

1. WHAT ARE YOUR VIEWS ON THE PROPOSED ADVANCED PURCHASE ZONE?

1.1 While it is accepted that the safeguarded area may sometimes require an area greater than 60m either side of the line, the stretch of land safeguarded at the Western end of Ruislip (Map 16, Volume 1, http://highspeedrail.dft.gov.uk/sites/highspeedrail.dft.gov.uk/files/HS2-HS2-LP-MAP-000-000016_0.pdf) surpasses this considerably. This presents a real concern to the relevant Council (Hillingdon) and to constituents in relation to the purpose of the land. It is further unclear whether the use of this land shall be temporary or permanent.

1.2 We welcome the Government's recognition that the Blight Notice/Counter-Notice process can be stressful and time-consuming and thus its proposal to accept Blight Notices from all eligible property owners within the safeguarded area and to not require property owners to make 'all reasonable endeavours' to sell their property on the open market before accepting a Blight Notice. However there is a concern that, beyond the statutory compensation, the Government has introduced no proposal to address compensation for property owners who are ineligible under the statutory system, namely large businesses and landlords of properties. For many people, rental properties can be an alternative source of income and act as a pension fund. Some may have invested in property instead of a corporate pension. To exclude these groups arguably punishes hard-working people who have done the right thing by saving for their future.

1.3 There is a concern over the anxiety and uncertainty for properties partially in the safeguarded zone. The circumstances in which the Government may issue a Counter-Notice are not clear.

1.4 The Consultation notes that the approach set out "would not normally apply in those areas where safeguarding has been put in place to protect land above deep-bored tunnels or in regard to the compulsory purchase of subsoil rights". There is no clarification as to when this approach may apply in those areas. This is of great importance to residents of the London Borough of Hillingdon where tunneling will be extensive.

1.5 Furthermore there is no clarification on the deadline after which no further Blight Notices can be served.

1.6 It is unclear how households and business premises located near the safeguarded area will qualify for mortgage finance – thereby making remortgages, equity realize and business financing far harder to obtain.

2. WHAT ARE YOUR VIEWS ON THE PROPOSED VOLUNTARY PURCHASE ZONE FOR RURAL AREAS?

2.1 There is no clarification on how long any offer made by the Government would be valid.

2.2 We reiterate the concern in 1.2 that property owners who are ineligible under the statutory system are uncompensated in the Voluntary Purchase Zone (VPZ).

2.3 There is a real concern among residents in Hillingdon that Hillingdon will possess no VPZ. One reason a VPZ is not introduced is that Hillingdon is contained within the M25 where the impact of HS2 is "likely to be negligible" (2.16, p15, HS2 Property and Compensation Consultation). This is far from a strong reassurance. Moreover we believe that it is totally unfair to exclude areas of clearly rural character, such as Harefield, just because they are within the M25 perimeter. The wording itself is not reassuring.

2.4 We reiterate the concern in 1.3 relating to properties partially in the Zone. Though we welcome the principle that the Government will be likely to favour acceptance, there exists in this an uncertainty that the Government may contest applications.

2.5 The Consultation notes that the Government produces to introduce the VPZ "as soon as possible following the completion of this consultation". Our concern relates to the possibility of an unfair delay in the introduction of the VPZ in the face of mounting Blight Notices and limited administrative resources. We therefore urge the Government to put forward a date before which the VPZ must be introduced.

3. WHAT ARE YOUR VIEWS ON THE PROPOSALS FOR A SALE AND RENT BACK SCHEME?

3.1 The Government proposes not to extend the scheme to second home owners or landlords yet “reserves the right to make exceptions under certain circumstances”. There is no clarification as to what these circumstances might be.

3.2 As in 1.2 and 2.2 there is a concern over the eligibility of the sale and rent back scheme. The scheme is limited to those residential properties that will need to be demolished, thereby excluding second home owners, landlords and businesses.

3.3 While the sub-section on ‘Tenancy Contract’ sets out the conditions in which the Government may terminate the rental contract there is no clarification as to the rights of the tenant to terminate the contract. The Government should at the same time clarify the notice period it would expect to use in these tenancy agreements.

3.4 The value for money test is susceptible to weakness: where a tenant gives notice, unless a new tenant is immediately found (an extremely optimistic assumption), the accuracy of the value for money test shall break down. We strongly advise that such cost implications are included in the value for money test.

3.5 While the Consultation notes that sale and rent back tenants would not be allowed to sub-let the property, it is not clear whether tenants would be allowed to sub-let part of the property.

4. WHAT ARE YOUR VIEWS ON THE PROPOSED APPROACH TO THE APPLICATION OF THE HARDSHIP CRITERION FOR THE LONG TERM HARDSHIP SCHEME?

4.1 The Consultation notes that the Government is proposing this scheme because it recognises that “plans for the construction of HS2 are already having a significant impact on local property markets along the line of route” (Long Term Hardship Scheme Factsheet). Where residents have been blighted by plans for the construction of HS2 we feel it is unfair to restrict compensation only to residents with hardship.

4.2 As in 1.2, 2.2 and 3.2, there is a concern that it is unfair to restrict the scheme to residential owner-occupiers and thereby exclude landlords and businesses as this group may have a pressing need to sell/relocate. For example, landlords may require funds for their retirement and businesses may need to relocate to meet changing business needs.

4.3 We believe that there is a blatant contradiction between the criterion to “need to sell to avoid hardship” and demanding applicants wait “for at least 12 months prior to an application being made” to demonstrate “effort to sell”.

4.4 There is no clarification as to the duration of the Long Term Hardship Scheme, when it would commence and when it would cease operating.

4.5 It should be recognized that the “effort to sell” criterion may require updating in the coming years as the property markets change.

4.6 There is a concern that the 15% threshold required to qualify for the “effort to sell” criterion is too high and unfair, and could even cause or exacerbate any ‘hardship’.

4.7 With regard to the “no prior knowledge” criterion we believe the Government should change the date for eligibility to January 2012 rather than the original announcement date of March 2010 because it was only in 2012 that the current Government gave formal approval to a high speed rail network.

5. WHAT ARE YOUR VIEWS ON THE PROPOSED PROCESS FOR THE OPERATION OF THE LONG TERM HARDSHIP SCHEME?

5.1 It is of concern that there is no mechanism for appeal against the decision of the panel.

5.2 To reassure and respond more effectively to residents who are in hardship, the Government may wish to consider that a helpline is provided.

5.3 There is a concern amongst the public that purchase offers should not be limited to six months and that a period of twelve months is a more reasonable length of time.

5.4 The Government could confirm the rules by which panel decisions are made, whether they require unanimity or a majority.

6. WHAT ARE YOUR VIEWS ON THE GOVERNMENT'S PROPOSALS TO RESTORE CONFIDENCE IN PROPERTIES ABOVE TUNNELS?

6.1 We urge HS2 Ltd to publish the report on recent tunneling in the UK as soon as possible so that residents may be reassured.

6.2 The Government's proposal to conduct before and after surveys for each building "identified by HS2 Ltd as being at risk" presents two concerns:

(i) First, the designation of responsibility for the identification of buildings at risk rests with HS2 Ltd (an interested party) and this would hinder the restoration of confidence. We advise that the responsibility for the identification of buildings at risk rests with an accredited independent party.

(ii) Second, the Consultation states that very few properties will be at risk: "Only very rarely does settlement affect the structure of a building" (p26). If this is true then before and after surveys shall have little effect on restoring confidence since such surveys will hardly be conducted. These surveys should be available on a wider scale.

6.3 The Government proposes that second surveys on properties whose owners think they have been affected by tunneling can be requested within two years of the railway opening to the public. We believe that two years is not long enough: subsidence can occur long after tunnel construction.

6.4 The Government is planning to make Settlement Deeds available for all properties within 30 metres of tunneling works. However the Safeguarded Area is 60 metres on either side (and sometimes greater). Correcting this discrepancy so that Settlement Deeds are available for all properties within the Safeguarded Area, where tunneling works will exist, shall be more effective in restoring confidence.

6.5 It is not clear whether the Settlement Deed is a government underwritten guarantee or subject to the responsibility of HS2 Ltd.

7. WHAT ARE YOUR VIEWS ON HOW THE GOVERNMENT SHOULD WORK WITH LOCAL AUTHORITIES, HOUSING ASSOCIATIONS AND AFFECTED TENANTS TO AGREE A JOINT STRATEGY TO REPLACE ANY LOST SOCIAL RENTED HOUSING?

7.1 The Government recognizes that affected tenants, while benefitting from security of tenure and the 'right to buy', "have more limited rights to statutory compensation than homeowners". We believe that the compensation will be better balanced if tenants, like homeowners, are afforded moving fees upon being required to vacate their homes, beyond the home-loss payment of £4,700.

7.2 There is a case that the proposed home-loss payment of £4,700 is derisory. It is difficult to accept the discrepancy between the £47,000 payable to owner occupier and social renting tenants who may not own their own homes but have tenancies which give them very significant rights and security of tenure, sometimes for life.

7.3 It is not clear if the Government will be playing for replacement social housing where appropriate.