to pay tax on my cash offer?

Most people who receive payments under the cash offer will not have to pay tax on the money they receive. Although the deed of receipt may result in you having to pay capital gains tax (or, in the case of a company, corporation tax), this does not mean that you would be able to claim private residence relief if you sold your home on the private market. There is an explanation of how private residence relief works on the HMRC website at www.gov.uk/government/publications/private-residence-relief-hs283-self-assessment-helpsheet/hs283-private-residence-relief-2019. If you are still in any doubt about how this would apply to you, you should consult a financial advisor.

Do I need to appoint professional representatives to help me with my application?

No. Please see step 2 of the application process.

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 at www.hs2.org.uk/how-to-complain.

If your application is not successful, you can reapply. You cannot change the outcome of an application by making a complaint.

Can I ask to rent my property from the Government if I sell it under voluntary purchase?

Yes. Once you have accepted the Government's offer to buy your property, you will be able to ask your case officer if you can rent your property back once it has been sold. We would assess the property to see if it could be made suitable for letting, in line with legal requirements and sound commercial principles. You should ask your case officer about this in good time, ideally by the time you exchange solicitors' details, so that we can look at your request and prepare letting documents.

I have been accepted under the RSZ schemes but my case is not yet completed and now my property has moved into the safeguarded area. What are my options?

As we develop an area of the HS2 route, properties that may sometimes have been accepted under the RSZ schemes will be placed within the safeguarded area. If all or part of your property moves into the safeguarded area and if you have yet to sell the property to the Government, you would be able to serve a blight notice on the Secretary of State. If your blight notice is accepted, you would be entitled to statutory compensation.

If you have already had an offer for your property based on two inspected valuations made in the 12 months following your RSZ application, our offer will still be valid. You will not need another valuation if your blight notice is accepted and you go ahead with a sale.

Where we have made a cash offer following a streamlined 'desktop' valuation (where a valuer doesn't visit your property but uses available information to value it), we will need to make you a new offer following the statutory blight valuation process, as a property must have an inspected valuation carried out before a purchase can go ahead.

If at any point we have paid you a cash offer on the property and you later become eligible to serve a blight notice, we will take the value of the cash offer (plus statutory interest) from the final settlement amount of the compensation package.

Application form



Rural support zone schemes

Please send this application form and your supporting evidence to us (HS2 Ltd) at the address below. We recommend you use Royal Mail Special Delivery.

Rural support zone schemes
HS2 Ltd, Land and Property
Two Snowhill, Snowhill 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
- your proof of occupancy documents.

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 claim.

Title (Mr, Mrs, Miss and so on):..... Title (Mr, Mrs, Miss and so on):.....
First names: First names:
Surname:..... Surname:
Phone number 1:..... Phone number 1:.....
Phone number 2:..... Phone number 2:.....
Email address: Email address:.....

If there are more than two applicants (owners), please provide contact details for every applicant. You can add any further details on a separate sheet of paper.

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 or phone, please tick below.

Phone Post

What is the address and postcode of the property you are applying for and which you believe is in the rural support zone?

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

Your declaration

Please make sure that each applicant reads the declaration and signs in the box below (and adds the date they sign) and provides 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. Examples of documents which provide proof of identity include:

- passport; and
- driving licence.

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 my claim under the rural support zone schemes.

I understand that you will carry out security and anti-fraud checks on information and supporting evidence I have provided.

If I give information that 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 you may take court action taken against me.

I understand that, to receive a payment under the cash offer scheme, I will need to sign a deed of receipt. This has conditions on whether I will have to repay the money in certain circumstances, including if the Government buys my property in the future in connection with HS2.

I understand that once I have accepted a cash offer I will not later be able to sell the property to the Government under the voluntary purchase scheme.

Please sign below to confirm that, by filling in this form, you understand that we will check your eligibility for the property schemes and that you understand the process.

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.
.....

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. 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 all original supporting documents 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 <https://www.hs2.org.uk>.

Notes and guidance on your application

With your application, please include evidence to support your answers. The evidence you provide should be original documents or certified copies (see 'Certified copies' on page 4). However, we will not be responsible for any costs you have in providing these. Your evidence may include one or several of the following.

All applicants

- 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.
- Proof of ownership (if the property contains more than one title, provide all titles), which might be 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 you are the owner-occupier of the property when you apply, you need to provide one piece of evidence from list A and one from either list A or list B. 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 a property is empty, you may still be eligible to apply under one of the schemes. You will need to provide evidence that the property has been empty for no longer than 12 months from the date of your application and you occupied it for at least six months before it became empty. We would expect to see evidence of the date you left the property, together with two pieces of evidence showing that the property was occupied for six months before it became empty.

List A (You can blank out any financial figures and account numbers as we need these documents for evidence of occupation only.)

- A recent bank or building society statement that shows the date it was issued (or one showing transactions from within the last three months)
- A mortgage statement
- A recent credit card statement that shows the date it was issued (or one showing transactions from within the last three months)
- 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)

List B

- Utility bill (for example, gas, electricity, water or landline phone)
- Local authority tax bill (for example, council tax or business rates bill)
- 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.

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.

Further evidence

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 (if eligible for the voluntary purchase scheme only)

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.

Examples of evidence that we cannot accept

- Provisional or full driving licence
- National Insurance card
- Mobile phone bill
- Letter from a GP, dentist or similar
- TV licence and other related documents

(We cannot accept the items in this list as they do not provide reliable proof of an address.)

Certified copies

Copies of documents should be certified by a UK solicitor, accountant, a doctor listed on the General Medical Council website, or a bank manager. 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). Keep a note of this person's name and address so that we can contact them if necessary.

We also accept copies of documents which have been certified using the official Post Office Identity Document Checking Service. If you use this 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.

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

1. Property type

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, which must include a property that acts as your main home?

the mortgage provider (for voluntary purchase scheme only), who has a right to sell the property and can give immediate vacant possession.

Which category of ownership do you have?

Freehold

Leasehold If leasehold, how long until the lease runs out?yearsmonths

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

2. Location of the property

(Check the maps at <https://www.gov.uk/government/collections/hs2-property>)

Is the address you have provided within the rural support zone? Yes No

3. When did you buy or enter into a lease for your property?

On what date did you buy the property or become the owner in any other way?

Please include documents to support this. (If the property is registered with the Land Registry, we will only need the copy of the title already provided for section 1.)

If you bought your property after the 'no prior knowledge' dates set out in question 4 in this guidance, you will need to give us further evidence that you could not have known that the HS2 route might be near to your property at the time you bought it. This could include originals or certified copies of local authority search reports done as part of the conveyance process (showing that they do not mention a proposed high-speed rail line). You will also need to provide a signed statement saying that you were not aware of the HS2 route in relation to your property and were not made aware of it during the sale process, as shown by the search. There are more details on what you should include in your statement on page 15 of this guidance.

4. Valuation

I would like to apply for a cash offer and I am interested in the streamlined valuation process

Further information (including details of any other land you may own next to the property connected with this claim)

HS2

High Speed Two (HS2) Ltd

Two Snowhill, Snow Hill Queensway

Birmingham B4 6GA

Freephone: 08081 434 434

Email: HS2enquiries@hs2.org.uk

CS1252 04/2020

www.hs2.org.uk