

2016 No. 789

ACQUISITION OF LAND, ENGLAND

COMPENSATION

**The Home Loss Payments (Prescribed Amounts) (England)
Regulations 2016**

<i>Made</i> - - - -	<i>21st July 2016</i>
<i>Laid before Parliament</i>	<i>22nd July 2016</i>
<i>Coming into force</i> - -	<i>1st October 2016</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 2016 and come into force on 1st October 2016.

(2) These Regulations 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 October 2016.

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

(a) the prescribed maximum amount of home loss payment(b) is £58,000; and

(b) the prescribed minimum amount of home loss payment is £5,800.

(3) For the purposes of section 30(2) of the Land Compensation Act 1973, the prescribed amount of home loss payment is £5,800.

Revocation and savings

3.—(1) Subject to paragraph (2), the Home Loss Payments (Prescribed Amounts) (England) Regulations 2015(c) are revoked.

(a) 1973 c.26. Section 30 was substituted by section 68(3) of the Planning and Compensation Act 1991 (c.34).

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

(c) S.I. 2015/1514.

(2) The Regulations mentioned in paragraph (1) are to continue to have effect in relation to a displacement occurring before 1st October 2016.

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

Gavin Barwell
Minister of State

21st July 2016

Department for Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations increase the amount of home loss payments payable in England under section 30 of the Land Compensation Act 1973 (“the Act”). A person is entitled to a home loss payment when they are 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 £53,000 to £58,000 and regulation 2(2)(b) increases the minimum amount from £5,300 to £5,800.

Regulation 2(3) increases the home loss payment under section 30(2) of the Act from £5,300 to £5,800.

The revised amounts apply where the displacement occurs on or after 1st October 2016.

Regulation 3 revokes, with savings, the Home Loss Payments (Prescribed Amounts) (England) Regulations 2015 (S.I. 2015/1514).

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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