

Notice of reference

For references relating to the validity of a purchase order or a blight counter-notice please use Form T374

For references relating to absent owners use Form T362.

Person making the reference

Name

Address

Postcode

Phone number
(if not represented)

Fax (if not represented)

Email

Status
(company, individual, etc)

Do you wish to receive
routine communication
from the Tribunal by
email?

Yes No

Representative

If this section is completed all communications from the Tribunal and other parties regarding this application will be sent or delivered to the representative.

Name

Address

Postcode

Phone number(s)

Fax number

DX number

Email

Do you wish to receive
routine communication
from the Tribunal by
email?

Yes No

Professional capacity in which the representative acts, if any:
(state whether solicitor, surveyor or other professional qualification. A representative who is not a solicitor must enclose an authority to act signed by the party.)

Capacity of person making reference

What is the capacity of the person making the reference?

- Acquiring/compensating authority
- Land owner/occupier
- Electronic Communications Code operator
- Other (Please specify below)

Respondent

Name

Address

Postcode

||||||||

Phone number(s)

Email address

Respondent's representative (if known)

Name

Address

Postcode

||||||||

Phone number(s)

Email address

Property to which the reference relates

Description (dwelling house, shop, vacant land, etc)

Approximate area (if relevant)

Postal address or location

Postcode

The claim

Statutory provision or agreement:

The section and statute giving right to refer the matter to the Tribunal or, for references by consent, the agreement under which the reference is made.

This reference is a:

- claim for compensation following a compulsory purchase
- other claim for land compensation
- claim under the Electronic Communications Code
- appeal against a certificate of appropriate alternative development
- reference by consent (please indicate nature of dispute below)

If compensation is claimed for compulsory purchase, has the acquiring authority entered upon the land or possession been given to the authority?

Yes No

If Yes, on what date?

Nature of land owner/ occupier's interest in the land: (freehold, leasehold, business tenancy etc.)

Approximate amount of the claim

Details of every other person with an interest in the land, if known (attach list if necessary)

Name

Address

Postcode

Nature of interest

Hearing arrangements

Do you intend to call an expert witness?

Yes No Unsure

Do you wish to call more than one expert witness?

Yes No Unsure

(If the claim relates to mineral valuations or business disturbance you may call two expert witnesses). In any other case, permission from the Tribunal will be required to call more than one expert witness.

I/we have read the attached guidance and request the:

A. Standard procedure

C. Simplified procedure

B. Special procedure

D. Written representations procedure

If you have ticked box B, C or D please explain below why you consider this procedure to be most suitable

Signature and date

Signed

Dated

Name

Status

Checklist for enclosures

Please confirm which of the following you have enclosed with this notice.

Attach each enclosure as a separate document when e-mailing the application.

Copies are only required if the other party does not have an e-mail address.

Additional copies of this notice of reference and supporting documents (one additional copy for each respondent and one for each known representative)

Statement of case by claimant

Statement by paying party of issues to be determined

Where applicable a copy of the:

Notice to Treat

Notice of Entry

Notice of Claim

Compulsory Purchase Order

General Vesting Declaration

Agreement under which this reference is made

Certificate of Appropriate Alternative Development

Authority to act

Fees

We have also enclosed:

- a cheque payable to 'HM Courts & Tribunals Service' for the reference filing fee of **£313** Yes No
- Paying by Bank transfer - When you submit the notice of reference, please let the Tribunal know this is your preferred method of payment and details will be provided.

Where to send or deliver the documents

After you have completed this form:

You can submit documents and track your case digitally online with the E-Filing service

<https://www.gov.uk/guidance/hmcts-e-filing-service-for-citizens-and-professionals>

If a party has appointed a professional representative, all forms and documents must be submitted to the tribunal using the E-filing service.

If you are not a professional representative you can send your documents to:

Upper Tribunal (Lands Chamber)

5th Floor

Rolls Building

Fetter Lane

London

EC4A 1NL

DX: 160042 Strand 4

Email: Lands@justice.gov.uk

Tel: 020 7612 9710

Fax: 0870 761 7751

Guidance on Case Management Procedures

The Tribunal's Practice Directions and a step by step procedure flowchart for references may be viewed on the Tribunal's website (www.gov.uk/courts-tribunals/upper-tribunal-lands-chamber) or requested from its office. Details of fees payable can also be found on the website.

The reference will be allocated by the Tribunal to one of the following four procedures. The views of the parties will be taken into account in deciding which procedure should apply.

Standard procedure

The standard procedure is used in cases where a hearing is necessary and another procedure is not considered more appropriate.

Under the standard procedure the Tribunal will give such case management directions as appear to it to be necessary. A case-management hearing may be held. The parties are encouraged to agree appropriate directions for the conduct of the reference and may make an application to the Tribunal for those directions by consent or on notice.

Simplified procedure

This procedure is for the speedy and economical determination of cases in which there is no substantial issue of law or valuation practice and no substantial conflict of fact is likely to arise or where the amount at stake is small. The reference goes to a hearing as quickly as possible and with the minimum of formality.

In most cases a date for the hearing, normally about 3 months ahead, will be fixed immediately. The parties may be required to file statements of case. Not later than 1 month before the hearing, the parties must exchange copies of any documents or witness statements, on which they intend to rely; experts' reports, if any, must be exchanged not later than 14 days before the hearing.

The hearing is informal and will almost always be completed in a single day. Strict rules of evidence do not apply. A surveyor may act both as advocate and as expert witness. Except in compensation cases, to which particular statutory provisions on costs apply, an award of costs is made only in exceptional circumstances. The usual tribunal fees are payable.

Written representations procedure

The Tribunal may order that the reference be determined without an oral hearing but will not usually do so without the consent of the parties. An order will only be made if, having considered the issues in the case and the desirability of minimising costs, the Tribunal decides that oral evidence and argument can properly be dispensed with. Directions will be given to the parties for the filing of representations and documents. If necessary, the Tribunal will carry out a site inspection before giving a written decision.

Special procedure

The special procedure is for cases of greater complexity, value or general importance or where there is another good reason for closer supervision by the Tribunal.

An early case-management hearing will be held at which the Tribunal will give directions for the conduct of the reference. These may include directions for the determination of a preliminary issue. Permission will usually be given to call additional expert witnesses. The parties must seek to agree the terms of any directions they wish the Tribunal to make.

Not less than 3 working days before the case-management hearing the parties must file a position statement summarising the subject-matter of the case and, to the extent that it is possible to do so at that stage, the issues. They must also state the areas of expertise of each expert witness that they propose to rely on and the general scope of their evidence.

All cases – compliance with directions

Parties are expected to comply with a direction that has been given during the course of proceedings and non-compliance may result in a sanction being imposed. If you are unable to comply with a direction you must make an application promptly for an extension of time or for other variation of the direction(s) before the time for compliance has expired. See Rule 6 for full details of the interlocutory application procedure. You should seek the prior agreement of the other parties and, if it is not given, tell them that any objection must be made in writing to the Tribunal within 10 days. To make an application you must set out your reasons, confirm that you have given notice of the application to all other parties and enclose the fee for an interlocutory application. The fee is £125. Please note that all cheques must be made payable to 'HM Courts & Tribunals Service' (not the Lands Chamber).

Alternative Dispute Resolution/Mediation

The Tribunal supports the resolution of disputes by agreement between the parties. Information about mediation services offered directly to Tribunal users is available on our website or may be requested from the Tribunal office. The Tribunal will usually delay determination of the reference where the parties wish to attempt mediation or other form of ADR.

More information

Please visit our website (www.gov.uk/courts-tribunals/upper-tribunal-lands-chamber) where you will find further information about proceedings in the Tribunal. If you do not have internet access you may call or write to us to request a copy of any of these documents. This includes:

1. The Rules and the Practice Directions that govern our procedures;
2. The Order that sets the fees for stages in the proceedings and for applications;
3. The Procedure Flowcharts that show the steps in the proceedings; and
4. The Explanatory Leaflet that provides an overview of the cases the Tribunal deals with and other information.