HS2

Property schemes

Homeowner Payment scheme

Guidance and application form

www.hs2.org.uk
BC_00116_6

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**

recycle

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

Contents

1 Introduction

1.1.1. High Speed Two (HS2) is Britain's new high-speed railway. It is being built by High Speed Two Limited (HS2 Ltd), the company set up by the Government to design and build HS2.

1.1.2. This guidance provides information on the Homeowner Payment (HOP) scheme, how to find out if you are eligible, and how to apply for a payment. You can find details of each stage of the application process in section 5.

1.1.3. The HOP scheme applies on the HS2 route from London to the West Midlands and from Handsacre Junction to the West Coast Main Line connection.

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

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.

Contract 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.

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.

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

Need to Sell scheme (NTS): 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 (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 goes down because 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.

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.

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 work 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 line of the route is in a bored tunnel.

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 the property would have on the open market, as if there were no plans for Northern Powerhouse Rail: Manchester Connection.

3 Homeowner Payment scheme (HOP)

3.1 What is the Homeowner Payment scheme?

3.1.1 The HOP scheme provides a cash payment to property owners living close to the HS2 railway in rural areas where the railway is not in a tunnelled section.

3.1.2 The HOP scheme operates within a zone (the Homeowner Payment zone) made up of three 60-metre-wide bands. The zone typically starts 120 metres from the centre line of the railway (at the outer border of the Rural Support Zone (RSZ)) and runs to 300 metres from the centre line of the railway. However, in some instances where there are more than two tracks servicing the railway, the HOP zone boundaries may extend beyond 300 metres.

3.1.3 If your property is in one or more of the HOP zones, you may be eligible for a cash payment depending on whether you meet the criteria, as explained in this document. You will be able to apply for a HOP scheme payment until one year after the the railway is first open for public use.

Where can I find more information?

3.1.4 We are here to help you through the process and answer any questions you may have. You can contact the HS2 Helpdesk on **08081 434 434** or emailing **HS2Enquiries@hs2.org.uk**. Our Helpdesk can explain the scheme and help you check whether your property is in the HOP zone.

3.2 What is available for property owners in the HOP zone?

3.2.1 Under the HOP scheme, owner-occupiers of a house, business or agricultural unit in the zone who meet certain requirements will be able to claim a cash payment from £8,000 to £24,000 depending on the band their home (or main building) is in, as set out below.

- Band 1 (in pink on the maps), typically between 120 metres and 180 metres from the line of the route – £24,000.
- Band 2 (in green on the maps), typically between 180 metres and 240 metres from the line of the route – £16,000.
- Band 3 (in yellow on the maps), typically between 240 metres and 300 metres from the line of the route – £8,000.

3.2.2 If any part of your land is in a HOP band closer to the line of the route than the HOP band that your home or main building touches, we will not take this closer land into account when deciding the level of payment. The location of the home or main building will be the deciding factor.

3.2.3 We will reclaim the value of the HOP scheme payment, if you sell to the Government under the statutory blight, express purchase or Need to Sell (NTS) schemes or if your property is bought under compulsory purchase. If you accept the HOP scheme payment, 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 HOP and other HS2 property schemes

3.3.1 If you are accepted for the HOP scheme, this does not prevent you from applying for the NTS scheme, which allows you to sell your property to the Government in certain circumstances. However, if you are accepted under the NTS scheme, we would reclaim the HOP scheme payment, plus statutory interest, from the NTS purchase price. You can find details of the NTS scheme at: **www.hs2.org.uk/documents/collections/need-to-sell**.

3.3.2 If any part of your home is in the RSZ (orange on the maps), but you bought your property between 11 March 2010 and 9 April 2014 for London - West Midlands and 28 January 2013 and 30 November 2015 for Handsacre - West Coast Main Line, you may not meet the 'no prior knowledge of HS2' condition under the RSZ schemes. (You have 'prior knowledge' if you were aware of the proposals for HS2 at the time you exchanged contracts when buying your property.) In this case, you may be able to apply for the HOP scheme, where the relevant payment would be band 1 – £24,000. If this is the case for you, where 'HOP zone' is used in the rest of this document this applies to your property as well.

3.4 Before applying

3.4.1 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: **www.hs2.org.uk/in-your-area/assistance-for-property-owners/apply-for-property-assistance-schemes/**.

3.5 Help from others with your application

3.5.1 The Department for Transport (DfT) has designed the application process so that you do not need anyone else to act on your behalf. We have tried to provide as much information as possible in this document to help you. 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. Once you have applied for the scheme, one of our case officers will be your main point of contact.

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

3.5.3 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.

3.5.4 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.

3.5.5 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.

3.5.6 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		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

For you to be eligible for a HOP scheme payment, we need to see evidence that:

- you have a qualifying interest in the property (see section 4.1);
- you must have bought your property on or before the date we first outlined the HOP scheme . The dates the schemes were announced are as follows:
  - London - West Midlands: 9 April 2014;
  - Handsacre - West Coast Main Line: 30 November 2015; and
- your property must be fully or partly in the HOP zone.

You must not have received a payment under the HOP scheme previously.

We explain these requirements in more detail below. If you apply without the evidence required (see application form) or if we are not satisfied with the proof you provide, we may reject your application.

4.1 Type of Property – Owner/Occupation status

Q1. Can I 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

4.1.1 To be eligible for the HOP scheme, 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 HOP scheme they must include a property that acts as a main home.)

4.1.2 You must have an 'owner's interest' on the date you sign your application and 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).

4.1.3 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 in order to qualify for the HOP scheme. The Land Registry is the government organisation that records who owns land. Each piece of land bought is called a 'title'.

4.1.4 We can only make one HOP scheme payment per property. A property could consist of one Land Registry title or more than one adjoining land titles.

4.1.5 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 payment for that site, regardless of any changes to occupancy which may happen over time.

4.1.6 Where one residential home and one small business unit is within one property, you may receive more than one payment. 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.

4.1.7 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 any the HOP Scheme. This applies whether the land is registered or unregistered.

4.1.8 You will need to show that you meet the occupancy requirements below.

Q2. Do I meet the occupancy requirements?		
Private home	**Business premises**	**Agricultural unit**
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.	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.	You must be occupying the unit on the date you submitted your application and you must have occupied it for at least six months before that date. **Or** If the agricultural unit is not occupied, you must have a qualifying interest in it and must have occupied it for at least six months before it became empty, as long as it has not been unoccupied for more than 12 months. **And** For the purpose of these schemes, your main home must be located on the agricultural unit.

4.2 Location of property

4.2.1 If no part of your home (or main building) is within the HOP zone, but at least 25% of your property (that is, the site of the house, garden or other land included within the property) is within the HOP zone, you may be eligible for a payment that is equivalent to band 3. We will not take any part of your property that was built, bought or sold after 23 June 2017 into account when we assess the 25% required for eligibility for the scheme. If the home itself is in more than one HOP band, you would receive the higher payment. For example, a home which is in both HOP band 1 and HOP band 2 would be eligible for a HOP band 1 payment of £24,000.

Q3. Is my property fully or partly in the HOP zone? (Please check the map at www.hs2.org.uk/map/)		
Yes - fully You can apply for a HOP scheme payment.	**No** You would not be eligible for a HOP scheme payment unless you live in the RSZ and bought your property between 11 March 2010 and 9 April 2014 (London – West Midlands) or between 28 January 2013 and 30 November 2015 (Handsacre to West Coast Main Line).	**Yes - partly** You can apply for a HOP scheme payment. To help us decide whether you are eligible for a payment, we will assess whether your home or at least 25% of your property (that is, the site of the home, garden or other land included within the property) is within the HOP zone, according to Ordnance Survey electronic mapping.

4.3 No prior knowledge

Q4. Did I buy or enter into a lease for my property before the announcement of the HOP zone on 9 April 2014?	
Yes If you completed on your lease or the purchase of your property on or before the announcement of the HOP zone, you will qualify.	**No** You will generally not qualify if you completed on your lease or the purchase of your property after the announcement. However, in some circumstances we will assess whether you will qualify. Please see below.

4.3.1 If you bought your property on or after 9 April 2014 for London to West Midlands and on or after 30 November 2015 for Handsacre - West Coast Main Line, which are the dates when we first outlined the proposals for the HOP scheme for these parts of the route, we will generally consider that you bought it 'with prior knowledge' of the proposals.

Timing your purchase

4.3.2 You may have completed the purchase of your property after the initial route announcement date, when you were still unaware of the proposals for the railway 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 you to provide full copies of the local searches.

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 your property is in one of the HOP bands and that you are eligible, you can fill in the application form provided with this guidance.

5.1.2 It is essential that you read and understand the requirements for the scheme. If you have any questions about the scheme, please contact our Helpdesk. If you have applied for the scheme before but not been successful, 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 if you are thinking about applying again because your circumstances have changed or you are able to provide further evidence. Your application is unlikely to be successful if you submit it again using the same information but hoping for a different outcome. 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.

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 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.

5.2.3 You will need to provide original documents or certified copies 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.

5.3 Step three –we process your application

5.3.1 We will acknowledge that we have received your application form and supporting documents.

5.3.2 Your application will be set up on the Track my Property Case portal and you will be sent login details to use the portal. Although new 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 if you have any questions.

5.3.4 Your case officer will assess whether you are eligible for the scheme and decide which HOP band your property is in. They will generally do this using the Land Registry title (or titles) for the property. If your property is not registered with the Land Registry, your case officer will use other legal documents which show the boundary of the property. If there is any dispute about the boundary of the property, it will be up to you (the owner of the property) to prove the boundary of your property and to provide us with a revised Land Registry title.

5.3.5 If your property is in the HOP Zone 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.

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 (due to its age or condition), we may need to keep the original until a decision on your application has been made. We will tell you if we need to do this.

5.4 Step four – decision

5.4.1 Once we have considered your application, the case officer will tell you whether we have accepted or rejected it.

Accepted applications

5.4.2 If your application is accepted, we will write to you confirming this and provide details of the next step which is to sign a Contract of Receipt.

Rejected applications

5.4.3 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 Step five – contract of receipt

5.5.1 In order to receive the payment, you will need to instruct a solicitor to help you sign a contract of receipt. When it is time to do this, we will provide you with the information you need. We will pay up to £500 (plus VAT) towards the cost of your solicitor's fees. Your solicitor will need to carry out standard checks on your identity separately to the checks we carry out when assessing your application.

5.5.2 Choose your solicitor carefully. Their performance will really affect how efficiently your HOP scheme payment is processed. The solicitor will represent you and act on your behalf, so it is important you instruct an experienced, good-quality solicitor who also has time to focus on your case.

5.5.3 Once we have received the completed Contract of Receipt and supporting documents from your solicitors we will arrange for the payment to be made to your solicitor who will then transfer the funds to you. Your case is then complete.

6 Frequently asked questions

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 HS2 Track my Property Case on the HS2 website.

How do you calculate the area of my property that is within the HOP zone?

If any part of the main building on your property is in the HOP zone, we do not need to do this calculation as your property will qualify due to its location. If any of your land but no aprt of your main property is within the HOP bands, we will identify the boundary of your property from the information on the Land Registry Title Plan. Using Ordnance Survey electronic mapping (Geographical Information System – GIS) software licensed to us bands , we measure the amount of your property that is within any of the HOP bands. When we do this, we include any part of your property that is in the RSZ or the safeguarded zone. We then calculate what percentage this is of the overall area of your property (which we also calculate using our Ordnance Survey software).

My property is partly in the RSZ and partly in the HOP 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 within each zone. Specifically, any part of your home or 25% of the whole area of your land (generally the site of the home and garden, but also other land included within the property) would need to be within the RSZ to be eligible for the RSZ schemes. If your property is not considered to be within the RSZ, you may be eligible for a payment under the HOP scheme should more than 25% of your land be within the HOP zone.

Why is property I built, bought or sold after 23 June 2017 not taken into account when you assess 25% required for HOP eligibility?

We have adjusted the rules on entitlement to the HS2 HOP scheme, and specifically the 25% rule (see 3.2.3), to make sure that people cannot change the boundary of the land they own to become eligible for the HOP scheme. On 23 June 2017, we updated the HS2 HOP policy to include this and, as a result, only the land you owned before this date will be taken into account for the 25% required for HOP eligibility.

What happens if my property is unregistered?

You will need to provide a copy of the deed of conveyance for the property. Your solicitor will then be asked to confirm that you own the property.

My property is partly in the HOP zone and partly in the safeguarded area. Can I sell my whole property under the express purchase or statutory blight schemes and also claim a payment under the HOP scheme?

No. We will only make one payment under either the express purchase or statutory blight scheme, or the HOP scheme (please see **www.hs2.org.uk/in-your-area/assistance-for-property-owners/apply-for-property-assistance-schemes/**). If we make a payment under the HOP scheme and your property is then bought under the express purchase or statutory blight scheme, we would reclaim the HOP scheme payment (with statutory interest) from the express purchase or statutory blight purchase price.

My property is partly in the HOP zone and partly in the safeguarded area. Can I apply under the HOP scheme and can the part of my property that is in the safeguarded area still be bought under compulsory purchase?

Yes. However, compulsory purchase might affect whether you can later claim a HOP scheme payment for the rest of the property. For example, you may no longer be eligible to claim the HOP scheme payment if the home associated with the property had previously been bought under compulsory purchase.

Can you take account of the percentage area of my property that is in the safeguarded area when deciding if I am eligible for the HOP scheme?

Yes.

Can you take account of the percentage area of my property in the RSZ when deciding if I am eligible for the HOP scheme payment?

Yes. As long as your property is not eligible for the RSZ schemes, we would add the percentage of the property that is in the RSZ to the percentage that is in the HOP zone to decide whether you are eligible for a HOP scheme payment. For example, if 10% of your property falls in the RSZ and 15% in the HOP zone, this would total 25% and you could be eligible for a HOP scheme payment (as long as you meet all of the other eligibility criteria).

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 a HOP scheme payment for the rest of my property?

Yes, as long as you qualify for a HOP scheme payment (in line with the rules set out in **section 3.4** above, including that the main building/dwelling or 25% or more of the whole of the property is in the HOP zone). However, we will reclaim any injurious affection (see the Glossary) plus statutory interest.

If I apply for a payment under the HOP scheme, can I then apply under the Need to Sell (NTS) scheme in the future?

Yes. However, if your application for the NTS scheme is successful, we will reclaim the HOP scheme payment (plus statutory interest) from the NTS purchase price.

I own several buildings that fall within the same property, part or all of which falls within the HOP zone. 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). We can only make one HOP scheme payment per type of property. For example, if there are two homes, you can only claim one HOP scheme payment. Likewise, if there are two commercial units, you can only claim one HOP scheme payment.

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

For our purposes, what forms a single property will depend on the council tax or business rates listing (we use the council tax valuation list at http://cti.voa.gov.uk/cti/inits.asp or, for business rates, information held by the local authority) rather than the Land Registry titles.

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 for a HOP scheme payment?

Yes, providing you fulfil all the criteria of the scheme.

Can I still apply for Part 1 statutory compensation when the railway is open to the public if I have accepted a HOP scheme payment?

Yes. If you claim a HOP payment you will still be able to make a claim for statutory compensation if your property loses value due to physical factors under Part 1 of the Land Compensation Act 1973 (see the Glossary).

If I bought my property after 9 April 2014 for London - West Midlands – or after 30 November 2015 for Handsacre - West Coast Main Line – can I still apply for a payment under the HOP scheme?

No, unless you can provide evidence that you were not aware of the HOP scheme at the time you bought the property and could not reasonably have known generalised blight might apply. For example, if the searches relating to you buying the property were completed before or on 9 April 2014, when the HOP scheme for the London - West Midlands section of the route was first announced – or before or on 30 November 2015 for the Handsacre - West Coast Main Line) –, but you did not complete the purchase until after the announcement was made, we would take this into account when assessing your application. (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 future possible developments.)

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 HOP scheme 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 HOP scheme during the sale process.
- You were not made aware of the HOP scheme through published documents (including electronic information), letters, or national or local press during the sale process.

I am in the RSZ. I bought my property between 11 March 2010 and 9 April 2014 (for London - West Midlands) or between 28 January 2013 and 30 November 2015 (for Handsacre - West Coast Main Line). Can I apply for a HOP scheme payment instead?

Yes, if you bought your property after the date the railway was announced (March 2010 for London – West Midlands and 28 January 2013 for Handsacre West Coast Main Line)) but before we announced the HOP scheme (9 April 2014 (for London – West Midlands) or 30 November 2015 (for Handsacre - West Coast Main Line)) you may be eligible for a HOP payment as if your home were in HOP band 1 (£24,000).

If my property was removed from the HOP zone following the cancellation of the former Phase 2a of HS2 am I still eligible to apply?

The HOP zone has been removed from the former Phase 2a. No new applications will be accepted where the HOP zone has been removed.

Are personal representatives of someone who owned a property in the HOP zone and has now died allowed to apply to the HOP scheme?

No. The scheme is for owner-occupiers, so someone acting on behalf of a person who has died but who has a property within the HOP zone would not be eligible unless they meet the owner-occupancy criteria.

I have a second home that is in the HOP zone. Can I apply for a payment under the HOP scheme?

No. Only owner-occupiers of property in the HOP zone can apply.

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

You may qualify. To be eligible under the HOP scheme, you would have to be in 'substantial occupation' of the property, which means that you should occupy a significant part of the property. We will assess applications on a case-by-case basis.

If I inherited my home in the HOP zone after 9 April 2014 (London – West Midlands) - or after 30 November 2015 (Handsacre - West Coast Main Line) and now live in it. Can I apply?

Yes, as long as the person you inherited the home from bought it before the announcement of the HOP zone (9 April 2014 (for London – West Midlands) or 30 November 2015 (for Handsacre - West Coast Main Line)). The date you inherited the property does not affect your eligibility for a HOP scheme payment, but please tell us when you inherited it to help us check the information held on the Land Registry.

I own a business that owns the property. How do I fill in the application form?

If the property is owned by a limited company, a director must fill in and sign the application form. If the property is owned by individuals, each person must fill in the form.

I own agricultural land in the HOP zone. Do I qualify for a payment under the HOP scheme?

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

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 HOP scheme?

Whether you are eligible for the HOP 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 HOP scheme because they would not have a 'qualifying legal interest' in the land their home is on.

How long will it take to find out if my application has been successful or not?

We will aim to acknowledge your application within two working days of receiving it. Depending on whether we need to ask you for any more information, we should be able to tell you our decision on your application within three to four weeks but this may be longer depending on what information is required.

How long will it take for me to receive my payment?

It could take up to 40 working days, from the time we receive your application, for your solicitor to receive your payment. However, we expect it will be quicker in many cases. The timescales are impacted by how quickly your solicitor returns the completed Contract of Receipt.

Will you pay my legal fees?

We will pay reasonable legal fees of up to £500 (plus VAT if it applies) towards a contract of receipt.

What if my solicitor is asking for more than £500 plus VAT?

The work we are asking your solicitor to do is straightforward, so should not cost more than £500. You are, of course, free to pay your solicitor more than this, but we will not pay them more than £500 (plus VAT) and you will have to pay any additional cost yourself. We will give you information to send to your solicitor which will make this clear. Please make sure you send your solicitor this information as soon as you receive it to avoid any delays in receiving the payment.

Why do I need a contract of receipt to receive a payment under the HOP scheme?

A contract of receipt links the payment to your property. This allows us to make a record of the payment in relation to a particular property, and makes sure that we do make payments under two separate schemes. For example, if someone claims under the HOP scheme and then makes a successful application under the Need To Sell (NTS) scheme, the contract of receipt will allow us to reclaim the HOP scheme payment (plus statutory interest) from the NTS purchase price. The contract 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 a payment I receive under the HOP scheme?

Most people who receive payments under the HOP scheme will not have to pay tax on the money they receive. Although the contract 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 **https://www.gov.uk/government/publications/private-residence-relief-hs283-self-assessment-helpsheet**.

If you are still in any doubt about how this would apply to you, you should consult a financial adviser.

Do I need to appoint professional representatives, agent or online service to apply?

No. We have tried to make it as easy as possible for you to apply for a payment, so it is not necessary to use an agent or an online service offered by anyone.

If you wish to still do so, please note that the Government will not pay for any fees or other costs incurred.

Do I need to appoint a solicitor before applying to the HOP scheme?

No. You should only appoint a solicitor if your application is successful, and when we tell you that this is the next step. You can choose a solicitor beforehand if you want to, but please be careful not to run up any fees with them or actually instruct them to act for you, because they only need to act once we have accepted your application and they have received the documents we will send to you to instruct them with.

Do I need to pay my solicitor upfront, before you pay me the £500 plus VAT for their fees?

No. You should not have to pay anything to a solicitor before receiving the money to pay for their services. At the point where you need to instruct a solicitor, we will give you some instructions for them so that they understand what they will need to do.

Is there a fee for applying to the scheme?

No. There is no fee to apply.

If my application is unsuccessful, can I reapply?

Yes. If you still believe you are eligible please make a fresh application, enclosing all the evidence we need and any new evidence that you believe would show that our decision to reject your application was incorrect. Your application is unlikely to be successful if you resubmit it using the same information but hoping for a different outcome. If you have no further evidence to give us, or if there has not been a significant change in your circumstances, we would advise you against simply repeating an application.

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

If you are not happy with the service you receive from us, please use our complaints procedure at: **www.hs2.org.uk/how-to-complain**

If your application is not successful (rather than you having a complaint about the service), you can reapply. You cannot change the outcome of an application by making a complaint, but you can supply further or different evidence when you reapply.

Application form

HS2

Homeowner Payment Zone 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.

Homeowner Payment Zone
HS2 Ltd, Land and Property
Two Snowhill,
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;
- ☐ your proof of ownership documents; and
- ☐ your proof of occupancy documents.

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 which you believe is in the Homeowner Payment zone:

....

....

....

....

Postcode ....

Your details

Please include only your own details here. If you are using a representative, please provide their details on page 4. If there are more than one applicant (owner), please provide contact details for every applicant. You can add any further details on a separate sheet of paper.

Title (Mr, Mrs, Miss, Ms, Mx, Dr, etc.): ....

First name(s): ....

Surname: ....

Phone number 1: ....

Phone number 2: ....

Email address: ....

Title (Mr, Mrs, Miss, Ms, Mx, Dr, etc.): ....

First name(s): ....

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 Homeowner Payment 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. 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 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.

I understand that, to receive a payment under the homeowner payment scheme, I will need to sign a contract of receipt. This has conditions on whether I will have to repay the money in certain circumstances.

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 contract of receiptprocess 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.

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 Homeowner Payment Scheme

I understand that you will carry out security and anti-fraud checks on information and supporting evidence provided. 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 - Notes and guidance on your application

Please include evidence to support your application. The evidence you provide should be original documents or certified copies (see 'Certified copies'on page 9). However, we will not be responsible for any costs you have in providing these.

4.1 Ownership

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? ☐

Which 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 application?

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.

....

....

....

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

4.2 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.

4.3 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
- 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 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.

4.4 Location of the property

You will need to check the maps at **https://www.hs2.org.uk/map**/ to confirm that your property is in the homeowner payment zone

Is the address you are applying for within the Homeowner Payment zone? Yes ☐ No ☐

Please include evidence that supports the statement that the property is in the Homeowner Payment Zone.

- 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; and
- if applicable a marked up map if there are more than one property within the boundary and setting out the use of these buildings. Please set out in the box below the use of each building within the boundary.

4.5 No prior knowledge

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

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

- 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.
- If you bought your property after the announcement of the HOP zone 11 March 2010 (London – West Midlands), or 28 January 2013 (Handsacre - West Coast Main Line) 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. Examples of this includes original or certified copies of local authority search reports done as part of the conveyance process (showing that they do not mention the 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. Please provide your statement in the box below including your signature.

Further information

Please provide any further information relating to your application if applicable (including details of any other land you may own next to the property connected with this claim).

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 Homeowner payment 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 HOP scheme?

To help the Government understand how effective communications about the HOP 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**).

High Speed Two (HS2) Limited, registered in England and Wales.
Registered office: Two Snowhill, Snow Hill Queensway, Birmingham B4 6GA. Company registration number: 06791686. VAT registration number: 888 8512 56.

High Speed Two (HS2) Ltd
Two Snowhill, Snow Hill Queensway
Birmingham B4 6GA
Freephone: 08081 434 434
Email: HS2enquiries@hs2.org.uk
BC_00116_6