

2018 No. 915

ACQUISITION OF LAND, ENGLAND

COMPENSATION

**The Home Loss Payments (Prescribed Amounts) (England)
Regulations 2018**

<i>Made</i> - - - -	<i>31st July 2018</i>
<i>Laid before Parliament</i>	<i>2nd August 2018</i>
<i>Coming into force</i> - -	<i>1st October 2018</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 30(5) of the Land Compensation Act 1973(a):

Citation, commencement and application

1.—(1) These Regulations may be cited as the Home Loss Payments (Prescribed Amounts) (England) Regulations 2018 and come into force on 1st October 2018.

(2) These Regulations apply in relation to cases of displacement(b) in England only.

Revision of prescribed amounts for home loss payment

2.—(1) This regulation applies where the date of displacement is on or after 1st October 2018.

(2) For the purposes of section 30(1) of the Land Compensation Act 1973—

(a) the prescribed maximum amount of home loss payment(c) is £63,000; and

(b) the prescribed minimum amount of home loss payment is £6,300.

(3) For the purposes of section 30(2) of the Land Compensation Act 1973, the prescribed amount of home loss payment is £6,300.

Revocation and savings

3.—(1) Subject to paragraph (2), the Home Loss Payments (Prescribed Amounts) (England) Regulations 2017(d) are revoked.

(2) The Regulations mentioned in paragraph (1) are to continue to have effect in relation to a displacement occurring before 1st October 2018.

(a) 1973 c.26. Section 30 was substituted by section 68(3) of the Planning and Compensation Act 1991 (c.34) There are other amendments not relevant to this instrument.

(b) “Displacement” has the meaning given in section 29(1) of the Land Compensation Act 1973.

(c) For the definition of “home loss payment”, see section 29(1) of the Land Compensation Act 1973.

(d) S.I. 2017/769.

Signed by authority of the Secretary of State for Housing, Communities and Local Government

31st July 2018

Bourne of Aberystwyth
Parliamentary Under Secretary of State
Ministry of Housing, Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the maximum and minimum amount of home loss payments payable in England under section 30(1) of the Land Compensation Act 1973 (c.26) (“the Act”) and the amount payable under section 30(2) of the Act. A person is entitled to a home loss payment when they are displaced from a dwelling on any land by compulsory purchase or in the other circumstances specified in section 29 of the Act.

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) specifies the amount of the home loss payment in any other case.

Regulation 2(2)(a) of these Regulations increases the maximum amount payable under section 30(1) of the Act from £61,000 to £63,000 and regulation 2(2)(b) increases the minimum amount from £6,100 to £6,300.

Regulation 2(3) increases the home loss payment under section 30(2) of the Act from £6,100 to £6,300.

The revised amounts apply where the displacement occurs on or after 1st October 2018.

Regulation 3 revokes, with savings, the Home Loss Payments (Prescribed Amounts) (England) Regulations 2017 (S.I. 2017/769).

An impact assessment has not been produced for these Regulations as they put into effect an up-rating in line with house price inflation.

The Explanatory Memorandum will be published alongside the instrument on www.legislation.gov.uk.

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£4.90

UK201807311005 08/2018 19585

<http://www.legislation.gov.uk/id/uksi/2018/915>

ISBN 978-0-11-117209-4



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