
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 in consequence of the compulsory acquisition of an interest in that dwelling or in the other circumstances specified in section 29 of the Act, subject to the terms of that section. Section 30 of the Act specifies the amount of home loss payment in each case.

Section 30(1) of the Act provides that in cases where a person occupying (or treated as occupying) a dwelling on the date of displacement has an owner’s interest (being the interest of a person who is an owner as defined in section 7 of the Acquisition of Land Act 1981 (c. 67)), the amount of the 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 of home loss payment under section 30(1) of the Act from £64,000 to £65,000, and regulation 2(2)(b) increases the minimum amount from £6,400 to £6,500.

Regulation 2(3) increases the amount of home loss payment under section 30(2) of the Act from £6,400 to £6,500.

The revised amounts apply where the date of displacement is on or after 1st October 2020.

Regulation 3 revokes, with savings, the Home Loss Payments (Prescribed Amounts) (England) Regulations 2019 (S.I. 2019/1117).

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

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