

HS2

Property guidance

Scottish Safeguarding information document



This document is to be read with the existing Blight, Streamlined Residential Blight (SRB) and Need to Sell (NTS) guidance documents on HS2 Ltd's website. Its purpose is to highlight the main ways in which information contained in those guidance documents differs for properties in Scotland.

Blight and SRB only

Crichel Down Rules

The Crichel Down Rules state that, in certain circumstances, government land which was acquired by, or under a threat of, compulsion but is no longer needed should be offered back to the former owner at current market value. The Rules applying to land in Scotland can be found [here](#).

Rural Payments Agency

The Rural Payments Agency is used by acquiring authorities in England to establish who occupies specific areas of land. The Agency also helps identify individual field parcels. In Scotland, this information is held by the Rural Payments and Inspection Division. Their website can be found [here](#).

Basic Payment Scheme

The Basic Payment Scheme (BPS) in England is the biggest of the rural grants and payments that help the farming industry. Farmers apply once a year – between March and May – and payments begin in December. For Scotland, details can be found [here](#).

Land Compensation Manual

The Land Compensation Manual is the Valuation Office Agency's technical manual. It covers all aspects of compulsory purchase and compensation in England. An introductory guide to compulsory purchase in Scotland can be found [here](#).

Upper Tribunal (Lands Chamber)

The Upper Tribunal (Lands Chamber) is responsible for handling certain appeals and applications affecting property in England and Wales. The equivalent in Scotland is the Lands Tribunal for Scotland. Guidance on the role of the Lands Tribunal for Scotland can be found [here](#).

Their address is:

The Lands Tribunal for Scotland
George House
126 George Street
Edinburgh
EH2 4HH

Blight notice forms

Section 101(1) of the Town and Country Planning (Scotland) Act 1997 states that a blight notice be served on the acquiring authority in the “prescribed form”. The prescribed form is set out in Schedule 1 of the Town and Country Planning (General) (Scotland) Regulations 1976.

Land Compensation Acts

The equivalent to the Land Compensation Act 1973 in Scotland is the Land Compensation (Scotland) Act 1973.

Home Loss Payment(s)

The Home Loss Payments (Prescribed Amounts) (England) Regulations 2021 set the maximum home loss payment for properties in England at £71,000. For properties in Scotland, by application of section 28 of the Land Compensation (Scotland) Act 1963, the amount of the home loss payment is 10 per cent of the market value of the dwelling, subject to a maximum of £15,000 and a minimum of £1,500.

Blight, SRB and NTS

Annual Rateable Value

Only a person with a “qualifying interest” in their property may serve a blight notice. A similar test is used to determine whether an NTS application can be made. If the property is a business premises in England, then it must have an annual rateable value of not more than £44,200 in Greater London or £36,000 for the rest of the country. The prescribed value for “non-domestic” properties in Scotland is £30,000, as set out in The Town and Country Planning (Limit of Annual Value) (Scotland) Order 2010.

Land Registry

HM Land Registry records the ownership of land and property in England and Wales. The Land Register of Scotland records ownership of land and property in Scotland. Further details can be found [here](#).

Valuation Office Agency link to search addresses

The Valuation Office Agency provides a website to identify the rateable value of properties in England. For Scottish properties, this information is available from the Scottish Assessors Association [here](#).

Secretary of State for Transport

Where mentioned in the guidance, “Secretary of State for Transport” refers to the UK Secretary of State for Transport.

Town and Country Planning Acts

The equivalent to the Town and Country Planning Act 1990 in Scotland is the Town and Country Planning (Scotland) Act 1997.