

Rural Support Zone

Guidance and application form





Department for Transport

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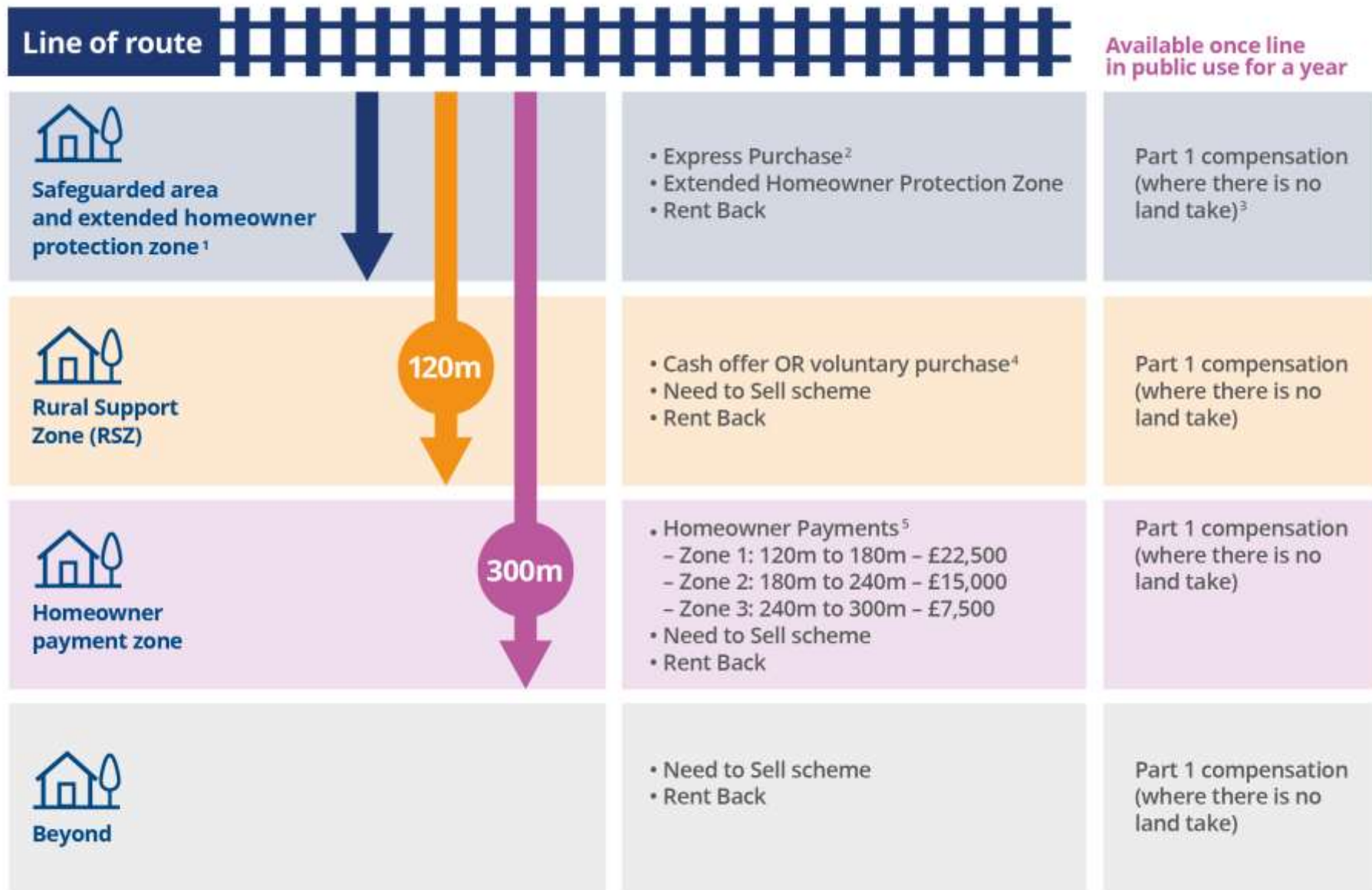
1 Introduction

- 1.1.1 The purpose of this guidance is to inform you 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 the valuation process will begin. Details on each stage of the application process can be found in Chapter 3.

2 Rural Support Zone

2.1 What is the Rural Support Zone?

- 2.1.1 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. The discretionary schemes detailed in this guidance are only available in the RSZ and you may be eligible if you live within it. Details of how to find out if you are in the RSZ can be found in this guidance.
- 2.1.2 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.
- 2.1.3 A choice of two discretionary schemes is available in the RSZ:
- cash offer; and
 - voluntary purchase scheme.
- 2.1.4 You will be able to apply to 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 available and choose what is best for you and your family. It also means you can begin the application process at a time appropriate to your needs. This guidance explains the options and the process for making an application.
- 2.1.5 The graphic on the next page shows the schemes that are, and will be available. More information on all the schemes, as well as maps on which you can check your eligibility, are available at [www.gov.uk/ claim-compensation-if-affected-by-hs2](https://www.gov.uk/claim-compensation-if-affected-by-hs2)



¹ Usually 60m in rural areas. ² Surface safeguarding only. ³ Compensation for any reduction in the value of property as a result of the physical effects of the operation of the railway.

⁴ Applies to rural areas only and does not extend to areas beyond deep tunnels. ⁵ Available now for Phase One; only available for Phase 2a and 2b after Royal Assent of the respective Bills. Applies to rural areas only and does not extend to areas beyond deep tunnels.

2.2 What is available for property owners in the Rural Support Zone?

2.2.1 Two schemes, detailed 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.

2.2.2 The two schemes are:

- The **cash offer**. This is a lump sum payment of 10% of the un-blighted open market value of your property. There is a minimum payment of £30,000 and 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 un-blighted open market value.

This non-statutory scheme will allow eligible owner-occupiers of properties within the RSZ to ask the Government to purchase their property. If you are a small business with either a leasehold or a freehold interest, please see section 2.3.3.

2.2.3 Under both schemes, your property would be valued to assess its un-blighted open-market value. In other words, this is the value of the property in current market conditions with an assumption that no plans for HS2 existed. More detail on the valuation process can be found in step 5 of the application process.

2.2.4 Both of the RSZ schemes will be available until one year after the trains on the relevant phase of the railway are first open for public use. The Phases are expected to open in 2026 for Phase One, 2027 for Phase 2a and 2033 for Phase 2b.

2.2.5 The acceptance of a cash offer will prevent you from applying for the voluntary purchase scheme at a later date. However, should you have a compelling reason to sell your property, you can still apply for the Need to Sell (NTS) scheme. In addition, there might be instances where a cash offer is chosen based on the information about the expected impacts of HS2 at the time. Where a cash offer has been paid, but the expected or actual impacts on the property are significantly worse than at the time the cash offer was accepted, then this can be evidenced in an NTS scheme application. The NTS decision maker will consider such evidence in respect of Criterion 5 of the scheme - compelling reason to sell - one of five scheme criteria. All other NTS scheme criteria would also need to be met.

2.2.6 Where Government agrees to purchase a property following an NTS scheme application, we would recoup the cash offer payment, plus statutory interest, from the NTS purchase price. Details of the NTS scheme are available at [www.gov.uk/ claim-compensation-if-affected-by-hs2](https://www.gov.uk/claim-compensation-if-affected-by-hs2)

2.2.7 We will also reclaim the value of the cash offer, plus statutory interest, if you sell to the Government under Statutory Blight/Express Purchase or as a result of compulsory purchase for HS2. Accepting the cash offer will not affect a property owner's ability to claim for statutory loss of value due to physical factors under Part 1 of the Land Compensation Act 1973 or under 'injurious affection' (see Glossary).

2.3 Am I eligible to apply?

2.3.1 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);
- your property is wholly or partly in the RSZ. If partly in the RSZ, either your dwelling (generally, your house) 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; and
- you were not aware of the proposed HS2 route in your area when purchasing the property.

2.3.2 These requirements are explained in more detail below. Please note, if you apply without satisfactory documentation demonstrating the above, your application may be declined.

Q1. Am I eligible to apply?			
YES I am an owner - occupier of a private residency	YES I am an owner - occupier of a business	YES I am an owner - occupier of an agricultural unit	YES I am a mortgagee (e.g. a bank)

2.3.3 To be eligible for RSZ schemes, we need to see evidence that you have a qualifying interest in the property. The definition of a 'qualifying interest' is contained in Part 6, Chapter II of the Town and Country Planning Act 1990. It includes:

- resident owner-occupiers of private residential properties;
- owner-occupiers of business premises with an annual rateable value not exceeding £44,200 in Greater London or £36,000 for the rest of England (please refer to your local authority's business rate banding for further details of rateable values); and
- owner-occupiers of agricultural units.

2.3.4 Owner-occupiers must have an 'owner's interest' on the date the application is signed and, in the case of the cash offer payment, when the cash offer payment is made. This is either a freehold or leasehold interest in the property. If it is a leasehold interest, the tenancy must be signed for a certain term of years, not less than three years of which remain unexpired on the date the application is signed.

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

2.3.6 Ownership of a freehold or leasehold interest is defined by the names on the Land Registry title - or, for 'unregistered land', on the title deeds - or 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 RSZ schemes.

2.3.7 If you choose the cash offer, only one cash offer payment can be made per property (a property could consist of one land title, or multiple adjoining land titles).

2.3.8 Owners of multiple dwellings or multiple agricultural/business units within one property would not be eligible to receive more than one cash offer for that site, regardless of any changes to occupancy which may occur over time.

- 2.3.9 However, where one residential dwelling, and either one either agricultural or small business unit is within one property, more than one cash offer may be payable. This recognises that a business owner sometimes resides in a private dwelling and also owns and operates a business in a separately rated unit on the same site.
- 2.3.10 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 of receipt of the first application to any HS2 property scheme. This applies whether the land is registered or unregistered.
- 2.3.11 If you wish to sell your property (via voluntary purchase) and have habitable outbuildings/multiple units, you should speak to your case officer immediately following application. We may ask you to provide further evidence or documentation to assist HS2 Ltd in determining your eligibility under the RSZ schemes.

Q2. Do I meet the occupancy requirements?

Private residency:

must be living in the property at the date on which the application is submitted and must have owned it and lived in it as their main residence for at least six months before that date;

OR

if the property is empty, must have lived there for at least six months prior to it being empty, provided that it has not been empty for more than 12 months and has not been occupied by anyone else since.

Business premises:

must have owned (freehold or leasehold with more than 3 years remaining) the premises for at least six months before that date and have operated a business from there throughout this time;

OR

if the property is empty the applicant must have operated a business from there for at least six months prior to it being empty, so long as it has not been empty for more than 12 months.

Agricultural unit:

must have occupied the premises for at least six months before that date;

OR

if the agricultural unit is not occupied the applicant must have a qualifying interest in it and must have occupied it for at least six months prior to it being empty, so long as it has not been unoccupied for more than 12 months;

AND

for the purpose of these schemes, we also require that the main residence of the owner is located on the agricultural unit.

Q3. Is your property wholly or partly in the Rural Support Zone? (please check the maps and plans at www.gov.uk/hs2)

Yes - wholly

You can apply for the cash offer or voluntary purchase.

No

You may be eligible for the NTS scheme, or the Homeowner Payment scheme if active.

Yes - partly

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

We will assess whether any part of the dwelling house is within the RSZ according to Ordnance Survey electronic mapping licensed to HS2 Ltd overlaid with the RSZ, using the HS2 Ltd electronic mapping (Geographical Information System - 'GIS') software.

If no part of the dwelling house is within the RSZ, we will assess the percentage of the total area of your property (generally the house and garden but also including other land included within the property), on the same basis as above. If more than 25% of your property, meaning the whole property, including house, garden and land, is within the RSZ, you may be eligible to apply for either the cash offer or voluntary purchase.

It is your ownership of land and the footprint of your property as it stands on 17 July 2017 that will be assessed for the purposes of determining whether at least 25% of your property is within the RSZ. This means that any changes to your title, including parts constructed, sold or acquired after 17 July 2017, will not be counted when considering eligibility under either scheme. This will be based on planning records and the Land Registry title(s) for the property or, where the property is not registered with the Land Registry, other legal documentation which shows the extent of the property.

Your property must not be in serious breach of planning law and it must have been constructed legally.

Q4. Did you buy or enter into a lease of your property prior to the announcement of the preferred route of HS2	
<p>Yes</p> <p>If you completed on your purchase or lease of your property on or before the announcement date of the initial preferred route in your area, you will qualify.</p>	<p>No</p> <p>An assessment will be made. Please see below.</p>

2.3.12 For applications along Phase One, if you bought your property at any time after the publication of the Phase One initial preferred route announcement on 11 March 2010, we will generally consider that purchase had been made with prior knowledge of Phase One.

For applications along Phase 2a and Phase 2b, if you bought your property at any time after the publication of the Phase 2a or 2b initial preferred route announcement on 28 January 2013, we will generally consider that purchase had been made with prior knowledge of Phase 2a or 2b. In considering this, the amount of information available at the time of purchase, and whether this information was such that a reasonable person could have foreseen the potential for generalised blight, will be considered.

2.3.13 **Changes to the route**

Following subsequent changes to:

- the Phase One route on 20 December 2010, 10 January 2012, 16 May 2013 and 25 November 2013
- the Phase 2a route on 30 November 2013 and 17 July 2017 and
- the Phase 2b route on 07 July 2016, 15 November 2016, 17 July 2017,

or at any point in the future, purchasers who bought after the initial preferred route announcement dates may find they are now in proximity to the preferred route, but were not at the time of purchase. In these circumstances, applicants will need to provide satisfactory evidence that they indeed had no prior knowledge of the route.

Timing of your purchase process

There may be cases where purchases were completed after the relevant initial preferred route announcement date where the purchasers remained unaware of the proposals or were unaware that the property would be in proximity to the route. For example, if the searches relating to the purchase of the property were completed on or before this date, but exchange of contracts did not happen until shortly after this date, then we would take this and any other relevant information into account when assessing an application.

We will require either the original copies of the local searches or certified copies, details of who can certify the documents are explained on page 4 of the application form.

3 Application process

3.1 Step One – check eligibility and understand your options

- 3.1.1 If you have reviewed the information above and believe your property is in the RSZ and eligible for the property schemes, you can complete the application form provided with this guidance. This process is the same for both the cash offer and voluntary purchase scheme. You will not be asked to decide which scheme you wish to opt for at this point.
- 3.1.2 There is no need to make an immediate decision about applying as the schemes will be open until one year after the HS2 railway is opened for public use (2026 along Phase One, 2027 along Phase 2a and 2033 along Phase 2b). This gives you time to consider your own personal circumstances and apply to the schemes when the time is right for you.
- 3.1.3 Reading and understanding the RSZ schemes' requirements is an essential part of any application. If you have any general queries about the schemes, please contact the HS2 Helpdesk who will be able to assist you. If you have previously applied but been unsuccessful, then you will have been contacted by your case officer to explain the reasons why you were not successful, and whether other evidence would be required in relation to one or more criteria. It is important that you read and understand this feedback if you are thinking about making a further application if your circumstances have changed, or you are able to provide additional evidence.
- 3.1.4 The RSZ schemes are aimed at supporting those most directly and adversely affected by the HS2 proposals. They are evidence based. Decisions are based on the information provided in the application. An application is unlikely to be successful if it is resubmitted using the same core information, hoping for a different outcome. If there is no further meaningful evidence to submit, or if there has not been a material change in your circumstances, then we would advise against simply repeating an application.

3.2 Step Two – complete application form

- 3.2.1 Once you have completed Step One you can complete the application form and submit it together with your supporting documents. Please submit as much evidence as you can to support your application, as this will enable your request to be processed more quickly.
- 3.2.2 Please see the examples of documentation in the application form; these are intended to give an idea of the types of evidence that will be expected:
 - Page 2 of 5: proof of ID; and
 - Page 3 of 5: evidencing proof of ownership and proof of occupancy.
- 3.2.3 You do not need to appoint professional representatives to assist with your application. The application process is designed so that a third party is not needed to act on behalf of the applicant(s).
- 3.2.4 If you do need or want to ask a third party to help with your application, you are of course welcome to do so: some applicants may wish to ask a friend, relative or a professional. The application must explain the relationship between the applicant(s) and any representative with whom we are asked to correspond. For any statements made on the applicant's behalf, a representative must sign the statement(s) and declare their name, organisation and position in the organisation (if applicable) and that the information is correct to the best of their knowledge. Applicants should be aware that additional input from a third party may well add time to the application process.

3.3 Step Three – HS2 Ltd processes the application

- 3.3.1 We will acknowledge receipt of your application form and supporting documents. You will be given a named case officer who will be your main point of contact should you have any questions.
- 3.3.2 Your case officer will initially check whether your property is in the RSZ. Where only part of the property, and no part of the dwelling house, is in the RSZ, 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 will be calculated. This will be done using the Land Registry title(s) for the property or, where the property is not registered with the Land Registry, other legal documentation which shows the extent of the property. Where there is any dispute on the extent of the property, the onus will be on the property owner to prove or otherwise the extent of their property and to provide HS2 Ltd with a revised Land Registry title.
- 3.3.3 If your property is in the RSZ, the case officer will go on to check that the application is complete. They will also check that the supporting documents you have provided. The case officer will contact you if further documents are required. Once ready, your application will be progressed to the next stage for consideration of an outcome.

3.4 Step Four – notification of decision

- 3.4.1 Once your application has been considered, we will notify you that your application has been accepted or declined. If it has been accepted, independent valuations of your property will be arranged. The valuations will be based on the un-blighted open market value of your property.

3.5 Step Five – valuations

- 3.5.1 Two valuations will be carried out by two independent RICS (Royal Institution of Chartered Surveyors) registered valuers. One will be chosen by HS2 Ltd from a pool of chartered surveyors, appointed by HS2 Ltd, who are familiar with your area and have appropriate experience.
- You can select another from the HS2 Ltd pool or any RICS registered valuer (see below) in the UK who agrees to take on the instruction (including conditions on the format of the report and a maximum fee).
 - Both valuations will be instructed and paid for by HS2 Ltd.
 - 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), then your offer will be the average of the two.
- 3.5.2 If the valuations differ by more than 10% (calculated by taking the difference between the two values as a percentage of the higher value), an additional valuation will be obtained from a valuer in the HS2 Ltd pool; this valuer will be chosen by the applicant. The third valuer will be provided with the two previous valuation reports for consideration, with the valuation figures themselves removed. The offer will be the average of the closest two. If three valuations have been undertaken and there are no two closest figures (i.e. the highest and lowest figures are equidistant from the middle figure), the middle valuation figure will be used as the offer price. These valuations will also be paid for by HS2 Ltd.

Streamlined Valuation Process

- 3.5.3 If you think your property is likely to be valued at £250,000 or less and you already know that if successful you will opt for the cash offer, then in addition to the process set out in paragraph 3.5.1 and 3.5.2 above, you have the option of a streamlined valuation process whereby only one desktop valuation will be carried out on the property by an independent RICS registered valuer. This valuer will be chosen by HS2 Ltd from a pool of chartered surveyors, appointed by HS2 Ltd, who are familiar with your area and have appropriate experience. If the value of the property is confirmed as £250,000 or less, we will proceed to offer you the minimum £30,000 cash offer payment. However, if your property is valued at more than £250,000, we will revert to the full valuation process as detailed in paragraph 3.5.1 and 3.5.2 above.
- 3.5.4 Please note, the full valuation process will remain available to you until solicitors have been instructed to prepare the Deed of Receipt for the cash offer payment, in case for any reason you needed to change your mind and request that we purchase the property via the voluntary purchase scheme.
- 3.5.5 The threshold of £250,000 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), to protect the interests of applicants. The difference between the two figures acts as a buffer to ensure that the value of the property is below £300,000 if we are to offer the minimum payment. We believe that it is important that nobody loses out from choosing this streamlined process, given that it will be based on one, rather than two valuations.
- 3.5.6 We anticipate this streamlined valuation process will reduce timescales and minimise disruption caused to you. If you think this option may apply to your property and you are interested in finding out more, then please highlight on your application form that you wish to request a cash offer, following which your allocated case officer will contact you to provide further information.
- 3.5.7 Please note the streamlined valuation process is an alternative valuation process for properties valued at £250,000 or less. It will not affect an applicant's ability to default to the standard valuation process referred to in paragraphs 3.5.1 and 3.5.2 above, up until the point that solicitors are instructed to prepare the Deed of Receipt for the cash offer payment.

3.6 Step Six – offers

- 3.6.1 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, both based on the un-blighted open market value of your property. As with all property purchases in England and Wales, the offer to buy your property is subject to surveys and contracts. The cash offer is subject to the signing of a deed of receipt (see below).
- 3.6.2 You will have 12 months from the offer date, to choose whether to opt, at that price, for the cash offer or voluntary purchase.

3.7 Step Seven – choice of scheme and appointing solicitors

- 3.7.1 If you choose the cash offer, we will make a payment equal to 10% of what would have been the un-blighted open market value of the property. This will be assessed by two independent valuers. There is a minimum payment of £30,000 and maximum payment of £100,000. You will need to instruct a solicitor as we will need you to sign a deed of receipt (see Glossary) to receive the payment. We will pay up to £500 (plus VAT) towards these legal costs.
- 3.7.2 If you choose voluntary purchase, we will buy your house under a normal conveyancing process. You will need to instruct a solicitor at your cost, as you would normally do when selling your property.
- 3.7.3 Choose your solicitor carefully. Their performance will have a real impact on your experience of selling your property/processing your cash offer and the efficiency with which this is done. As with private market transactions they will represent you and act on your behalf so it is important you instruct an experienced and good quality solicitor who also has sufficient capacity to focus on your case.
- 3.7.4 If you don't wish to opt for either scheme within the 12 month period, you are under no pressure to accept either offer. Although the offer will expire after 12 months, you will be able to make a further application after this date if you wish to; however, we will ask you to make a fixed contribution to the cost of new valuations, which is currently set at £1,000, or £500 if you have had a desktop valuation undertaken on your property.

4 Frequently asked questions

My property is partly in the Rural Support Zone and partly in the homeowner payment zone. Can I claim the cash offer and a homeowner payment?

No, we will only make one payment under these discretionary 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 dwelling 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 further details, please see <https://www.gov.uk/claim-compensation-if-affected-by-hs2>

My property is partly in the RSZ and partly in the safeguarded area. Can I sell my property under express purchase / Statutory Blight and claim the cash offer?

No. We will only make one payment under either express purchase/Statutory Blight, or the cash offer scheme. If a payment is made under the cash offer and then the property is bought under express purchase/Statutory Blight, we would recoup the cash offer payment, with statutory interest, from the express purchase/Statutory Blight purchase price.

Can the amount of my property in safeguarding be taken into account when determining my eligibility for the RSZ?

Yes. Assuming the property is not eligible for Statutory Blight or express purchase, the percentage of the property in safeguarding would be added to that in the RSZ for the purposes of determining eligibility for the RSZ schemes. For example, if 10% of the property falls in surface safeguarding and 15% in the RSZ, this would total 25% and the property owner could be eligible for the RSZ schemes (assuming the other eligibility criteria are met).

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. In addition, it does not matter which is progressed first. Applicants should, however, be mindful of the impact an earlier compulsory purchase might have on eligibility to later claim the cash offer for the remainder of the property. For example, an applicant may no longer be eligible to claim the cash offer if the dwelling 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 / Statutory Blight for the whole of my property, can I apply for voluntary purchase for the remainder of my property?

Yes, provided that you qualify for voluntary purchase (i.e. that the dwelling or 25% or more of the hereditament is in the RSZ). However, we will recoup any injurious affection (see Glossary) paid, plus statutory interest, from the voluntary purchase price.

If I claim the cash offer, and then at a later date the safeguarding boundaries 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 subsequently we buy your property under Statutory Blight/express purchase or any compulsory purchase.

Why is property I constructed, acquired or sold after 17 July 2017 not taken into account when assessing the 25% required for RSZ eligibility?

The rules regarding entitlement to the RSZ scheme and specifically the 25% rule have been adjusted to ensure that someone cannot change their land interests to facilitate eligibility for RSZ. On 17 July 2017 the RSZ policy was updated to include this clarification and as such only the land ownership held prior to this date will be taken into account for the 25% required for RSZ eligibility.

I own multiple dwellings/business units within one Land Registry title/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?

Where more than one residential dwelling or more than one agricultural or small business unit is within a property (a property could consist of one land title or multiple adjoining titles), only one cash offer or homeowner payment may be claimed. Owners of multiple dwellings or multiple agricultural/business units would not be eligible to receive more than one cash offer or homeowner payment for that property, regardless of any changes to occupancy which may occur over time.

However, where one residential dwelling, and either one either agricultural or small business unit is within one property, one cash offer or homeowner payment for each classification of usage may be claimed. This recognises that a business owner sometimes resides in a private dwelling and owns and operates a business in a separately rated unit on the same land.

I own several buildings that fall within the same property, part or all of which falls 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 (via the Council Tax valuation list at <http://cti.voa.gov.uk/cti/inits.asp> or with the Local Authority with respect to business rates). Please see paragraph 2.3.7: If you choose the cash offer option, only one cash offer can be made per property type; for example if there are two houses, only one cash offer can be claimed, and likewise, if there are two commercial units, only one cash offer can be claimed.

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

For our purposes, what comprises a single property will depend on the council tax or business rates listing (via the Council Tax valuation list at <http://cti.voa.gov.uk/cti/inits.asp> or information held with the Local Authority with respect to business rates) 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, all Land Registry titles covered by a single council tax listing will be treated as a single application (where each of the eligibility criteria will need to be met).

What 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 cash offer?

Yes. The option of voluntary purchase; however, would not be open to you.

Can I still apply for Part 1 statutory compensation when the railway is operational if I have accepted a cash offer?

Yes. Claiming the cash offer will not affect property owners' ability to claim for statutory compensation for loss of value due to physical factors under Part 1 of the Land Compensation Act 1973.

Can I re-apply to the schemes?

Yes. If you have previously applied but been rejected under the RSZ schemes, but you believe there has been a change in your circumstances which changes your eligibility, then you can reapply.

Or, If your offer has expired after 12 months, you can reapply to the schemes. However, you will need to pay a fixed contribution towards new valuations, which is currently set at £1000 or £500 if you had a desktop valuation.

I bought my property after March 2010 (in relation to Phase One) or after January 2013/or a later date as specified above for some sections of the route (in relation to 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 of purchase and could not have reasonably foreseen the potential for generalised blight. For example, if the searches relating to the purchase of the property were on or before the date of the relevant announcement of the initial preferred route, but the purchase did not complete until after it, then this would be taken into account when assessing an application.

You would need to provide original or certified copies of local authority searches with your application and a signed statement 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 confirmation of the following:

- Your solicitor, estate agent, nor any other person made you aware of the HS2 route location during the sales process.
- You were not made aware of the RSZ schemes through published documents (including electronic information), letters, national or local press during the sale process.

If your property is partially in the Homeowner Payment (HOP) Zone and you purchased your property after the relevant initial preferred route announcement date and in knowledge of HS2, you may be eligible to apply for a homeowner payment under the HOP scheme A HOP scheme is now open for Phase One, and will be launched for Phases 2a and 2b following Royal Assent of relevant hybrid Bills). More information on the Phase One HOP scheme can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/714972/CS955_Home_Owner_Payment_Guidance_and_app_form.pdf

Are personal representatives of a deceased person allowed to apply to these schemes?

No. These schemes are designed for people who are currently living within the RSZ. As a personal representative of a deceased person, you can still apply to sell the property through the Need to Sell scheme.

I have a property in the RSZ which is my second home. Am I eligible for voluntary purchase or the cash offer?

No. Eligibility for these schemes is restricted to owner-occupiers of property in the RSZ.

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, which means that you should occupy a significant part of the property. Applications for voluntary purchase such as these will be assessed 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, provided that your main residence forms part of your agricultural land.

Will you pay my legal fees?

We will pay reasonable legal fees in respect of a contract or deed of receipt (see Glossary) for all cash offers up to £500 (+VAT). We will not pay legal fees under voluntary purchase.

How did HS2 Ltd appoint the pool of valuers that will carry out the valuation?

The pool of valuers has been appointed by HS2 Ltd following a competitive tender exercise to identify those who can demonstrate the resource and capability to cover valuations over the geographic extent of all phases of the HS2 route. They are independent chartered surveyors, registered with the Royal Institution of Chartered Surveyors (RICS), and have the competence and professional knowledge to undertake valuations in accordance with the 'Red Book' manual of valuation standards.

Are the valuers and valuations independent of HS2 Ltd?

Yes. The valuers are instructed to provide an open market valuation of property in accordance with Royal Institution of Chartered Surveyors (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 on HS2 Ltd's list of valuers have local knowledge?

The valuers have been appointed because they have the capability to cover valuations over their relevant sections of the HS2 route. It is important to recognise that many local estate agents are not RICS-registered valuers and are therefore not considered to be qualified to provide an open market valuation for this scheme.

Who can I pick as my choice of valuer?

Any Royal Institution of Chartered Surveyors (RICS) registered valuer can be used, as long as that valuer does not have any conflict of interest with respect to your property or your household (or anyone else connected to the application). This includes that the valuer cannot be employed by or associated with the firm/individual that is representing you in your application or has been involved in the marketing of your property in any way.

The RICS is the professional body for the valuers that must be used and can be contacted to verify if a valuer/firm is registered and has the appropriate qualifications (www.rics.org).

If you wish, you can choose a specific valuer at any of the firms on the HS2 Ltd pool of valuers/one of these firms. We would then pick a second firm from this list.

How long is your offer valid for?

Following the valuations on your property, we will send you an offer letter. This offer is valid for 12 months from the date of the letter.

In the case of voluntary purchase, the offer is subject to a building condition survey. As with a normal property sale, the offer may be revised if the building survey identifies significant issues (such as the need for major repairs). No surveys will be undertaken for a cash offer, unless the valuation has highlighted significant concerns that are material to the value.

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

The purchase process will be handled in broadly the same way as any private property purchase. In our experience the process to exchange should take approximately 3 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.

Following your acceptance of the offer, we will instruct our solicitors to start the legal formalities and our property acquisition agents to start the purchase process. They will appoint surveyors to undertake structural and condition surveys. The surveyors will contact you directly to make this appointment to visit your property.

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 the property. This will enable the Government to have a record of the discretionary payment made in relation to a particular property. It will also be the way we ensure that we are not double-paying under two schemes. For example, if someone claims the cash offer and then makes a successful application under the NTS scheme, the deed of receipt will enable the cash offer payment to be recouped, plus statutory interest, from the NTS purchase price. Also note that the deed of receipt does not place a charge on the property, and does not get entered into the Land Registry details for the property.

Will I have to pay tax on my cash offer?

We expect that the majority of people who receive sums under the cash offer would not have to pay tax on the money they receive. This is because, although the receipts may give rise to gains which are chargeable to capital gains tax (or in the case of a company, corporation tax), these gains will not be chargeable to capital gains tax to the extent that the owner would be able to claim private residence relief if they sold their home on the private market. There is an explanation of how private residence relief works on the HMRC website:

https://www.gov.uk/Government/uploads/system/uploads/attachment_data/file/323679/hs283.pdf#

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 assist with my application?

No, please see step 2 of the application process section.

How should I complain to HS2 Ltd if I am unhappy with the service I receive?

If you are unhappy with the service received from HS2 Ltd staff in dealing with your application, then you should complain using the HS2 Ltd complaints procedure, which can be found at www.gov.uk/Government/organisations/high-speed-two-limited/about/complaints-procedure.

Please note that if your application has been unsuccessful, you can re-apply. The outcome of an application cannot be altered by complaining to HS2 Ltd.

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 following its sale. This would trigger an assessment to determine whether or not the property could be made suitable for letting in accordance with legal requirements, and in line with sound commercial principles. The request should be made to your case officer in good time, ideally by the point of exchanging solicitors' details, to allow requests to be assessed and letting documents drawn up.

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 an area of the route is developed, it is sometimes the case that properties that may have been accepted under the RSZ schemes will subsequently be placed within the Safeguarded area. If the whole or part of your property moves into the Safeguarded area and if the property has yet to be sold 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 additional statutory compensation.

If you had already received an offer for your property based on two inspected valuations made in the last 12 months following your RSZ application, then the offer that has been made will remain valid. You will not need another valuation in the event your Blight Notice is accepted and you proceed with a sale.

In the case of a cash offers that have been made following the streamlined 'desktop' valuation process, a new offer will though need to be made under the Statutory Blight process as a property must have an inspected valuation carried out prior to progressing a purchase.

Separately, please remember that if a cash offer has been paid at any point on the property and you later become eligible to serve a Blight Notice, the value of the cash offer plus statutory interest will be deducted from the final settlement amount of the statutory compensation package.

5 Glossary

Agricultural unit: Land which is occupied as a unit for agricultural purposes, including any dwelling house 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 and livestock breeding and keeping, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodland where that use is ancillary to the farming of land or for other agricultural purposes.)

Deed of receipt: A legal means by which the payment of the cash offer is received with conditions on repayment under specific circumstances.

Homeowner Payment (HOP): A discretionary scheme for owners of property where at least part of the main building (dwelling) or at least 25% of the total land area is within the Homeowner Payment zone. This zone spans 180m either side of the outer boundary of the RSZ, in the same areas along the proposed HS2 route as RSZ. This scheme offers owner occupiers of such properties, who meet a 'no prior knowledge' criterion, a fixed cash payment. The payment amount is one of three set amounts, determined by the location of the main building in relation to three payment bands, within the zone.

Injurious affection: The depreciation in the value of land you retain where part only of your land holding is acquired.

Need to sell (NTS): A discretionary scheme for property owners who believe they have a compelling reason to sell their property. Five criteria must be met 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 certain term of years lease (with at least three years unexpired) and has it as their principal residence or place of business. The full definition of 'owner-occupier' can be found through reference to Chapter 2, Part 6 of the Town and Country Planning Act 1990

Part 1 compensation: Compensation which may be claimed by the owner-occupiers of dwellings, small business premises and agricultural units under Part 1 of the Land Compensation Act 1973 for any reduction in the value of their property as a result of the physical effects of the operation of the railway. This can be claimed only after the scheme has been open for public use for one year.

Safeguarding: Safeguarding is an established part of the planning system, designed to protect land which has been earmarked for major infrastructure projects from conflicting developments which might otherwise occur. From the date Safeguarding Directions are issued, Local Planning Authorities must consult with the authority which issued the Directions on planning applications they receive that fall within the safeguarded area. Safeguarding also triggers 'Statutory Blight'. This means that property owners within the safeguarded area may be eligible to serve a Blight Notice asking the acquiring authority to buy their property in advance of any compulsory purchase.

Statutory interest: An interest rate pegged to the Bank of England 'base rate' that is used to calculate money owed under compulsory purchase.

Surface safeguarding: In locations subject to surface safeguarding, Local Planning Authorities must consult on all planning applications they receive that fall within this area. For HS2, the land that is identified for surface safeguarding typically involves surface works and structures associated with the railway.

Subsurface safeguarding: In locations subject to subsurface safeguarding, applications for planning permission are generally exempt from the requirement on Local Planning Authorities to consult, unless the proposed development would extend below ground level. For HS2, subsurface safeguarding is typically put in place when the proposed HS2 line of route is in a bored tunnel.

Un-blighted open market value: This is the value that a property would have on the open market if the cause of blight were removed – in this case, if there were no plans for HS2.

Application Form



Rural Support Zone Schemes

Please send this application form to HS2 Ltd who will assess it. You need to return the form to the following address along with supporting evidence. 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 you post, have you enclosed?

- ☐ Form signed and dated by all applicants
- ☐ Proof of identity documents
- ☐ Proof of occupancy documents

When completing this form, please provide as much information and documentary evidence as you can. This will help ensure that your application can be considered as quickly as possible. When sending supporting documentation, please send originals or certified copies. We will return all of your original documents to you as soon as possible; in the interim, we will ensure that such documents are securely stored.

Please return the entire completed application. Any additional supporting information you send should be supplied loose leaf. Please complete all sections – we need details and contact information for all applicants in order to process your claim.

Title:..... Title:

First name(s): First name(s):.....

Surname:..... Surname:

Telephone number 1:..... Telephone number 1:

Telephone number 2:..... Telephone number 2:

Email address: Email address:.....

Where there are more than two applicants (owners), please provide contact details for each and every applicant. You may add any additional details on a separate sheet of paper.

We will use email as our main means 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.

☐ by telephone

☐ by post

Address including postcode of the property you are applying for:

.....

.....

.....

..... Postcode

Your declaration

For all applications:

Please ensure that each applicant signs and dates below and provides an original or certified copy of a document providing proof of identity, which is current and valid and contains a photograph of the applicant(s). Examples of documentation which provide proof of identity include:

- Passport
- Driving Licence
- National Identity Card

I/We declare that the information I/we give on this form is correct and complete. I/We understand that HS2 Ltd and the Department for Transport will use all of the information provided on this form and all supporting evidence to determine my/our claim under the RSZ.

I/We understand that security and anti-fraud checks will be undertaken on information and supporting evidence provided.

If I/We knowingly give information that is incorrect, or if relevant information is knowingly omitted, the application and the Government's decision on it will be void and I/we may have court action taken against me/us.

I/we understand that if I/we receive a payment under the cash offer, I/we will be required to sign a deed of receipt, with conditions on repayment in certain circumstances, including if my/our property is subsequently purchased by the Government in connection with HS2.

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

Please sign below to certify that, by completing this form, you understand that your eligibility for the property schemes will be checked and that you understand the process.

Signature(s) of the applicant(s), with dates for each signature

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If you are signing on behalf of a limited company, please state your position

.....

How your personal information will be used

The personal information you have provided here will be used by the Department for Transport and HS2 Ltd solely for the purpose of processing your application. We will not disclose your information to other organisations except to prevent fraud or if required to do so by law.

The original of all supporting documents will be returned to you subject to a copy being retained for our records.

For further details on how your information is used, how we maintain the security of your information, and your rights to access the information we hold, go to www.gov.uk/hs2

Notes and guidance on your application

Please include with this application evidence to support your answers. Evidence provided should be originals or certified copies*; however, HS2 Ltd will not be responsible for any costs incurred. Your evidence and may include one or several of the following:

All applicants:

- Proof of ownership – epitome of title (if the property contains more than one title, all titles should be provided), conveyance to current owner (please do not send the original conveyance as this cannot be replaced) or Land Registry Office copy entry.
- For owner-occupiers of the property at the time of application we would expect applicants to provide one piece of evidence from List A, that is dated within the three months immediately prior to the date that the application is dated. The second piece of evidence is then expected to be dated at least six months prior to the date of the first piece of evidence and within the last 18 months.
Where a property is empty, you may still be eligible. You will need to evidence that the property has been empty for no longer than 12 months from the date of application and you were an occupier for at least 6 months prior to the property being empty. We would expect to see evidence of the date the property was vacated together with two pieces of evidence demonstrating occupation for a period of 6 months prior to the property becoming empty.
- We require two documents which must be from different organisations; you can choose to provide one document from list A and one document from list B, or two documents from list A. In relation to this, all documents must show the applicants' name and property address and must be original or certified copies of paper statements – i.e. not printed from the internet or from an electronic copy. We acknowledge that this may mean you need to request a paper copy of statements from relevant organisations.

List A (you may redact any financial figures and account numbers as this is required for occupancy evidence only)

- Bank or building society statement displaying a date of issue, or transactions, within the last 3 months;
- Owner occupier mortgage statement;
- Credit card statement displaying a date of issue, or transactions, within the last 3 months;
- Loan statements or Student Loan statement;
- Documentation and correspondence with respect to State Pensions, Tax Credits, Universal Credits, or Benefits.
- Private pension statements where you are currently in receipt of a pension.

List B:

- Utility bills e.g. gas, electricity, water or fixed line telephones;
- Local authority tax bill (e.g. council tax, business rates);
- Home contents insurance certificate issued within (and the cover relating to) the specific period for the relevant address. If you wish to submit this, you will also need to provide the buildings insurance certificate for the property, for the same period (if they are separate), in order to demonstrate that both buildings and contents insurance is taken out as an owner-occupier.

Please note that we may ask for additional evidence to verify statements where we have queries and that we will check the electoral roll or other sources to verify statements made.

Examples of evidence that is not acceptable, because it would not provide a reliable verification of occupancy, are:

- Provisional or full driving licences;
- National Insurance cards;
- Mobile phone bills;
- Letter from a GP, dentist or similar; and
- TV Licence and other related documents.

In addition:**Owner-occupier of business premises:**

- In addition to the above, business bills as listed above for resident small businesses.

Mortgagees: (eligible for voluntary purchase scheme only)

- Details of any mortgage roll or reference number with contact details for the bank/mortgagee; and/or
- Proof of being a mortgagee and proof of ability to sell the property with vacant possession.

* If you are providing certified copies, these should be certified by a UK solicitor, accountant, a doctor listed on the General Medical Council website, or a bank manager. This person's name and address should be recorded so that he or she can be contacted if necessary. (If you cannot provide originals or certified copies, you should explain why the originals are unavailable when making your application.) Alternatively, we do accept copies of documents which have been certified using the official Post Office Identity Document Checking Service. Should you choose to use this service we will require the original completed ID Checking Service form and the original till receipt for the payment of this service. The date your application is received by HS2 Ltd should not exceed a period of 2 months from the date of the ID Checking Service till receipt. If any of these requirements are not met then we will not accept certification by the Post Office.

1. Property type

What interest do you have in the property to which the application relates?

(tick as applicable):

- ☐ Owner-occupier of private residential property.
- ☐ Owner-occupier of business premises whose annual rateable value does not exceed £44,200 in Greater London or £36,000 for the rest of England.
- ☐ Owner-occupier of an agricultural unit, which must include a dwelling as the main residence.
- ☐ Mortgagee (eligible for voluntary purchase scheme only) that 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 it expires?yearsmonths

Please tell us about any occupants in the property (e.g. leases, licences and informal arrangements).

2. Location of property Check the maps at <http://www.gov.uk/hs2>

- ☐ Is the address you have provided within the Rural Support Zone?

(If 'yes', tick the box)

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

On what date did you purchase or acquire the property?

Please include documents to support this (if the property is registered with the Land Registry, the copy of the title already provided for Section 1 will suffice).

If you purchased your property after the 'No Prior Knowledge' dates set out in question 4 in the guidance above, you will need to show additional evidence that you could not have known that the HS2 route might be in the vicinity of your property at the time you purchased it. This could include originals or certified copies of local authority search reports undertaken as part of the conveyance process (i.e. showing that they make no mention of 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 evidenced by the search. Page 15 of this Guidance provides further details on information you should include in your statement.

4. Valuation

☐ I would like to request a cash offer and I am interested in the Streamlined Valuation Process

(If 'yes', tick the box)

Additional information (including details of any further land you may own next to the title connected with this claim):

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HS2

High Speed Two (HS2) Ltd

Two Snowhill, Snow Hill Queensway
Birmingham B4 6GA

Freephone: 08081 434 434

Email: HS2enquiries@hs2.org.uk

www.hs2.org.uk