

### Need to Sell 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 and application form for the Need to Sell (NTS) scheme is for owners of properties that may be affected by any part of the High Speed Two (HS2) route who have a compelling reason to sell their property (see Criterion 5 – compelling reason to sell on page 14).
- 1.1.2 This NTS scheme is part of the long-term measures which replaced the Exceptional Hardship Scheme (EHS) for Phases One and 2a of the railway in January 2015 and May 2016, and Phase 2b in November 2016.
- 1.1.3 The Government has set up the NTS scheme to support property owners who have a compelling reason to sell their property but due to HS2 are unable to do so other than at a significant loss or, if they are unable to sell their property, would face an unreasonable burden in the next three years. Whether something is an unreasonable burden will be judged on the facts of each case and the degree of hardship caused to you or your family by not being able to sell your property.
- 1.1.4 The NTS scheme for each phase of the railway will run until 12 months after that phase opens for public use.
- 1.1.5 As confirmed in the Phase 2b Design Refinement Consultation published on 6 June 2019, we are making the NTS scheme available on a short-term basis to owners of properties affected by proposed junctions which may, in the future, link HS2 and any Northern Powerhouse Rail (NPR) network. (See 4.1.4 for more details about this.) References to 'HS2' and 'HS2 route' in this guidance include these junctions.

# 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, breeding and keeping livestock, using land as grazing land, meadow land, osier land, market gardens or nursery grounds, and using land for woodland in a way that supports the farming of land or for other agricultural purposes.

**Cut-and-cover or green tunnel:** A tunnel constructed by excavating a trench from the surface, building the railway infrastructure within the trench, and then restoring the surface.

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

**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.

**Property acquisition agent:** A specialist property firm contracted by us to provide property services. They oversee the process of buying a property once it has been accepted under the NTS scheme and an offer price has been agreed. There are a number of firms that carry out this work on our behalf. The members of staff from these firms who manage the purchase are normally chartered surveyors or similarly experienced property professionals.

**Rural Support Zone (RSZ):** The RSZ is the area that starts at the outer border of safeguarding and stops 120 metres from the centre line of the HS2 railway in rural areas. There are two discretionary schemes available to property owners whose property is within the RSZ – the **voluntary purchase** scheme and the **cash offer**. The voluntary purchase scheme allows you to sell your property to the Government for 100% of its unblighted open-market value. The cash offer is a lump sum payment of 10% of the unblighted open-market value of the property. There is a minimum payment of £30,000 and a maximum payment of £100,000.

**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 eligible to serve a blight notice asking the Government to buy their property before any compulsory purchase.

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

**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.

**Unblighted open-market value:** The value of the property in current market conditions, as if there were no plans for HS2.

## 3 The Need to Sell scheme

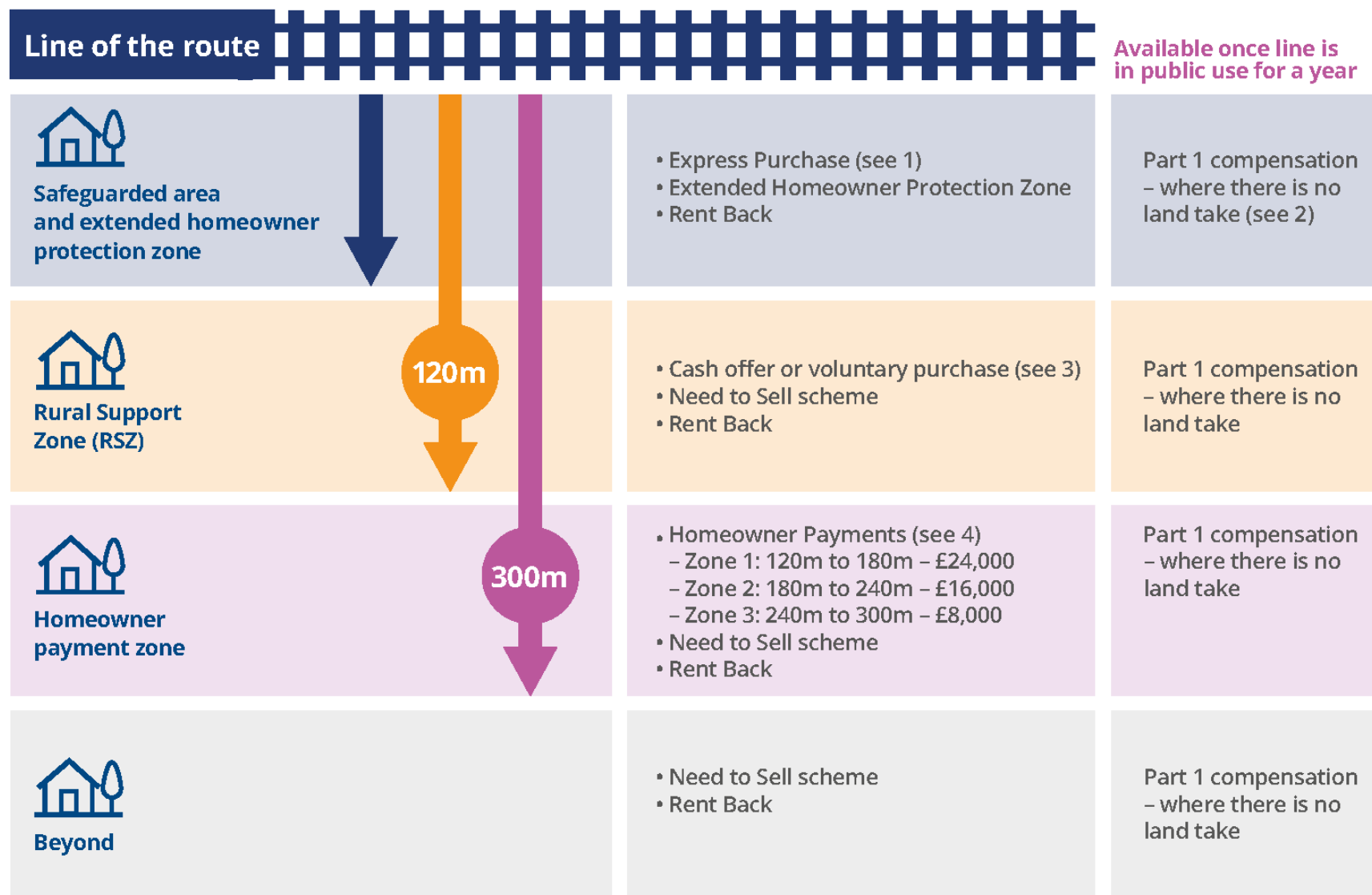
- 3.1.1 The NTS scheme is available to eligible owner-occupiers who can show that they have a compelling reason to sell their property, but have not been able to do so other than at a substantially reduced value because of the HS2 route. If your application to the scheme is successful, the Government will agree to buy your property at its unblighted open-market value (that is, the value of the property in current market conditions as if there were no plans for HS2).
- 3.1.2 The NTS scheme is a non-statutory scheme, which means the law does not make the Government offer this assistance but it has committed to do so anyway. We (HS2 Ltd) manage the scheme on behalf of the Government. A panel of three professionals who are fully independent of us and the Department for Transport will look at whether your application meets certain criteria (conditions). They will then recommend to the Secretary of State for Transport whether your application should be accepted. A senior civil servant will then review the recommendation and make a final decision. However, if the senior civil servant disagrees with the panel's recommendation, the case will be decided by the Secretary of State or a minister with authority to make the decision (referred to throughout as the 'decision-makers').

### **Before applying**

- 3.1.3 The illustration on the next page shows the current schemes and those schemes that will become available. You can find information on all the schemes, as well as maps on which you can check whether you qualify, at [www.hs2.org.uk/in-your-area/assistance-for-property-owners](http://www.hs2.org.uk/in-your-area/assistance-for-property-owners).
- 3.1.4 The Secretary of State has issued safeguarding directions for all phases of the HS2 route. Eligible owner-occupiers whose properties fall fully or partly within the 'safeguarded' area can serve a statutory blight notice on the Government, asking it to buy their property under the criteria that apply under the Town and Country Planning Act 1990.

### **Rural Support Zone cash offer**

- 3.1.5 If you have already claimed a cash offer under the Rural Support Zone (RSZ) scheme, you can still apply to the NTS scheme. If your application to the NTS scheme is successful, we will reclaim the cash offer payment (plus statutory interest) from the NTS purchase price.
- 3.1.6 If you have claimed a cash offer under the RSZ scheme and then applied to the NTS scheme because you believe you have a compelling reason to sell due to the effect of the construction or operation of the railway, our panel and decision-maker (see 3.1.2E) will consider whether there has been a significant change in plans for the railway. They will also look at the effect they think the railway will have on your property since you claimed the cash offer, to assess whether there have been any changes since this time that you would not have been aware of when you claimed the cash offer. They will consider evidence such as environmental statements (draft and final), or revised realignments of the line of the route.
- 3.1.7 They will also consider any change in your personal circumstances since you claimed the cash offer.



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 and Phase 2a; only available for Phase 2b after Royal Assent of the Bill. Applies to rural areas only and does not extend to areas beyond deep tunnels.

## 4 Criteria

- 4.1.1 It is in your interests to provide as much supporting evidence as possible to support your application.
- 4.1.2 In exceptional circumstances, if your application does not meet all the criteria but a strong overall case can be made to buy your property, the panel may recommend the decision-maker uses their discretion when making their decision.
- 4.1.3 The application form includes a full list of information and documents that can be used as evidence to show you meet the criteria for the scheme.

### Criterion 1 – type of property

Do I have an interest in the property which means I am eligible to apply?					
<b>Yes</b> I am an owner-occupier of a private home	<b>Yes</b> I am an owner-occupier of a business	<b>Yes</b> I am an owner-occupier of an agricultural unit	<b>Yes</b> I am a mortgage lender (for example, a bank)	<b>Yes</b> I am a personal representative of someone who has died	<b>Yes</b> I am a reluctant landlord

- 4.1.4 To be eligible for the NTS scheme, you need to provide evidence that you have a qualifying interest in the property. There is a full definition of ‘qualifying interest’ in Part 6, Chapter II 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 or a leaseholder with at least three years left on a lease of business premises that have an annual rateable value of no more than £44,200 in Greater London or £36,000 for the rest of England (please see your local authority’s business-rate banding for more details of rateable values); or
  - an owner-occupier of an agricultural unit.
- 4.1.5 Owner-occupiers, or leaseholders with at least three years left on a lease of business premises that have an annual rateable value as outlined above, are eligible for the NTS scheme. Any offer we make under the scheme would only be for the unblighted open-market value of the premises. A business itself cannot be sold as a going concern to the Government under this scheme and we will not pay any compensation towards the cost of the business being wound up or relocated.
- 4.1.6 Owner-occupiers must have an ‘owner’s interest’ on the date they sign the application. This is either a freehold or leasehold interest in the property. If it is a leasehold interest, the tenancy must be signed for a certain number of years (term), and there must be at least three years left on the lease on the date you sign your application.

- 4.1.7 The following also have an interest and are able to apply to the NTS scheme.
- Mortgage lenders with a right to sell the property and who can give immediate vacant possession.
  - Personal representatives of someone who has died who had one of the above qualifying interests at the time of their death.
  - Reluctant landlords. A 'reluctant landlord' is someone who can show that they had a compelling reason to sell at the time they moved out of the property in order to avoid or escape an unreasonable burden, that letting the property would only relieve this burden temporarily, and that they do not own another home.
- 4.1.8 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 title deeds (or conveyance) for the property.
- 4.1.9 If you only want to sell part of your property, you must clearly state this in your application and provide a clear plan of the area you want to sell. This must also match the area you have marketed for sale.
- 4.1.10 If you are an owner-occupier, you will need to show that you meet the occupancy requirements below.

## Do I meet the occupancy requirements?

### Private home

You must be living in the property on the date you submit your application and must have owned it and lived in it as your main home for at least six months before that date.

#### Or

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.

### Business premises

You must have a qualifying interest in the premises on the date of your application and must have owned or leased it for at least six months before that date and have run a business from there throughout this time.

#### Or

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.

### Agricultural unit

You must have had a qualifying interest in the agricultural unit and have occupied it for at least six months before the date of your application.

#### Or

If the agricultural unit is not occupied, you must have a qualifying interest in it, and must have occupied it for at least six months before it became empty, as long as it has not been empty for more than 12 months.

#### And

For the purpose of these schemes, your main home must be located on the agricultural unit.

### Non-residents

You must have the right to sell the property and be able to give immediate vacant possession.

If you are the representative of someone who has died, the Land Registry title for the property does not need to be updated with the names of beneficiaries under the will.

You can prove you have the right to sell the property by submitting relevant documents, such as a death certificate, will, grant of probate, or letters of administration.

If you are a reluctant landlord, you must show that the property you are applying for under the scheme is the only property that you own and that you stopped living there after the section of the route closest to your property was announced (see page 11 for a list of announcement dates). You must also show that you now live in accommodation that you do not own.

## Criterion 2 – location of property

- 4.1.11 **Is your property so close to the HS2 route that it is likely to be seriously affected by either the construction or the operation of the new line?**
- 4.1.12 Distance from the route is one factor, but others include:
- the particular characteristics of the property and the nature of its local area, including its position and surroundings;
  - the character of the line once it is completed (for example, whether it will run in a cutting or on a viaduct);
  - the likely impact of the construction of the line in the area;
  - the physical features of the area (for example, whether it is a flat flood plain or hilly); and
  - the distance to any nearby points of significant change to the character of the line (for example, a cut-and-cover tunnel entrance or a viaduct).
- 4.1.13 The panel will consider each application case-by-case, taking into account the different characteristics of the route in different areas (for example, on a viaduct or in a cutting). They will use engineering and construction drawings, mapping software and aerial photographs which we will provide (if available) to look at how the construction or operation of the railway would affect your property. If you want to, you can also submit your own photographic evidence of the features of your property (for example, the view towards the railway line) and the immediate area to support your statements about the effect of the railway on your property.
- 4.1.14 If your property is near a proposed junction which may, in the future, link HS2 and any NPR network, the panel would only take into account the effects of building the junction. The Government is making plans now to allow any future NPR network to connect onto the HS2 network so that building the junction would not disrupt HS2 services in the future. The panel would not consider the impact of a junction's future use as part of any NPR network, or any effect of future NPR rail lines, as these are not covered by the HS2 project and the NTS scheme.
- To help you judge how near your property is to the HS2 route, there is an overview and detailed maps at <https://www.hs2.org.uk>. Or, you can contact the HS2 Helpdesk on 08081 434 434 or email [HS2enquiries@hs2.org.uk](mailto:HS2enquiries@hs2.org.uk) and ask them to do a property search.
- 4.1.15 There is no fixed distance from the railway that a property must be to meet this criterion. The purpose of this criterion is to decide whether a property's location means that it is likely to be seriously affected by the construction or operation of the HS2 route. This criterion is needed to link the location of your property and the area's physical features to the HS2 route, and will take into account the different characteristics of the route. It is not designed to take into account generalised blight – we assess that separately under the 'effort to sell and the effect of blight' criterion.
- 4.1.16 If we announce any changes to the route, the panel will consider applications received in the three months after the date of that announcement against both the old route and the new route. Your property would only need to meet the 'Location of property' criterion for one of these routes for your application to be accepted. After three months from the date the route change is announced, the panel will only consider applications against the new route.

## Tunnels

- 4.1.17 Under this criterion, the panel will only consider surface construction and the eventual railway line, which consists of surface or cut-and-cover or green tunnelled sections of the route, vent shafts and tunnel entrances (or any other surface infrastructure). The panel will not consider bored (deep) tunnels near the property.

## Homeowner Payment scheme zone

- 4.1.18 If your property is within the existing or proposed boundaries of the Homeowner Payment (HOP) scheme zone, this does not necessarily mean it will be affected by the construction or operation of HS2. 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. Payments made under the HOP scheme are not compensation and are not meant to address generalised blight. The aim of the scheme is to provide an early share of the benefits of HS2 to property owners who may not otherwise directly benefit from the railway because their property is not close to an HS2 station stop. So, it is possible for a property to be within a HOP zone but not to be seriously affected by the construction or operation of HS2.

## Criterion 3 – effort to sell and the effect of blight

- 4.1.19 **The purpose of this criterion is to decide whether the blight resulting from HS2, rather than any other factor, is the reason why your property has not been sold or could not be sold, other than at a substantially reduced value (blighted value).**

### **We will expect you to provide evidence to show the following.**

- That you have asked at least three recognised estate agents (see below) for advice on marketing your property, including what its realistic unblighted asking price should be.
  - That your property has been on the market with at least one recognised estate agent for at least three months immediately before the date of your application. You should continue to market your property at least until you know the outcome of your application.
  - That you have made all reasonable efforts to sell your property, taking into account the current housing market (including testing more than one asking price).
  - That HS2 is the reason your property has not been sold or cannot be sold, other than at a substantially reduced value (blighted value), and you know this through feedback from viewings or people who have chosen not to view.
  - That you have not received an offer within 15% of the property's realistic unblighted asking price, or you can show evidence that an offer received above this level represents a blighted offer.
- 4.1.20 We use the term 'recognised estate agent' to mean an estate agent who has experience of marketing properties in the local area, advertising through a variety of media. This can include estate agents who do not have an office in the local area but who, for example, speak to possible viewers, collect feedback, provide a 'For Sale' board (or online listing) and a floor plan, and take professional photographs.

### **Offers received**

- 4.1.21 The requirement that you should make all reasonable efforts to sell your property and that, despite those efforts, you have not received offers within 15% of the property's realistic unblighted asking price, helps to show any effect of HS2. We make the distinction between the asking price of the property and the final purchase price of the property. The asking price is set with the aim of achieving the best possible price. We would not expect you to accept the blighted value of the property (that is, the amount that the property is worth following the announcement of HS2). If you have evidence that an offer received within 15% of a realistic unblighted asking price is a blighted offer, you should submit this.
- 4.1.22 If at the time you send us your application, or before we pass your application to the panel to consider, you receive an offer for your property that is within 15% of the unblighted asking price, we will not be able to pass your application to the panel until you are able to show us you have accepted or refused the offer. If you refuse the offer because you consider it is a blighted offer, the panel will expect to see evidence to show this. We do not expect you to accept a blighted price for your property. However, if you accept any offer, whether it is within 15% of the asking price or not, we will not be able to pass your application to the panel to consider while a sale is in progress. This is because it is not appropriate for the Government to intervene in or prevent an open-market sale or to affect the property market by competing with open-market buyers to buy a property under the NTS scheme.

### **Inability to market a property**

- 4.1.23 The panel will carefully consider evidence you give in your application about how you have tried to actively market your property. In particular, evidence that several local estate agents have refused to market the property due to HS2 is important information. In this situation, the panel would not expect a property to be fully marketed. Evidence that local estate agents have refused to market the property should be in the form of letters or emails from estate agents to you.

### **Upfront fees and paid representatives**

- 4.1.24 The panel would not expect a recognised estate agent to charge you any upfront, non-refundable marketing fee that is due to the HS2 proposals. If an estate agent asks you for a fee before they will market your property because they do not believe it will sell due to HS2, and you want us to take this into consideration, you must provide clear written evidence of this in your application. This does not apply if the estate agent charges upfront fees for all properties, regardless of the HS2 proposals (for example, if they charge a fee to market the property instead of receiving commission).
- 4.1.25 If you choose to use a paid representative who is also your estate agent or if you enter into an agreement with an estate agent or other agent who would gain financially from selling your property to the Government under an HS2 scheme, our panel or decision-maker will not take into account any market appraisal, feedback or other evidence they provide. This is to protect both you and the taxpayer by only considering advice from estate agents and agents who are independent and so do not have a personal or financial interest in profiting from the sale of the property to the Government.

### **Other ways of marketing property**

- 4.1.26 You may choose to market the property yourself. This would include using websites where you can upload details of your property, in the form of a listing, to publicise its availability. However, it is unlikely that this sort of self-marketing approach would be able to provide the same level and quality of evidence as using a recognised estate agent.

4.1.27 Under this criterion, in your application you have to include information about estate agents' marketing proposals and feedback from people who viewed – or chose not to view – the property. We would not ignore any efforts you have made to market the property yourself, but you must still market the property with at least one recognised agent.

The following are examples of evidence that, if possible, you should submit in support of this criterion 3.

- The performance of the current housing market and the efforts that sellers would normally have to make in that market, particularly if they had a compelling need to sell their property. (You can get this information from estate agents, chartered surveyors or the media.)
- The price your property would be marketed at ignoring the effect of plans for HS2 (for example, through providing a range of suggested asking prices from estate agents).
- Evidence that you have approached at least three estate agents for a proposed asking price and that the eventual asking price you use reflects their professional opinion of the price your property would be marketed at ignoring the effect of plans for HS2.
- Evidence that you have tried more than one asking price (for example, through advertisements or correspondence with your estate agent).
- The agency or sales agreement with your estate agent. If you have used more than one recognised estate agent to market the property, you should provide all agency agreements and evidence of the marketing carried out by each agent.
- Evidence that the property has been actively marketed with at least one recognised estate agent for at least three months.
- Feedback from possible buyers on viewings carried out while your property was being marketed. We would need evidence or confirmation of this from a recognised estate agent.
- Any information from the estate agent showing that possible buyers did not want to view the property due to the expected effect of HS2.
- Evidence that an offer received was a blighted offer, such as feedback from a possible buyer to estate agents, and local property market information on the difference between the asking price and the sale price.
- Written evidence (emails or letters) that you are unable to market your property because at least three recognised estate agents refuse to take it on due to HS2.

There are certain instances where the Government has said no evidence is needed to show your efforts to sell your property. These include:

- if the estate of someone who has died makes an application that would have otherwise been accepted under the RSZ scheme; and
- if you are a reluctant landlord who does not qualify for the RSZ or express purchase scheme, although the location of your property would normally have meant you qualified for these schemes had you met the owner-occupancy and other scheme requirements. In this case you would be asking for discretion under criterion 1 – type of property.

## Criterion 4 – no prior knowledge

### Did you buy your property before you could be reasonably expected to have been aware of the high-speed rail proposals?

#### Yes

If you completed the purchase or lease of your property before the section of the HS2 route closest to your property was announced, you will qualify.

#### No

We will assess your case (please see below).

- 4.1.28 If you bought or leased your property after we announced details of the high-speed rail proposals closest to your property, we may consider that you had known about the HS2 route before you bought the property.
- 4.1.29 When considering this criterion, the panel and decision-maker will look at:
- the amount of information about HS2 available at the time you bought the property; and
  - whether, from this information, you could reasonably have known generalised blight might apply.
- 4.1.30 The dates each phase of the railway were announced are as follows.
- Phase One – 11 March 2010
  - Phase 2a – 28 January 2013
  - Phase 2b – 28 January 2013, or 7 July 2016 (proposal of M18 route through South Yorkshire only)
- For NTS scheme applications relating to the route to the west of Measham, Leicestershire where the route proposed is similar to the route set out in January 2013, you will need to show that you were not aware that the route proposed at the time would affect your property at the time you bought it.
- 4.1.31 If you bought your property after the dates the railway routes were announced, you may find you are now close to the HS2 route due to changes or alternatives to the proposed route. In these circumstances, you will need to give us satisfactory evidence that you had no prior knowledge of those route changes, or could not reasonably have known generalised blight caused by HS2 might affect your property. The route changes were announced on 20 December 2010, 10 January 2012, 16 May 2013 and 25 November 2013 (for Phase One), on 30 November 2015 (for Phase 2a), and on 15 November 2016, 17 July 2017, and 6 June 2019 (for Phase 2b). More changes may be announced in the future.
- 4.1.32 You may have completed a purchase or lease after the initial route announcement, but were not aware of the proposals for the railway or didn't know that the property would be close to the route. For example, if the searches relating to the purchase or lease of the property were done before the date the route was announced, but you did not complete the purchase or lease until after that date, the panel would take this into account.

- 4.1.33 Evidence that may show you could not have known that generalised blight might affect your property could include information available to the public which showed the effect of the HS2 route on your property at the time you bought it. This may include construction or operational plans for the railway, information about changes to the route, the relevant environmental statements (draft and final), and records of parliamentary discussion on relevant proposals.
- We would expect the NTS team, who manage the scheme, to provide this information, once they have received a request from you (although you can tell us where you got the information from). Any change in the likely effect of the HS2 route on your property would need to be directly linked to evidence submitted in support of criterion 5 – compelling reason to sell.
- 4.1.34 If your application relates to prolonged noise or disturbance, we would expect you to also consider and provide evidence on how the change in the impact on your property contributes to the compelling reason to sell.
- 4.1.35 This criterion is in place to avoid people abusing the NTS scheme by buying a property at its blighted value so they can sell it to the Government at an unblighted value later and profit from the difference. This protects the interests of taxpayers and people who have a compelling reason to sell their property. In cases where the Secretary of State has agreed (see 4.1.2) to buy a property where you have not met the ‘no prior knowledge’ criterion, we will consider whether it would be appropriate to adjust the price the Secretary of State is willing to pay for the property to take account of its value at the time it was originally bought.
- (See ‘How do I show that I did not know about the high-speed rail proposals?’ in the frequently asked questions for more details.)

### **Criterion 5 – compelling reason to sell**

- 4.1.36 **Do you have evidence of a compelling reason to sell your property, or that you would be placed under an unreasonable burden if you could not sell it within the next three years?**
- 4.1.37 The aim of the NTS scheme is to allow people to sell, at the full unblighted open-market value, properties which are blighted by the HS2 route. You must have a compelling reason to sell. The scheme is intended to help people who would be put under an unreasonable burden within the next three years if they were unable to sell their property except at a significant loss due to the proposals for HS2. It is not intended to either weaken or exploit the property market.
- 4.1.38 If you can show that you would be under an unreasonable burden within three years from the date of your application, we would expect you to meet this criterion. In the final three years of the NTS scheme, this time frame will only extend to the end of the scheme and so may be less than three years. This is because the market is expected to return to normal towards the end of the NTS scheme. Also, one year after the HS2 railway is first opened for public use, ‘Part 1 compensation’ will be available. This is compensation people may be able to claim under Part 1 of the Land Compensation Act 1973 to cover a drop in the value of their property arising from the physical effects of the railway.
- 4.1.39 Circumstances such as unemployment or dividing assets as part of a divorce settlement could mean you have a compelling reason to sell. On page 32 we have included anonymous examples of applications that we have accepted and rejected under criterion 5.

- 4.1.40 From time to time we publish information online on the types of compelling reasons to sell which have been successful and unsuccessful under the NTS scheme. You can find this at: [www.hs2.org.uk/documents/collections/hs2-exceptional-hardship-scheme-hs2-need-sell-scheme-applications-statistics](http://www.hs2.org.uk/documents/collections/hs2-exceptional-hardship-scheme-hs2-need-sell-scheme-applications-statistics). You should not try to fit into one of these situations or a 'typical' scenario, but should instead show why you have a compelling reason to sell your property within the next three years.
- 4.1.41 Winding up the estate of someone who has died would normally be considered a compelling reason to sell.
- 4.1.42 The evidence you give us must show why you would suffer an unreasonable burden within the next three years, as a result of the circumstances set out in your application, if you cannot sell your property at the current time. We only need evidence which supports the compelling reason to sell that you have given in your application. (For example, if the reason you give is not financial but is a health-related reason, we do not need financial evidence.)
- 4.1.43 If your application is fully or partly related to health and mobility issues, the panel and the decision-maker will take the following into account when assessing it.
- You should not have to take on extra help to carry out routine maintenance of your property because your medical condition (or conditions) means you cannot do the work you used to do yourself before the start of your medical condition.
  - You should not have significant extra expense in adapting your property to meet your medical or mobility needs.
  - If your long-term health condition or disability means you need significant support from your family, you should not be expected to live where you cannot access that support.
  - If your medical condition (or conditions) means that you will need to regularly use local amenities, you should not be expected to stay living in a location where you cannot access them easily and independently.
- If the panel and decision-maker believe that your medical condition is likely to get worse, they can look further ahead than three years when considering whether to accept your application. That is, they may consider that your medical condition will not become a compelling need to sell in the next three years, but that it would do over a longer period. They will decide whether to do this based on the evidence you include in your application.
- 4.1.44 If you receive the State Pension (or expect to receive a State Pension within three years of applying to the NTS scheme), we would not usually need evidence to support your plans to retire under criterion 5 – compelling reason to sell, unless your application is fully or partly related to financial circumstances resulting from your retirement.

## 5 Application process

- 5.1.1 The NTS team cannot advise you on evidence that may result in a successful application, as each case will depend on individual circumstances. Their role is to manage a fair and efficient decision-making process on behalf of the Secretary of State. It is your responsibility to supply all the relevant evidence to support your application.
- 5.1.2 You do not need to have property valuations carried out by a chartered surveyor at any stage before or during the application process. The people considering your application will take into account the views of the estate agents marketing your property on what the realistic unblighted asking price would be.
- 5.1.3 It is essential that you read and understand the requirements of the NTS scheme. If you have any questions about the scheme, please contact our Helpdesk. If you have applied for the NTS scheme before but been unsuccessful, your case officer will have contacted you to explain why, and your decision letter will outline whether we need more or different evidence for the eligibility criteria. It is important that you read and understand your decision letter and the feedback from your case officer if you are thinking about applying again because your circumstances have changed or you are able to provide further evidence.
- 5.1.4 The NTS scheme is aimed at supporting people who are most directly and negatively affected by the proposals for HS2. Decisions on your application are based on the information and evidence you provide. If you resubmit an application that was using the same basic information hoping for a different outcome, it is not likely to be successful. If you have no further useful evidence to give us, or if there has not been a significant change in your circumstances, you would need to seriously consider whether it is worth repeating your application.
- 5.1.5 You do not need to appoint professional representatives to help with your application. The Department for Transport have designed the application process so that you do not need anyone to act on your behalf. Once you have applied for the scheme, one of our case officers will be your main point of contact.
- 5.1.6 If you do need (or want) someone to help with your application, you are welcome to do so. You may want to ask a friend or relative or a professional. In your application you must explain the relationship between you and any representative you ask us to correspond with. For any statement made on your behalf, your representative must sign the statement (or statements) and give their name, firm and position in that firm (if this applies), and declare that the information is correct to the best of their knowledge. The application process may take longer if someone is acting on your behalf.
- 5.1.7 If you use a paid representative, or if you enter into an agreement with an estate agent or agent who would gain financially from the Government buying your property under an HS2 scheme, **the panel or decision-maker will not be able to take into account** any market appraisal, feedback or other evidence provided by this estate agent or agent.

## **Step one: You send us your application and supporting evidence**

- Fill in the application form and send it to us with as much supporting evidence as you can provide.
- In the application form, we have included examples of the documents we need. They include:
  - proof of identity (page 3 of the form);
  - evidence of property type (page 7);
  - evidence of location of the property (page 9);
  - evidence of your efforts to sell and the effect of blight (page 10); and
  - evidence of a compelling reason to sell (page 12).

Try to provide evidence to cover at least the past six months, as it will help give the panel a full picture of your circumstances.

If you don't provide original documents or certified copies of the evidence we need, this will delay the decision on your application. We need this evidence, or an explanation of why you cannot produce it, before the panel can consider your application. If you cannot produce one or more pieces of evidence, please include the reason for this in your application.

Copies should be certified by a UK solicitor, an accountant, a doctor listed on the General Medical Council website, or a bank manager. You will need to give us this person's name and address so that we can contact them if necessary. (If you cannot provide original documents or certified copies, when you make your application you should explain why the originals are unavailable, to avoid delays.)

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. 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.

We need one document to confirm the identity of everyone who needs to sign the application form. This could be a document that you are already providing as evidence for another part of your application. Please see the declaration section of the application form for a complete list of documents that can be used to confirm your identity.

## **Step two: The NTS team reviews your application**

The NTS team will acknowledge your application by email or letter. They will then review your application to make sure that it is ready for the panel to consider and contains the information we have asked for on the application form. If information is missing, or if you have obviously not provided evidence for any of the criteria, we will contact you and ask you if you would like to provide it. Also, in almost all cases, we contact the estate agents who are currently marketing the property.

We will check original documents and return them to you as soon as possible after receiving your application.

We will take copies of all documents and return the originals to you. If it is not possible to produce a clear copy of the document (due to its age or condition), we may need to keep the original until a decision on your application has been made. The NTS team will tell you if we need to do this.

The NTS team will hold paper and electronic copies of your documents in line with the Data Protection Act 2018.

For information about how we will handle your personal information, please see our Privacy Notice at: [www.hs2.org.uk/privacy-notice](http://www.hs2.org.uk/privacy-notice)

### **Step three: A panel of professionals consider your application**

We will pass your application to the NTS panel for consideration.

The three members of the panel will be fully independent of us and the Department for Transport.

The panel will make a recommendation to the Secretary of State. The decision to either accept or refuse your application will, in most cases, be taken on their behalf by a minister or a senior civil servant who has authority to do so.

### **Step four: The Secretary of State decides on your application**

A senior civil servant who has authority from the Secretary of State will consider your application. They will either make the final decision or present their view to the Secretary of State or a minister for a final decision.

If your application is accepted, you will have three years from the date of your acceptance letter to begin the process of selling your property. You can begin the valuation process at any time within the first two and a half years, leaving six months to accept an offer and instruct your solicitors to begin the conveyancing process. If you do not instruct your solicitors within the three-year period, the acceptance will no longer be valid and you will need to reapply. Please see 'How long are valuations valid for?' in the frequently asked questions for more details.

If you accept the offer within the three-year period and have instructed solicitors but do not actively follow up the sale, we will withdraw the offer if conveyancing is not under way and actively going ahead within six months of the three-year period ending.

The offer will represent 100% of the unblighted open-market value of your property at the time of the valuation. The unblighted open-market value at that point may be different from the unblighted asking price used when marketing the property.

If you are unsuccessful, the NTS team will write to you, setting out in full the reasons for the decision in your decision letter.

You can reapply if there is a significant change in your circumstances or you have new evidence that may be relevant to the reason (or reasons) your application was turned down. If you are unable to provide new evidence, and your circumstances have not changed, it is very unlikely that reapplying on these grounds would result in a different outcome.

You need to reapply only in relation to the criterion (or criteria) under which you were unsuccessful, as long as:

- you submit your application within six months of receiving a previous decision (that is, six months from the date on the most recent, previous decision letter); and
- there has been no significant change in your circumstances in relation to the criterion (or criteria) on which you had previously been successful.

Otherwise, when you reapply you would need to cover all five criteria again.

## Help from others with your application

The Department for Transport have designed the application process so that you do not need anyone else to act on your behalf. We have tried to provide as much information as possible in this document to help you. Once you have submitted your application, you are welcome to contact us with questions at any point, using the contact details in our acknowledgement letter.

If you do want someone to help you with your application, you are welcome to do so. (However, we and the Department for Transport will not refund any costs you may have in doing this.) You may want to ask a friend or relative or a professional. In your application you must explain the relationship between you and any representative you ask us to correspond with.

For any statement made on your behalf, your representative must sign the statement and declare their name, firm and position in that firm (if this applies), and that the information is correct to the best of their knowledge. The application process may take longer if someone is acting on your behalf.

As set out on page 6, if your representative is also your estate agent, **the panel will not be able to take into account** any market appraisal or other evidence provided by them. This is to protect both you and the taxpayer by only considering advice from estate agents who are independent and so do not have a personal or financial interest in profiting from the Government buying your property.

You (the person with the qualifying interest in the property) must **sign** and **date** the declaration page and read and understand every page of the **filled-in** application form and every piece of evidence submitted.

We will copy representatives into all correspondence, but we will always send correspondence direct to you for security, transparency and speed. **So please make sure you provide your contact details, such as your email address and phone number (and those for any other applicants), even if you are using a representative.** If the representative holds power of attorney for you, we do not need these details.

We will also need you to give your permission if a representative asks to see documents such as valuation reports for your property, before we are able to show that document to the representative.

## Accepted applications and offers made

If the Department for Transport have accepted your application because your compelling reason to sell is urgent, we expect you to try to sell your property as quickly as possible.

If at any point between the decision letter being sent and you exchanging contracts either we or the Department for Transport become aware of any information or a significant change in circumstances that would affect the decision made on your application, we can review the decision. This could result in withdrawing our acceptance or offer. If this happens, you will be able to reapply to the NTS scheme, to reflect the change in your circumstances or extra information. We will not withdraw the acceptance or offer if you receive an offer on the property from someone else, after your decision letter is sent.

## 6 Frequently asked questions

### **Making an application**

#### **Who can I speak to before sending you my application?**

If you have any questions about the application process, please call our Helpdesk on 08081 434 434 or email us at [HS2enquiries@hs2.org.uk](mailto:HS2enquiries@hs2.org.uk)

#### **Where can I find an application form for the NTS scheme?**

You can get application forms and guidance at: [www.hs2.org.uk/documents/collections/need-to-sell](http://www.hs2.org.uk/documents/collections/need-to-sell). Or, please call the Helpdesk on 08081 434 434 or email us at [HS2enquiries@hs2.org.uk](mailto:HS2enquiries@hs2.org.uk) and we will send you a copy.

#### **Who will I be in contact with once I have sent my application?**

The NTS team will acknowledge that they have received your application and give you the contact details of the case officer responsible for your application. This case officer will then be your point of contact for any questions you might have about your application. They can support you with your application, but are not able to comment or advise you on what you should say or include in it in order to have it accepted.

#### **How long will it take to consider my application?**

As long as you have submitted all information and documents correctly, a decision on your application will normally be made within three months of receiving it, although this can depend on the number of applications we receive. We will aim to process applications more quickly if it is possible.

We will deal with cases in the order we receive them. As all applicants are applying with what they consider to be a compelling reason to sell, it would not be fair to 'fast track' some applications.

#### **What is your role in relation to the NTS scheme?**

We manage the NTS scheme for the Secretary of State for Transport through our NTS team. However, we do not make recommendations or decisions on individual applications.

#### **Why do I have to have a compelling reason to sell when it is clear that HS2 is the reason my property hasn't sold?**

The Government has been clear that it must aim to balance the needs of individuals with the effect on public money when designing non-statutory property schemes (those that are not required by law). Asking for evidence of a compelling reason to sell means that public money can be targeted towards those most in need and also supports other Government objectives, such as community cohesion (keeping communities together).

#### **How long will the NTS scheme run for?**

The Government has made a commitment that the NTS scheme will run until one year after each individual phase of the railway is open to the public.

#### **How many applications are successful?**

You can see details on the number of applications and acceptances at: [www.hs2.org.uk/documents/collections/hs2-exceptional-hardship-scheme-hs2-need-sell-scheme-applications-statistics](http://www.hs2.org.uk/documents/collections/hs2-exceptional-hardship-scheme-hs2-need-sell-scheme-applications-statistics)

### **Can I apply to the NTS scheme if I have previously accepted a cash offer under the Rural Support Zone (RSZ) scheme?**

Yes. If you have claimed a cash offer under the RSZ scheme and then applied to the NTS scheme, when the panel and the decision-maker review your application they will consider whether there has been a significant change in construction or operational plans predicted for the railway. They will also consider the effect on your property. They will consider environmental statements (draft and final), or realignments of the line of the route.

The panel and the decision-maker will also consider any change in your personal circumstances since you claimed the cash offer.

### **Application criterion 1 – type of property**

#### **Can I submit an NTS application for a property if I am not the owner-occupier?**

We do not expect to receive applications for properties where the applicant is not the owner-occupier, unless they are:

- a mortgage lender for the property;
- a representative of someone who has died; or
- a reluctant landlord.

There are more details about this on page 6 of the guidance notes and in the application form. If you do not own the property or have the right to sell it, we will not process your application.

#### **Can I submit an NTS application for a business or agricultural unit or premises?**

Owner-occupiers or leaseholders with at least three years left on the lease of agricultural units or business premises with an annual rateable value of not more than £44,200 in Greater London or £36,000 for the rest of England can apply to the NTS scheme. However, any offer we make under the scheme would only be for the unblighted market value of the business premises. The scheme does not allow us to buy the actual business itself or to pay costs of winding up or relocating a business.

#### **How do I show that I have a qualifying interest in my property?**

To show your interest in your property, you will need to provide proof of ownership. This will be the copy of the Land Registry Office entry if your property is registered at the Land Registry, or the epitome of title document and conveyance to the current owner if your property is unregistered.

#### **How do I show that I am the resident of, or occupy, a property?**

For owner-occupiers of a property, at the time you apply we would need one piece of evidence that contains your name and the address of the occupied property. This evidence must be dated within the three months immediately before the date on your application. The second piece of evidence must also contain your name and address and must be dated at least six months before the date of the first piece of evidence. Both documents must be from different organisations.

If a property is empty, you may still be eligible under the NTS scheme. You will need to provide evidence that the property has been empty for no longer than 12 months from the date you apply and that you were an occupier for at least six months before the property became empty. We would expect to see evidence of the date you left the property, together with two pieces of evidence showing it had been occupied for six months before it became empty.

### **What type of evidence do I use to show that I have occupied the property for six months?**

A full explanation of evidence we will accept for this criterion is set out on page 8 of the application form and is divided into two lists, A and B. Please read the information on the form carefully and make sure you provide the correct number and type of document from each list. The lists include utility bills, council tax bills, and bank, building society, mortgage or credit card statements. The documents you provide must cover at least the six months immediately before the date of your application.

The second piece of evidence you provide should be dated at least six months before the date of the first piece of evidence, but within the 18 months immediately before the date of your application.

### **What if a utility bill, council tax bill or bank statement includes only the details of one of the applicants from a joint application?**

We will accept evidence of only one applicant living in the property. However, please make sure all evidence you provided is addressed to that applicant.

### **What documents do you need to confirm my identity?**

Please make sure you provide either original documents or certified copies of documents that confirm your identity. This can be your passport or driving licence.

### **I live in a mobile home (or park home or caravan). Can I apply to the NTS scheme?**

Whether you are eligible for the NTS scheme is based on the criteria that apply under the Town and Country Planning Act 1990. Residential owner-occupiers, owner-occupiers of small businesses and owner-occupiers of agricultural units would qualify. Generally, someone living in a mobile home, park home or caravan would not be able to apply for the NTS scheme because they would not have a 'qualifying legal interest' in the land their home is on.

## **Application criterion 2 – location of property**

### **Does the property that I want to sell need to be a set distance from the new HS2 route if it is to qualify for the NTS scheme?**

Your property does not need to be a fixed distance from the proposed HS2 route in order to meet this criterion. However, the property would need to be close enough to the HS2 route so that it is seriously affected by either the construction or the operation of the new line. If your property is near a proposed junction which may, in the future, link HS2 and any Northern Powerhouse Rail (NPR) network, the panel would only take into account the effects of building the junction. The panel would not consider the impact of a junction's future use as part of the NPR network, as this is outside the scope of the HS2 project and the NTS scheme.

### **Does the property that I need to sell qualify for the NTS scheme if it is over or next to a bored (deep) tunnel?**

A property will only qualify for the NTS scheme if it is affected by surface construction and the eventual infrastructure of the railway. This includes surface or cut-and-cover or green tunnelled sections of the route, as well as vent shafts and tunnel entrances (or any other surface infrastructure).

### **Application criterion 3 – effort to sell and the effect of blight**

#### **When I market my property, do I have to have a 'For Sale' sign displayed outside the property?**

No, you do not have to have a 'For Sale' sign displayed outside the property when you are marketing it.

#### **What if a local estate agent refuses to market my property?**

If a local estate agent refuses to market your property, or wants a fee before they will market it because they do not believe it will sell as a result of HS2, you can submit evidence showing this as part of your application. A letter or email from the estate agent should be enough.

#### **If I provide evidence that a local estate agent refuses to market a property because they do not believe it will sell as a result of HS2, do I still need to provide evidence that I asked other estate agents to market my property?**

Yes. You must get marketing advice from at least three recognised estate agents. We can accept a refusal by a local estate agent to market your property as one attempt by you to get marketing advice, although we would prefer you to include as many market appraisals as possible if other agents are willing to market the property. If three or more local estate agents refuse to market your property, we would need evidence of this refusal from each estate agent.

#### **What if no estate agent will market my property?**

If all local estate agents refuse to market your property, we would need evidence of this (a letter or email from the estate agents should be enough). We may then accept this as evidence that it has not been possible to market your property for three months.

#### **I believe my property has been blighted by plans for Northern Powerhouse Rail (NPR). Can I apply to sell my home through your NTS scheme?**

We have made the NTS scheme available on a short-term basis to owners of properties affected by **proposed junctions** which may, in the future, link HS2 and a future NPR network, while we carry out consultation with those residents who would be affected.

The panel would only take into account the effects of building the junction. The Government is making plans now to allow any future NPR network to connect onto the HS2 network so that building the junction would not disrupt HS2 services in the future.

The panel would not consider the impact of a junction as part of any NPR network, or any possible impact of future NPR rail lines, which are not covered by the HS2 project and the NTS scheme.

The Government will consider whether a different property support and compensation package is needed in the period until future NPR routes are confirmed.

## **Application criterion 4 – No prior knowledge**

### **How do I show that I did not know about the high-speed rail proposals?**

If you completed on the purchase or lease of your property before the HS2 route section closest to your property was announced, you are able to show that you had ‘no prior knowledge’ (that is, you did not know about the HS2 proposals because they had not been published). If you bought your property after the rail proposals closest to your property were announced, we may agree that you had done so knowing about the HS2 route. When considering this, the panel and the decision-maker will look at the amount of information that was available at the time you bought your property, for example, the environmental statements (draft and final), and information about the construction and operation of the route.

Certain property searches would normally have been carried out when you bought your property. These may have shown that the property would be close to a project such as HS2 and your solicitor may have further highlighted this to you in correspondence, searches, the title report or other information. If you bought your property after the announcement of HS2 in your area, you should send us copies of the searches and any other relevant documents to show whether this was raised during the conveyancing process.

### **How would the Government decide whether to pay an adjusted price if it agreed to buy a property where the ‘no prior knowledge’ criterion had not been met but there was a strong overall case to accept the application?**

If it can be shown that the blight affecting the relevant property has resulted from HS2 and not something else, the Secretary of State may adjust the price they are willing to pay for a property bought under the NTS scheme by the same percentage as the difference between its unblighted and blighted value at the time it was bought.

A standard valuation will be carried out to decide the property’s current, unblighted value, as would usually be the case. However, the Valuation Office Agency will also carry out a desktop valuation to see if the property bought with prior knowledge was bought at a blighted price.

Whether or not you bought the property at a blighted price would be decided by getting and reviewing two valuations.

Valuation 1 – the current unblighted value of the property

Valuation 2 – the unblighted value at the time of it was bought

If the original purchase price was within 15% of valuation 2, the Government may agree to pay the full unblighted value of the property (valuation 1). In this case we would assume that you bought the property at an unblighted value.

However, if the price was less than 85% of valuation 2 at the time you bought the property, we would assume that you had originally paid a blighted value.

For example, if the valuation showed that you originally bought the property at a value 20% lower than its unblighted value at the point you bought it, the Secretary of State may decide to adjust the price they are willing to pay for the property. In this case, they may decide to offer 5% less than the property’s current unblighted value, which is the percentage difference between what is considered to be the property’s original unblighted and blighted value.

## **Application criterion 5 – compelling reason to sell**

### **What types of circumstances are accepted under the NTS scheme as a compelling reason to sell?**

The NTS scheme provides support for people who have a compelling reason to sell their property. As a result, we receive applications from people with a wide range of different circumstances, including to do with their health, employment, financial or family life. Please see pages 32 to 41 for examples of successful and unsuccessful applications under criterion 5 and the types of evidence you can put forward to support a compelling reason to sell.

### **Decisions on applications**

#### **Who decides if I qualify for the NTS scheme?**

An independent panel of three people will review your application. They will provide a recommendation for the decision-maker, who then decides if you qualify under the NTS scheme.

#### **How will the panel consider my application?**

The NTS scheme is a paper-based scheme, which means you don't need to make any personal representations and we don't need to visit your property. Your application must be supported by full evidence that shows you meet all of the scheme's criteria. To make sure the application process is fair, in certain exceptional circumstances the panel may agree to a site visit or allow you to make personal representations.

#### **Who is the decision-maker?**

The decision-maker is a senior civil servant or minister with authority to make decisions on behalf of the Secretary of State. They review the panel's recommendation and decide if you qualify for the NTS scheme.

#### **Who are the members of the NTS panel?**

There are three independent members of the panel. They receive a panel fee and expenses from us (HS2 Ltd) but are not employed by us or the Department for Transport.

#### **How are members of the panel selected?**

Members are selected through a rigorous appointment process which is managed by us and overseen by the the Department for Transport.

#### **How do I know that the NTS panel is independent?**

When applying to become a panel member, each person needs to show that they have the experience and skills needed to assess applications for the NTS scheme fairly and independently. Once they have reviewed applications to the scheme, each member of the panel has to declare at the start of each panel meeting that they have no conflict of interest. You can review a full list and short biographies for each panel member at: [www.hs2.org.uk/documents/need-to-sell-nts-scheme-panel-membership](http://www.hs2.org.uk/documents/need-to-sell-nts-scheme-panel-membership)

#### **How do the panel reach a recommendation?**

A panel meeting will be scheduled and each panel member will separately review all the applications to be considered at that meeting. The three panel members will then come together to consider the applications and make a recommendation to the decision-maker.

#### **How do the panel decide to recommend that I qualify for the NTS scheme?**

The panel review the evidence that you have provided as part of your application and make a recommendation using that evidence and any additional relevant information.

### **What if the panel cannot agree to recommend that I qualify or don't qualify for the NTS scheme?**

If all members of the panel do not agree on a recommendation, they can make a decision by a majority vote. If a panel member disagrees with this decision, they can produce a 'dissenting member' report. This report is then given to the decision-maker when they review the panel's recommendation.

### **How does the decision-maker decide if I qualify under the NTS scheme?**

The decision-maker reviews the panel's recommendation and, if appropriate, will also look at the details of your application and supporting evidence before making a decision.

### **What if the panel decide that an application does not qualify for the NTS scheme?**

In this case, the panel will recommend to the decision-maker that an application does not qualify for the NTS scheme. The decision-maker will review the panel's recommendation and decide on the case.

### **How will I be told if my application is successful or unsuccessful?**

We will send you a decision letter, telling you the decision on your application.

### **If my application hasn't been successful, how will I know why?**

If your application is not successful, the NTS team will write to you. This is your decision letter, and it will clearly outline why your application is unsuccessful.

### **Can I discuss my case with the panel members or the decision-maker?**

No. To help make sure the application process is impartial and consistent, the decisions of both the panel and the decision-maker are based only on the information in applications and supporting evidence.

### **Is it normal to reapply to the NTS scheme more than once?**

Some applicants are successful on their first application, while others are successful after providing more information or following a change in their circumstances. It is unlikely that resubmitting an application, on the same grounds with the same evidence, would be successful if it has previously been unsuccessful. If you are considering whether to reapply, we would encourage you to carefully review the reasons given by the decision-maker on why your previous application was unsuccessful.

It is your responsibility to explain how you meet the criteria for the NTS scheme, and provide evidence to support this. Providing appropriate, clear evidence greatly helps the panel to make their recommendation and the decision-maker to reach a decision.

### **Can the panel and the decision-maker use discretion in my case?**

If the panel believe there are circumstances which mean your application should be accepted despite not meeting all of the criteria, it can recommend that your application should still be accepted.

## Valuations and valuers

### **If my application to the NTS scheme is successful, what will the valuations and my payment be based on?**

The valuations will be based on the unblighted open-market value of the property (that is, the value of the property in current market conditions as if there were no plans for HS2). This will not necessarily be the price you had marketed your property at. It will be an independent assessment, carried out by qualified chartered surveyors, of what the sale price (value) should be.

The payment is simply this sale price. It will not cover extra costs, such as agents' fees, legal fees or removal costs, because you would normally meet these costs yourself.

The Government will buy the property as it was marketed before it was accepted under the NTS scheme. If the property significantly changes after your application has been accepted, for example if you decide you only want to sell part of the land your property is on, or you extend your property, you must reapply to the NTS scheme with this new information.

### **How will my property be valued?**

If the Secretary of State for Transport agrees in principle to buy your property, two valuations will be carried out by two independent valuers registered with the Royal Institution of Chartered Surveyors (RICS). We will choose one valuer from a pool of chartered surveyors who are familiar with your area and who have the appropriate expertise.

You can choose another valuer from the pool, or any RICS-registered valuer (see below) in the UK who agrees to take on the instruction (including conditions on the format of the report and a maximum fee). We will instruct and pay for both valuations. If the valuations are within 10% of each other (calculated by taking the difference between the two values as a percentage of the higher value), the Secretary of State will offer a price that is the average of the two.

If the valuations differ by more than 10% (calculated by taking the difference between the two values as a percentage of the higher value), we will get a further valuation from a valuer chosen by you from our pool. We will give the third valuer the two previous valuation reports to consider, with the valuation figures removed. The offer will be made on the average of the closest two valuations.

If three valuations have been carried out and there are no two closest figures (that is, the highest and lowest figures are of equal distance from the middle figure), we will use the middle valuation figure as the offer price. The valuation date will be the date on which the valuer inspects the property.

We may use a different method of valuing your property if we accept your application even though you had prior knowledge of HS2 but the decision-maker used their discretion for criterion 4 – no prior knowledge (see page 13).

### **Who can I pick as my choice of valuer?**

You can use any valuer who is registered with RICS, as long as they do not have any conflict of interest relating to your property or your household (or anyone else connected to your application). For example, the valuer cannot be employed by or associated with the firm or person who is representing you in your application or has been involved in marketing your property in any way (including any estate agent who provided a market appraisal, even if you didn't use that estate agent).

RICS is the professional body for the valuers that you must use. You can contact RICS to check if a valuer or firm is registered and has the appropriate qualifications ([www.rics.org/uk/](http://www.rics.org/uk/))

If you want to, you can choose any firm in our pool of valuers, or a specific valuer from one of these firms. We would then choose a second firm from this list.

### **How did you appoint your pool of valuers?**

We appointed our valuers following a competitive tender exercise to find those who have the resources and capability to cover valuations across the whole of each phase of the HS2 route. All valuers are independent chartered surveyors registered with RICS, and have the competence and professional knowledge to carry out valuations in line with the RICS 'Red Book' manual of valuation standards.

### **Are the pool of valuers and valuations independent of HS2 Ltd and the Department for Transport?**

Yes. We instruct the valuers to provide an open-market valuation of property in line with the RICS guidance – RICS Valuation Professional Standards January 2014. The full definition of open-market value is:

"the estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's length transaction after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion."

### **Do the valuers on your list have local knowledge?**

We appointed the valuers because they are able to cover valuations over different areas of the HS2 route. Many local estate agents are not registered with RICS and are not qualified to provide an open-market valuation.

### **How long are valuations valid for?**

If your application is accepted, you will have three years from the date of your acceptance letter to begin the process of selling your property to the Secretary of State for Transport. You can ask us to begin the valuation process at any time in the first two and a half years, leaving six months to accept our offer and instruct your solicitors to begin the conveyancing process. If you do not instruct your solicitors within the three-year period, the acceptance will no longer be valid and you will need to reapply to the scheme.

It is up to you to decide at which point you instruct the valuations to take place within the first two and a half years of receiving your acceptance letter. We will then base your offer on the valuations that reflect the date on which the valuers inspected your property. Once you have received your offer your property will not be revalued at any point (either within or after the three-year period). You will not be able to pay for a revaluation. So please make sure you consider carefully when you would like the valuations to be carried out.

### **If you offer to buy my property and I accept, how will the purchase go ahead?**

The purchase will be handled in the same way as any private property purchase. As with any private purchase, how long the process takes will vary depending on the circumstances of the case.

Once you have accepted our offer, we will instruct our solicitors and our property acquisition agents. We will also appoint surveyors to carry out structural and condition surveys. The surveyors will contact you direct to make the appointment to visit your property.

### **I submitted an application and was turned down, but since then my circumstances have changed. What can I do?**

You can reapply on the criterion (or criteria) on which you were unsuccessful if:

- there is a significant change in your circumstances; or
- you can provide new evidence that may be relevant to the reasons your application was turned down.

However, you must:

- submit the application within six months of the date of your previous decision letter; and
- there must have been no significant change in your circumstances relating to the criterion (or criteria) on which you had previously applied successfully. If not, when you reapply you would need to cover all five criteria again.

If you reapply within six months of the date of the previous decision letter, the panel will see the details of the previous decision and the evidence relating to the successful criteria from your earlier application. This is so they have all the necessary information and evidence on the successful criteria and can fully consider your new application. They will not be able to recommend overturning the decision on the previously successful criteria, if you have declared that your circumstances have not changed.

### **Is this my only opportunity to receive help from the Government?**

No. The Government has introduced a package of non-statutory property measures to help those who may be affected the construction or operation of the HS2 railway.

You can also claim Part 1 compensation under the Land Compensation Act 1973 one year after the railway is open to the public. ([www.gov.uk/government/publications/a-guide-to-part-i-claims](http://www.gov.uk/government/publications/a-guide-to-part-i-claims))

### **Who will manage the purchase of my property?**

Once you accept the offer for your property, your case officer will assign the purchase of your property to one of our suppliers. You will be allocated a named person from that supplier, who will become your main point of contact (other than your solicitors) throughout the process.

### **Can I rent my property from the Government if I sell it to the Government under the NTS scheme?**

If your application has been successful and you have accepted the Government's purchase price offer under the NTS scheme, you can let us know that you are interested in renting the property back from the Government after it has been sold. We would then carry out reference checks to see if you are suitable to rent the property, and assess the property to decide whether it can be let, in line with legal requirements and sound business principles. You should ask your case officer about this in good time, and before solicitors' details are exchanged, so that we can look at your request and prepare letting documents.

**Will you pay any agents' fees relating to my application or any further valuations?**

No.

**If I am accepted under the NTS scheme and move away, will I still be eligible for the homeowner payment?**

No.

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

If you are not happy with how we deal with your application, please use our complaints procedure, which is available at [www.hs2.org.uk/how-to-complain](http://www.hs2.org.uk/how-to-complain)

If your application has been unsuccessful, you can reapply (see above). The outcome of an application cannot be altered by complaining to us.

**The guidance says it may be possible for the Government to buy my property even if I don't meet the criteria of the NTS scheme, if I have special circumstances or I own an atypical property. How can I apply for this?**

There is no application form, but you can ask us to consider your case 'atypically'. This just means that we recognise there may be some cases that need support even though these cases do not meet the requirements of either the statutory or non-statutory property schemes.

**How do I ask to be considered as having an atypical property or special circumstances?**

First, you may want to discuss your case with our Land and Property team by contacting them through our Helpdesk on 08081 434 434 or at [HS2enquiries@hs2.org.uk](mailto:HS2enquiries@hs2.org.uk). There is also a Freephone minicom number (08081 456 472) for callers with hearing and speech difficulties.

**Is there more information on what you and the Government consider to be 'special circumstances' or an 'atypical' property?**

The Government believes trying to define these terms would limit the types of cases that it might consider. We (and the the Department for Transport if necessary) will consider cases submitted to us that are not part of our established property schemes by looking at the particular circumstances of each case.

**Do I need to have previously applied for the NTS scheme or another scheme before my case can be considered atypically?**

No. However, it is worth considering making an application through the NTS scheme first to see whether you are successful. Even if you do not meet all the criteria of the NTS scheme, you may still be accepted if the panel and decision-maker agree you have a strong overall case.

**Who decides whether I own an atypical property, or have special circumstances?**

Any decision to provide support over and above our property schemes is made by the the Department for Transport on behalf of the Secretary of State, taking into account advice from us. In some cases, approval may also be needed from HM Treasury.

**I have been unsuccessful in applying to the NTS (or any other) scheme. Can you consider my case atypically?**

We only consider cases involving an atypical property or special circumstances if there are exceptional circumstances. You should not use this as a way of appealing if you have been unsuccessful under our established schemes. We consider whether a property is atypical, or whether there are special circumstances, when processing applications made to our property schemes.

**What makes my circumstances special or my property atypical?**

An atypical property or special circumstances are those not provided for by existing schemes. Special circumstances may include, for example, particular medical conditions or special living requirements.

**How do you consider my atypical property or special circumstances if they are urgent?**

If urgent or critical circumstances mean there is not enough time for you to apply to the appropriate scheme, you can appeal to us or the the Department for Transport, in writing, outlining the exceptional circumstances you face.

**If I have previously received a cash offer from the RSZ scheme, can I apply to the NTS scheme?**

If you have already claimed a cash offer under the RSZ scheme you can still apply to the NTS scheme. If your application to the NTS scheme is successful, we would reclaim the cash offer payment, plus statutory interest, from the NTS purchase price.

# 7 Compelling reasons to sell

## 7.1 Introduction

If you are an owner-occupier and meet the criteria of the NTS scheme, you will be able to ask the Government to buy your home for its full unblighted market value.

An independent panel will consider each application individually and recommend whether the Government should buy your property. You will be asked to provide evidence that meets the following five criteria.

**Property type** – we will ask you to show that you are the owner-occupier of the property or that you are acting as a ‘reluctant landlord’, needing to rent the property as a result of HS2.

**Location** – to make sure that the effect of HS2 on a property is considered, although there is no fixed outer boundary to the NTS scheme.

**Effort to sell** – you must have tried to sell your property, without success, for at least three months, unless there are circumstances that make this inappropriate or unnecessary.

**No prior knowledge** – you must have bought your property before the date the initial preferred route for each phase of the railway was announced. These dates are:

- Phase One – 11 March 2010
- Phase 2a – 28 January 2013
- Phase 2b – 28 January 2013 or 7 July 2016 (proposal of M18 route through South Yorkshire only)

For NTS scheme applications for properties that are close to the route to the west of Measham, Leicestershire, where the proposed route is similar to that set out in January 2013, you will need to show that you were not aware that the route proposed at the time would affect your property at the time you bought it.

If you completed the purchase of your property after the date the route was announced, but then found your property might be nearer to the route or more seriously affected following later changes or alternatives to the route, you will need to give us satisfactory evidence that you had no prior knowledge of those route changes, or could not reasonably have known generalised blight caused by HS2 would apply to your property. The route changes were announced on 20 December 2010, 10 January 2012, 16 May 2013 and 25 November 2013 (for Phase One), on 30 November 2015 (for Phase 2a), and on 15 November 2016, 17 July 2017 and 6 June 2019 (for Phase 2b). More changes may be announced at any point in the future.

**Compelling reason to sell** – we will consider a variety of different situations under this criterion, but you will have a strong case if you:

- become unemployed;
- need to move to take up a new job;
- are dividing assets as part of a divorce settlement;
- are in ill health; or
- need to release money for retirement.

You may also have a compelling reason to sell due to a combination of factors. In exceptional cases, prolonged disturbance and noise disruption from the construction or operation of the railway may contribute to a compelling reason to sell. However, in general we would first expect you to look at the arrangements under the prolonged disturbance compensation scheme that we have set up for this purpose.

### **Guide to the types of evidence that you can provide under certain circumstances**

This NTS guidance aims to make clear the types of reasons and evidence that you can provide to support a compelling reason to sell your property. For this section of your application, the NTS panel need a clear summary of your reason (or reasons) for selling. Each part of your statement must be supported by suitable evidence. To help you, below we have listed examples of past cases that have been successful and unsuccessful under this scheme. Under each set of examples we tell you what evidence you could provide.

You need to be able to show why you have a compelling reason to sell your property now, or evidence that you would be put under an unreasonable burden if you were unable to sell it in the next three years.

Please send us as much evidence as possible, as the panel will need to see proof of each statement that you make.

### **Financial – change in circumstance**

Successful example	Unsuccessful example
<p>The property owner wanted to sell their property because they lost their job and, as a result, their income significantly reduced and they could no longer meet previous commitments. They had been unable to find a new job that provided the same income.</p> <p>Evidence provided: Detailed financial information outlining their full financial circumstances, income, outgoings, investments and other commitments.</p>	<p>The property owner wanted to sell their property because they had lost their job.</p> <p>The application was not successful because they failed to provide full details of their financial circumstances, for example by sending us a summary of their income and spending.</p>

## Financial – difficulty

Successful example	Unsuccessful example
<p>The property owner wanted to sell their property to meet financial commitments that were due within three years from the date of their application. The sale would relieve an unreasonable financial burden on them.</p> <p>Evidence provided: Details of a financial commitment that had to be met within three years.</p>	<p>The property owner wanted to sell their property to meet financial commitments following the failure of a business.</p> <p>The application was not successful as they failed to provide full details of the financial circumstances they faced.</p>
<p>Applies to <b>Financial – change in circumstance</b> and <b>Financial – difficulty</b></p> <p><b>Evidence that you may need to provide</b></p> <p>Official paperwork or records that give a complete picture of your finances, including full evidence of your income and outgoings, plus savings, loans, mortgages and other assets (if relevant), for an appropriate period (normally at least the last six months) before the date of your application. You should provide original documents or certified copies of account statements and other relevant financial information.</p>	

## Retirement (also see [Location and needs of current accommodation](#))

Successful example	Unsuccessful example
<p>Due to a reduced retirement income, the property owner wanted to sell their property so that they could downsize and move. Selling their property would free up money and reduce their outgoings.</p> <p>Evidence provided: Detailed financial and medical evidence (although medical evidence is not always necessary to prove a need to downsize).</p>	<p>The property owner wanted to sell their property so that they could downsize and move when they retired, as they felt maintaining it would be an unreasonable burden because of their age.</p> <p>The application was not successful as they failed to provide evidence that they cannot maintain their existing property.</p>
<p><b>Evidence that you may need to provide</b></p> <ul style="list-style-type: none"> <li>• Written evidence to show that you retired and when, or that you plan to retire from your current job and when, for example a letter from your employer.</li> <li>• Evidence that you have looked for suitable retirement property in the area you plan to retire to, such as correspondence with estate agents.</li> <li>• Written or photographic evidence to show that you are unable to maintain your current property. (We would need details of the costs of maintaining and running your existing property, if the cost is the reason you want to move).</li> <li>• Evidence of planning for retirement and the need to sell your existing property to provide an income in retirement – detailed evidence of your finances would be needed.</li> </ul> <p>If you receive the State Pension (or expect to receive the State Pension within three years of applying under the NTS scheme), we do not expect you to provide evidence that supports your plans to retire for criterion 5 – compelling reason to sell, unless your application is fully or partly related to your financial circumstances.</p>	

## Family

Successful example	Unsuccessful example
<p>The property owner was elderly and wanted to sell their property to move closer to a family member.</p> <p>Evidence provided: Medical evidence and confirmation of the address of their family member and the proposed arrangements for their care.</p>	<p>The property owner wanted to sell their property to move in with a family member, who might then provide care for them. This would not be possible without the property owner moving home, due to the family member's work commitments.</p> <p>The application was not successful as they failed to provide evidence of the circumstances they mentioned in the application.</p>
<p><b>Evidence that you may need to provide</b></p> <ul style="list-style-type: none"> <li>Property details and photographs showing why your existing property is not suitable for you or your family's requirements.</li> <li>Details of the people currently living in the property (for example, birth certificates, proof they are included on the electoral register, and details of any special requirements (for example, a ground-floor bedroom and bathroom for someone who is unable to manage stairs).</li> <li>Evidence of those who need to be provided for in your property and those who no longer need to be provided for.</li> </ul>	

## Education

Successful example	Unsuccessful example
<p>The property owner wanted to sell their property so that they could relocate to allow their child, who had special educational needs, to go to a school that met their needs.</p> <p>Evidence provided: Evidence of the needs of the child and evidence that this specialist education could not be provided close to where they currently lived.</p>	<p>The property owner wanted to sell their property to move into a different state-school catchment area.</p> <p>The application was not successful as they failed to provide evidence that their child required specialist education that was not available within the school catchment area of their existing property.</p>
<p><b>Evidence that you may need to provide</b></p> <ul style="list-style-type: none"> <li>Offer letters and general details of the schools that have provided offers to your child.</li> <li>Evidence that local schools are not able to meet the specialist requirements your child needs. This might be a letter from an appropriate educational specialist or medical practitioner, or published details of the services a specific school provides.</li> <li>Evidence of issues at your child's current school which mean they need to move to a new school, or other issues causing significant concerns about the suitability of your child's current school.</li> <li>Details of your child's existing schooling arrangements and the location and the distances between this school and your property.</li> <li>Maps showing the location of the various schools and travel routes and transport options.</li> <li>Details of the possible financial or employment consequences resulting from the different school choices available to your child.</li> </ul>	

### Location and needs of current accommodation

Successful example	Unsuccessful example
<p>The property owner wanted to sell because they had a long-established retirement plan to move to a different property in a less rural area.</p> <p>Evidence provided: Detailed evidence (past and current) of their plan, including details of the area and property they planned to move to.</p>	<p>The property owner bought their property before having a family and, since having children, felt that the location and layout of their property did not meet their family's needs.</p> <p>The application was not successful as they failed to provide evidence that either the location or the layout of the property was unsuitable for their family.</p>
<p><b>Evidence that you may need to provide</b></p> <ul style="list-style-type: none"> <li>• Maps showing the location of your property and its distance from local amenities and services.</li> <li>• Details of the property and its surrounding area.</li> <li>• Details of alternative property and the location of property you have found or are looking for.</li> <li>• Current and past evidence showing you have a long-term plan to move to another area. This might include details of long-term financial planning or other evidence that proves you had a long-term plan.</li> </ul>	

### Type or size of accommodation

Successful example	Unsuccessful example
<p>The property owner had recently had another child and wanted to move to a larger property as they needed more room (including bedrooms) for their growing family.</p> <p>Evidence provided: evidence of the number of children and their ages, and details of their existing property.</p>	<p>The property owner had several generations of their family living in a property that would usually only be big enough for the property owner and a guest.</p> <p>The application was not successful as they failed to provide evidence that they needed to provide permanent accommodation for other members of their family.</p>
<p><b>Evidence that you may need to provide</b></p> <ul style="list-style-type: none"> <li>• Written evidence, including floor plans and photographs, to show that the size, layout or location of your property makes it unsuitable for your circumstances.</li> <li>• Written evidence that the property is inaccessible or not appropriate for you or someone you live with who has restricted mobility.</li> <li>• Details showing that alterations needed to make the property suitable for you are not reasonable, either because they would be too expensive or too complicated or disruptive, or because they would affect the resale value of the property.</li> <li>• Written evidence that shows the property or its grounds are too large for you to maintain because of the cost or due to your reduced mobility.</li> <li>• Written evidence showing that maintaining a large property would be a financial burden for you.</li> <li>• Medical evidence showing why it is no longer suitable for you to stay in the property due to your health (including evidence that the property is no longer suitable).</li> <li>• Evidence showing you need to move to an alternative type or size of accommodation, because your property is not suitable for the number of people living in it – for example, that you have children and what age they are.</li> </ul>	

### Employment – relocation

Successful example	Unsuccessful example
<p>The property owner wanted to move as they had accepted an offer of employment (in an equivalent role to their existing job), and their new job was some distance from their existing property, resulting in a change to their daily commute.</p> <p>Evidence provided: Letters and contract from new employer confirming location and start date of their new job, and evidence of the distance and time of their new commute.</p>	<p>The property owner wanted to move as they had accepted an offer of employment.</p> <p>Their application was not successful as they failed to provide evidence that they received a firm offer of employment and that their existing employment skills or future employment aims were suitable for the role.</p>
<p><b>Evidence that you may need to provide</b></p> <ul style="list-style-type: none"> <li>• An official, signed letter to you from a named person from your new employer's organisation, confirming the relocation or job offer. This letter should be on headed paper.</li> <li>• If not provided in the letter, confirmation of that person's position in the organisation and their involvement in the recruitment or relocation process.</li> <li>• Written evidence or correspondence giving specific details of your old job and your new job, and the timescales involved.</li> <li>• Written evidence or correspondence giving the reasons for the job move or the business case for the relocation, if this is possible and it applies.</li> <li>• Details of the location of your existing workplace and the distance between this and your existing property.</li> <li>• Details of the location of your new workplace and the distance between this and your existing property.</li> </ul>	

### Winding up an estate

Successful example	Unsuccessful example
<p>The property owner was selling the property of someone who had died, so that the executor and beneficiaries could wind up the estate.</p> <p>Evidence provided: Legal documents including grant of probate.</p>	<p>No unsuccessful examples.</p>
<p><b>Evidence that you will need to provide</b></p> <ul style="list-style-type: none"> <li>• The will of the person who has died and legal documents that give the details of the executor of the estate. We would need original documents or certified copies.</li> </ul>	

## Divorce

Successful example	Unsuccessful example
<p>The property owners wanted to sell their property as they were getting divorced and needed to divide assets, as required by a court order.</p> <p>Evidence provided: Legal documents associated with the divorce which showed that neither party could remain in the property following the divorce.</p>	<p>The property owners wanted to sell their property as they had decided to divorce.</p> <p>The application was not successful as they failed to provide the legal documents needed to confirm the divorce or that the property would need to be sold because of this.</p>
<p><b>Evidence that you will need to provide</b></p> <ul style="list-style-type: none"> <li>• A decree nisi or decree absolute <b>and</b></li> <li>• a court order.</li> </ul> <p><b>Or</b></p> <ul style="list-style-type: none"> <li>• Other evidence of an agreed settlement and how assets from the marriage are being divided, to show the property needs to be sold for the divorce to go ahead.</li> </ul>	

## Marriage or civil partnership

Successful example	Unsuccessful example
<p>The property owner was recently married and wanted to sell their property so that they and their partner could sell their individual homes and combine the proceeds to buy one home.</p> <p>Evidence provided: Marriage documents and information relating to the location of the property owner's partner's property, and both their places of work.</p>	<p>The property owner was recently married and wanted to sell a property so that they could move into a single property that they wanted to buy with their partner.</p> <p>The application was not successful as they had failed to provide evidence of a compelling reason to sell the property, as opposed to continuing to live in one or other of their properties.</p>
<p><b>Evidence that you may need to provide</b></p> <ul style="list-style-type: none"> <li>• Details of your and your partner's workplace locations and the distances between these and your existing property or properties.</li> <li>• Details of both your and your partner's properties.</li> <li>• Details of any dependants who will be living with you.</li> <li>• Details of where you want to move to or evidence of a property you plan to buy jointly.</li> <li>• Financial information to support the purchase of a different property, for example, bank statements, mortgage statements and savings statements (for both you and your partner).</li> <li>• Evidence of why you need to buy a joint property and why your existing property or accommodation is not suitable.</li> </ul>	

### Health – care requirements

Successful example	Unsuccessful example
<p>The property owner wanted to sell their property so that they could move into more appropriate accommodation.</p> <p>Evidence provided: Medical information and details of their existing property, together with details of the accommodation they wanted to move to.</p>	<p>The property owner wanted to sell their property to move nearer to their family.</p> <p>The application was not successful as the property owner failed to provide evidence that they needed to move to live with the relative or that the plan to live nearer their relative would work.</p>
<p><b>Evidence that you may need to provide</b></p> <ul style="list-style-type: none"> <li>• Medical evidence of your current state of health which supports your case that your current accommodation is no longer suitable.</li> <li>• Evidence, including floor plans and photographs, that shows that the size, layout or location of your property make it unsuitable for your circumstances.</li> <li>• Details of your care needs and the care plan to be provided as a result of selling your property.</li> <li>• Details showing that alterations needed to make the property suitable for you are not reasonable, either because of the cost or because they would be too complicated or disruptive.</li> <li>• Evidence that shows your property or its grounds are too large for you to maintain due to the cost or your health.</li> </ul>	

### Health – type of accommodation

Successful example	Unsuccessful example
<p>The property owner wanted to move to a smaller, single-storey property, as they were becoming less mobile.</p> <p>Evidence provided: medical evidence showing that they had limited mobility and were having difficulty using stairs.</p>	<p>The property owner wanted to sell as they would need to adapt their property to meet their medical needs. The application was not successful as they failed to provide evidence that this work would cause significant expense or disruption and, as a result, they would have to sell the property.</p>
<p><b>Evidence that you may need to provide</b></p> <p>See 'Health – location of accommodation' on the next page.</p>	

## Health – location of accommodation

Successful example	Unsuccessful example
<p>The property owner wanted to move from a large and isolated property to one that was nearer to local amenities and services and which had access and a layout that would better suit them as they become less mobile.</p> <p>Evidence provided: Maps showing how isolated the property was, information about local transport links and amenities, details of the property, and evidence of the applicant's age and state of health.</p>	<p>The property owner wanted to move from a large and isolated property.</p> <p>The application was not successful as they failed to provide evidence of a medical or financial need to sell the property in order to move elsewhere.</p>
<p><b>Evidence that you may need to provide (for both location and type of accommodation)</b></p> <ul style="list-style-type: none"> <li>• Medical evidence of your current state of health.</li> <li>• Medical evidence that your current accommodation is no longer suitable.</li> <li>• Details of the types of alternative suitable accommodation you need.</li> <li>• Evidence of no longer being able to maintain your current property.</li> <li>• Evidence of no longer being able to readily access your existing property.</li> <li>• Evidence that your property is not close enough to local amenities, doctors' surgeries and so on.</li> </ul>	

## General examples of evidence we need

The following list is a guide to the types of evidence that you can provide to support your application.

- Birth certificates, benefits statements, correspondence with schools and childcare providers
- Passports
- Official divorce documents
- Court orders, including court orders to sell the property
- Utility bills (gas, electricity, water)
- Bills for council tax, telephone, fuel and other essential services
- Bank or building society statements
- Credit card statements or bills
- Payslips
- Statements issued by HMRC (HM Revenue & Customs), such as a P60 or P45
- HMRC tax documents, for example, tax assessment, statement of account or notice of coding
- Mortgage statements and other correspondence from mortgage lenders
- Letters from health authorities and trusts, hospitals, medical consultants, GPs or dentists
- Audited company accounts (or accounts yet to be audited)
- Letters from employers about redundancy, employment contracts and so on
- Receipts, invoices or other documents showing spending
- Statements of account for savings, ISAs, shares, bonds, share options and other financial products representing assets
- Death certificates, wills, grant of probate or letters of administration

- Correspondence from Government departments (that prove, for example, that you receive benefits or other entitlements)
- Letters and other documents from qualified solicitors, accountants, barristers, chartered surveyors and other professionals

If you download bank, building society or credit card account statements from an online banking account and they do not contain your name, account number, details of the bank or the logo, please provide evidence that you got this document from the bank, credit card company or building society and that it represents your account. This evidence will need to be certified or stamped by the bank or building society.

All supporting documents should be originals or certified copies.



# Application form



## Need to Sell scheme

Before you fill in this application form, please read the guidance in full. Please provide as much information and evidence as you can, using extra sheets if needed. This will help us to process your application as quickly as possible. When sending supporting documents, please send original documents or certified copies.

Please send your application as loose (not bound) sheets.

Address of the property you are applying for:

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

Postcode .....

## Your details

Please include only your own details here. If you are using a representative, please provide their details on page 5.

Title (Mr, Mrs, Miss, Ms, Dr and so on): .....	Title (Mr, Mrs, Miss, Ms, Dr 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: .....
Title (Mr, Mrs, Miss, Ms, Dr and so on): .....	Title (Mr, Mrs, Miss, Ms, Dr 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: .....

Please continue over the page.

Contact address and postcode, if different from the address above:

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

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

**I do not want to be contacted by email. Please send all correspondence by post. ☐**

## Your declaration

Please make sure that each applicant signs in the box below (and adds the date they sign) and provides an original or certified copy of a document that gives proof of their identity. This document must be current and valid and contain a photograph of the applicant. Documents which provide proof of identity are:

- passport; or
- driving licence.

I declare that the information I have given on this form is correct and complete. I understand that HS2 Ltd and the Department for Transport will use all of the information provided on this form and all supporting evidence to decide my claim under the Need to Sell scheme.

I understand that you will carry out security and anti-fraud checks on information and supporting evidence I have provided. This may include checks that use market intelligence services, contacting estate agents who are currently marketing the property and contacting my employer (or possible employer). I understand that if any issues arise from these checks, you may refer this information to your Counter Fraud team for further investigation.

I give permission for you to carry out any relevant checks and to contact estate agents and employers.

If I give information 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 the Secretary of State may take legal action against me.

**Please note:** If your application is successful but, at any point between your decision letter being sent and you exchanging contracts we become aware of any information or a significant change in circumstances that would affect our decision, we can review the decision. This could result in us withdrawing our acceptance or offer. If this happens, you will be able to reapply to the scheme, to reflect the change in your circumstances or extra information. We will not withdraw the acceptance or offer if you receive an offer on the property after your decision letter is sent.

## Each applicant must sign below and add the date they signed

Applicant 1: .....

Applicant 2: .....

Applicant 3: .....

Applicant 4: .....

**For applicants submitting another application within six months of the date on the decision letter relating to their previous application**

Please confirm the date on the previous decision letter. This must be within six months of the date you send this application.

.....

(There is no need to send us a copy of the original decision letter – we will check this information in our records.)

Please confirm the criteria you are basing your application on by ticking the relevant box (or boxes) below. This should be the exact criteria on which your previous application was unsuccessful. There is no need to send us evidence to do with criteria you were successful on in your previous application, as long as there has been no change to your circumstances to do with any of those criteria. (If there has been a change to your circumstances, you must submit a new, full application covering all criteria.)

Criterion 1: Type of property ☐

Criterion 2: Location of property ☐

Criterion 3: Effort to sell and the effect of blight ☐

Criterion 4: No prior knowledge ☐

Criterion 5: Compelling reason to sell ☐

I declare that there has been no change to my circumstances to do with the criteria under which my previous application was successful.

**Each applicant must sign below and add the date they signed**

Applicant 1: .....

Applicant 2: .....

Applicant 3: .....

Applicant 4: .....

**For applicants who are using a representative to act on their behalf**

Please provide the representative's name and contact details below.

Name: .....

Organisation: .....

Phone number and email address: .....

Their relationship to you: .....

Has the representative received, or will they receive, any financial payment from you for acting as your representative? Yes ☐ No ☐

**To be completed by the applicant**

I (the applicant) confirm that I want the person named above to represent me for the purpose of submitting this application. I agree to this person acting on my behalf until I receive a decision on my application.

**Each applicant must sign below and add the date they signed.**

Applicant 1: .....

Applicant 2: .....

Applicant 3: .....

Applicant 4: .....

**To be completed by the representative**

I (the representative) confirm that I will act on behalf of the applicant for the purposes of this application.  
☐

I acknowledge that, as a paid representative or a representative who would otherwise benefit financially from the sale of the property to HS2, the panel or decision-maker will not take into account any evidence that I provide myself, such as feedback from the marketing of the property. ☐

I declare that the information I have given on this form is correct and complete. I understand that HS2 Ltd and the Department for Transport will use all of the information provided on this form and all supporting evidence to decide the applicant's claim under the Need to Sell scheme.

I understand that you will carry out security and anti-fraud checks on information and supporting evidence provided. This may include checks that use market intelligence services, contacting estate agents who are currently marketing the property, and contacting the applicant's employer (or possible employer). I understand that if any issues arise from these checks, you may refer this information to your Counter Fraud team for further investigation.

If I give information I know is incorrect, or if I do not include information I know is relevant, the application and the Government's decision on it will not be valid and the Secretary of State may take legal action against the applicant or me (or both of us).

**Please sign below and add the date you signed.**

Representative's signature: .....

### Criterion 1: Type of property

Please make sure you read the guidance before answering these questions.

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? ☐
- the mortgage lender who has a right to sell the property and can give immediate vacant possession? ☐
- a personal representative of someone who has died? ☐
- a reluctant landlord? ☐

What category of ownership do you have?

Freehold ☐

Leasehold ☐ If leasehold, how long until the lease runs out? ..... years ..... months

### What Land Registry titles are included in the sale?

Please list all title numbers and state whether these are to be sold in full or part. If you only want to sell part of your property, please provide a clear plan of the area you are applying for. This must be the same as the area of the property that has been marketed for sale.

.....

.....

.....

### Please include evidence to support your answers. Evidence should be original documents or certified copies, and may include one or several of the following.

- Proof of ownership – the epitome of title document (if the property contains more than one title, all titles should be provided), the conveyance to the current owner or a copy of the Land Registry Office entry.
- For **owner-occupiers** of the property, at the time you apply we would need one piece of evidence (see the lists below), 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, but within the **18 months** immediately before the date of your application. If a property is empty, you may still be eligible to apply. 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 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 that property was occupied for six months before it became empty.
- 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 all applicants' names and the address of the property, and must be originals 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.

### List A

- A recent, dated bank or building society statement displaying a date of issue, or showing transactions, from within the last three months. If you are not also using a bank or building society statement for evidence for criterion 5, you can blank out account numbers and figures.
- A mortgage statement
- A recent, dated credit card statement displaying a date of issue, or showing transactions, 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)
- 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 may check the electoral roll or other sources to confirm statements you have made.**

#### **Examples of evidence that we cannot accept**

- Provisional or full driving licence
- National Insurance card
- Mobile phone bills
- 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**

If you are not an owner-occupier, you will also need to provide other evidence, as below.

#### **Mortgage lenders**

We will need:

- details of any mortgage roll or reference number and contact details of the bank or lender; or
- proof that you are a mortgage lender and confirmation that you can sell the property with vacant possession.

#### **Personal representative of someone who has died**

We will need:

- the death certificate, power of attorney, grant of probate, last will and testament and letters of administration; and
- if possible, evidence that the person occupied the property before their death (in line with the requirements for owner-occupiers set out above).

### Reluctant landlords

- If relevant, a copy of all tenancy agreements for your new accommodation since you moved out of the property that the application relates to, including proof that the earliest tenancy agreement began after 11 March 2010 (Phase One), 28 January 2013 (Phase 2a) or 7 July 2016 (Phase 2b M18 route), or evidence of other living arrangements.
- Copies of any tenancy agreements in place for the property since you moved out
- If the property is currently vacant, evidence of marketing it for letting
- If the property is currently vacant, a council tax bill to prove it is vacant
- Proof that you are living at the property you are currently renting
- Proof that you lived at the property for at least six of the 18 months before you moved out

### Criterion 2: Location of property

Briefly describe the location and characteristics of the property and its surroundings, including where it is in relation to the HS2 route. Please make sure you have read the guidance first.

Please include evidence that supports this description. For example:

- the filed plan held at the Land Registry (originals or certified copies);
- a plan of the agricultural unit (if this applies to your application);
- a map showing the exact location and outline of the boundary of the property, if it might be difficult to identify the boundary using just the address; or
- evidence that supports your statement above, such as photographs of the existing surroundings, maps, plans or drawings.

### Criterion 3: Effort to sell and the effect of blight

Make sure you have read the guidance first. Please give details of the marketing advice you received for your property before you chose your estate agent. You must provide evidence of having approached **at least three** estate agents.

Estate agent's name, address and website address	Date you received the advice	Proposed price of the property

When was the property first placed on the market? .....

What was the initial asking price for the property? .....

What is the current asking price for the property? Please list all reductions that have been made to the asking price and when these took place.

.....

How has the property been marketed? .....

.....

.....

.....

How many viewings has the property had?

.....

**Please provide details of any offers you have received for the property.**

Date of offer	Estate agent the offer came from. (If it was a private offer, please write 'private offer'.)	Offer amount	Outcome and details

Give details of the estate agent currently marketing the property. (If more than one estate agent is marketing the property, please add details on a separate sheet.)

Estate agent's name: .....

Name of your contact there: .....

Branch address: .....

Phone number: .....

Email address: .....

I confirm the following:

I have approached at least three agents for marketing advice. ☐

My property has been on the market for at least three months with one or more agents and I have reduced the asking price at least once. ☐

I have received feedback from estate agents or possible buyers that HS2 is preventing the property from selling. ☐

I have not received an offer within 15% of the unblighted asking price or, if I have, I can show that this offer was unreasonably low, specifically because of HS2. ☐

I am not currently selling my property to anyone else and do not have any outstanding offers that I have not accepted or rejected at this time. ☐

Please include evidence to support your answers. This evidence should be original documents (or certified copies) and should include the following items (if you have them). Please tick each item that you have provided.

Valuation and marketing proposal letters from estate agents you took advice from before putting the property on the market with the agents you chose. ☐

Instruction letter from an estate agent (or estate agents, if you have appointed more than one). ☐

Sole or joint agency or sales agreement (for example, your contract with your estate agent). **It is essential that you provide this.** ☐

Proof of the date the estate agent began marketing the property (for example, correspondence from the estate agent, newspaper advert, website entry, promotions). ☐

Sales details produced by current and previous estate agents for your property. ☐

Evidence of marketing, such as adverts in local and national media, internet marketing using national or local websites, or evidence of a 'For Sale' board. ☐

Feedback from viewings or from people who chose not to view the property. (This must come from the viewers themselves or from current and previous estate agents.) ☐

Other letters and any other relevant documents your agent has sent you. ☐

Evidence of offers you have received and the outcome of these. ☐

If you have approached a number of recognised estate agents and they have all refused to market your property due to HS2, please provide all evidence of this. For example, this might include originals or certified copies of letters or printouts of emails in which agents say why they refuse to market the property, records of appointments with estate agents visiting your property and promotional materials addressed to you before the agent refused to market the property.

#### **Criterion 4: No prior knowledge**

On what date did you buy the property? .....

Please include evidence to support when you bought the property (or inherited it or received it in a settlement, for example). If the property is registered with the Land Registry, the copy of the title you have already provided for criterion 1 is enough – there is no need to provide two copies.

If you bought your property after 11 March 2010 (for Phase One), 28 January 2013 (for Phase 2a or 2b) or 7 July 2016 (Phase 2b M18 route), you will need to show further evidence that you could not have known that the HS2 route might be in the area of your property when you bought it. (For example, originals or certified copies of local authority search reports done as part of the conveyancing process, showing that they do not mention a proposed high-speed rail line.)

#### **Criterion 5: Compelling reason to sell**

Describe why you have a compelling reason to sell your property. Please read the guidance first. On pages 32 to 41 of the guidance, you will find examples of successful and unsuccessful applications under this criterion and the types of evidence you can provide for certain reasons to sell.

Please include relevant supporting evidence (either originals or certified copies). In the guidance, you will find examples of other applications we have received, which may help you understand what types of evidence the panel may expect to see in applications similar to your own.

Depending on the compelling reason you have told us about, examples of evidence can include:

- birth certificates, benefits statements and correspondence with schools or childcare providers;
- passports;
- official divorce documents;
- court orders, including orders to sell the property;
- utility bills (gas, electricity and so on);
- bills for council tax, telephone, fuel and other essential services;
- bank or building society statements;
- credit card statements or bills;
- payslips;
- statements issued by HMRC, such as a P60 or a P45;
- HMRC tax documents, for example, tax assessment, statement of account and notice of coding;
- mortgage statements and other correspondence from mortgage lenders;

- letters from health authorities and trusts, hospitals, medical consultants, GPs or dentists;
- audited company accounts (or accounts yet to be audited);
- letters from employers about redundancy, employment contracts and so on;
- receipts, invoices or other documents showing spending;
- statements of account for savings, ISAs, shares, bonds, share options and other financial products representing assets;
- death certificates, wills, grant of probate and letters of administration;
- correspondence from Government departments (that show, for example, that you receive benefits or other entitlements); and
- letters and other documents from qualified solicitors, accountants, barristers, chartered surveyors and other professionals.

If you download bank, building society or credit card account statements from an online banking facility and they do not contain your name, account number, or details of the bank or the logo, please provide evidence that you got this document from the bank, credit card company or building society and that it represents your account.

We will use the documents you provide as evidence, including those in the list above, as evidence for every statement you have made about why you consider that you have a compelling reason to sell your property to avoid an unreasonable burden (see 1.1.3 of the guidance). Three simple examples could be:

- a P45, offer letter from a new employer, and a copy of an employment contract confirming a job offer or a change in employment that involves a significant change in location;
- child benefit statements proving that there are children in the household and that they are your dependants; and
- signed and dated letters from lenders, a number of recent bank or building society (savings accounts) and mortgage statements, payslips, HMRC statements and a summary of your income and outgoings, which together provide full evidence of the financial difficulties you have described and how urgently they need to be resolved.

## **Financial matters**

If your compelling reason to sell includes financial matters, it is very important that you provide official paperwork and records that give a complete picture of your finances. This includes full evidence of your income and outgoings, plus savings, loans, other assets and mortgages where relevant, and should cover an appropriate period before the date of your application (normally at least the last six months).

## **Job relocation**

If you have included a change of job or job relocation in the reasons for your application, the panel and decision-maker would expect you to provide at least the following (originals or certified copies).

- An official signed letter to you confirming the job offer or relocation. This must be on headed paper and from a named person employed by whoever is offering you the job.
- Confirmation of this person's position and how they are involved in the recruitment or relocation process (if not given in the letter).
- Documents or correspondence that give details of where the job relocation is from and to, and the timescales involved.
- Documents or correspondence giving the reasons for the job move or the business case for the relocation, if possible.

**Please tick the boxes for each section that you have filled in and provided evidence for.**

Criterion 1: Type of property ☐

Criterion 2: Location of property ☐

Criterion 3: Effort to sell and the effect of blight ☐

Criterion 4: No prior knowledge ☐

Criterion 5: Compelling reason to sell ☐

Please list, in order of the criteria, the supporting evidence that you are sending with this application form. Please use extra sheets if necessary.

.....

.....

.....

.....

.....

.....

.....

.....

Please use extra sheets to provide any other information you think is relevant to your application, and enclose them with your application. Please number the extra sheets and say which criterion they relate to.

How many extra sheets have you used (not including supporting evidence such as copies of documents)? .....

### How we will use your personal information

We and the Department for Transport will use the information you have provided on the application form only for the purpose of processing your application under the Need to Sell scheme.

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 the original of this 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.hs2.org.uk/privacy-notice](http://www.hs2.org.uk/privacy-notice)

### Where did you hear about the NTS scheme?

To help the Government understand how effective communications about the NTS scheme have been, please tell us where you first heard about the scheme.

National media ☐

HS2 Ltd or Department for Transport staff ☐

Local media ☐

Word of mouth ☐

Internet (including HS2 web pages) ☐

Library or community venue ☐

Public-consultation document or event ☐

Anti-HS2 campaign group ☐

Other .....

### Sending your application

Please send your filled-in application form, along with all supporting evidence, in hard copy (paper format) to the address below. **This is not the same as the head office address printed on the cover of this document.** We strongly recommend you send your application using Royal Mail Special Delivery, but we do not insist on this.

High Speed Two Limited  
Need to Sell Scheme team  
The Podium  
1 Evershot Street  
London  
NW1 2DN



**High Speed Two (HS2) Ltd**

Two Snowhill, Snow Hill Queensway  
Birmingham B4 6GA

Freephone: 08081 434 434

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

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