

2023 No. 803

ACQUISITION OF LAND, ENGLAND

COMPENSATION

**The Home Loss Payments (Prescribed Amounts) (England)
Regulations 2023**

<i>Made</i>	- - - -	<i>13th July 2023</i>
<i>Laid before Parliament</i>		<i>17th July 2023</i>
<i>Coming into force</i>		<i>1st October 2023</i>

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

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Home Loss Payments (Prescribed Amounts) (England) Regulations 2023 and come into force on 1st October 2023.

(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 2023.

(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 £81,000; and

(b) the prescribed minimum amount of home loss payment is £8,100.

(3) For the purposes of section 30(2) of the Land Compensation Act 1973, the prescribed amount of home loss payment is £8,100.

Revocation and savings

3.—(1) Subject to paragraph (2), the Home Loss Payments (Prescribed Amounts) (England) Regulations 2022(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. 2022/793.

(2) The Regulations mentioned in paragraph (1) are to continue to have effect in relation to a displacement occurring before 1st October 2023(a).

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

13th July 2023

Dehenna Davison
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 £78,000 to £81,000, and regulation 2(2)(b) increases the minimum amount from £7,800 to £8,100.

Regulation 2(3) increases the amount of home loss payment under section 30(2) of the Act from £7,800 to £8,100.

The revised amounts apply where the date of displacement is on or after 1st October 2023.

Regulation 3 revokes, with savings, the Home Loss Payments (Prescribed Amounts) (England) Regulations 2022 (S.I. 2022/793).

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.

© Crown copyright 2023

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of His Majesty’s Stationery Office and King’s Printer of Acts of Parliament.

(a) Regulation 3(2) of the Home Loss Payments (Prescribed Amounts) (England) Regulations 2022 makes saving provision in relation to displacements occurring before 1st October 2022.

£4.90

<http://www.legislation.gov.uk/id/uksi/2023/803>

ISBN 978-0-34-825007-7



9 780348 250077