

Homeowner payment scheme

Guidance and application form



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Plain English Campaign

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Department for Transport

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1 Introduction

1.1.1 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 4.

The guidance applies to eligible properties in the area of Phase One (London to the West Midlands) of the HS2 project.

1.1.2 The initial preferred route for Phase One was announced on 11 March 2010. Proposals for the homeowner payment scheme were first outlined for the Phase One route as part of the public consultation on HS2 property schemes on 9 April 2014.

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, fallow 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 buy 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.

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 area outside the safeguarded area and up to 120 metres from the centre line of the HS2 railway in rural areas. Two discretionary schemes are available in the RSZ – voluntary purchase and cash offer.

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 proposed line of the route is in a bored tunnel.

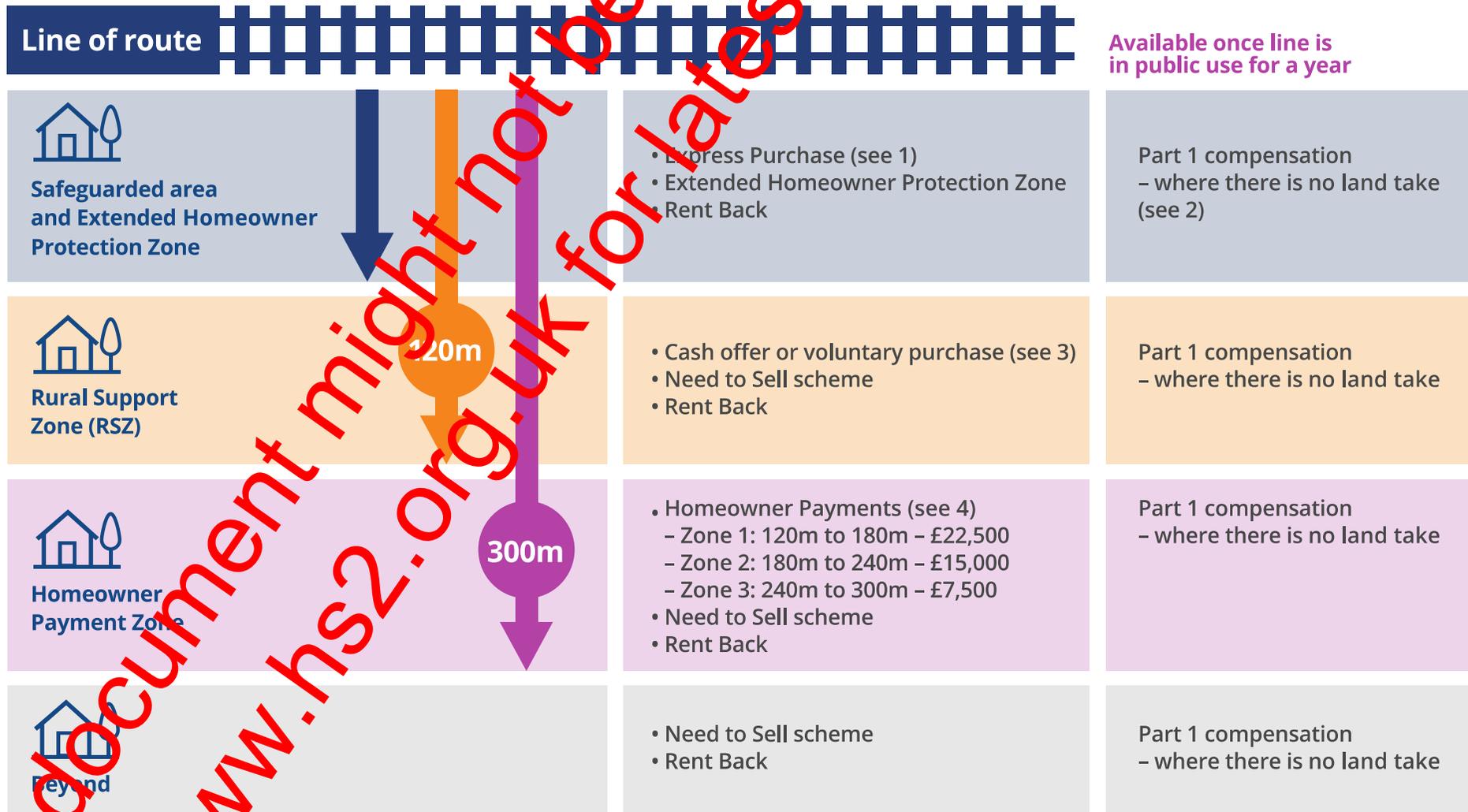
3 Homeowner payment scheme

3.1 What is the homeowner payment (HOP) 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 relevant phase of the railway is first open for public use.
- 3.1.4 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.gov.uk/claim-compensation-affected-by-hs2

Where can I find more information?

- 3.1.5 We are here to help you through the process and answer any questions you may have. You can contact us by calling our Helpdesk on 0800 1 434 434 or emailing HS2Enquiries@hs2.org.uk. Our Helpdesk can explain the scheme and help you check whether your property is in the HOP zone.



1) Surface safeguarding only. 2) Compensation for any reduction in the value of property as a result of the physical effects of the operation of the railway. 3) Applies to rural areas only and does not extend to areas beyond deep tunnels. 4) Available now for Phase One; 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.

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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 £7,500 to £22,500 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 – £22,500.
 - Band 2 (in green on the maps), typically between 180 metres and 240 metres from the line of the route – £15,000.
 - Band 3 (in yellow on the maps), typically between 240 metres and 300 metres from the line of the route – £7,500.
- 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 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 27 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 £22,500.

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 Need to Sell (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.gov.uk/guidance/compensation-for-affected-by-hs2/need-to-sell-scheme
- 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, 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 – £22,500. 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 Am I eligible for the HOP scheme?

3.4.1 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 3.4.2);
- you must have bought your property before 9 April 2014; and
- your property must be fully or partly in the HOP zone. If it is partly in the HOP zone, either your home (generally the building you live in for most of the time) or 25% of the whole area (generally the site of the home and garden, but also other land included within the property) must be in the zone.

We explain this in more detail below. **Please note:** if you apply without satisfactory documents that show proof of the above, we may refuse your application.

Q1. Can I apply?		
<p>Yes</p> <p>I am an owner-occupier of a private home</p>	<p>Yes</p> <p>I am an owner-occupier of a business</p>	<p>Yes</p> <p>I am an owner-occupier of an agricultural unit</p>

3.4.2 We also 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 (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 a HOP scheme payment, they must include a property that acts as a main home.)

3.4.3 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).

3.4.4 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. (The Land Registry is the government organisation that records who owns land. Each piece of land bought is called a 'title'.)

3.4.5 To qualify for the scheme, at least one of the owners of the property will need to show that they meet the occupancy requirements. There are more details on this in the diagram in question 2 below. 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.

3.4.6 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.

- 3.4.7 However, 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.
- 3.4.8 The exact boundary of all relevant land titles, including the exact boundaries of any smaller titles within a larger title, will be taken as fixed at the point we receive your first application to any HS2 property scheme. This applies whether the land is registered or unregistered.

Q2. Do I meet the occupancy requirements?		
<p>Private home</p> <p>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.</p> <p>Or</p> <p>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.</p>	<p>Business premises</p> <p>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.</p> <p>Or</p> <p>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.</p>	<p>Agricultural unit</p> <p>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.</p> <p>Or</p> <p>If the agricultural unit is not occupied, you must have a qualifying interest in it (see 3.4.2), 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.</p> <p>And</p> <p>For the purpose of these schemes, your main home must be located on the agricultural unit.</p>

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

<p>Yes - fully You can apply for a HOP scheme payment.</p>	<p>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.</p>	<p>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.</p>
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The construction of your property must be in line with planning law and regulations.

Q4. Did I buy or enter into a lease for my property before the announcement of the HOP zone for Phase One of HS2 on 9 April 2014?

<p>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.</p>	<p>No We will assess whether you will qualify. Please see below.</p>
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- 3.4.9 If you bought your property on or after 9 April, which is the date when we first outlined the proposals for the HOP scheme for this part of the route, we will generally consider that you bought it 'with prior knowledge' of the proposal.
- 3.4.10 There may be exceptional cases where you completed the purchase of your property after we announced the HOP scheme and you did not know about the proposals. For example, for Phase One, if the searches relating to the purchase of the property were completed on or before 9 April 2014, but contracts weren't exchanged until shortly after this date, we would take this into account when assessing an application. We will need copies of the local searches.

4 Application process

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

4.1.1 You should first check the published maps and read this booklet to decide whether your property is in the HOP zone and that you meet the requirements set out in section 3.4 of this booklet.

4.1.2 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.

4.2 Step two – fill in the application form

4.2.1 Once you have completed step one and you think you are eligible for a payment under the HOP scheme, fill in the application form in this booklet and send it to DLA Piper (details below) together with your supporting documents. Please include all of the evidence we ask for to support your application, as this will help us deal with your application more quickly. If you submit an application without satisfactory documents that show proof of the above, we may refuse your application. Please see the application form for examples of the types of documents we will accept as evidence. These include proof of your identity and proof of ownership and occupancy.

4.2.2 You do not need to appoint professional representatives to help with your application. We have designed the application process so that you do not need anyone else to act on your behalf.

4.2.3 If you do need (or want to ask) someone to help you with your application, you are welcome to do so. You may want to ask a friend, relative or professional. In your application, you must explain the relationship between you and any representative you ask us to correspond with. For any statements made on your behalf, your representative must sign the statement (or statements) and give their name, organisation and position in the organisation (if this applies) and declare that the information is correct to the best of their knowledge. The application process may take longer if someone else is acting on your behalf.

4.3 Step three – how we process your application

4.3.1 We have instructed DLA Piper LLP, a firm of solicitors, to manage the application and payment process. You should send your filled-in application form and all supporting evidence to **DLA Piper LLP** at:

HS2 Homeowner payment scheme

DLA Piper LLP

Princes Exchange

Princes Square

Leeds LS1 4BT

4.3.2 DLA Piper will acknowledge that it has received your application form and supporting documents.

4.3.3 You will be given a named DLA Piper case officer who will be your main point of contact if you have any questions.

4.3.4 Your case officer will first check whether your property is in the HOP zone.

4.3.5 They will then 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.

4.3.6 If your property is within the HOP zone, the case officer will check that your application is complete. They will also check the supporting documents you have provided.

4.3.7 The case officer will contact you if they need more evidence. Once your application is ready it will go on to the next stage, where we will consider it.

4.4 Step four – decision

4.4.1 Once we have considered your application, the case officer will tell you whether we have accepted or rejected it. If we have accepted it, we will let you know which HOP scheme payment you are eligible for.

4.5 Step five – contract of receipt

4.5.1 In order to receive the payment, you will need to instruct a solicitor to help you sign a contract of receipt (see the glossary). When it is time to do this, DLA Piper 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 DLA Piper carries out when assessing your application.

4.5.2 Choose your solicitor carefully. Their performance will really affect how efficiently your HOP scheme payment is processed. As with private-market transactions, a 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 Frequently asked questions

We are here to help you through the process and answer any questions you may have. If your question is not answered below, you can contact us direct by calling our Helpdesk on 0800 1 434 434 or emailing HS2Enquiries@hs2.org.uk. Our Helpdesk can explain the scheme and help you check whether your property is in the HOP zone.

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

We will identify the boundary of your property from the information on the Land Registry Title Plan. Using Ordnance Survey electronic mapping licensed to us overlaid with the RSZ and the HS2 Ltd electronic mapping (Geographical Information System – GIS) software, 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 the percentage this is of the overall area of your property (which we also calculate using our Ordnance Survey software).

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.

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 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 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 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.

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.gov.uk/claim-compensation-if-affected-by-hs2). 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.

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 under the HOP scheme (in line with the rules set out in section 2 above, including that your home or 25% or more of the property is in the HOP zone).

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 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). Please see paragraph 2.4.6. 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.

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. Claiming a HOP scheme payment will not mean you cannot 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 'Part 1 compensation' in the glossary for more about the physical effects of the railway.)

I bought my property after 9 April 2014. Can I 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 Phase One of the route was first announced, 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 and bought my property between 11 March 2010 and 9 April 2014. Can I apply for a HOP scheme payment instead?

Yes, if your property is in the RSZ but you bought your property during one of these periods, you may be eligible for a payment as if your home were in HOP band 1 (£22,500).

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.

I inherited my home in the HOP zone after 9 April and now live in it. Can I apply?

Yes, as long as the person you inherited the home from bought it before 9 April 2014. 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. See the eligibility requirements in section 2.4.

I live in a mobile home (or park home or caravan) that is within the HOP zone. Can I apply to the HOP scheme?

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

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.

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.

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 (see the glossary).

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. DLA Piper 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.

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 not pay 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 www.gov.uk/government/publications/private-residence-relief-hs283-self-assessment-helpline/hs283-private-residence-relief-2019

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

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

No. Please see step 2 of the application process section.

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 DLA Piper tells 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.

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? Do I need to use an agent or online service to apply?

No. There is no fee to apply. 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.

Who is DLA Piper LLP?

DLA Piper is an established firm of solicitors contracted by us to assess HOP scheme applications. It is regulated by the Solicitors Regulation Authority in England and Wales.

Why is a legal firm assessing applications on behalf of the Government?

We expect there to be a significant number of applications to the scheme. To deal with these in the most efficient way, we and the Department for Transport have employed a supplier to process them on our behalf. We have instructed a legal firm to provide the best level of expertise when dealing with information on property ownership, carrying out anti-fraud checks and dealing with the contract of receipt alongside your solicitor.

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 basic 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 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 or DLA Piper, please use our complaints procedure at www.gov.uk/government/organisations/high-speed-two-limited/about/complaints-procedure

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

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Application form



Homeowner payment scheme for Phase One of HS2

Please send this form to DLA Piper LLP at the address below, who will assess it on our behalf. We recommend you use Royal Mail Special Delivery.

HS2 Homeowner Payments
DLA Piper UK LLP
Princes Exchange
Princes Square
Leeds LS1 4BY

Before posting your application, make sure you have enclosed:

- your form, signed and dated by all applicants; and
- your proof of occupancy documents.

By filling in this application form, you are confirming that:

- (a) you have read the attached homeowner payment scheme guidance;
- (b) you have checked the plans showing the route of HS2 Phase One (between London and the West Midlands); and
- (c) you believe that your property is fully or partly within the homeowner payment zone shown on those plans.

We will use your filled-in application form to assess whether you are eligible for a payment under the homeowner payment scheme and, if you qualify, what level of payment you will receive. The application form asks you for information on the property which you believe is in the homeowner payment zone and evidence to support your application.

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 form. Any additional supporting information you send should be on separate pages. Please fill in all sections – we need details and contact information for all applicants in order to process your claim.

Business name (if this applies):

Title (Mr, Mrs and so on): Title (Mr, Mrs and so on):

First names: First names:

Surname: Surname:

Phone number 1: Phone number 1:

Phone number 2: Phone number 2:

Email address: Email address:

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

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We will use email as our main way of getting in touch. If you don't check your emails regularly, or you would prefer us to contact you by post, please tick here.

What is the address and postcode of the property you believe is in the homeowner payment zone?

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.....

Proof of identity

Once DLA Piper has confirmed your claim has been accepted 'in principle', you will need to instruct a solicitor. The solicitor will be responsible for receiving your payment and will need to deal with a contract of receipt and identity checks before we can transfer the payment. We will pay up to £500 (plus VAT) for the solicitor's costs once they have submitted the contract of receipt and satisfactory confirmation of identity checks. We cannot transfer money direct to anyone other than your solicitor.

Your declaration

Please make sure that each applicant reads the declaration and signs in the box below (and adds the date they sign).

I declare the information I have given on this form is correct and complete. I understand that DLA Piper will use all of the information provided on this form and all supporting evidence to decide my claim 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.

If I give information that I know is incorrect, or if I do not include information I know is relevant, my application and the Government's decision on it will not be valid and you may take court action taken against me.

I understand that, to receive a payment under the 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, including if the Government buys my property in the future in connection with HS2.

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

Each applicant must sign in the box below, and add the date they signed.

If you are signing on behalf of a limited company, please give your position in that company

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

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How we will use your personal information

We, the Department for Transport and DLA Piper will use the personal information you have provided on the application form only for the purposes of processing your application. We will not share your information with other organisations, except to prevent fraud or if we have to do so by law.

We will return your original application form and all 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.gov.uk/hs2

Notes and guidance on your application

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

All applicants

- We need two documents, which must be from different organisations. You can provide one document from list A and one document from list B, or two documents from list A. (See both lists below.) All documents must include your name and the address of the property and must be original or certified copies of paper statements (that is, not printed from the internet or from an electronic copy). This may mean you need to ask organisations for paper copies.
- Proof of ownership (if the property contains more than one title, provide all titles), which might be the epitome of title document, the conveyance (please do not send the original deed of conveyance as this cannot be replaced), a copy of the Land Registry entry, or a copy of the lease.
- If you are the owner-occupier of the property, you need to provide one piece of evidence from list A and one from either list A or list B. One piece of evidence from list A must be dated within the three months immediately before the date on your application. The second piece of evidence should then be dated at least six months before the date of the first piece of evidence and within the last 18 months.
- If a property is empty, you may still be eligible for a payment. You will need to provide evidence that the property has been empty for no longer than 12 months from the date of your application and that you occupied it for at least six months before it became empty. We would expect to see evidence of the date you left the property, together with two pieces of evidence showing that the property was occupied for six months before it became empty.

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

- A recent bank or building society statement that shows the date it was issued (or one showing transactions from within the last three months)
- A mortgage statement
- A recent credit card statement that shows the date it was issued (or one showing transactions from within the last three months)
- Loan statements or a student loan statement
- Documents and correspondence about the State Pension, tax credits, Universal Credit or other benefits
- Private pension statements (if you currently receive a pension)

List B

- Utility bill (for example, gas, electricity, water or landline phone)

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- Local authority tax bill (for example, council tax or business rates bill)
- Home contents insurance certificate for the address for the relevant period. If you want to submit this, you will also need to provide the buildings insurance certificate for the property for the same period (if they are separate), to show that you have both buildings and contents insurance as an owner-occupier.

We may ask for further proof to confirm statements and we will check the electoral roll or other sources to check statements you have made.

Examples of evidence that we cannot accept

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

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

Further evidence

Owner-occupiers of business premises

We will need:

- evidence as listed above relating to the occupation of the small business premises; and
- a business rates bill.

Certified copies

Copies of documents should be certified by a UK solicitor, accountant, a doctor listed on the General Medical Council website, or a bank manager. They should write 'I certify this document is a true copy of the original', sign it, and write their name, profession, the date, and the name and address of their employer on each page of the copied document (and not over the top of other text). Keep a note of this person's name and address so that we can contact them if necessary.

We also accept copies of documents which have been certified using the official Post Office Identity Document Checking Service. If you use this service we will need the original, filled-in checking service form and the original till receipt from the post office showing that you have paid for this service. We should receive your application no later than two months from the date on the till receipt. If you do not meet any of these requirements, we will not accept certification by the Post Office.

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

1. Property type

Are you:

the owner-occupier of a private residential property?

the owner-occupier of business premises whose annual rateable value is not more than £44,200 in Greater London or £36,000 for the rest of England?

the owner-occupier of an agricultural unit, which must include a property that acts as your main home?

Which category of ownership do you have?

Freehold

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

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2. Location of property (Check the maps at www.gov.uk/hs2)

Is any part of the property within the homeowner payment scheme zone?

Yes No

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

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

.....
(If you have inherited the property, or if someone has given you the property as a gift, we also would like to know when the previous owner bought it, and when you became the owner.)

Please include documents to support the information you have given in section 3 above. (If the property is registered with the Land Registry, we will only need the copy of the title already provided for section 1.)

If you bought your property after 9 April 2014, you will need to give us further evidence that you could not have known about the homeowner payment scheme zone in relation to your property at the time you bought it. You will need to provide originals or certified copies of local authority search reports done on or before 9 April 2014 as part of the conveyance process (showing that they do not mention HS2 or the homeowner payment scheme). You will also need to provide a signed statement saying that you were not aware of the homeowner payment scheme in relation to your property and were not made aware of it during the sale process. There are more details on what you should include in your statement on page 11 of this guidance.

Or, if the route changed after 9 April 2014 in a way that means you are now in the homeowner payment scheme zone (but weren't before), please state in the 'extra information' box below.

We will check your titles and plans with the Land Registry. Please tell us the Land Registry titles of all of the property connected to this claim in the box below if you know this information.

Do you own any further land next to these titles?

If you know or suspect your property is not registered with the Land Registry, please provide a copy of the conveyance document to prove you own the property. In this instance, please do not send originals. If you need to share any extra information with us, please add it here.

If you have any questions before sending your application, please contact our Helpdesk on 08081 434 434 or email us at HS2Enquiries@hs2.org.uk. DLA Piper will only be able to help once they have received your application.

Lastly, how did you hear about the homeowner payment scheme?

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