

Response from Balsall Parish Council to the HS2 Property and Compensation Consultation

1. Introduction

This document is the response of Balsall Parish Council to the Department for Transport Consultation: *High Speed Two: Property and Compensation for London-West Midlands*.

Many residents of the Parish have experienced serious prolonged financial and personal difficulties due to blight from the HS2 scheme, and the Council believes HS2 Ltd should provide prompt and full relief.

It would appear that many other areas have similar problems, and the Council is concerned that objective data on the extent of the blight has not been published to put the Consultation on a proper basis, and this could undermine any conclusions reached.

Only the most badly affected people are thought likely to make their problems known to the Parish Council and elected representatives, and there has not been a systematic study carried out by the local authority (Solihull MBC).

The consultation is also affected by the incomplete information on the maps released by HS2 Ltd. It would appear that definition of the land required for many ancillary features for construction and operation is behind schedule.

Furthermore, the Consultation would have been more relevant if it had been preceded by a Strategic Environmental Assessment to identify the geographical extent of impacts from the scheme

2. Q1. What are your views on the proposed advanced purchase process?

The scheme should be expanded to include people who rent out their properties and the owners of second homes.

The home-loss disturbance payment should be more like the 30% advocated by the Country Land and Business Association, and should not be capped.

3. Q2. What are your views on the proposed voluntary purchase zone for rural areas?

Blight is likely to extend everywhere in sight or sound of the line, and throughout all areas affected by construction work and road changes. Viaducts, tunnelling, construction works, flood risk, power lines and transformers, night-time operations, and train noise, are primary concerns causing blight. The Parish Council wants the only criterion for eligibility to be "Loss of Market Value", not an arbitrary geographic limit.

The HS1 scheme is now very dated, and in any case, HS2 will have a much larger environmental footprint.

The VPZ scheme does not include home-loss payments or moving costs, and these must be included, as in the Advanced Purchase Scheme.

4. Q3. What are your views on the proposals for a sale and rent back scheme?

In the interest of basic fairness, all those experiencing blight should have the option of the Sale and Rent Back proposal. Otherwise, many usable homes could be left empty for years and be lost to the housing market.

The application process and letting arrangements need to be simplified to match normal commercial practice for lettings.

5. Q4. What are your views on the proposed approach to the application of the hardship criterion for the long term hardship scheme?

It is completely unacceptable for owners of property blighted by HS2 to have to demonstrate "hardship" before they receive any compensation if they want to move house in the next 15 years. The property market cannot function normally if large numbers of property owners are prevented from moving or re-mortgaging.

"Future hardship" seems to be covered, but it appears applicants will still need to demonstrate financial stress. "Loss of market value" is the only factor that should be used to determine eligibility, rather than the "substantially adversely affected" of the current EHS scheme.

There appears no justification to increase the sale period on the market to 12 months, and this should be reduced to the 3 months of the current EHS.

The 15% loss that owners are expected to incur, without eligibility for compensation, should be reduced substantially.

Small businesses, rented properties, and second homes should be included in the scheme.

A Property Bond scheme is a far fairer system to cope with long-term blight. It allows properties to be sold at full non blighted value, with the promise of compensation to the eventual owner if the scheme turns out to have a deleterious effect on properties. A Property Bond system was supported by major property professionals in the 2011 consultation, and is now promoted by the Country Land and Business Association and the Council of Mortgage Lenders.

The "No prior knowledge" requirement could make current owners bear the full loss, as future owners would be ineligible. A Property Bond scheme would eliminate this intrinsic unfairness.

6. Q5. What are your views on the proposed process for the operation of the long term hardship scheme?

Qualified specialists should be allowed to represent applicants, particularly for re-applications. If medical eligibility is retained as a factor, the assessment panel must be medically qualified.

Guidance notes for applicants need to be made available, and applicants should be given all the evidence on which a decision has been taken.

This would support a fully independent appeal system, which should be a key feature of the scheme.

7. Q6. What are your views on the Government's proposals to restore confidence in properties above tunnels?

The proposals are inadequate, as they only cover the repair of damage caused by tunnelling, and do not compensate for blight.

The compensation arrangements need to be far more comprehensive, with the inclusion of blight, and the purchase of sub-soil rights should be properly valued.

Everyone who is exposed to the impacts of tunnelling (construction and operation) should be eligible to receive survey costs, even if they are considered to be at low risk.

8. Q7. 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?

HS2 Ltd should be fully responsible for providing suitable accommodation for persons displaced from social rented housing.

Where rented property is blighted by the environmental impact of HS2, there should be a mechanism to ensure that the reduction in property value is reflected in lower rents for tenants. This should continue indefinitely.

9. Community compensation

The Parish Council believes there should be proper compensation to communities as a whole, when their environment and amenities are degraded by the construction and operation of HS2.

The area already benefits from a Community Fund scheme run by Birmingham Airport, and the Government is proposing similar measures for other undesirable developments, such as wind farms.

The Parish Council believes that a Community Fund should be put in place to support local community projects and activities. It would be funded by HS2 Ltd and the train operating companies with fixed annual payments plus penalty charges.

The fixed element would reflect the general loss of amenity, while the penalty charges would be for specific environmental breaches. The charge for excess noise could vary with the time of day, and other charges could be calculated for the CO₂ emissions per passenger at stations, the proportion of non-recyclable waste, and the number of passengers accessing the station by car.