
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations increase the amount of home loss payments payable under section 30 of the Land Compensation Act 1973 (“the Act”) and formerly prescribed in the Home Loss Payments (Prescribed Amounts)(England) Regulations 2004. A person is entitled to a home loss payment when he is displaced from a dwelling by compulsory purchase or in the other circumstances specified in section 29 of the Act as last amended by the Planning and Compulsory Purchase Act 2004.

Section 30(1) of the Act provides that in cases where a person occupying a dwelling on the date of displacement has an owner’s interest, the amount of home loss payment is calculated as a percentage of the market value of the interest, subject to a maximum and minimum amount.

Section 30(2) prescribes the amount of the home loss payment in any other case.

Regulation 2(2)(a) of these Regulations increases the amount payable under section 30(1) of the Act from £34,000 to £38,000 and regulation 2(2)(b) increases the minimum amount from £3,400 to £3,800. Regulation 2(3) increases the home loss payment under section 30(2) of the Act in any other case from £3,400 to £3,800.

These increases have been calculated by reference to the Office of the Deputy Prime Minister’s house price index and reflect an increase in line with house price inflation.

The revised amounts apply where the displacement occurs on or after 1st September 2005.

A full regulatory impact assessment has not been produced for these Regulations, as they have no impact on the costs of businesses, charities and voluntary bodies.