

2022 No. 793

ACQUISITION OF LAND, ENGLAND

COMPENSATION

**The Home Loss Payments (Prescribed Amounts) (England)
Regulations 2022**

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| <i>Made</i> - - - - | <i>12th July 2022</i> |
| <i>Laid before Parliament</i> | <i>15th July 2022</i> |
| <i>Coming into force</i> - - | <i>1st October 2022</i> |

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

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Home Loss Payments (Prescribed Amounts) (England) Regulations 2022 and come into force on 1st October 2022.

(2) These Regulations extend to England and Wales and 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 2022.

(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 £78,000; and

(b) the prescribed minimum amount of home loss payment is £7,800.

(3) For the purposes of section 30(2) of the Land Compensation Act 1973, the prescribed amount of home loss payment is £7,800.

Revocation and savings

3.—(1) Subject to paragraph (2), the Home Loss Payments (Prescribed Amounts) (England) Regulations 2021(d) are revoked.

(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) Section 29(1) of the Land Compensation Act 1973 sets out the circumstances in which a person displaced from a dwelling is entitled to a home loss payment (as defined in that section).

(c) See section 29(1) of the Land Compensation Act 1973 for the definition of home loss payment.

(d) S.I. 2021/841.

(2) The Regulations mentioned in paragraph (1) are to continue to have effect in relation to a displacement occurring before 1st October 2022(a).

Signed by authority of the Secretary of State for Levelling Up, Housing, and Communities

12th July 2022

Eddie Hughes
Parliamentary Under Secretary of State
Department for Levelling Up, Housing and Communities

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) of the Act 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 £71,000 to £78,000, and regulation 2(2)(b) increases the minimum amount from £7,100 to £7,800.

Regulation 2(3) increases the amount of home loss payment under section 30(2) of the Act from £7,100 to £7,800.

The revised amounts apply where the date of displacement is on or after 1st October 2022.

Regulation 3 revokes, with savings, the Home Loss Payments (Prescribed Amounts) (England) Regulations 2021 (S.I. 2021/841).

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.

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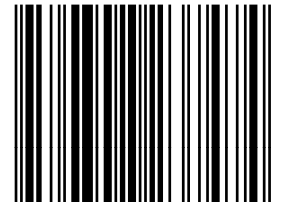
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(a) Regulation 3(2) of the Home Loss Payments (Prescribed Amounts) (England) Regulations 2021 makes saving provision in relation to displacements occurring before 1st October 2021.

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