
EXCEPTIONAL HARDSHIP SCHEME SUGGESTED CONSULTATION RESPONSE

It is essential that as many people as possible respond to the Government/HS2's consultation on the proposals for the HS2 "Exceptional Hardship Scheme". Whilst many residents who disagree with HS2 may feel that compensation for property owners is not a priority/has no impact upon them due to the distance they live away from the proposed route, this consultation is the only direct way we currently have to influence thinking on Phase 2 of the project. All criticism/negative feedback will potentially influence thinking within Government and will prompt discussion/debate. Please visit <http://www.hs2.org.uk/have-your-say/consultations/phase-two/exceptional-hardship-scheme> for further information and go to <http://www.ipsos-mori.com/hs2phase2ehsconsultation> to submit an online response. Our recommendations for putting together responses are listed below:

- As a general point the consultation process is unfair as those affected have not been invited to consult despite living in the 'immediate vicinity'
- No certainty that the consultation process will involve everyone's views
- Risk therefore that people who are affected will not respond and therefore the views which are received from the consultation will not be properly representative

QUESTION 1

Do you agree or disagree that the Department of Transport should introduce an Exceptional Hardship Scheme for Phase Two ahead of decisions on how to proceed with the routes? What are your reasons?

- Agree that we need a scheme
- Blight to properties happened immediately on the announcement of the initial preferred route on 28 January 2013
- Properties have devalued and are unsellable
- Remedy is required for this now and until the end of the project
- Scheme should be broader in terms of the criteria. To restore confidence in the property market in the affected areas the scheme needs to be in place for the entire duration of the project

S WHAT

SWILLINGTON OULTON WOODLESFORD **HS2** ACTION TOGETHER

QUESTION 2

Do you agree or disagree with the proposed criteria underpinning the Exceptional Hardship Scheme for Phase Two? What are your reasons? Please specify any alternative principles you would propose, including specific criteria for determining qualification for the scheme.

- Disagree with the proposed criteria
- The proposed criteria is too limited and restrictive
- Scheme is stated to be set up to help those seriously affected who fall into 5 narrow criteria.
- “Seriously affected” is not defined but any loss in value to property should be deemed serious enough without further criteria being imposed
- Specifically the scheme should not be limited to owner occupiers, but should also include owners whose property is let.
- Location of Property as one of the criteria includes properties affected by construction or operation. How can that be considered before the route is finalised?
- How can an applicant to the scheme assess this?
- How can an applicant assess the distance of their property from the proposed route based on the maps which have been provided on the Department of Transport website
- In connection with other factors to be considered when looking at qualification to the scheme in terms of location – no restriction appears to be imposed in connection with 60 metres (120 metres in rural areas) which creates a significant disparity in the compensation packages being offered once the route is confirmed
- Potentially a much larger number of properties (in terms of location) which will be eligible to apply to the scheme but will not be entitled to compensation when the route is finalised. How can this be a fair system?
- The disparity created by this is completely unacceptable to affected properties
- The scheme presumes that if an offer of 85% is received from a potential purchaser that the applicant has to accept that offer. How can it be fair and just for people living in affected areas to be only entitled to sell their properties for 85% of their value
- No compensation is being offered to make up the difference

S WHAT

SWILLINGTON OULTON WOODLESFORD **HS2** ACTION TOGETHER

- The criteria of no prior knowledge simply makes affected properties even less attractive to potential buyers
- Exceptional Hardship criteria is completely inequitable. The scheme should be available to anyone who wants to move and is rendered unable due to HS2
- Scheme provides that exceptional hardship cannot be predefined. This results in the scheme being so uncertain and so limited, it simply cannot be fair.

Alternative principles

- Anyone who has suffered a loss in value to their property and is unable to move, remortgage, equity release as a result of HS2 should be fully compensated
- The construction and operation of HS2 should not impose a loss on individuals by reducing the value of property.
- The blighting of property is a cost which should be borne in full by HS2 Limited/DfT
- The loss in value to property should be determined by the market
- The freedom to move without suffering a financial loss should be everyone's right
- Property owners should not be expected to subsidise the cost of HS2 – immediate access to fair compensation for all should be part of the budget for the project
- The Exceptional Hardship criteria should include everyone wanting or needing to move. There should be no criteria attached to this
- Compensation should be paid to 100% of the blight free market value. There should be no requirement for applicants to accept offers of only 85% of the value
- The principles of the Property Bond Scheme proposed by the HS2 Action Alliance are much more fair and equitable



QUESTION THREE

Do you agree or disagree with the proposed process for operating the Exceptional Hardship Scheme for Phase Two? What are your reasons? Please specify any alternative arrangements you would suggest.

- Disagree with the proposed process – the proposed scheme of operation is unfair and prejudicial to the applicant.
- HS2 Ltd should agree to purchase any property put on the market if it has lost value because of HS2
- The panel of members determining applications should be fully independent and not appointed by HS2 Ltd/DfT (as is the current process)
- The panel should be empowered to make the decision and not just a recommendation to the Secretary of State
- The applicant should be able to choose any valuer they wish, not just from the 'pool' list pre-vetted by HS2 Ltd/DfT
- There should be a right of appeal