

2007 No. 1750

**ACQUISITION OF LAND, ENGLAND**  
**COMPENSATION, ENGLAND**

**The Home Loss Payments (Prescribed Amounts) (England)**  
**Regulations 2007**

<i>Made</i> - - - -	<i>15th June 2007</i>
<i>Laid before Parliament</i>	<i>26th June 2007</i>
<i>Coming into force</i> - -	<i>1st September 2007</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 and application**

1.—(1) These Regulations may be cited as the Home Loss Payments (Prescribed Amounts) (England) Regulations 2007 and shall come into force on 1st September 2007.

(2) These Regulations shall apply in relation to cases of displacement 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 September 2007.

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

- (a) the prescribed maximum amount of home loss payment(b) shall be £44,000; and
- (b) the prescribed minimum amount of home loss payment shall be £4,400.

(3) For the purposes of section 30(2) of the Land Compensation Act 1973 the prescribed amount of home loss payment shall be £4,400.

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(a) 1973 c.26. Section 30 was substituted by section 68(3) of the Planning and Compensation Act 1991 (c. 34). These powers are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); see the entry in Schedule 1 to the Land Compensation Act 1973. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32), they were transferred to the Welsh Ministers.

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

**Revocation and savings**

3.—(1) Subject to paragraph (2), the Home Loss Payments (Prescribed Amounts) (England) Regulations 2006<sup>(a)</sup> are revoked.

(2) The Regulations mentioned in paragraph (1) shall continue to have effect in relation to a displacement occurring before 1st September 2007.

Signed by authority of the Secretary of State

15th June 2007

*Kay Andrews*  
Parliamentary Under Secretary of State  
Department for Communities and Local Government

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<sup>(a)</sup> S.I. 2006/1658.

## **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”). 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.

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 £40,000 to £44,000 and regulation 2(2)(b) increases the minimum amount from £4,000 to £4,400.

Regulation 2(3) increases the home loss payment under section 30(2) of the Act from £4,000 to £4,400.

These increases have been calculated by reference to the Department for Communities and Local Government’s house price index, which varies in line with changes to house prices.

The revised amounts apply where the displacement occurs on or after 1st September 2007.

Regulation 3 revokes, with savings, the Home Loss Payments (Prescribed Amounts) (England) Regulations 2006.

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

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