



# HIGH SPEED TWO PHASE ONE INFORMATION PAPER

## C<sub>1</sub>: INFORMATION FOR PROPERTY OWNERS

This paper sets out the arrangements proposed for the provision of information and assistance to owners and occupiers of property subject to compulsory purchase under the Bill.

It will be of particular interest to those potentially affected by the Government's proposals for high speed rail.

This paper was prepared in relation to the promotion of the Bill for Phase One of the scheme which is now enacted. Although the contents were maintained and updated as considered appropriate during the passage of the Bill (including shortly prior to the enactment of the Bill in February 2017) the contents are now historic and are no longer maintained.

If you have any queries about this paper or about how it might apply to you, please contact the HS2 Helpdesk in the first instance.

**The Helpdesk can be reached at:**

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by email: [HS2enquiries@hs2.org.uk](mailto:HS2enquiries@hs2.org.uk)

or by phone: 08081 434 434 (lines are open 24 hours)

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# C1: INFORMATION FOR PROPERTY OWNERS

## 1. Introduction

- 1.1. High Speed Two (HS2) is the Government's proposal for a new, high speed north-south railway. The proposal is being taken forward in two phases: Phase One will connect London with Birmingham and the West Midlands and Phase Two will extend the route to Manchester, Leeds and beyond.
- 1.2. HS2 Ltd is the non-departmental public body responsible for developing and promoting these proposals. The company works to a Development Agreement made with the Secretary of State for Transport.
- 1.3. In November 2013, HS2 Ltd deposited a hybrid Bill<sup>1</sup> with Parliament to seek powers for the construction and operation of Phase One of HS2 (sometimes referred to as 'the Proposed Scheme'). The Bill is the culmination of nearly six years of work, including an Environmental Impact Assessment (EIA), the results of which were reported in an Environmental Statement (ES) submitted alongside the Bill. The Secretary of State has also published draft Environmental Minimum Requirements (EMRs), which set out the environmental and sustainability commitments that will be observed in the construction of the Proposed Scheme.
- 1.4. The Bill is being promoted through Parliament by the Secretary of State for Transport (the 'Promoter'). The Secretary of State will also appoint a body responsible for delivering the Proposed Scheme under the powers granted by the Bill.
- 1.5. This body is known as the 'nominated undertaker'. There may well be more than one nominated undertaker – for example, HS2 Ltd could become the nominated undertaker for the main railway works, while Network Rail could become the nominated undertaker for works to an existing station such as Euston. But whoever they are, all nominated undertakers will be bound by the obligations contained in the Bill and the policies established in the EMRs.
- 1.6. These information papers have been produced to explain the commitments made in the Bill and the EMRs and how they will be applied to the design and construction of the Proposed Scheme. They also provide information about the Proposed Scheme itself, the powers contained in the Bill and how particular decisions about the project have been reached.

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<sup>1</sup>The High Speed Rail (London – West Midlands) Bill, hereafter 'the Bill'.

## **2. Overview**

- 2.1. This information paper sets out the arrangements proposed for the provision of information and assistance to owners and occupiers of property subject to compulsory purchase under the Bill.

## **3. Continuing communication**

- 3.1. The Secretary of State and HS2 Ltd have already conducted several major mailing exercises with a view to keeping those most affected by the Proposed Scheme informed about its expected impacts on their properties. In addition to letters and leaflets publicising consultation events, letters to owners were sent out when the preferred route was first announced in January 2012; when draft safeguarding maps were published; when safeguarding was confirmed; when the draft Environmental Statement was published; and when the Bill was deposited in Parliament.
- 3.2. Once the Bill receives Royal Assent, the Secretary of State will undertake a continuing communications exercise with the owners and occupiers of property that is expected to be subject to compulsory acquisition for the Proposed Scheme.
- 3.3. As a minimum, this communications exercise will include correspondence sent to property owners and occupiers, at a stage when the Proposed Scheme has reached an appropriate level of detailed design, giving them:
- an indication of whether the property which they own or occupy is likely to be required, and if part only of the property is likely to be required, which part; and
  - the best estimate available of the date on which such property is likely to be required.
- 3.4. This procedure will not apply in cases where property is subject to an agreement to purchase under any discretionary purchase scheme, or to compulsory acquisition in relation to a subsoil interest only.
- 3.5. HS2 Ltd (and, in due course, the nominated undertaker) will maintain a helpdesk which will enable all property owners and occupiers to contact HS2 Ltd and its property advisers.

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

- 4.1. HS2 Ltd has been meeting with affected property owners on request ever since plans for the Proposed Scheme were first made public in 2010. More recently, HS2 Ltd has written to those property owners known to be affected along the line of route and invited them to contact HS2 Ltd if they wished to discuss their particular circumstances with the property team.
- 4.2. Since safeguarding was confirmed in July 2013, owner-occupiers of property within the affected area have been able to serve blight notices, requiring the

Government to consider purchasing their property on compulsory purchase terms (before it is actually required for the project). This is a statutory process, not specific to High Speed Two.

- 4.3. In addition to the statutory processes that relate to the safeguarded area, property owners inside and out of this area may be eligible for one of a few schemes, depending on the distance of the land or property from the planned route. These schemes are discretionary policies, formulated specifically for properties affected by HS2. They include property purchase schemes and cash payment schemes. Property owners may have more than one option available to them.
- 4.4. Please see Information Paper C4 – Land Acquisition Policy or search for the ‘Guide to HS2 Property Schemes’ at: [www.gov.uk/government/publications/hs2-property-schemes-between-london-and-the-west-midlands](http://www.gov.uk/government/publications/hs2-property-schemes-between-london-and-the-west-midlands) for further information.

## **5. Assistance to business**

- 5.1. Businesses displaced by the Proposed Scheme will be compensated within the provisions of the relevant compulsory purchase legislation - generally known as the Compensation Code<sup>2</sup>. This recognises the importance to businesses displaced from their existing premises (by compulsory purchase of those premises for public works) of being able to relocate to another site. The Compensation Code normally provides for the cost of such relocation to be taken into account under the heading of disturbance compensation.
- 5.2. The Secretary of State considers that the Compensation Code provides a fair basis for compensation in respect of such costs. He will expect the nominated undertaker to take all reasonably practicable steps to limit the impact of the Proposed Scheme upon existing businesses, thereby keeping to a minimum the need to incur liability for disturbance compensation to such businesses under the Compensation Code.
- 5.3. To assist existing businesses that do need to move due to the Proposed Scheme, assistance will be provided to find suitable alternative premises, the Secretary of State will establish an agency service at his expense (or that of his nominated undertaker). The agency service will help firms to identify their property needs and advise them on what suitable property might then be available. Close contacts will be established with property agents, landowners, developers and local authorities to ensure that reliable and effective information is provided.
- 5.4. This agency will not act as adviser to displaced businesses in formulating their claims for compensation.

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<sup>2</sup> The code is described in guidance published by the Department for Communities and Local Government. See <https://www.gov.uk/government/publications/compulsory-purchase-process-and-the-crichel-down-rules-guidance>

- 5.5. The agency scheme is expected to be established to commence work at least one year before construction of the main works begin.
- 5.6. The Secretary of State recognises the importance for existing businesses being able to plan their relocations with as much advance information as is reasonably practicable, to ensure a smooth transition of their operations from one location to another. Therefore, once the Bill has received Royal Assent, the Secretary of State or his nominated undertaker will make arrangements to provide businesses with a longer period in which to relocate than the three months specified in the Bill, where this is practicable. In such cases, the Secretary of State's overall aim will be to provide as long a period as is practicable, commensurate with the co-ordinated progress of the works.

## **6. More information**

- 6.1. More detail on the Bill and related documents can be found at: [www.gov.uk/HS2](http://www.gov.uk/HS2)  
For more information on the statutory and discretionary property schemes see: [www.gov.uk/claim-compensation-if-affected-by-hs2](http://www.gov.uk/claim-compensation-if-affected-by-hs2)