

# PROPERTY SCHEMES

## Homeowner payment scheme

### Guidance and application form





## Department for Transport

High Speed Two (HS2) Limited has been tasked by the Department for Transport (DfT) with managing the delivery of a new national high speed rail network. It is a non-departmental public body wholly owned by the DfT.

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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. Details of each stage of the application process can be found on page 9.

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

- 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 this part of the route as part of the public consultation on HS2 property schemes on 9 April 2014.

# 2 Homeowner payment scheme

## 2.1 What is the homeowner payment scheme?




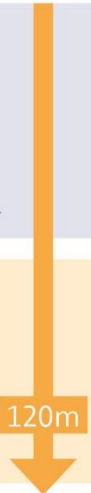



- 2.1.1 The HOP scheme provides a cash payment to property owners living close to the HS2 railway in rural areas and where the railway is not in a tunnelled section.
- 2.1.2 The HOP scheme operates within a zone (the HOP zone) made up of three 60-metre-wide bands. The zone starts 120m from the centre line of the railway (next to the outer border of the Rural Support Zone) and runs to 300m from the centre line of the railway.
- 2.1.3 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 set out in this document. You will be able to apply for a HOP scheme payment until one year after Phase One of the railway is first open for public use. Phase One is expected to open for public use in 2026.
- 2.1.4 The graphic on the next page shows all the property schemes that are, and will become, available for property owners who are living near the line of route or are impacted by HS2 proposals. More information on all the schemes, as well as maps on which you can check the route of HS2 and the property schemes that apply, are available at [www.gov.uk/claim-compensation-if-affected-by-hs2](http://www.gov.uk/claim-compensation-if-affected-by-hs2).

## Where can I find out more information?

- 2.1.5 We are here to help you through the process and answer any questions you may have. You can contact us directly by calling the HS2 helpdesk on 020 7944 4908 or emailing [HS2Enquiries@hs2.org.uk](mailto:HS2Enquiries@hs2.org.uk). The helpdesk can explain the scheme and help you check whether your property is in the HOP zone.

## LINE OF ROUTE

Available once line in public use for a year

 Safeguarded area and extended homeowner protection zone <sup>1</sup>		<ul style="list-style-type: none"> <li>Express purchase (available now)<sup>2</sup></li> <li>Extended Homeowner Protection Zone</li> <li>Rent back</li> </ul>	Part 1 compensation (where there is no land take) <sup>3</sup>
 Rural support zone (RSZ)		<ul style="list-style-type: none"> <li>Cash offer OR voluntary purchase<sup>4</sup></li> <li>Need to sell scheme (available now)</li> <li>Rent back</li> </ul>	Part 1 compensation (where there is no land take)
 Homeowner payment zone		<ul style="list-style-type: none"> <li>Homeowner payments<sup>5</sup> <ul style="list-style-type: none"> <li>Zone 1: 120m to 180m – £22,500</li> <li>Zone 2: 180m to 240m – £15,000</li> <li>Zone 3: 240m to 300m – £7,500</li> </ul> </li> <li>Need to sell scheme (available now)</li> <li>Rent back</li> </ul>	Part 1 compensation (where there is no land take)
 Beyond		<ul style="list-style-type: none"> <li>Need to sell scheme (available now)</li> <li>Rent back</li> </ul>	Part 1 compensation (where there is no land take)

<sup>1</sup> Usually 60m in rural areas. <sup>2</sup> Surface safeguarding only. <sup>3</sup> Compensation for any reduction in the value of property as a result of the physical effects of the operation of the railway <sup>4</sup> Applies to rural areas only and does not extend to areas beyond deep tunnels. <sup>5</sup> Only available after Royal Assent to the Bill. Applies to rural areas only and does not extend to areas beyond deep tunnels.

## **2.2 What is available for property owners in the HOP zone?**

- 2.2.1 Under the HOP scheme, eligible owner-occupiers of a house, business or agricultural unit in the zone will be able to claim a cash payment from £7,500 to £22,500, depending on the band in which their dwelling (or main building) falls.
- Band 1 (in pink on the maps) between 120 metres and 180 metres from the line of route – £22,500.
  - Band 2 (in green on the maps) between 180 metres and 240 metres from the line of route – £15,000.
  - Band 3 (in yellow on the maps) between 240 metres and 300 metres from the line of route – £7,500.
- 2.2.2 If any part of your land is in a HOP band closer to the line than the HOP band that the dwelling/main building touches, this closer land will not be taken into consideration when determining the level of payment. The location of the dwelling/main building will remain the determining factor.
- 2.2.3 If no part of your dwelling (or main building) is within the HOP zone, but at least 25 per cent of your property (meaning the site of the house, garden or other land included within the property) is within the zone, then you will be eligible for a payment equivalent to HOP Band 3 (£7,500). If the dwelling itself is in more than one HOP band, then you will be eligible for the higher HOP payment.

## **2.3 HOP and interaction with other HS2 property schemes**

- 2.3.1 Acceptance under the HOP scheme 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 recoup the HOP payment, plus statutory interest, from the NTS purchase price. Details of the scheme are available at [www.gov.uk/claim-compensation-if-affected-by-hs2/need-to-sell-scheme](http://www.gov.uk/claim-compensation-if-affected-by-hs2/need-to-sell-scheme)
- 2.3.2 If you are in the Rural Support Zone (orange zone on the maps), but your property was purchased between 11 March 2010 and 9 April 2014, you may not meet the 'no prior knowledge of HS2' criterion under the Rural Support Zone scheme. In these circumstances you may be eligible to apply for HOP scheme payment. In this case the relevant payment under HOP would be Band 1 - £22,500. If this is the case for you, please read 'HOP zone' for the remainder of this document as applying to you also.

## **2.4 Am I eligible to apply?**

- 2.4.1 To be eligible for a HOP scheme payment, 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 HOP zone. If partly in the HOP zone, either your dwelling (generally, your house) or 25 per cent of the whole area (generally the site of the house and garden, but also other land included within the property) must be in the zone; and
  - your property was bought before 9 April 2014.

The scheme's eligibility requirements are explained in more detail below.

## 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

2.4.2 To be eligible for a HOP scheme payment, 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 £34,800 (please refer to your local authority's business rate banding for further details of rateable values); and
- owner-occupiers of agricultural units.

2.4.3 Owner-occupiers must have an 'owner's interest' on the date the application is signed and when the payment is made. This is either a freehold or leasehold interest in the property. If it is a leasehold interest, the lease 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.

2.4.4 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.

2.4.5 To demonstrate that you are an owner-occupier, you will also need to show that you meet the residency requirements – that is, that you live at the property for which you are claiming the HOP payment. More detail on the residency requirements that apply is given in the Q2 diagram on the next page.



## Q2. Do I meet the residency 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 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.

### **An 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 this scheme, we also require that the main residence of the owner is located on the agricultural unit.

**Q3. Is your property in the Phase One homeowner payment zone? (please check the maps and plans at [www.gov.uk/hs2](http://www.gov.uk/hs2))**

**Yes, wholly**

You can apply for the homeowner payment.

**No**

You would not be eligible for a HOP payment unless you live in the Rural Support Zone and acquired your property between 11 March 2010 and 9 April 2014.

**Partly**

You can apply for a homeowner payment.

On receiving your application, we will assess whether your dwelling, or at least 25% of your property (meaning the site of the house, garden or other land included within the property) is within the HOP zone in order to determine your eligibility for a payment under the HOP scheme.

**Q4. Did you buy or enter into a lease of your property prior to the announcement of the homeowner payment zone for Phase One of HS2 on 9 April 2014?**

Yes

No

If you completed on your purchase or lease of your property on or before the announcement of the homeowner payment zone, you will qualify on this criterion.

An assessment will be made. Please see below.

- 2.4.6 If you bought your property on or after 9 April 2014, which is the date when the proposals for the homeowner payment were first outlined for this part of the route, we may consider that the purchase had been made with prior knowledge of the proposals.
- 2.4.7 There may be cases where purchases were completed after the relevant initial preferred route announcement date where the purchasers remained unaware of the HOP scheme proposals. For example, if the searches relating to the purchase of the property were completed before this date, but exchange of contracts did not happen until after the date, then we would take this into account when assessing an application.

## 3 Application process

### 3.1 Step One – check eligibility and understand your options

- 3.1.1 You should first review the information contained in this booklet to determine whether your property is in the HOP zone for Phase One of the route and that you satisfy the eligibility requirements set out at section 2.4 of this booklet.

### 3.2 Step Two – complete application form

- 3.2.1 Once you have completed Step One and you believe you are eligible for a payment under the HOP scheme, you can complete the application form provided within this booklet and submit it together with your supporting documents. Please submit all of the recommended evidence to support your application, as this will enable your request to be

processed more quickly. Please note, if you submit an application without satisfactory documentation demonstrating the above, your application will be rejected.

- 3.2.2 Examples of documentation which will be accepted are set out in the application form. Examples given are intended to give an idea of the types of evidence that will be expected, but is not an exhaustive list.

### 3.3 Step Three – how your application will be processed

- 3.3.1 HS2 Ltd has instructed DLA Piper LLP, a firm of solicitors, to manage the application and payment process. The completed application form provided within this booklet and all supporting evidence should be **sent to DLA Piper LLP** – a law firm that will be assessing applications:

HS2 Homeowner Payment scheme  
DLA Piper LLP  
Princes Exchange  
Princes Square  
Leeds LS1 4BY

- 3.3.2 DLA Piper will acknowledge receipt of your application form and supporting documents when it receives them.
- 3.3.3 You will be given a named DLA Piper case officer who will be your main point of contact should you have any questions.
- 3.3.4 Your allocated case officer will initially check whether your property is in the HOP zone.
- 3.3.5 Your case officer will assess your eligibility under the scheme and determine the HOP band within which your property falls. This will generally be done using the Land Registry title(s) for the property. Where the property is not registered with the Land Registry, other legal documentation which shows the extent of the property will be used. Where there is any dispute on the extent of the property, the onus will be on the property owner to prove the extent of their property and to provide HS2 Ltd with a revised Land Registry title.
- 3.3.6 If your property is within the HOP zone, the case officer will then check that the application form is complete. He or she will also check that the supporting documents you have provided show that you:
- have a qualifying interest;
  - have been resident at the property for the required period of time; and
  - were unaware of the HOP scheme when you bought your property, which generally means you bought the property before the scheme was published for Phase One of the route, so before 9 April 2014.
- 3.3.7 The case officer will contact you if further evidence is required. If all necessary documentation has been provided, your application will be progressed to the next stage.

### **3.4 Step Four – decision**

- 3.4.1 Once your application has been evaluated against the published criteria, the case officer will notify you whether your application has been accepted or rejected. If it has been accepted, we will let you know which HOP scheme payment you are eligible to receive.

### **3.5 Step Five – contract of receipt**

- 3.5.1 In order to receive the payment, you will need to instruct a solicitor directly to enable you to sign a contract of receipt (see Glossary). When it is time to do this, DLA Piper will provide you with all of the information you need. We will pay up to £500 (plus VAT) towards the cost of your solicitors' fees. Your solicitor will need to carry out standard checks on your identity separately to the checks undertaken when DLA Piper assesses your application.

## 4 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 by the information set out below, you can contact us directly by calling the HS2 helpdesk on 020 7944 4908 or emailing [HS2Enquiries@hs2.org.uk](mailto:HS2Enquiries@hs2.org.uk). The 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 our own computer mapping software (which uses the Ordnance Survey as its basis), we measure the amount of your property that is within any of the HOP bands, as well as including any part of your property that is in the Rural Support Zone or the Safeguarded Zone. We then calculate what percentage this is of the overall area of your property (which we also calculate in our mapping software).

If any part of the (dwelling) main building on your property is in the HOP zone, we do not need to undertake this calculation, your property will qualify in terms of its location.

### **What happens if my land is unregistered?**

You will need to provide a copy of the document of conveyance to you for the property. In due course, your solicitor will be asked to confirm your ownership of the property.

### **My property is partly in the Rural Support Zone and partly in the HOP 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 within each zone. Specifically, any part of your dwelling or 25 per cent of the whole area of your land (generally the site of the house and garden, but also other land included within the property) would need to be within the RSZ in order to be eligible for the RSZ schemes. If your property is not considered 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 property under Express Purchase / Statutory Blight and also claim a payment under the HOP scheme?**

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

### **Can the percentage area of my property in safeguarding be taken into account when determining my eligibility under the HOP scheme?**

Yes. Assuming the part of property in safeguarding is not subject to Statutory Blight and the owner is not eligible to apply under the Statutory Blight regime or Express Purchase, the percentage of the property in safeguarding would be added to that in the HOP zone for the purposes of determining eligibility under the HOP scheme. For example, if 10 per cent of the property falls in surface safeguarding and 15 per cent in the HOP zone, this would total 25 per cent and the property owner could be eligible for a HOP scheme payment (assuming all other eligibility criteria are met).



### **Can the percentage area of my property in the RSZ be taken into account when determining my eligibility for the HOP?**

Yes. Assuming the property is not eligible for the RSZ scheme, the percentage of the property in the RSZ would be added to that in the HOP for the purposes of determining eligibility for the HOP. For example, if 10 per cent of the property falls in the RSZ and 15 per cent in the HOP, this would total 25 per cent and the property owner could be eligible for a HOP scheme payment (assuming the other eligibility criteria are met).

### **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. Applicants should, however, be mindful of the impact compulsory purchase might have on eligibility to later claim a HOP scheme payment for the remainder of the property. For example, an applicant may no longer be eligible to claim the HOP 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 a HOP scheme payment for the remainder of my property?**

Yes, provided that you qualify under the HOP scheme (i.e. that the dwelling or 25 per cent or more of the property is in the HOP).

### **If I apply for a payment under the HOP scheme, can I then apply under Need To Sell in the future?**

Yes. However, if your application is successful under the NTS Scheme, we will recoup the HOP scheme payment, plus statutory interest, from the NTS purchase price.

### **I own several buildings that fall within the same Land Registry title, part or all of which falls within the HOP zone. What happens in this case?**

In this case, we will check whether each building is associated with a separate council tax listing (via the Council Tax valuation list at <http://cti.voa.gov.uk/cti/inits.asp>). Each council tax listing will be treated as a separate property, and as such a separate application under the HOP scheme (where each of the eligibility criteria will need to be met).

### **I own property comprising several Land Registry titles and part or all of my property falls within the HOP zone. What happens here?**

For our purposes, what comprises a single property will depend on the council tax listing (via the Council Tax valuation list at <http://cti.voa.gov.uk/cti/inits.asp>), rather than the Land Registry titles. Each council tax listing will be treated as a separate property, and as such a separate application. 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).

### **Can I still apply for Part 1 statutory compensation when the railway is operational if I have accepted a HOP scheme payment?**

Yes. Claiming a HOP scheme payment 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 scheme?**

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

### **I bought my property on or after 9 April 2014. Am I eligible to 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 that you purchased the property. For example, if the searches relating to the purchase of the property were completed before or on 9 April 2014, when the HOP scheme for Phase One of the route was first announced, but the purchase did not complete until after the announcement was made, then this would be taken into account when assessing an application.

### **I am in the Rural Support Zone and bought my property between 11 March 2010 and 9 April 2014. Can I apply for a HOP scheme payment instead?**

If your property is in the Rural Support Zone but you bought your property after the initial preferred route was announced on 10 March 2010 for Phase One but before 9 April 2014, you may be eligible for a payment as if your dwelling was 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?**

No. The HOP scheme is for owner-occupiers, so those acting on behalf of a person who has died but who has a property within the HOP zone would not be eligible unless they themselves satisfy the residency criteria.

### **I have a property in the HOP zone which is my second home. Am I eligible to apply for a payment under the HOP scheme?**

No. Eligibility is restricted to owner-occupiers of property in the HOP zone.

### **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 proportion of the property. Applications will be assessed on a case-by-case basis.

### **I inherited my house in the HOP zone after 9 April 2014 and now live in it – can I apply?**

Yes, as long as the person you inherited it from purchased 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 against the information held on the Land Registry.



### **I own a business that owns the property and operates from it. How do I complete the application form?**

A director must complete and sign the application form if the property is owned by a limited company. If the property is owned by individuals, then each individual must complete the form.

### **I own agricultural land in the HOP zone. Do I qualify for a payment under the HOP scheme?**

You may qualify, provided that your main residence forms part of your agricultural unit. See the eligibility requirements in section 2.4.

### **How long will it take to find out if my application has been successful or not?**

We expect that your application will be acknowledged within two working days of receipt. Depending on the extent to which we need to refer back to you for any additional information, you can expect to be contacted with a decision on whether your application is successful within three to four weeks.

### **How long will it take to receive my payment?**

We anticipate that it could take up to 40 working days, from the point an application is received, for a payment to be received by the applicant's appointed solicitor. 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 (+VAT where payable) in respect of a contract of receipt (see Glossary) needed for the purposes of receiving a payment under the HOP scheme.

### **What if my chosen solicitor is asking to charge more than £500 plus VAT?**

HS2 Ltd is clear that the work that we are asking your solicitor to do should not exceed £500, as it is a straightforward task. You are, of course, free to pay your solicitor extra to this, but there will not be any payment over £500 plus VAT made to them and hence you will have to bear this additional cost yourself. DLA Piper will provide you with information to send to your solicitor which will make this clear – please make sure you send this to them as soon as you receive it.

### **Why do I need a contract of receipt when I receive a payment under the HOP scheme?**

A contract of receipt links the payment to the property. This enables a record to be made of the payment made in relation to a particular property, and ensures that we do not pay under two separate schemes. For example, if someone claims a payment under the HOP scheme and then makes a successful application under the NTS scheme, the contract of receipt will enable the payment made under HOP scheme to be recouped, plus statutory interest, from the NTS purchase price. The contract 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 a payment received under the HOP scheme?**

We expect that the majority of people who receive sums under the HOP scheme would not have to pay tax on the money they receive. 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#](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/323679/hs283.pdf#).

If you are 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, the application process is designed so that no third party is needed to act on behalf of an applicant or applicants. Having applied for a scheme, you will be allocated a DLA Piper case officer as your main point of contact and they will be able to assist you if you have any questions on the scheme.

If you want to ask a third party (a friend, a relative or a professional) to help with your application, you are welcome to do so. The application form must clarify the relationship between the applicant(s) and any representative with whom we are asked to correspond.

It is important to note that any professional fees incurred in the application process other than solicitors' fees **will not be reimbursed** in any circumstances.

### **Do I need to appoint a solicitor before applying to HOP?**

No, you should only do this if your application is successful, when DLA Piper tells you that this is the next step. You should feel free to choose a solicitor in advance if you wish, but please be careful not to incur any fees with them or actually instruct them to act for you, because they are only required to act once your application has been accepted.

### **Should I need to pay my solicitor upfront, before the £500 +VAT for solicitors' fees is paid to me under the scheme?**

No. We do not expect that you would be required to pay any money in advance to a solicitor before receiving money to pay for their services under the scheme. At the point where you need to instruct a solicitor, we will provide a set of instructions for you to show to them so that they understand what they will be required 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 the scheme as simple as possible for you to apply for a payment, so it is not necessary to use an agent or an online service offered by a third party.

### **What is DLA Piper LLP?**

DLA Piper is an established firm of solicitors contracted by HS2 Ltd to assess HOP scheme applications. DLA Piper LLP 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. In order to deal with these in the most efficient way, the Department for Transport and HS2 Ltd have employed a supplier to process them on their behalf. We have instructed a legal firm to provide the best level

of expertise when dealing with information on property ownership, undertaking anti-fraud checks and dealing with the contract of receipt alongside the applicant's solicitor.

### **How will the information I provide be used and stored?**

The personal information you have provided will be used by the Department for Transport and HS2 Ltd, and DLA Piper on their behalf, 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 this application form and 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](http://www.gov.uk/hs2).

### **If my application is unsuccessful can I re-apply?**

Yes, if you still believe you are eligible please re-apply with a fresh application, enclosing all required evidence and any new evidence that you believe would demonstrate that our decision to reject your application the first time around was incorrect.

### **How should I complain if I am unhappy with the service I receive?**

If you are unhappy with the service received from HS2 Ltd or DLA Piper 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](http://www.gov.uk/government/organisations/high-speed-two-limited/about/complaints-procedure).

Please note that if your application has been unsuccessful (rather than you having a complaint about the service), you can re-apply directly to DLA Piper. The outcome of an application, if rejected, cannot be altered by making a complaint, but you are instead able to supply further or different evidence when you reapply.

## 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.)

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

**Injurious affection:** the depreciation (reduction) in the value of land you retain where only part of your land holding is acquired.

**Need to Sell (NTS):** An HS2 discretionary scheme for property owners who believe they have a compelling reason to sell their property.

**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 (noise, vibration, smell, fumes, smoke and artificial lighting and the discharge onto the land in respect of which the claim is made of any solid or liquid substance). This can be claimed only 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 120m from the centre line of the HS2 railway in rural areas. Two discretionary schemes are available in the RSZ – Voluntary Purchase and the Cash Offer

**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 government 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. The statutory interest rate is currently set at 0.5 per cent below the Bank of England base rate.

**Surface safeguarding:** In locations subject to surface safeguarding, local planning authorities must consult HS2 Ltd on all planning applications they receive. For HS2, the land that is identified for surface safeguarding typically involves surface works and structures associated with the railway.

**Sub-surface safeguarding:** In locations subject to sub-surface safeguarding, applications for planning permission are generally exempt from the requirement on local authorities to consult,

unless the proposed development would extend below ground level. For HS2, sub-surface 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

## Phase One Homeowner Payment Scheme

Please send this form to DLA Piper LLP, who will assess it on behalf of HS2 Ltd

HS2 Homeowner Payments

DLA Piper UK LLP

Princes Exchange

Princes Square

Leeds LS1 4BY



We recommend you use special delivery.

You will need to return the form along with various supporting evidence.

In completing this application form, you are confirming that: (i) you have read the Homeowner Payment Scheme guidance attached; (ii) you have checked the plans showing the route of HS2 Phase One (between London and the West Midlands); and (iii) you believe that your property is wholly or partly within the Homeowner Payment Zone shown on those plans.

We will use the completed application form to assess your eligibility under the HS2 Phase One Homeowner Payment Scheme, and subject to your eligibility, what level of Homeowner payment is payable. This application form asks you to provide information on the property which you believe is in the Homeowner Payment Zone, and evidence to support your application.

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 your original documents as soon as possible; in the interim, we will ensure that such documents are securely stored.

**Please return the entire completed application with your supporting evidence in the same envelope.**

Please provide contact information for all applicants (owners) so we can process your claim.

Business name (if applicable).....

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, please tick here. ☐

What is the address of the property you believe is in the Homeowner Payment Zone?

.....  
.....

# Proof of identity

Once DLA Piper has confirmed an 'in principle' decision to accept your claim, you will need to instruct a solicitor. The solicitor will be responsible for receiving the money and will need to deal with a contract of receipt and identity checks before payment can be transferred. 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 directly to anyone other than your solicitor.

# Your declaration

I/We declare that the information I/we have given on this form is correct and complete. I/We understand that DLA Piper will use all of the information provided on this form and all supporting evidence to determine my/our claim under the Phase One Homeowner Payment Scheme.

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 Homeowner Payment Schemes, I/we will be required to sign a contract of receipt, with conditions on repayment in certain circumstances, including if my/our property is subsequently purchased by the government in connection with HS2.

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

Signatures of the applicants, with dates for each signature

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, and DLA Piper on their behalf, 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 this application form and 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](http://www.gov.uk/hs2)

Please include with this application evidence to support your claim for payment. Evidence provided should be originals or certified copies\*.

All applicants:

- Proof of residency at the property for the required duration by submitting two documents dated at least six months apart and within the last 18 months. 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. We acknowledge that this may mean you need to request a paper copy of statements from relevant organisations.

Documentation provided should be of the following types:

- Household utility bills e.g. gas, electricity, water or fixed line telephones;
- Home contents insurance certificate issued within (and the cover relating to) the specified period for the relevant address;
- Bank, building society, mortgage or credit card statements; or
- Local authority tax bill (e.g. council tax).
- business bills as listed above for occupying small businesses.

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

- Provisional or full driving licences;
- National Insurance cards;
- Mobile phone bills;
- Proof of being on the electoral role at the address in question; and
- Letter from a GP, dentist or similar.

Owner-occupier of business premises must also provide their most recent business rates bill

## 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 £34,800.
- ☐ Owner-occupier of an agricultural unit, which must include a dwelling as the main residence.

Which category of ownership do you have?

- ☐ Freehold.
- ☐ Leasehold. If leasehold, how long until it expires?  years  months

## 2. Location of property

Check the maps at [www.gov.uk/hs2](http://www.gov.uk/hs2):

- ☐ Is any part of the property you have provided within the Homeowner Payment Scheme Zone?

(If 'yes', tick the box)

\*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. We will not be responsible for any costs incurred for certifying copies.



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

On what date did you purchase or acquire the property?\*

If you purchased your property after 9 April 2014, you will need to show additional evidence that you could not have known about the Homeowner Payment Scheme Zone in relation to your property at the time you purchased it. You will need to provide copies of local authority search reports undertaken as part of the conveyance process (i.e. showing that they make no mention of HS2). 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, as evidenced by the search.

Alternatively, if the route changed after 9 April 2014, such that you were not previously in the Homeowner Payment Scheme Zone, but are now, please indicate this below.

We will check your title(s) and plan(s) 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.

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 yourself) to prove ownership. In this instance, please **do not** send originals.

If you need to share any additional information with us, please add it here

If you have any questions before submitting your application, please contact the HS2 Helpdesk on 020 7944 4908 or at [hs2enquiries@hs2.org.uk](mailto:hs2enquiries@hs2.org.uk). DLA Piper will only be able to assist once it has received your application.

Lastly, how did you hear about the Homeowner Payment Scheme?

.....

\*If you have inherited the property, or the property has been gifted to you, we also would like to know when the previous owner purchased it, and when you became the owner.