

High Speed Two:

Exceptional Hardship Scheme for Phase Two

Final Consultation Summary Report

July 2013

Produced by Ipsos MORI for the Department for Transport and HS2 Ltd.

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EXECUTIVE SUMMARY

Overview of the consultation

On 28 January 2013, the Government published its initial preferred route options for Phase Two: *High Speed Rail: Investing in Britain's Future – Phase Two: the route to Leeds, Manchester and beyond*. Due to the extent of the time period between the publication of the initial preferred route and the announcement of the final route, the Government intends to introduce a discretionary property purchase scheme for Phase Two of HS2 (as was done for Phase One of HS2). A consultation on a proposed Phase Two Exceptional Hardship Scheme (EHS) was therefore launched at the same time as the announcement of the initial preferred route options to enable individuals and organisations to put forward their views of these proposals.

The consultation ran initially for 13 weeks and was then extended a further three weeks to 20 May 2013. In total, 3,056 responses were received via a number of different response channels. There were 1,786 responses submitted on the response form, and 183 letters/emails sent to the designated response address. In addition, a total of 1,087 organised campaign responses were received.

Ipsos MORI was commissioned to undertake the analysis of the responses to this consultation. As the three consultation questions on the proposals were open, free-text response questions, this analysis is qualitative in nature. There is a great deal of overlap between the themes arising and the points made across the questions. It is also important to note that this report can only document the responses given to the consultation. The consultation analysis, as for any consultation, does not comprise the views of a representative sample of residents or organisations, nor may the responses have fully explained the views of those responding on every relevant matter.

Finally, it is important to note that the scheme in question is a discretionary property purchase scheme that aims to enable people to sell their properties. However, many of the comments on the consultation ranged more widely than this and the suggested alternatives often had different objectives and mechanisms to the proposed Phase Two EHS.

Question 1 – Proposed scheme and objectives

Respondents who expressed an opinion at Question 1 universally favoured the introduction of some kind of Government scheme to aid those who lived within the area of the initial preferred route options for HS2 Phase Two. No respondents said that there should be no scheme at all, even if they said they disagreed with the introduction of a scheme.

However, many of the 605 respondents who expressed agreement with the introduction of an Exceptional Hardship Scheme actually disagreed with the Phase Two EHS proposed, or supported a different sort of scheme altogether. This was because of a widely-held belief among respondents that redress for loss that resulted from HS2 should not be restricted by a set of criteria.

Many respondents talked specifically about their personal circumstances and it was apparent that responses about the potential scheme, what it should cover and how it should be implemented, were often influenced by their own situation. Most of those individuals who responded via the response form said that they owned a property and lived within the area of the Government's initial preferred route options for Phase Two (779 respondents), and a further 49 respondents said they owned a property within the area, but lived elsewhere.

Outlined below are the main reasons that respondents gave for whether they agreed or disagreed with the question of whether the Government should introduce an Exceptional Hardship Scheme for Phase Two:

- **Comments about the impact of the proposed route on property.** A key argument put forward in favour of a scheme was the negative impact on property prices following the announcement of the initial preferred route for HS2 Phase Two. There was also concern among respondents that their properties/businesses would be unsellable or that the proposed route would negatively affect future sales of property.
- **Personal reasons.** Many individual respondents focused on their own personal circumstances when they gave reasons for or against the introduction of a scheme – often highlighting instances in which they had a pressing need to sell.
- **Compensation and financial impact.** Compensation and financial impact were key topics that respondents raised. Much of the opposition to the scheme came from the fact that it was seen to be too limited in its scope, and many

respondents argued that any scheme should go much further to provide redress to those affected by the announcement of the initial preferred route.

- **Comments about effects on local area and quality of life.** Another key theme raised by respondents was the wider impact of the proposals for Phase Two HS2. Respondents expressed concerns about the effects on local quality of life, as well as the emotional impact, which would go beyond anything covered by the proposed Phase Two EHS.

Each of these topics added to the general narrative of many of the responses to the consultation, which was that a scheme was needed, but that the scheme should be more extensive than the one proposed. A number of respondents also commented upon the perceived fairness of the scheme. If HS2 was to the benefit of the country at large, it was argued that the scheme should help ensure that residents near the preferred route did not have to bear its costs unfairly.

Question 2 – Principles and Criteria

Overall, more respondents disagreed than agreed with the criteria for establishing eligibility to the proposed Phase Two EHS. In total, 397 respondents expressed disagreement with a criterion or an element of a criterion, compared with 118 respondents who expressed agreement with a criterion or an element of a criterion.

Many of the specific comments on the individual criteria essentially requested their removal altogether. This reflects the statements made by many respondents that anyone who had suffered blight as a result of the announcement of the preferred route should be eligible for some sort of redress.

1. Property type

The most common comment about this criterion was that all properties should be included in the scheme (214 mentions). Some respondents specifically objected to the exclusion of second homes, rented homes (although the situations people highlighted could not be dealt with by a property purchase scheme) and larger businesses. It was argued that it might be necessary to sell these types of property to prevent exceptional hardship.

2. Location of property

This criterion received the highest number of favourable comments, with the lack of a defined outer limit remarked upon positively by 59 respondents.

Seventy-five respondents felt that this criterion was too restrictive. It was argued that the existence of this criterion confined the Phase Two EHS to the physical impact of HS2 but establishing blight, whether as a result of the physical impacts of HS2 or not, should be sufficient to establish eligibility for the scheme.

It was apparent that there was some misunderstanding about this criterion with 26 respondents expressing disagreement with a boundary in rural areas, although no such boundary was proposed in the consultation document.

3. Effort to sell and the impact of blight

The belief that eligibility for the scheme should be based solely on loss and/or blight underpinned many of the arguments against this criterion, as it was seen as requiring applicants to establish more than blight.

Some respondents argued that it should not be necessary to demonstrate effort to sell, where it was clear to them that blight had taken place. This reflected the urgency to sell properties that some respondents expressed.

A lack of offers within 15% of a realistic asking price was described in the consultation document as one of the things that would be taken into consideration as evidence of reasonable efforts to sell a property within current market conditions. This issue was the most discussed element of this criterion, and 205 respondents expressed disagreement.

This was largely because some respondents interpreted this element of the policy to mean that offers within 15% of a realistic asking price had to be accepted. It was argued that it was unfair that people had to suffer up to a 15% loss in the value of their property. It was therefore suggested that this element of the criterion be removed.

4. No prior knowledge of Phase Two of HS2

While a few respondents described this criterion as reasonable as it limited the scheme to those who bought properties when they were unaware of the proposed route, others raised concerns that it crystallised blight and depressed prices. It was therefore argued by those that this criterion should be removed.

A few respondents commented on the necessity of a fixed date after which people should be expected to know about HS2, which was the intention of the policy.

5. Exceptional hardship necessitating an urgent need to sell

Of the five proposed criteria, this prompted the most negative responses among respondents. Dissatisfaction with it underpinned much of the disagreement with the proposed Phase Two EHS, namely that the scheme should cover anyone who suffered a loss because of HS2, not just those who could demonstrate exceptional hardship.

Consequently the most common suggestion was to remove the requirement for exceptional hardship (178 mentions) and the requirement for an urgent need to sell (52 mentions).

Question 3 – Process for operating the EHS

More respondents disagreed than agreed (433 disagreed and 188 agreed) with the proposed process to operate the Exceptional Hardship Scheme for Phase Two. Central to this were comments about the independence and neutrality of the process and that it was unfair or overly complicated. Some of these concerns resulted from what some respondents saw as a bureaucratic process that might prove impenetrable to some applicants, and which might in turn delay the process or deter people from applying altogether.

The independence of the panel was the most contentious issue, with respondents arguing that it should be completely independent from Government/HS2 Ltd involvement. Some respondents suggested that the panel be appointed by an independent body, and specific suggestions included the Royal Institute of Chartered Surveyors and MPs whose constituencies were affected. There were also calls for a range of individuals and organisations to be represented on the panel in order to allay the concerns of respondents.

This emphasis that many respondents placed on the independence of the process was also reflected in comments made about appeals. While the consultation document set out the circumstances in which an applicant could reapply, there was a desire among many respondents for a mechanism for appeal which did not involve the original panel and which was seen to be independent.

Some respondents commented that applicants should be allowed to have free choice of valuers (82 mentions) and that all information, facts and figures should be made available to the public (94 mentions). The provision of a helpline or some other independent advice to potential applicants was also suggested (48 mentions).

Alternatives to Phase Two EHS

Two main alternatives to EHS were suggested in responses to the consultation: a wider compensation scheme based solely on loss and a property bond scheme.

The term 'compensation' was used by many respondents as shorthand for some sort of redress for perceived loss. Of less interest was the mechanism by which redress was provided (i.e. a property purchase scheme or providing monetary compensation) and this was not commented upon specifically in many instances.

When respondents put forward alternative mechanisms to address adverse effects of HS2, they often proposed either monetary compensation or a property bond scheme with HS2 Ltd/the Government as the purchaser of last resort. These alternatives had different objectives and mechanisms to the scheme proposed in the response form, which was a discretionary property purchase scheme to enable people to sell their properties.

A handful of respondents (4 mentions) proposed alternative property purchase schemes where properties would automatically qualify and a few respondents argued that Government/HS2 Ltd should purchase blighted property now (5 mentions) as it should not be necessary to demonstrate blight.

Organised campaign responses

A number of respondents to the consultation used identical wording in their responses. A total of 10 sets of organised responses were received via the response form and letters, emails or postcards from 1,087 respondents. The points made in these organised campaign responses echoed the themes which emerged from the other responses.

A key point was that a wider scheme was required and that would provide redress to everyone who experienced loss through HS2. It was argued that eligibility ought to be based on loss alone and that there ought to be no requirement to show exceptional hardship. It should be for HS2 Ltd/the Government to bear any losses that arose as a result of HS2 and people should be able to move if they want to.

A number of the responses commented that the EHS Phase Two process should be independent and that there should be an independent appeal body. It was also suggested that applicants should be given a free choice of valuer (the consultation document proposes that applicants choose from a pool of Royal Institute of Chartered Surveyors qualified valuation firms).

Most of the organised campaign responses suggested the introduction of a property bond.

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OVERVIEW OF THE CONSULTATION

CHAPTER 1 - OVERVIEW OF THE CONSULTATION

BACKGROUND TO HS2

HS2 Ltd was set up by the Government in 2009 to explore the case for High Speed Two, a high speed rail line between London and the West Midlands and beyond. HS2 Ltd's original proposed plans for the route were reviewed alongside supporting studies and as a result, a slightly altered route was announced in December 2010. This route was then the subject of a public consultation which ran from February to July 2011.

Following analysis of the responses to this consultation, the Secretary of State for Transport decided to proceed with HS2 Ltd's recommended route for this high speed rail line in January 2012. This route is now known as Phase One. Additional recommendations by HS2 Ltd for a wider network, with the route continuing to Manchester and Leeds and connecting to the West and East Coast Main Line, were also accepted by the Secretary of State. This is now known as the initial preferred route for Phase Two, subject to changes following the route consultation later this year.

On 28 January 2013, the Government published the Command Paper detailing its initial preferred route options for Phase Two: *High Speed Rail: Investing in Britain's Future – Phase Two: the route to Leeds, Manchester and beyond*.¹

OVERVIEW OF THE PROPOSED EXCEPTIONAL HARDSHIP SCHEME

Following the announcement of the initial preferred route for Phase Two, the Government is aware there will be uncertainty about which properties will be affected by the project. Until the final route is published, it will remain unconfirmed which properties will need to be purchased in order to construct and operate the line, and which properties may be affected during its construction or operation.

This uncertainty may have a negative impact on the property values in the immediate vicinity of the initial preferred route. Until the final route is announced and statutory protection will become available, there is no legal obligation for the Government to offer redress to those adversely affected by this.

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69738/hs2-phase-two-command-paper.pdf

However, due to the extent of the time period between the publication of the initial preferred route and the announcement of the final route, the Government intends to introduce a discretionary property purchase scheme for Phase Two of HS2 (as was done for Phase One of HS2). This scheme would be available to residential, agricultural and small business owner-occupiers whose properties may be affected by the construction or operation of the proposed route and can demonstrate that they satisfy the criteria of the scheme. Those eligible will be able to apply to have their properties bought by the Government at their full, un-blighted value. The Government would pay for the required property valuation and would also, after acceptance of an offer to purchase, pay for a building survey, a title check and an agreed fixtures and fittings list.

The Government also recognises there may be a similar adverse affect on property owners caused by HS2 Ltd's additional work on developing options for serving Heathrow T5. The Government has made public HS2 Ltd's recommendations for a Heathrow spur and although this proposed route is not part of the initial preferred route for Phase Two, the Government intends to consider applications from property owners potentially affected by it under the proposed property purchase scheme for Phase Two.

The Exceptional Hardship Scheme (EHS) for Phase Two, is intended as an interim measure. It would therefore remain in place only until the normal statutory provisions for the assessment and payment of compensation would apply.

In summary, the proposed Exceptional Hardship Scheme for Phase Two is:

- Discretionary (i.e. not required by law).
- A property purchase scheme.
- An interim measure.
- Available to eligible residential, agricultural and small business owner-occupiers whose property values may be affected by the initial preferred route, stations and depot options for Phase Two and who can demonstrate that they have an urgent need to sell before the statutory protection for statutory blight or compulsory purchase takes effect.
- Based on five criteria to determine qualification, although discretion may be exercised in relation to any criterion if there is a strong case overall for an application to be accepted.

The aim of the Phase Two EHS would be to protect the interests of the following groups who meet the five criteria of the scheme (outlined below):

- Owner-occupiers (including freeholders and long leaseholders) of private residential properties.
- Owner-occupiers of business premises with an annual rateable value not exceeding £34,800.
- Owner-occupiers of agricultural units.
- Mortgagees (i.e. banks and building societies) with a right to sell a property and who can give immediate vacant possession.
- Personal representatives of a deceased person who had a qualifying interest at the time of death.

The Government initially expects Phase Two EHS to run until the end of 2016. This should ensure there is enough time to formally consult on the wider Phase Two route proposals, analyse responses and prepare the announcement of the final route decision.

CRITERIA TO DETERMINE QUALIFICATION TO THE EXCEPTIONAL HARDSHIP SCHEME

There are five criteria which owners of certain properties on, or in the vicinity of, any of the sections of the Phase Two initial preferred route options or the Heathrow spur route (including proposed stations) must meet in order to qualify for the EHS. These are set out below:

1. Property type – a qualifying interest in the property (ownership or otherwise).
2. Location of property (expected impacts of the line).
3. Effort to sell and the impact of blight.
4. No prior knowledge of Phase Two of HS2.
5. Exceptional hardship necessitating an urgent need to sell.

HOW THE EXCEPTIONAL HARDSHIP SCHEME FOR PHASE TWO WOULD OPERATE – PROCESS OVERVIEW

It is proposed that the Phase Two EHS would be managed by HS2 Ltd on behalf of the Secretary of State for Transport. The application process would be designed to enable applications to be made by individual members of the public rather than by professionals or others in the property industry.

Each application would be considered by a majority independent panel appointed by HS2 Ltd. The panel would then make a recommendation to the Secretary of State on whether an application should be accepted or not. The final decision on each case would be made by a decision maker appointed by the Secretary of State, who would consider both the advice of the independent panel and the evidence provided to the panel.

Successful applicants would have their property purchased by the Government at 100% of its unblighted open market value. This value would be calculated by two independent valuers selected from a pool of valuation firms who are qualified members of the Royal Institute of Chartered Surveyors and have relevant expertise in the property type and local area. One valuer would be chosen by the applicant, and one by HS2 Ltd.

Each independent valuer would provide an assessment of the property value and the final valuation would be based on the average of these two calculations. Should the valuation figures differ by more than 10%, the applicant would choose another valuer from the pool to conduct a third valuation. The offer made would then be based on the average of the closest two valuation figures.

Unsuccessful applicants would be notified of the outcome along with an explanation of why their application was refused. They would be eligible to reapply to the scheme if there was a material change in their circumstances or they were able to provide additional evidence related to the reason or reasons given for refusing their application. Applicants would be able to reapply as soon as there was a change in circumstances, or additional evidence became available.

Should a reapplication be submitted within six months of the original decision then it would only be considered (other than in exceptional circumstances) against the criterion or criteria upon which the previous application was refused. This would apply to cases where the applicant could prove their circumstances had not changed significantly or in a way that would affect the previous decision. In relation to decisions on location, this would only apply where the route had not changed since the original application.

In order to ensure the panel is as informed as possible when judging applications, particularly in relation to the location of property criterion, various resources would be

available to help them understand the location of the property and the landscape within which it, and the preferred line of route, sit. As well as maps of the area, the panel would use Geographical Information Systems (mapping software) and photographs (including aerial photographs of the preferred line of route when these become available) to inform their decisions on applications. Applicants would also be able to use photos to support their opinion on impacts of the railway.

The Government proposes to publish a guidance document for applications to the Phase Two EHS. This will include details of the scheme, how applications will be handled and will set out the type of evidence and level of detail needed to ensure the panel can properly assess the application. This aims to help ensure that applicants are as informed as possible on what type and detail of documentation they should submit as evidence.

HOW THE EXCEPTIONAL HARDSHIP SCHEME FOR PHASE TWO WOULD OPERATE – DEALING WITH APPLICATIONS

The Secretary of State would be required to provide a decision on each complete application within three months of receipt of the application. Successful applicants would then have until the end of the scheme's lifetime to decide whether to accept the offer to buy and begin the process of sale. Applicants would be under no obligation accept the Secretary of State's offer.

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THE CONSULTATION PROCESS

CHAPTER 2 - THE CONSULTATION PROCESS

TAKING PART IN THE CONSULTATION

The Phase Two EHS Consultation was launched alongside the announcement of the initial preferred route for Phase Two for HS2 on 28 January 2013. The purpose of the consultation was to give both individuals and organisations the opportunity to put forward their views and comments on the proposals for an Exceptional Hardship Scheme for Phase Two of HS2.

A twenty-page consultation document, giving details of the proposals, was made available on HS2 Ltd's website², together with a consultation response form to be returned by Freepost. A website³ and helpline were maintained by HS2 Ltd throughout the consultation, and a communications campaign was conducted to inform interested parties.

A total of 4,589 copies of the consultation document were distributed.⁴ Some 873 hard copies of the consultation document and materials were sent to libraries, Citizens Advice Bureaux and to local authorities, with a further 3,716 through the DfT document order line.

In addition, adverts were placed in local media and press notices were issued to all media and individuals who owned land or property directly affected by the initial preferred route for Phase Two of HS2. All of the information was also available on the HS2 Ltd website (www.hs2.org.uk). Ipsos MORI, the organisation commissioned to process responses to the consultation also ran an email helpdesk for queries specifically related to the consultation (e.g. to allow respondents to check if their postal response form had been received). Queries unrelated to taking part in the consultation were forwarded to the HS2 Enquiries Team (e.g. if an individual was asking for a property search).

² http://assets.hs2.org.uk/sites/default/files/inserts/9500-DfT-HS2-Phase%20%20EHS-Consultation_2_ACCESSIBLE.pdf

³ <http://www.hs2.org.uk/have-your-say/consultations/phase-two/exceptional-hardship-scheme>

⁴ This includes additional forms that were printed and distributed when the Secretary of State announced an extension to the consultation period on 25 April 2013. Please see page 19 of this report for more details on the extension.

There were a number of channels through which members of the public and organisations could make known their views on the proposed Phase Two Exceptional Hardship Scheme:

- Hard copy **response form** (a copy is provided in Appendix A of this document).
- Electronic **response platform** mirroring the hard copy response form, which could be accessed through the HS2 Ltd website.
- **Written letter** (a freepost address was provided on the hard copy response form, as well as on page 17 of the consultation document⁵).
- **Email** (via a dedicated email address HS2EHS@Ipsos.com).

When responses were sent to HS2 Ltd or the Department for Transport, rather than the official response channels described above, they were forwarded to Ipsos MORI for inclusion in the consultation analysis.

THE RESPONSE FORM AND THE CONSULTATION QUESTIONS

The consultation response form consisted of eight sides of A4, taken up by the questions asked about the proposals and details of those responding; these were different for those submitting their own response and those submitting a response on behalf of an organisation or group. The response form is reproduced in Appendix A. Participants who wished to give a longer answer than they could fit in the box were asked to continue on a separate sheet of paper and enclose it with the form. Responses could also be sent electronically, using a web-based response form.

The response form comprised three open questions as follows:

Question 1. Do you agree or disagree that the Department for Transport should introduce an Exceptional Hardship Scheme for Phase Two ahead of decisions on how to proceed with the routes? What are your reasons?

Question 2. Do you agree or disagree with the proposed criteria underpinning the Exceptional Hardship Scheme for Phase Two? What are your reasons? Please specify any alternative principles you would propose, including specific criteria for determining qualification for the scheme.

⁵ Some respondents sent their responses directly to HS2 Ltd or DfT. Where possible, these were forwarded to Ipsos MORI for analysis

Question 3. Do you agree or disagree with the proposed process for operating the Exceptional Hardship Scheme for Phase Two? What are your reasons? Please specify any alternative arrangements which you would suggest.

In addition to the three questions on the proposals for the Phase Two Exceptional Hardship Scheme, additional questions were asked of respondents:

- Whether the respondent was responding on behalf of themselves or on behalf of an organisation.
- Contact details (name/address/postcode/email) of those responding as individuals.
- Whether the individual lived/owned a property they considered is within the area of the Government's preferred route.
- Details of the organisation or group, including contact details and type of group/organisation.
- If additional evidence was submitted along with the response form.

TIMING OF THE CONSULTATION

The consultation was originally intended to run for 13 weeks. However, on 25 April, the Secretary of State for Transport announced that the consultation would be extended for a further three weeks due to the publication of additional information (detailed in the next paragraph). The consultation closed on Monday 20 May 2013 at 5pm. All responses dated and received within the consultation dates were treated as valid responses. In addition, to make allowance for any potential delays within the post or misdirection of emails, paper responses, letters and emails were accepted up until Thursday 30 May.

EXTENSION OF THE CONSULTATION

On 25 April 2013 the Secretary of State for Transport made available further information in relation to the proposed Phase Two EHS. A supplementary information note, outlining this additional information, was published online on HS2 Ltd's website⁶.

The additional information in the note consisted of:

⁶ http://assets.hs2.org.uk/sites/default/files/inserts/final%20web%20file_supplementary%20information%20note.pdf

- A summary of some of the more significant feedback that HS2 Ltd had received on the operation of the Exceptional Hardship Scheme that is already in place for Phase One, and the Government's responses to those points.
- Data about the operation of the EHS for Phase One.
- Also, the reader's attention was drawn to an already published study of property blight around the Phase One route in the six months immediately following the announcement of the proposed route⁷.

HS2 Ltd instructed Ipsos MORI to notify all respondents who had taken part in the consultation to 25 April 2013 about the additional information provided. Ipsos MORI sent an email notification on the evening on 25 April to respondents who had provided an email address. The text of the email can be found in Appendix E. This provided instructions to respondents in cases where they wished to provide further information or to add to their original response. A letter from the Chief Executive of HS2 Ltd (Alison Munro) was attached to the email, and can be found in Appendix E.

For those respondents who did not have an email address, their contact details were sent in an encrypted file to HS2 Ltd, to allow HS2 Ltd to send a notification by post.

Some respondents may have posted a response prior to the announcement on 25 April, but, due to delays within the postal system, Ipsos MORI may not have received their response until after the announcement. As such, it was decided to send further notifications in early May to these respondents. Responses received between 25 April – 8 May were notified of the extension on 7 and 8 May 2013. Again, the contact details of those without an email address were sent in an encrypted file to HS2 Ltd to allow HS2 Ltd to notify these respondents by post. A second letter from Alison Munro (Chief Executive of HS2 Ltd) is also appended (see Appendix E).

Twenty-seven respondents provided additional comments in the way requested by Ipsos MORI (see Appendix E). Additional comments provided by these respondents were added to their original response.

⁷ <http://assets.hs2.org.uk/sites/default/files/inserts/blight-study.pdf>

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RESPONSES TO THE CONSULTATION

CHAPTER 3 - RESPONSES TO THE CONSULTATION

NUMBER OF RESPONSES

In total, 3,056 responses were received within the consultation period (28 January 2013 – 20 May 2013). These responses were received via a number of different response channels, the breakdown of which is set out below:

Table 1 Response type	
	Count
Online response form Responses submitted via the response form on the consultation website	591 ⁸
Hardcopy response form Completed response forms submitted by post or email	1,195 ⁹
Letters and emails sent to the consultation response address Responses submitted by post/email not using the response form structure	183
Organised campaign responses Responses where it has been identified that many identical or near identical copies were submitted	1,087
Total	3,056

At the data processing stage, a number of duplicate responses were identified, where an individual had submitted more than one response via the same response channel. Where these instances were identified, the identical responses were removed from the final dataset and excluded from the final tally of responses. In total, 59 duplicate responses were identified, including 17 online response forms, 20 hardcopy response forms, 1 letter, 6 emails and 15 organised campaign responses.

⁸ In total, two pieces of accompanying evidence were sent in to submitted online response forms. As requested, these were sent in separately via email, and then linked to the response form submitted online. These pieces of additional information were coded and analysed alongside the response forms to which they belonged.

⁹ In total, 111 of these response hardcopy response forms were sent in with additional information attached. These pieces of additional information were coded and analysed alongside the response forms to which they belonged.

Responses have continued to come in since the close of the official consultation – these responses have been classified as late returns. Each of these responses has been logged and forwarded on to HS2 Ltd for consideration. As of Tuesday 26th June, 152 late responses have been received since the end of the consultation period. This includes 16 hardcopy response forms, 5 letters, 9 emails and 122 organised campaign responses.

BESPOKE AND CAMPAIGN RESPONSES

Some respondents chose not to use the response form and sent in bespoke written comments via letter, postcard and email. Respondents using the response form were directed to the consultation document and answered specific questions about the proposals being consulted upon. It is not known to what extent respondents submitting letters or emails were aware of the consultation document or the wording of the questions on the consultation proposals. While the figures provided in the text of the main body of this report combine mentions from response forms and letters/postcards/emails, it is important to bear this point in mind.

It is common in high profile public consultations for interest or campaigning groups to ask their members and supporters to submit responses conveying the same specific views. Where identically worded responses have been received (either as response forms or as letters, postcards and emails) these have been treated as organised campaign responses and reported upon separately. This is to ensure that it is possible to distinguish between responses which respondents have written themselves and responses where a number of respondents have chosen to use identical wording which has been provided by a campaign group. These organised campaign responses are reported upon in Chapter 8.

In addition to forming responses in their own right, it is likely that these campaigns have influenced responses via other methods by raising awareness and encouraging people to respond to the consultation. It is also apparent that arguments put forward by HS2 Action Alliance in particular have influenced other submissions, with some respondents making explicit reference to the HS2 Action Alliance.

ANALYSIS OF RESPONSES

Analysis of the responses to the three consultation questions required “**coding**” of the data. Coding is the process by which responses are matched against standard codes Ipsos MORI has compiled so that their content can be classified and analysed. Each of these codes represents a discrete theme or viewpoint raised by a number of participants in their verbatim responses; the complete coding frame is comprehensive in representing the whole range of opinions and “themes” given in the responses, and was continually developed throughout the consultation period as further responses were coded to ensure that any new themes that emerged were captured and no nuances lost. Any one response may have a number of codes applied to it if a participant makes more than one point, or addresses a number of different themes.

The coding and data handling procedures are set out in more detail in Appendix C, and the list of codes into which responses were classified (together with the number of responses falling into each) is given in Appendix C. Two separate codeframes were developed for analysing response forms and letters/emails. This is because those responding via letter/email constructed their own response which, in many cases, did not follow the same structure or nature of the Response Form.

Throughout the main body of this report, reporting of the consultation responses received is based upon these codeframes. It is important to note that the coding of responses must ensure that broadly similar responses are not sub-divided too finely. It is also sometimes the case that responses are to some extent ambiguous and might be intended to put any one of a number of related but distinct points. Therefore, it is sometimes necessary when reporting the number of responses making a particular point to express it in somewhat vague terms or with several alternative formulations.

In each response chapter, reporting is based on an analysis of key themes, whilst ensuring that important points (even if just put forward by one or few individuals) are still taken account of and reported on accordingly. For example, some of the alternatives are proposed by very few respondents. Nevertheless, these alternatives may be helpful to consider as final decisions are made on the scheme.

INTERPRETING FINDINGS

Two key points need to be made when considering the analysis of responses to this consultation.

Firstly, it is important to note that our analysis is qualitative in nature as the consultation questions were open, free-text response questions. There is a great deal of overlap between the themes arising and the points made across the three questions. Many of the arguments put forward by respondents are interlinked.

As this is a qualitative thematic analysis, numbers (where reported on) can never be treated as the complete picture. Where numbers are provided (e.g. the number of respondents who say that they agree or disagree with a particular aspect of the proposals or numbers of mentions of a particular point), these need to be treated with caution. Many respondents have not expressed agreement or disagreement or have not commented on specific issues raised by other respondents. Where this is the case, it is not possible to infer levels of agreement or disagreement or what their views might be.

Secondly, it is important to note that this report can only document the responses given to the consultation. A consultation in which the whole population is offered an opportunity to take part has some obvious advantages over opinion polls and similar exercises as a democratic tool allowing local residents, organisations and groups a voice in the decision-making process, but it is less effective at measuring how widely held particular opinions are.

The consultation does not comprise the responses of representative samples of owner-occupiers of private residential properties, business premises, agricultural units, mortgagees, or other interested parties, nor may the responses have fully explained the views of those responding on every relevant matter. It should not, therefore, be taken as a comprehensive statement of public and business opinion.

Typically with consultations, there can be a tendency for responses to come from those more likely to consider themselves affected, particularly negatively, and more motivated to express their views.

4

THE EXCEPTIONAL HARDSHIP SCHEME

CHAPTER 4 - PROPOSED EXCEPTIONAL HARDSHIP SCHEME AND ITS OBJECTIVES

This chapter provides a summary of responses to the consultation which address the issues relating to Question 1 in the consultation document.

Question 1 wording

Do you agree or disagree that the Department for Transport should introduce an Exceptional Hardship Scheme for Phase Two ahead of decisions on how to proceed with the routes? What are your reasons?

Description of Phase Two EHS in the Consultation Document

The Government is aware that until it makes a final decision on the route for Phase Two, there will be uncertainty about which properties will need to be purchased in order to construct and operate the line, or which additional properties may be affected during its construction or operation.

This may result in a negative effect on property values in the immediate vicinity of the initial preferred route options in the period before the final route is announced and statutory protection is available.

There is no legal obligation to address this. However, as HS2 is a project with a long timescale, the Government considers that those adversely affected should have access to some form of redress. This is why it intends to introduce a discretionary EHS for Phase Two of HS2 (as was done for Phase One of HS2) which would be available to eligible residential and small business owner-occupiers whose property value may be affected and who can demonstrate that they have a need to sell before the statutory protection takes effect.

The proposed Phase Two EHS is intended as an interim measure, which would remain in place only until such time as the statutory blight provisions apply.

At a later stage, following a decision on the final route, and if the Secretary of State decided to use compulsory purchase powers to acquire land, the normal statutory provisions for the assessment and payment of compensation would apply.

Summary of consultation responses

There was near consensus among respondents to the consultation that some form of scheme should be introduced for people whose properties had been affected by the announcement of the proposed line of route for HS2 Phase Two. No respondents, even amongst those who said they disagreed with the introduction of the EHS, said that there should be no scheme at all.

However many of the 605 respondents who expressed agreement with the introduction of an EHS actually disagreed with the Phase Two EHS proposed or supported a different sort of scheme altogether.

Generally the reasons that respondents gave for agreeing or disagreeing with the proposed scheme related to the perceived blighting effect that the announcement of the initial preferred route had on properties (741 mentions). The impact on quality of life (361 mentions) and the location (275 mentions) were also mentioned. A number of responses to the consultation focused upon respondents' personal circumstances (218 mentions), where they feel that they were being directly affected.

There were a number of comments on the perceived fairness of the scheme. Some respondents commented that it was unfair that residents should have to suffer loss as a result of HS2. If HS2 was to the benefit of the country at large, it was argued that the scheme should help ensure that residents along the proposed line did not have to bear its costs unfairly.

4.1 Overall reaction to proposed Phase Two EHS and its objectives

A total of 1,110 respondents responded to Question 1 in the response form or made comments on the issues asked about at Question 1.

The table below sets out the numbers of respondents who expressed specific agreement or disagreement with the proposals for the introduction of an Exceptional Hardship Scheme.

Table 2 Views on introduction of Phase Two EHS

	Count ¹⁰		
	Response Form	Whitemail ¹¹	TOTAL
Agree that DfT should introduce a Phase Two EHS	567	38	605
Agree that DfT should introduce a Phase Two EHS, but with caveats	42	9	51
Disagree that DfT should introduce a Phase Two EHS	47	16	63

When considering the number of respondents who said they agreed or disagreed with the question, it is important to note that many people who said that they 'agreed' there should be a Phase Two EHS, actually disagreed with the Phase Two EHS proposed by the Government and either supported a Phase Two EHS in a different form, or a different kind of scheme altogether. Equally, some of those who 'disagreed' went on to express their support for a scheme, but put forward particular objections to parts of the scheme proposed in the consultation document.

The nuances of this position become clearer when a further thematic analysis of respondents' comments is undertaken. Overall however, it is worth noting that the vast majority of respondents agreed that there should be a scheme of some form or other. This is demonstrated by the fact that no respondents, even among those who disagree with the scheme, said that there should be no scheme at all.

¹⁰ 'Agree', 'agree with caveats' and 'disagree' codes have been applied to responses where respondents have explicitly stated that they agree, agree with qualifications or disagree with the proposals. Agreement or disagreement has not been inferred if it has not been explicitly stated. As a result, there is a difference between the total of 'agree', 'agree with caveats' and 'disagree' mentions, and the total number of responses.

¹¹ Whitemail responses are free-text responses that were sent in, via email or post, that did not use the response form.

Most of those individuals who responded via the response form said that they owned a property and lived within the area of the Government's initial preferred route options for Phase Two (779 respondents), and a further 49 respondents said they own a property within the area, but live elsewhere. While these figures are only available for those who responded via the response form, this gives an indication of the personal nature of many of the responses to the consultation, which we go on to discuss further in this chapter.

4.2 Discussion

This section expands on the reasons that people gave for whether they agreed or disagreed with the introduction of a Phase Two EHS.

Reasons for agreeing and disagreeing with a Phase Two EHS

As highlighted above, many of the people who responded to the consultation said that they owned a property within the area of the initial Phase Two route options. These respondents felt that they had a personal, vested interest in the outcome of the consultation and any subsequently announced scheme. This context is important to consider for analysis of responses to Question 1 (as well as Questions 2 and 3), as it underlines the personal nature of many of the responses.

Comments about property

There were 741 respondents who responded to Question 1 by talking about the impact on property, including their homes, businesses and land. In total, 411 respondents who agreed that there should be a Phase Two EHS talked about property, compared to 26 respondents who disagreed.

A key argument put forward in favour of a scheme was the negative impact on property prices after the announcement of the proposed line of route for HS2 Phase Two.

“The Department for Transport should introduce an Exceptional Hardship Scheme for Phase Two. From the start of 2013 until the final route is decided (2016 according to the consultation) the threat of blight will be hanging over a significant number of property owners.”

The Law Society

There was also concern among respondents that their properties/businesses would be unsellable or that the proposed route would negatively affect future sales of property.

Personal reasons

A total of 218 respondents cited specific personal reasons for needing to sell their properties in the short term. A list of the reasons given by respondents is set out below:

- Divorce/separation
- Funding retirement/care home plans
- Family - growing/need to move closer to school/family/dependants
- Health
- Financial/unemployment
- Career
- Need to downsize property
- Old age

One of the key themes that emerged from those who wanted a scheme for personal reasons was the immediacy of their need. In many cases, respondents said they needed to be able to sell their properties right away. For example:

“Since publication of the proposed route, our home is blighted, with the result that we will be unable to sell on the open market. Our mortgage has recently expired, and we are being pressed to sell our property in order to repay the outstanding sum due. The only possible way this can be achieved is by the Government scheme.”

Member of the public

As a result, respondents said they wanted the Phase Two EHS to be introduced as soon as possible, while some expressed regret that a scheme did not come into force as soon as the potential line of route was announced. There was clearly a desire among these respondents for the introduction of a scheme at the earliest possible stage.

Many of the respondents who talked about their personal circumstances felt that the scheme’s scope should extend beyond exceptional hardship. Views on the requirement for extreme hardship are explored further in Chapter 5, where responses that related to the Criterion 5 are analysed in more detail.

‘Compensation’ and financial impact

Compensation was another theme that ran throughout responses. In relation to Question 1 specifically, 408 respondents talked about the role of compensation as a part of any potential Phase Two EHS. However the proposed Phase Two EHS was a property purchase scheme (through which the Government would purchase a property for its full unblighted market value) rather than a compensation scheme.

Nevertheless many respondents used the word compensation as a catch-all term to describe any means of redress. The terminology of compensation was therefore used in reference to the scheme, particularly when discussing the payment which would be received when the Government purchased the property. Furthermore, in the eyes of respondents, the main purpose of a scheme should have been to act as a mechanism to prevent local residents losing out financially as a result of blight to their properties.

There was a near consensus among respondents who addressed the extent of compensation that people should receive 100% of the unblighted value of their property. While this was part of the proposals outlined in the consultation document, some respondents seemed to have misunderstood this. As we go on to discuss in Chapter 5, there was some confusion around Criterion 3 which was interpreted to mean that people would have to accept offers 85% or below of a reasonable asking price or applicants would only receive 85% of the unblighted value of their property from the Government. Given that any accepted applicant to the scheme *would* be paid for 100% of the unblighted value of their property, it can reasonably be concluded that respondents were generally positive about this aspect of the proposed scheme.

A number of respondents cited the financial impact of the announcement (268 mentions). As well as comments on generalised blight impact on the property market, some respondents highlighted other financial impacts that they felt should be covered by the scheme. In particular, negative effects on investments and additional financial support towards the cost of moving house were both raised.

Comments about location and quality of life

A number of respondents made comments about effects on quality of life as a result of the initial preferred route for Phase Two HS2 (361 mentions), while some respondents talked about the impact of proposals on their location (275 mentions).

Specifically, there were strongly worded sentiments from some respondents about how the impact of the announcement of the proposed route was more than just purely financial, and that effects on the quality of life experienced by local residents should be taken into account in the design of any scheme. A number of respondents to the consultation mentioned adverse effects on wellbeing, emotional stress, worry and confusion, and suggested that these should be considered.

Comments about ‘fairness’ and ‘justness’ of proposed Phase Two EHS

A number of respondents made comments about fairness or justness. People argued that it was unfair that their properties had been blighted, and that they should suffer.

“It is unjust. Those affected should be compensated fully and fairly. Consideration needs to be given to compensation for stress, and other factors as one would undertake in other civil actions.”

Member of the public

Some respondents made the point that they would not personally benefit from HS2. Many respondents expressed support for HS2 Phase Two and then went on to argue that as the proposals for HS2 were intended to be of national benefit, it should be the country as a whole that bears the financial burden, rather than just property owners along the route. The following point was frequently made:

“If the government can’t afford fair compensation, then it can’t afford HS2.”

Member of the public

Other comments on the proposed Phase Two EHS

Positive mentions of the proposed Phase Two EHS

Among those respondents who commented specifically on the proposed scheme, there were a number of positive comments about the effect that the proposed Phase Two EHS would have on local residents affected by the announced line of route.

Of individuals who made positive comments and answered the tenure question on the response form, all of these individuals (49 individuals) owned a property within an affected area, while all but 6 of them also resided in an affected area. This would appear to indicate that some residents from affected areas who responded to the consultation saw it as a scheme that would meet their needs.

“I agree. An EHS seems an equitable way of ensuring that occupiers are not penalised during the lengthy decision-making process.”

Member of the public

Four of the organisational responses from MPs, local councils and representative organisations made reference to the non-statutory nature of the scheme, and that it was a scheme that would only be in place until the introduction of a statutory compensation scheme later on in the process.

“The proposals for operating the EHS scheme appear acceptable and suggest an appropriate fit with and augmentation to existing statutory provisions for blight in advance of a normal acquisition by CPO [Compulsory Purchase Order] and an advance opportunity to claim exceptional hardship before the final route of the line and other scheme details are known, given the longer than usual lead in period for the development”

Rotherham Metropolitan Borough Council

Negative mentions of the proposed Phase Two EHS

In their response to Question 1, a number of respondents commented upon the definition of an ‘Exceptional Hardship Scheme’. Some took issue with the concept of hardship as ‘exceptional,’ and 58 respondents said this term was inappropriate. As we shall go on to discuss in Chapter 5, the whole concept of ‘exceptional hardship’ was rejected by some respondents:

“I believe the Government has the right to put a railway anywhere it believes is best for the country but that anyone whose property price is affected by the railway should be given the choice to sell to the government at the unblighted market price.... I do not agree that I should wait until I face exceptional hardship – I should have the same choice as anyone else to sell my house when I want to, not just when I need to.”

Member of the public

A number of responses also focused on the timescale of the proposed Phase Two EHS. Some respondents argued that an EHS should have come into force as soon as the proposed HS2 Phase Two line of route had been announced.

Some respondents suggested that the Phase Two EHS should continue after the line of route was decided. Some of these responses appeared to reflect a lack of awareness that once the route was finalised, a statutory compensation scheme would come into force.

A few respondents highlighted the difference between the proposed Phase Two EHS and the later statutory compensation scheme, arguing that the scheme did not act as a stop-gap:

“Framing the proposals as a stop-gap before statutory blight arrangements would apply is misleading, as the vast majority of those affected by blight will be wholly unaffected by the statutory arrangements.”

Buckinghamshire County Council

5

EXCEPTIONAL HARDSHIP SCHEME PRINCIPLES AND CRITERIA

CHAPTER 5 - EXCEPTIONAL HARDSHIP SCHEME PRINCIPLES AND CRITERIA

This chapter provides a summary of responses to the consultation which address the issues relating to Question 2 in the consultation document.

Question 2 wording

Do you agree or disagree with the proposed criteria underpinning the Exceptional Hardship Scheme for Phase Two? What are your reasons? Please specify any alternative principles you would propose, including specific criteria for determining qualification for the scheme.

- *In this box please tell us whether you agree or disagree with the proposed criteria underpinning the Exceptional Hardship Scheme for Phase Two and explain your reasons.*
- *In this box please specify any alternative principles you would propose, including specific criteria for determining qualifications for the scheme.*

Description of criteria in Consultation Document

The owners of certain properties on, or in the vicinity of, any of the sections of the Phase Two initial preferred route options or the Heathrow spur route (including proposed stations) could qualify for the EHS, subject to their meeting the five criteria set out below.

1. *Property type – a qualifying interest in the property (ownership or otherwise);*
2. *Location of property (expected impacts of the line);*
3. *Effort to sell and the impact of blight;*
4. *No prior knowledge of Phase Two of HS2; and*
5. *Exceptional hardship necessitating a pressing need to sell.*

Summary of consultation responses

While some respondents felt that the overall and individual criteria were reasonable, the majority of respondents who commented on this question had concerns about or objections to at least one of the criteria proposed.

In total, 397 respondents expressed disagreement with a criterion or an element of a criterion, compared with 118 respondents who expressed agreement.

These objections generally stemmed from a belief that there should be redress for loss that arose as a result of HS2. Eligibility for compensation should be based solely on blight or loss.

Therefore many of the comments on the individual criteria essentially amounted to a desire to do away with them altogether. The requirement to demonstrate exceptional hardship generated some strongly expressed opposition, as 178 respondents said that this should be removed.

The consultation document proposed that if no offers were received within 15% of a realistic asking price, is one of a number of pieces of evidence that could demonstrate reasonable efforts to sell. A total of 205 respondents expressed disagreement with this element of the policy. Some respondents interpreted this element of the Criterion 3 to mean that offers within 15% of a realistic asking price had to be accepted. Another commonly made argument against this criterion was that blight could be demonstrated without the need to attempt the sale of a property.

The location of property criterion received the highest number of favourable comments, with the lack of a defined outer limit being remarked upon positively by 59 respondents.

Two main alternatives to EHS were suggested in response to this question – a wider compensation scheme based solely on loss and a Property Bond Scheme.

The term ‘compensation’ was used by many respondents as a shorthand to mean some sort of redress for perceived loss. The mechanism by which redress would be provided (i.e. a property purchase scheme or monetary compensation) was of less interest and not commented upon specifically in many instances.

When respondents put forward alternative mechanisms to address adverse effects of HS2, they often proposed either monetary compensation or a property bond scheme

with HS2 Ltd/the Government was the purchaser of last resort. These alternatives had different objectives and mechanisms to the proposed scheme in the response form, which was a discretionary property purchase scheme which would enable people to sell their properties.

5.1 Overall reaction to the criteria

A total of 1,097 respondents responded to Question 2 in the response form or made comments on the issues asked about at Question 2.

The table below sets out the numbers of respondents expressing specific agreement or disagreement with the eligibility criteria overall:

	Count ¹²		
	Response Form	Whitemail ¹³	TOTAL
Agree with the eligibility criteria	182	1	183
Agree with the eligibility criteria but with caveats expressed	73	6	79
Disagree with the eligibility criteria	392	34	426

The most common comment about the eligibility criteria was that they were too restrictive and should be widened. In making this point, a few respondents referred to the number of cases successful under the Phase One scheme.

¹² 'Agree', 'agree with caveats' and 'disagree' codes have been applied to responses where respondents have explicitly stated that they agree, agree with qualifications or disagree with the proposals. Agreement or disagreement has not been inferred if it has not been explicitly stated. As a result, there is a difference between the total of 'agree', 'agree with caveats' and 'disagree' mentions, and the total number of responses.

¹³ Whitemail responses are free-text responses that were sent in, via email or post, that did not use the response form.

Objections to the criteria raised at Question 2 echoed the themes discussed in the previous chapter. The fundamental principles that underpinned the criteria were that the proposed Phase Two scheme was a form of redress for eligible residential and small business owner-occupiers adversely affected by HS2 and who could demonstrate that they had an urgent need to sell before statutory protection took effect. However many respondents effectively rejected these principles as they argued that the criteria meant that not everyone affected by HS2 would be covered by the scheme. As was the case with responses to Question 1, a general point made by many respondents when discussing the criteria was that people should not have to bear the cost of Government proposals.

Some respondents argued that the criteria mean that not everyone will be compensated fully by the scheme. There are a number of threads to this contention:

- The strictness of the criteria meant that not everyone who should get redress would qualify for the scheme.
- The consultation document proposed that applicants needed to demonstrate that they had already made all reasonable efforts to sell their property. A lack of offers within 15% of a realistic asking price was given as an example of this (Criterion 3). Some respondents took this to mean that people would have to accept an offer of 85% or below of a realistic asking price otherwise they would not qualify for the scheme. This was seen as having to suffer a loss as a result of HS2 Phase Two.
- There also appeared to be some confusion about this element of the policy, as some respondents assumed that people would only be compensated for 85% of their property's value if they did qualify, whereas under the proposed scheme their property would be purchased by the Government at 100% of its unblighted open market value.
- Some respondents argued that they would suffer loss or inconvenience as a result of a fall in their property price after the announcement of the preferred route, even if they did not need to need to sell their house.

Other key themes which emerged in comments about the criteria were as follows:

- The criteria were unfair or unreasonable. This sentiment was generally expressed by respondents who argued that the criteria were too restrictive (either individually or taken as a whole) and would exclude people from the scheme who should qualify. For instance, people should be able to move if they wanted to. A few respondents argued that the criteria would prevent people from applying.
- The criteria were unclear and subjective. Some respondents objected to the language used in the criteria, and said that it was not clear (this is discussed in more detail in relation to each individual criterion later in this chapter). Others felt that the criteria were too open to interpretation, with one member of the public saying that “*any limits of discretion [are] unclear.*”

As the table of ‘agree’ and ‘disagree’ responses above indicates, more negative than positive comments were expressed about the proposed criteria. In total, 397 respondents expressed disagreement with a criterion or an element of a criterion, compared to 118 respondents who expressed agreement.

Where there were directly positive comments about the overall set of criteria, these generally reflected the views of individuals who felt from the criteria that the proposed Phase Two EHS would cover their own personal circumstances. This reflected the personal interest that many respondents had in the introduction of a scheme (as noted earlier in the report, many of those who responded through the response form owned a property in an affected area).

However, a few respondents commented positively about the need for a set of criteria from a more general perspective:

“I think they seem sensible. I understand that there have to be selection methods and those you have outlined appear to make sense.”

Member of the public

As in responses to Question 1, a number of respondents made points about personal circumstances, quality of life issues and financial impact when they discussed the criteria. Related to this, some respondents made general comments about factors which should be taken into account.

- **Personal circumstances**, in particular reasons for needing to move (funding retirement, needing to downsize, financial, health, family and career).
- **The impact of the environment** should be taken into consideration (e.g. impact on surroundings/landscape, noise and views).
- **Quality of life**. There were requests about the impact on quality of life to be taken into account as well as comments about the impact of HS2 on people's quality of life.
- **Financial impact**. For instance mentions of homes as assets and the difficulties associated obtaining a mortgage.
- **Age of applicants** should be taken into account (51 mentions). It was also suggested that the length of time applicants had been in their house should be taken into account (8 mentions).

It is important to point out that the proposed scheme would take these sorts of factors into account.

A small number of respondents argued that if a sale of property prior to the announcement had been agreed and this fell through as a result of the announcement, it should automatically qualify for the scheme, without the need to fulfil any other criteria (3 mentions).

5.2 Specific criteria

In the next section of this chapter, we look at consultation responses relating to each of the five specific criteria.

A handful of respondents addressed the issue of whether all five criteria should apply, and 10 respondents said that it should not be necessary to qualify under all five criteria to be eligible, which would be the case under the proposed scheme. The point was made that it was important for this to be clear to applicants.

5.2.1 Criterion 1. Property type - a qualifying interest in the property (ownership or otherwise)

Description of Criterion 1 in Consultation Document

2.12 *The purpose of this criterion would be to ensure that the person applying to the scheme has the rights to sell the property and that the type of property is one which the scheme is aimed at covering.*

2.13 *At the time of applying for the EHS a person must have a qualifying interest in the property which they are attempting to sell. This means that they must either be a residential, small business or agricultural unit owner-occupier, a mortgagee or the personal representative of a deceased person who had a qualifying interest at the time of death. Owners of residential properties which are not the owner's main place of residence – e.g. second homes – would not be eligible.*

By far the most common comment about this criterion was to include all properties in the scheme, a point made by 214 respondents. Or put another way, this criterion should be removed altogether so that properties were not automatically excluded.

“Properties should not be automatically excluded but be subject to the test of whether HS2 has caused them to lose value.”

Buckinghamshire County Council

Turning to the number of respondents who expressed specific agreement or disagreement with this criterion, this was as follows:

Table 4 Views on criterion

	Count ¹⁴		
	Response Form	Whitemail ¹⁵	TOTAL
Agree with the criterion	28	3	31
Agree with the criterion but with caveats expressed	4	0	4
Disagree with the criterion	18	4	22

Some respondents expressed approval of the types of individuals and properties covered by this criterion, notably the inclusion of small business property and agricultural holdings, mortgagees and personal representatives.

A few respondents made specific suggestions about properties which should also be included:

- **Second homes** (68 mentions). It was argued that there might be circumstances that could give rise to a reasonable need to sell a second home which could cause exceptional hardship.

“It could be necessary to sell a second home to avoid exceptional hardship falling upon the owner. Making assumptions of situations which create exceptional hardship should be avoided and the criteria specifies that HS2 Ltd and the government are avoiding using checklists where possible!”

Member of the public

- **Rented homes** (9 mentions). The point was made that suffering financial hardship as a result of not being able to let a rented home was equivalent to not being able to sell a property. It was also suggested that void periods for rented properties (i.e. time when a property is not let) should be taken into account so that people could be compensated for any loss of earnings arising from the HS2

¹⁴ 'Agree', 'agree with caveats' and 'disagree' codes have been applied to responses where respondents have explicitly stated that they agree, agree with qualifications or disagree with the proposals. Agreement or disagreement has not been inferred if it has not been explicitly stated. As a result, there is a difference between the total of 'agree', 'agree with caveats' and 'disagree' mentions, and the total number of responses.

¹⁵ Whitemail responses are free-text responses that were sent in, via email or post, that did not use the response form.

Phase Two proposals. However it is important to note that neither of these situations could be dealt with through the mechanism of the property purchase scheme proposed.

- Annual rateable value **should not be capped at £34,800/larger businesses** should be included (14 mentions). It was argued that by setting a cap so that only small businesses could apply, HS2 was effectively setting a ‘tax’ on larger businesses.

Two local authorities expressed concern about the impact on local businesses which did not meet this criterion and which were therefore excluded from the scheme.

5.2.2 Criterion 2. Location of property (expected impacts of the line)

Description of Criterion 2 in Consultation Document

2.14 The purpose of this criterion would be to determine whether or not the property is on the Phase Two route or likely to be adversely affected by either the construction or operation of the proposed line.

2.15 Distance from the line of route would be a factor taken into consideration when deciding on an application. However, we do not believe that it is appropriate to set a fixed outer distance from the initial preferred route to satisfy this criterion.

2.16 Other factors which would be taken into account include (but are not limited to) the contours of the land, surrounding features, the relative height of the railway in relation to the property and the likely disruption to the property during construction.

2.17 Where a property is located on land under which a tunnelled section of the initial preferred route runs we would expect any blighting effects to be limited. Given this, the EHS would not apply to properties above bored tunnelled sections (tunnels constructed from below the ground using tunnel boring machines). The details of which sections of the initial preferred route option would be constructed of a bored tunnel can be found in the detailed plan and profile drawings available at:

<https://www.gov.uk/hs2-phase-two-initial-preferred-route-plan-and-profile-maps>¹⁶

2.18 We propose that the EHS covers all parts of the route, excluding (bored) tunnelled sections, but including properties in close proximity to tunnel entrances and exits and other infrastructure associated with the line.

¹⁶ Please note that this link is different to the link in the consultation document

The number of respondents who expressed specific agreement or disagreement with this criterion was as follows:

	Count¹⁷		
	Response Form	Whitemail¹⁸	TOTAL
Agree with the criterion	21	0	21
Agree with the criterion but with caveats expressed	0	0	0
Disagree with the criterion	56	27	83

This criterion received the highest number of favourable comments, with the lack of a defined outer limit remarked upon positively by 59 respondents.

A few respondents commented on this criterion in respect of properties in rural areas, arguing that the impact of HS2 would be greater in these locales. It was agreed that the criterion should not specify an area for this reason:

“I also agree that to specify an area would be incorrect as in a rural area such as mine this will impact significantly on houses that are further away from the line than in a built up area such as London.”

Member of the public

It was stated that property on access roads affected by the construction should be considered (29 mentions), as was outlined in the consultation document.

A number of respondents argued that this criterion was too restrictive (75 mentions). It was contended that the existence of this criterion confined the Phase Two EHS to the physical impact of HS2 but establishing blight, whether as a result of the physical impacts of HS2 or not, should be sufficient to establish eligibility for the scheme.

¹⁷ 'Agree', 'agree with caveats' and 'disagree' codes have been applied to responses where respondents have explicitly stated that they agree, agree with qualifications or disagree with the proposals. Agreement or disagreement has not been inferred if it has not been explicitly stated. As a result, there is a difference between the total of 'agree', 'agree with caveats' and 'disagree' mentions, and the total number of responses.

¹⁸ Whitemail responses are free-text responses that were sent in, via email or post, that did not use the response form.

A few respondents specifically discussed the relationship between this criterion and Criterion 3 (effort to sell and the impact of blight). They argued that it was unsatisfactory because, if blight could be demonstrated under Criterion 3, then a location criterion was irrelevant.

There appeared to be some confusion around this criterion, as some respondents disagreed with a boundary in rural areas (26 mentions), although no such boundary was proposed in the consultation document. A few respondents quoted or referred to a Daily Telegraph article which stated “*You must live within 60m of where the middle of the track will be laid to claim the value of your home plus 10 per cent compensation. Up to 120m from the centre of the track, you will only get what the property was worth before HS2 was announced.*”¹⁹

A few respondents commented that this criterion was not clear. They pointed out the criterion did not include a specific definition, and questioned the use of phrases such as “likely to be adversely affected” and “*in the vicinity*”. In part, this reflected a worry from some respondents that they personally might not qualify for the scheme.

There were a few specific comments about including distances in this criterion. A number of respondents argued that **fixed outer distances should be set** (43 mentions). The point was made that this should not prejudice owners of property outside this distance. 83 respondents made specific suggestions as to distance, both in metres (from 60m to 1km) and miles (from 0.5 – 3.0 miles).

A number of respondents argued that properties above or close to bored tunnelled sections should be included (99 mentions). As noted in the description of Criterion 2 given above, the consultation document stated “*the EHS covers all parts of the route, excluding (bored) tunnelled sections.*” This exclusion was intended in respect of the factors being considered under Criterion 2 only, and these properties would not be excluded from the scheme.

The suggestion was made that engineers should model the visual and aural effects of the line on nearby properties to estimate its impact, as happened with motorway developments, so that some objective measures and criteria could be determined. This was intended under the proposed Phase Two EHS.

¹⁹ ‘HS2: The train line dividing the country’ published 2.2.2013 and available at <http://www.telegraph.co.uk/news/uknews/road-and-rail-transport/9843923/HS2-the-train-line-dividing-the-country.html>

5.2.3 Criterion 3. Effort to sell and the impact of blight

Description of Criterion 3 in Consultation Document

2.19 *The purpose of this criterion would be to determine whether it is the blight resulting from the Phase Two initial preferred route announcement rather than any other factor which is the reason why the property has not sold.*

2.20 *Applicants would need to demonstrate that they had already made all reasonable efforts to sell their property within the current market conditions. For example, that it had been on the market for a minimum of three months with at least one recognised estate agent; and, that no offer had been received within 15% of a realistic asking price as a direct result of the Phase Two initial preferred route.*

2.21 *Applicants would therefore also need to demonstrate that their ability to sell their property had been affected by the Phase Two initial preferred route announcement, rather than other factors. Examples of other factors that might mean a property is not selling could be that the property is overpriced, the condition of the property is poor, or that the property market in the area is already slow and that broadly similar properties that are not close to the Government's Phase Two initial preferred route option are also not selling.*

2.22 *As was the case with the Phase One EHS, we propose that we would write to the estate agents involved in the marketing of the property to gather information that they hold on the marketing efforts. We would seek any feedback on the reasons why a property is not selling.*

The number of respondents who expressed specific agreement or disagreement with this criterion was as follows:

Table 6 Views on criterion			
	Count²⁰		
	Response Form	Whitemail²¹	TOTAL
Agree with the criterion	13	3	16
Agree with the criterion but with caveats expressed	8	2	10
Disagree with the criterion	45	7	52

As with the other criteria, opposition to this criterion was often because of the belief that eligibility for the scheme should be based on loss and/or blight only.

A common comment made in relation to this criterion was that property was already blighted, a point made in relation to a respondent's property or property more generally. It was important to note here that blight was often used by respondents as a general term to mean a fall in the value of their property or their property becoming unsellable. It was argued that it should not be necessary to put a property on the market to demonstrate efforts to sell; they felt that proximity to the proposed line made the blight to the property clear.

"I am not clear of the benefit of even attempting to sell a property which is directly located inside the proposed route, as no-one would think about buying it, and no agency would want to sell it. I can see that this would be applicable to properties surrounding the zone."

Member of the public

²⁰ 'Agree', 'agree with caveats' and 'disagree' codes have been applied to responses where respondents have explicitly stated that they agree, agree with qualifications or disagree with the proposals. Agreement or disagreement has not been inferred if it has not been explicitly stated. As a result, there is a difference between the total of 'agree', 'agree with caveats' and 'disagree' mentions, and the total number of responses.

²¹ Whitemail responses are free-text responses that were sent in, via email or post, that did not use the response form.

A small number of respondents felt that this criterion was reasonable. It was agreed that some ‘markers’ needed to be in place for timescales and that the failure to sell needed to be related to HS2. The point was made that the three month period gave sufficient opportunity to demonstrate whether or not there was real interest in the property.

“The proposals for requiring a property owner to have offered the property for sale are reasonable and we agree that a 3 month sale period gives the opportunity to demonstrate whether or not there is real interest in the property at an unaffected market value.”

Central Association of Agricultural Valuers

There was greater focus on the detail of this criterion compared to other criteria and we look at the specific issues discussed in the remainder of this section.

5.2.3.1 No offers being received within 15% of a realistic asking price

This issue was the most discussed element of this criterion, with 205 respondents expressing disagreement with this element of the policy.

It is important to note that if no offers were received within 15% of a realistic asking price, the consultation document described this as one of the factors that would be taken into account as evidence of reasonable efforts to sell a property within current market conditions. It was not a requirement.

However, as discussed earlier in this chapter, some respondents interpreted this to mean that offers within 15% of a realistic asking price had to be accepted.

Therefore the most common argument against this element of the policy was that it would require people to suffer up to 15% loss in value, which was considered to be unfair. The point was made that this could involve a significant loss of money; equivalent to a year’s average salary if calculated through the average house price. This was compared to private sector schemes, such as the British Airports Authority BAA and Central Railway, where it was argued that there was no such threshold.

“It is wrong to require people to suffer up to 15% loss in value, and only compensating those with greater losses. Further, the process of basing it on ‘offers’ is unfair and open to manipulation – not all offers are serious.”

Member of the public

There were some more specific criticisms of this element of the policy:

- It could lead to market distortion because buyers could manipulate it by making offers just above the 15% reduction to prevent the vendor from qualifying under Phase Two EHS.
- It was a contradiction that people would get the full unblighted value under the scheme but not if they sold their property on the open market.
- It was not clear how this would work where a property was offered for a quick sale.

A few respondents suggested alternatives such as a 5%, 7.5% or 10% threshold (48 mentions) but the main thrust of comments was to remove this from the criterion altogether. One respondent suggested that if a property was purchased at 85% of its unblighted value, the difference should be made up by HS2 Ltd (which would require compensation rather than a property purchase scheme).

5.2.3.2 The requirement to show effort to sell

As discussed above, the requirement to demonstrate blight through putting a property on the market was criticised. A few respondents made the explicit point that there should be no need to show an effort to sell (20 mentions).

The three month minimum proposed was seen to be too long by 40 respondents, particularly in the context of situations of extreme hardship.

“It is common knowledge that properties in good condition, priced correctly and given a good level of market exposure should be able to have offers within a 4-6 week period therefore I do not see why you have to demonstrate that you have been unable to sell your property for a minimum of 3 months. The threshold should be a minimum of 6 weeks of reasonable marketing.”

Member of the public

There were some other suggestions made in relation to this element of the criterion:

- All that should be required was a set time limit for which the property had been on the market for a reasonable price without a sale.
- It should not apply to properties directly on the proposed route.
- It should be replaced by what was described as a more flexible test, akin to the requirements under statutory compensation, where reasonable endeavours had been made to sell.

5.2.3.3 Using an estate agent

Some respondents argued that it was unfair to have any requirement for people to use an estate agent because a number of properties were so severely blighted that no estate agent would undertake a valuation and/or a sale without an upfront fee (12 mentions). It should be noted that, as with offers within 15% of a realistic asking price, such a situation would be considered as evidence of reasonable efforts to sell the property within current market conditions rather than a requirement.

It was suggested that HS2 should reimburse those who had had to pay estate agents' fees upfront, as well as allowing what was described as “*DIY marketing*” (i.e. marketing the property through other ways than an estate agent).

5.2.3.4 Demonstrating a realistic asking price

In discussing this criterion, a number of respondents made comments about valuations, for instance arguing that all affected properties should be independently valued. It should be pointed out that some respondents used the term valuation in a wider sense than a valuation provided by a chartered surveyor. For example some respondents talked about estate agents providing valuations.

5.2.4 Criterion 4. No prior knowledge of Phase Two of HS2

Description of Criterion 4 in Consultation Document

2.23 The purpose of this criterion would be to make sure that only those who purchased their property before the information on the Phase Two initial preferred route option was made public, are able to apply for the EHS.

2.24 An applicant would not be eligible for the Phase Two EHS if they bought their property at a time when they could reasonably have been expected to be aware of the Phase Two initial preferred route option.

The number of respondents who expressed specific agreement or disagreement with this criterion was as follows:

Table 7 Views on criterion			
	Count²²		
	Response Form	Whitemail²³	TOTAL
Agree with the criterion	38	3	41
Agree with the criterion but with caveats expressed	0	0	0
Disagree with the criterion	71	26	97

A few respondents described this criterion as reasonable, and said that people who bought a property after the announcement of the Phase Two route should not have access to the scheme.

The most common argument against this criterion was that it crystallised blight and depressed prices (60 mentions). Some respondents argued that if this and the hardship criterion were removed, it would stimulate the property market because prospective purchasers would have certainty that they would be compensated if they were affected in the future.

“Criteria 4: no prior knowledge of phase 2 of HS2: This criterion has adverse effects on housing markets by depressing prices; resulting in reduction of house prices as new buyers will seek a discounted price as they will not be eligible for a Scheme. This criterion is not needed.”

Member of the public

The most common suggestion in relation to this criterion was that it should be removed altogether.

²² ‘Agree’, ‘agree with caveats’ and ‘disagree’ codes have been applied to responses where respondents have explicitly stated that they agree, agree with qualifications or disagree with the proposals. Agreement or disagreement has not been inferred if it has not been explicitly stated. As a result, there is a difference between the total of ‘agree’, ‘agree with caveats’ and ‘disagree’ mentions, and the total number of responses.

²³ Whitemail responses are free-text responses that were sent in, via email or post, that did not use the response form.

The feasibility of establishing no prior knowledge was questioned by a few respondents, with the point being made that it was unreasonable to expect a panel to judge whether or not a person had prior knowledge of the route announcement when buying a property. It should be pointed out that under the proposed scheme this sort of judgment would not be required as prior knowledge will be determined by a fixed date. A few respondents commented on the necessity of a fixed date after which people should be expected to know about HS2.

Two other points were made which were intended to be covered by the policy. It was suggested that the criterion should allow flexibility around changes to the initial route as people might be put off buying property in case the route changed. It was also suggested that it needed to be applied flexibly as circumstances could change after the purchaser had bought a property, for instance detailed planning may have made the impact greater than could have been anticipated when the property was purchased.

5.2.5 Criterion 5. Exceptional hardship necessitating an urgent need to sell

Description of Criterion 5 in Consultation Document

2.25 The purpose of this criterion would be to determine whether the property owner is, or would soon be, in a situation of exceptional hardship which could only be alleviated by the sale of their property before the end of the EHS.

2.26 In relation to what constitutes exceptional hardship, we cannot pre-define what this means for individuals, or give examples of specific situations. Experience from Phase One has taught us that it does not work to give a checklist of the reasons why people might apply to the scheme, as individual circumstances and their effects vary. Exceptional hardship might originate from situations including, but not at all limited to financial, health and disability, employment or family/domestic issues, a court settlement, or the winding up of the estate of a deceased person.

2.27 Almost everyone experiences one or more forms of hardship at some point in their lives, be it emotional, financial, medical or something else. The scheme is not being proposed to help those experiencing the sort of hardship that many people can expect to experience at some point.

2.28 Applicants should be able to demonstrate that they have a pressing need to sell (not simply to move from) their property within the proposed lifetime of the scheme, and that they would suffer exceptional hardship if they had to wait until such time as the longer term package of compensation and blight measures are

available.

2.29 The application form would ask applicants to set out their situation of exceptional hardship and hence why they must sell their property. Regardless of what the exceptional hardship was, an applicant would need to provide documentary evidence of why the sale of their property would be absolutely necessary to alleviate that exceptional hardship.

2.30 We would provide guidance alongside the application form to explain in detail what types of evidence applicants would be expected to provide. This guidance would give an explanation of what is meant by documentary evidence, and examples of the types of documentation that might be expected to be provided, for each of the five EHS criteria. Support from HS2 Ltd would be available for applicants via email, mail and telephone to explain the guidance and deal with queries relating to the application process.

The number of respondents expressing specific agreement or disagreement with this criterion is as follows:

Table 8 Views on criterion			
	Count²⁴		
	Response Form	Whitemail²⁵	TOTAL
Agree with the criterion	10	0	10
Agree with the criterion but with caveats expressed	4	1	5
Disagree with the criterion	92	31	123

²⁴ 'Agree', 'agree with caveats' and 'disagree' codes have been applied to responses where respondents have explicitly stated that they agree, agree with qualifications or disagree with the proposals. Agreement or disagreement has not been inferred if it has not been explicitly stated. As a result, there is a difference between the total of 'agree', 'agree with caveats' and 'disagree' mentions, and the total number of responses.

²⁵ Whitemail responses are free-text responses that were sent in, via email or post, that did not use the response form.

This criterion attracted some strongly worded opposition:

“I strongly disagree. This affects my Human Rights as a property owner. I should not have to prove to you if or why I want to move.”

Member of the Public

Criticism of this criterion was central to many of the objections about the Phase Two EHS. The purpose of the scheme was to provide redress, through the mechanism of property purchase, to people adversely affected by the short-term effects of blight until the final HS2 route proposal was announced and statutory provision came into play. However many respondents that objected to the proposals viewed the requirements of any scheme in much broader terms: it should compensate anyone who suffered loss as a result of HS2. It was therefore argued that personal circumstances were unrelated to whether a property had suffered blight. For example:

“We fundamentally disagree with criterion 5. It discriminates absolutely against any applicant who has means beyond the value of their property. Criterion 5 turns a property compensation scheme into not much more than a means tested safety net whilst the property owner suffers, not only financial loss but also the emotional pressure of living next to such a large development site.”

Country Land and Business Association

Consequently the most common suggestion here was to remove the requirement for exceptional hardship (178 mentions). For example:

“I disagree because some residents like ourselves should not have to have a pressing need to sell, or suffer real financial difficulties. there could be just that some residents like ourselves have a long term plan of generating money to help our retirement years, and if we just happen to have chosen to live near to your planned route we should not have to lose out financially on a short term basis so as to benefit long term for our retirement.”

Member of the public

Some respondents expressed explicit disagreement with the requirement of a pressing need to sell (52 mentions). As well as removing this requirement, it was argued that intention to sell or future plans to sell should be enough of a reason to qualify. It was suggested that expressing a desire to sell or move, or simply applying for the scheme, should be sufficient to demonstrate this. Others also argued that the scheme should

apply to people who had made plans to move but had not acted on them yet (e.g. a move for work reasons or because of retirement).

The criterion attracted a number of criticisms for a lack of clarity in how both 'exceptional hardship' and the 'pressing need to sell' were defined. A few respondents highlighted inconsistencies in the language used in the Consultation Document, with references to a need, an urgent need and a pressing need.

The lack of definition of the term 'exceptional hardship' was criticised by a few respondents who considered it to be subjective, inconsistent and not transparent, as well preventing applicants from making informed decisions about their likelihood of success.

A few respondents made reference to the Phase One scheme, arguing that 'exceptional hardship' had been hard to prove and that the majority of applications had been rejected on this basis. Some respondents cited examples of cases from Phase One. For example, one respondent said that there were people who required nursing home care who did not qualify.

One respondent commented that the scheme had to take account of people with a need to release equity from their home to ensure that their business did not fall into hardship, a situation which would be covered by the proposed scheme.

There were a few suggestions which were already part of the proposed scheme, namely that applicants should be given more concrete guidance on what constituted exceptional hardship, that this criterion should be flexible and that all forms of hardship could be contested.

5.3 Alternative suggestions

5.3.1 Alternatives to the scheme overall

Before discussing alternative suggestions, it is important to again highlight the nature of the proposed scheme being consulted upon. It is a discretionary property purchase scheme which will enable people to sell their properties.

Most of the alternative suggestions which actually discuss the mechanisms by which adverse effects of HS2 would be addressed propose either monetary compensation of some sort or the introduction of a property bond scheme where HS2 Ltd/the Government is the purchaser of last resort.

There were two main alternatives to an EHS style purchase scheme suggested in responses to the consultation.

1. A compensation scheme based on loss

It is important to note that the term ‘compensation’ was used by respondents as a shorthand to mean some sort of redress for perceived loss. The mechanism by which redress was provided (i.e. a property purchase scheme or monetary compensation) was of less interest and not commented upon specifically in many instances.

As discussed in the previous section, many respondents disagreed with the fundamental premise of Phase Two EHS, that eligibility should be defined by exceptional hardship and a pressing need to sell.

“Anyone who can prove (via independent valuation) that the value of their property has reduced due to the HS2 route announcement should be compensated in full and straight away.”

Member of the public

Some respondents framed this in terms of the right of property owners to sell their property whenever or for whatever reason they wanted.

A number of interlinking arguments were made in favour of a **wider compensation** scheme:

- Compensation should be available to **anyone affected**.
- Eligibility should be based on **any loss in value/failure** to sell at pre-announcement valuation price.
- It should be for the **full loss of value** (it is worth nothing in this context that under Phase Two EHS successful applicants will be paid the full unblighted value of their home).
- **Blight/loss should be the only criterion.**

“The purpose of the Scheme should be to put owners of homes, business and farms in the vicinity of the potential HS2 routes in the same position as they were in prior to the announcement. Any scheme should enable local people to be able to sell their property without suffering a loss as a result of the announcement.”

Ashfield District Council

Respondents made some **general points** about compensation at Question 2:

- It needs to be **full/adequate** (177 mentions).
- It needs to be **fair and transparent** (143 mentions).
- It should be **available immediately** (97 mentions).
- It should be **available throughout the life of HS2/at any time** (62 mentions).
- A **clear timeframe** for compensation is required (19 mentions).

A number of respondents made suggestions about **valuation of properties** when they discussed compensation:

- There should be an independent valuation of all affected properties.
- A Royal Institution of Chartered Surveyors valuation should be used to prove evidence of loss.
- Blight should be determined by engineers / surveyors / professional bodies.
- There were suggestions about the basis for valuation: comparison with properties in similar unblighted areas, previous years' valuation, average of multiple market values.
- There should be an independent valuation of properties by more than one estate agent (it should be noted here that respondents were erroneously assuming that estate agents could carry out valuations).

- There should be no need for a ‘valuation’ by an estate agent/it should only need to be shown that the property had been on the market for a reasonable price, for example through advertising privately on property websites such as Rightmove.

The following **specific suggestions** were made in relation to compensation:

- Expenses such as Stamp Duty, costs of moving and professional fees should be included in any compensation.
- There should be additional compensation for the distress caused by HS2 Ltd proposals (12 mentions).
- Improvements to property should be considered by the scheme (13 mentions).
- There should be a sliding scale in relation to distance from the track (10 mentions).
- Compensation should be available to owners of blighted properties with no plans to move (8 mentions).
- There should be an option to rent back from government (3 mentions). This was suggested by respondents who felt that their property had been blighted, but who did not want to move during the timescales of the scheme and wanted to benefit from the scheme before it ended.

A few respondents argued that compensation had to take into account the needs of businesses and commercial interests. It was suggested that this should be assessed on business environment considerations. One respondent, a local authority, requested that the financial and longer term impact of Phase Two HS2 on larger commercial sites was recognised by Government so that plans to support the mitigation and planning issues that arose from this are put in place.

2. Introducing a property bond scheme

A property bond scheme was proposed in response to all three questions in the consultation, although it received most mentions at Question 2. HS2 Action Alliance’s submission set out a detailed case for this scheme.

“The focus of the property bond is not merely to fairly compensate those affected, but to reduce blight, and eliminate that opposition (to the project) that is based on people’s fear of personally losing large sums of money.”

HS2 Action Alliance

HS2 Action Alliance proposed a property bond that would transfer with the property if the owner sold and which would apply until one year after HS2 had begun to operate. The bond would guarantee that HS2 Ltd would purchase a property at an 'unblighted value' as purchaser of last resort if the HS2 project had reached a specified trigger point and no private buyer had been found at the 'unblighted value' when the owner wanted to sell.

Some respondents simply mentioned their support for a property bond scheme without any further details, while others said that they were in favour of the scheme proposed by HS2 Action Alliance.

"I fully support the market based Property Bond Scheme as proposed by HS2 Action Alliance, who as you are aware, are at the forefront of promoting fair and just compensation for blighted properties."

Member of public

A few respondents copied the exact wording of HS2 Action Alliance's proposals without specific reference to HS2 Action Alliance.

Reference was also made to a property bond scheme proposed or supported by property professionals, MPs, the Council of Mortgage Lenders, the British Banking Association and the National Association of Estate Agents. A few respondents referenced the property bond scheme operated in relation to the Central Railway Project.

A few respondents specified some details about a property bond scheme. The following elements were suggested:

- The Government should be the purchaser of the last resort, for instance if a house were not sold or sold at a significantly lower price
- The Government would guarantee or underwrite the full market value of properties
- The bond would be available to anyone who lived within a defined distance of the line
- A Government would back a insurance bond which locked in the full market value of the property and increased by either RPI or the Halifax Property Index movement each year.

The following arguments were put forward in favour of a property bond scheme:

- It would provide assurance that property owners would receive **full market value** in the event of a sale.
- It would boost **confidence in the property market** and would therefore help **reduce blight**.
- It would be just/fair. Those respondents who elaborated further on this point felt that such a scheme would ensure that owners were fully compensated and would not have to suffer loss.
- It would **reduce opposition** to the HS2 project.
- It had been **endorsed by property professionals**.
- It should have a **low net cost**.
- It could be operated for a **longer timescale**.
- It could be used for **remortgaging purposes**.

A handful of respondents considered the relationship between a Property Bond Scheme and Phase Two EHS with a couple saying both were required, while others argued that it would eliminate the need for an EHS.

3. Alternative suggestions for a property purchase scheme

A handful of respondents proposed alternative property purchase schemes where properties would automatically qualify. Unlike Phase Two EHS, these schemes would not operate on the basis of a discretionary decision. For instance one respondent suggested that owners of all properties within 200m of the edge of works associated with HS2 should be entitled to require HS2 Ltd to purchase their properties from them at full market value.

A few respondents argued that Government/HS2 Ltd should purchase blighted property now (5 mentions) as it should not be necessary to demonstrate blight.

6

PROCESS FOR OPERATING THE SCHEME

CHAPTER 6 – THE PROCESS FOR OPERATING THE EXCEPTIONAL HARDSHIP SCHEME

This chapter provides a summary of responses to the consultation which address the issues relating to Question 3 in the consultation document.

Question 3 wording

Do you agree or disagree with the proposed process for operating the Exceptional Hardship Scheme for Phase Two? What are your reasons? Please specify any alternative arrangements which you would suggest.

Operation of the Exceptional Hardship Scheme from the Consultation Document

The Government proposes that HS2 Ltd would administer the Phase Two EHS on behalf of the Secretary of State for Transport. The application process would be designed to enable applications to be made by individual members of the public rather than by professionals or others in the property industry.

A majority independent panel, appointed by HS2 Ltd, would consider applications and make a recommendation to the Secretary of State for Transport on whether an application should be accepted or not. A decision maker appointed by the Secretary of State would then make the final decision on each case, based on the recommendation of the independent panel and on the evidence provided to that panel. Once applicants have been informed of the outcome, those who were unsuccessful would be given an explanation of why the application was refused.

Successful applicants would have their property purchased by the Government at 100% of its unblighted open market value. This value would be assessed using two independent valuers, chosen from a pool of Royal Institute of Chartered Surveyors qualified valuation firms who have expertise in the specific property type and coverage in the local area. The Government would pay for these valuations and would also, after acceptance of an offer to purchase, pay for a building survey, a title check and an agreed fixtures and fittings list.

The property owner would select one of these valuers from the pool while HS2 Ltd would choose the other. The final valuation would be based on the average of the

two figures. If the figures differed by more than 10%, the applicant would choose another valuer from the pool to conduct a third valuation. The offer made would then be based on the average of the closest two valuation figures.

Unsuccessful applicants would be entitled to reapply to the scheme if there was a material change in their circumstances or they were able to provide additional evidence which is related to the reason(s) their original application had been refused. Applicants would be able to reapply as soon as additional evidence became available.

We propose that reapplications to the Phase Two EHS which are submitted within six months of the original decision being communicated should (other than in exceptional circumstances) be considered only against the criterion or criteria upon which the previous application was refused. This would be applicable where the applicant was able to confirm that their circumstances had not changed significantly in the intervening period or in a way that the previous decision would be affected. In relation to decisions on location, this would only apply where the route had not changed since the previous application.

We also want to ensure that the panel has as much information as possible when judging applications, especially in relation to the location of property criterion. We therefore propose that as well as maps of the area, Geographical Information Systems (mapping software) and photographs (including aerial photographs of the preferred line of route when these become available) would also be used to help the panel better understand the location of the property and the landscape within which it and the preferred line of route sit. Applicants would be able to send in photos supporting their opinion on impacts of the railway.

The Government also wants to ensure that applicants are given as much information as possible as to what type and detail of documentation they should submit as evidence as part of their application. We want to ensure that applications are not refused due to the evidence provided being incomplete.

As mentioned in the proposals, the Government therefore proposes to produce a guidance document for applications to the Phase Two EHS. This will give details of the scheme and how applications will be handled and make clear the type of evidence and the level of detail that will be required by the panel in order for them to be able to properly determine the application.

Summary of consultation responses

More respondents disagreed with the proposed process to operate the Exceptional Hardship Scheme for Phase Two (433 disagree and 188 agree). While some respondents said that the process was reasonable and fair (56 mentions) and clear and unambiguous (6 mentions), others described the process as unfair (102 mentions) or complicated and bureaucratic (68 mentions).

A key issue was the perceived independence of the panel. Many respondents argued that it should be completely independent from Government/HS2 Ltd involvement or stated that the scheme should be administered by an independent panel. The description of a 'majority' independent panel in the consultation document was of concern.

Another key area of comment was the appeals process. While the consultation document set out the circumstances in which an applicant could reapply, there was a desire among many respondents for a mechanism for appeal which did not involve the original panel and which was seen to be independent.

Other suggestions for alternatives include allowing applicants to have free choice of valuers) (82 mentions) and making all information, facts and figures available to the public (94 mentions) and the provision of a helpline or some other independent advice to potential applicants (48 mentions).

6.1 Overall reaction to the process and alternatives proposed

A total of 1,027 respondents responded to Question 3 in the response form or made comments on the issues asked about at Question 3. The table below sets out the numbers of respondents expressing specific agreement or disagreement with the Phase Two EHS process:

	Count ²⁶		
	Response Form	Whitemail ²⁷	TOTAL
Agree with the process	183	5	188
Agree with the process with caveats	95	4	99
Disagree with the process	388	45	433

As the table above illustrates, more respondents express disagreement than agreement with the proposed process for operating the Exceptional Hardship Scheme for Phase Two (433 disagree and 188 agreed).

A number of respondents (99 respondents) agreed with caveats, agreeing with some parts of the process, but objecting to others. For example, 7 respondents who said they agreed with caveats added that they disagreed with paragraph 2.32 in the consultation document (the proposal that a majority independent panel, appointed by HS2 Ltd, would consider applications and make a recommendation to the Secretary of State for Transport on whether an application should be accepted or not).

“I strongly disagree with the so called ‘majority’ independent panel as there is no need for a representative from HS2 on this panel. I assume a representative is there for technical assistance and advice on the scheme, but this is totally unnecessary...I agree with the remainder of the process despite the flawed decision-making part of the proposed process which makes the rest of the process immaterial.”

Member of the public

²⁶ ‘Agree’, ‘agree with caveats’ and ‘disagree’ codes have been applied to responses where respondents have explicitly stated that they agree, agree with qualifications or disagree with the proposals. Agreement or disagreement has not been inferred if it has not been explicitly stated. As a result, there is a difference between the total of ‘agree’, ‘agree with caveats’ and ‘disagree’ mentions, and the total number of responses.

²⁷ Whitemail responses are free-text responses that were sent in, via email or post, that did not use the response form.

Indeed the perceived lack of independence of the panel was the most contentious issue relating to the proposed Phase Two EHS process.

“Warwickshire County Council does not agree with the process for operating the Exceptional Hardship Scheme in its current form. The Council remains unconvinced by the proposed arrangement for property decisions to be made by a panel appointed by HS2 Ltd.”

Warwickshire County Council

The description of a “majority” independent panel in the consultation document was understood to mean that the decision-making panel will not be 100% independent. Many respondents expressed a wish for what they saw as a completely independent panel, and not one that was appointed by HS2 Ltd or has representatives from HS2 Ltd and/or Government.

As a related point, some respondents argued that it was important for the process to be seen as independent:

“The process is fine, so long as it remains demonstrably independent.”

Leicestershire County Council

6.2 Discussion about the process

Respondents made a number of specific points about the process, with more negative than positive comments made. As the question was open and therefore responses were qualitative in nature, it is important to bear in mind that comments about the process and alternatives often overlapped and were interlinked.

While 468 respondents mentioned the process (such as timescales, transparency, simplification and so on), 712 respondents suggested alternatives, modifications and amendments to the process, such as the independence of the panel, and the appeals process. A fast-tracking system for those with special needs such as the elderly and those facing ill-health or financial difficulties was also suggested (12 mentions). The Phase Two EHS was specifically intended for these types of applicants; those who make this suggestion may be assuming that the scheme will cover anyone affected by the proposed route.

Negative mentions

A number of respondents made negative comments about the process. Key reasons put forward relate to:

- The process being unfair/unjust (e.g. over appeals) (102 mentions).
- A complicated and long-winded process (68 mentions).
- The process needing additional work/modifications/amendments (44 mentions).
- The process needing to be administered more fairly, realistically and competently than is currently understood by respondents to be the case (50 mentions).

There were some negative comments made at Question 3 which related to wider Phase Two EHS issues and which have been discussed in Chapters 4 and 5.

Some respondents stated that applicants should not incur additional expense when making applications (32 mentions). More specifically, it was stated that the extent of blight and financial loss should be assessed without expense to the applicant. It should be noted that it was not the intention of the policy that people should incur extra expenses.

Positive mentions

A number of respondents made positive comments about the process. The process was described as appropriate, reasonable and fair (56 mentions) and clear and unambiguous (6 mentions). Respondents did not elaborate further on their reasons for making these points.

“I agree with the process. I feel that it is fair and a democratic way of conducting and therefore compensating the inhabitants of those affected by the proposed schemes.”

Member of the public

“We do agree with the proposed process for operating the EHS for Phase two as the plans on how to deal with applications and settlement seem quite fair.”

Member of the public

6.3 Specific aspects of the process

The application process

A number of respondents commented that the application process should be transparent (90 mentions). While many respondents did not go into detail on what they meant by this, those that did highlighted issues relating to the panel.

“I would stress that the process should at all times be transparent, consistently applied, and subject to an appeal option to a secondary and completely independent body.”

Member of the public

A further 17 respondents said that applicants should be able to re-apply if they felt that the decision was unfair. The proposed Phase Two EHS provided that applicants were entitled to reapply where there had been a material change in their circumstances or they were able to provide additional evidence related to the reason or reasons why their original application had been refused.

Representation

Some respondents referred to the paragraph in the consultation document that stated that “the application process would be designed to enable applications to be made by individual members of the public rather than by professionals or others in the property industry.” It was argued that personal representation/professional assistance should be allowed for applications at any stage in the process (82 mentions). In particular, a number of respondents felt that professional assistance should be allowed in the case of re-applications to the scheme if an initial application had been unsuccessful.

It should be noted that it was intended that professional representation would be allowed under the proposed process. The intention of the policy was to provide a process that enabled individual members of the public to apply without needing professional representation.

Timescales for process

In line with the intended policy, a number of respondents mentioned the importance of timescales for the successful operation of the Phase Two EHS. The need for a clear time frame for the process was highlighted. It was also noted that the process should be quick and efficient (75 mentions).

“The process should include expected times for each stage and these should be in line with a “no chain” property sale e.g. no longer than 10 weeks from submission to completion.”

Member of the public

This reflected the sense of urgency that some respondents felt. As discussed in Chapter 4, a number of respondents discussed personal reasons why they needed to move quickly.

Simplification

There was concern among some respondents that the proposed scheme was too complicated; a number commented that it is too difficult or long-winded (68 mentions) and others said it could put people off those who might apply (11 mentions). It was argued that the process needed to be simplified or streamlined (38 mentions) and modified (44 mentions).

“I disagree with the process. It is far too bureaucratic and long-winded.”

Member of the public

Valuation

A number of comments related to the valuation process (192 mentions) which came into play once an application had been successful.

Some of the points reflected what had been proposed in the consultation document. It was argued that property prices should be based upon the unblighted value of the property (65 mentions) and that local valuers should be trusted and referred to about the value and history of the property (36 mentions).

Some respondents commented that applicants should have free choice of any valuer of their property (82 mentions).

A few respondents argued that historical or pre-existing information should be taken into account (11 mentions). Some of these respondents specifically said that they did not understand why a new valuation had to take place at all, given that historical information about the price of the property existed before the announcement of the preferred line of route.

A few respondents mentioned that prices should be agreed by all parties involved (13 mentions), that a new valuation should only be required if pre-existing information was inappropriate or insufficient (4 mentions), and disagreements should be resolved in face-to-face meetings between all parties (4 mentions).

Financial issues

A number of respondents commented that all information that related to facts, figures and financial data should be made available to the public (94 mentions). Other more general mentions on financial issues were to do with the Phase Two EHS more widely. These issues have been discussed in Chapter 4 and 5 of this report.

6.4 Alternative suggestions

Many respondents suggested alternatives to the process. Comments centred around three main areas; (1) **independence of the panel** (2) **the appeals process** and (3) **compensation**.

An independent panel

As already discussed, the panel was the most contentious element of the proposed process. Many respondents queried the independence of the panel, given that it would be appointed by HS2 Ltd. It was suggested that in order for the panel to be independent, it needed to be administered by an independent body, rather than HS2 Ltd or the Government (162 mentions). There were also some more general comments that an independent body should make the final decision on applications (131 mentions).

“Such a panel cannot be considered as independent when they clearly represent the interests of HS2 Ltd.”

Natascha Engel, MP

“I would strongly oppose this process and ask that the independent panel make(s) the final decision.”

Member of the public

A few respondents made suggestions about the makeup of this panel which included:

- Local elected representatives (e.g. local councillors).
- Members of central government (e.g. ministers).
- Members of the judiciary (e.g. judges).
- Relevant organisations (e.g. RICS).

- A variety of trusted professionals (e.g. doctors).
- Professionals from associated disciplines (e.g. estate agents, chartered surveyors).
- Members/supporters of anti-HS2 groups.
- Members of the public and property owners.

It should be noted that locally elected representatives, judges, professionals and members of the public could all potentially be panel members under the proposed scheme.

Some respondents argued that the panel should be appointed by an independent body, not HS2 Ltd (86 mentions); a number of respondents suggested the Royal Institute of Chartered Surveyors. A handful argued that the panel should be appointed by MPs whose constituencies were affected (5 mentions). Three respondents who wished for the panel to be independent said that it should be appointed by the Secretary of State, so long as the make-up of the panel was independent from the Government/HS2 Ltd.

A few respondents suggested that the selection process should be made public (12 mentions).

Other less frequently cited mentions included a local body or tribunal to settle local cases (13 mentions), a panel chaired by a judge (8 mentions) and a panel made up of more than three members (5 mentions).

The appeals process

As already discussed, the consultation document proposed that unsuccessful applicants would be entitled to reapply to the scheme if there was a material change in their circumstances or they were able to provide additional evidence which was related to the reason or reasons their original application had been refused. Applicants would be able to reapply as soon as additional evidence became available.

However a number of respondents argued that there should be an independent appeals procedure (243 mentions). Other suggestions were that applicants should be able to appeal if they felt the decision had been unfair (92 mentions) and that there should be a higher level or second tier appeals procedure (11 mentions). A more general comment was that the appeals process should be transparent (24 mentions).

A common theme here was that appeals should be handled by a different body to the panel:

“At the very least, there should be an independent appeals process.”

Member of the public

Documentary evidence

A number of respondents made comments about documentary evidence. As was intended by the policy, it was suggested that applicants should be able to add documentary evidence at any time (19 mentions) and that applications should be thoroughly considered, not based only on documentary evidence (23 mentions).

Some respondents argued that it should not be the responsibility of an individual to provide evidence that would be difficult to obtain such as aerial photographs, maps and drawings. It should be noted that, under the proposed process, applicants would not be expected to provide aerial photographs and engineering drawings.

Independent advice/helpline should be available

Some respondents suggested that there should be a helpline or some other independent advice channel available to potential applicants (48 mentions), to help people decide if they wanted to apply to the scheme, and if so, advise people on how to structure their applications.

“This is a worrying time and more guidance and a freephone number should be set up.”

Member of the public

A more general point was that more communication from HS2 Ltd was needed for those affected (85 mentions).

7

GENERAL COMMENTS ON THE CONSULTATION PROCESS

CHAPTER 7 – GENERAL COMMENTS ON THE CONSULTATION PROCESS

A number of respondents commented upon the consultation process (269 mentions). Most of these comments related to the information provided, with some arguing that more information is required. For example:

“There seems to be insufficient information on which to form an opinion as yet. More guidance documents need to be made available reference in Section 2.40 with more in-depth analysis of the results of assessments, made against the stated criteria for Phase One.”

Member of the public

It was also argued that the information about the consultation proposals should be easier to understand. Some commented that people should have been informed of the consultation earlier and that not everyone who should have done had heard about the consultation.

A handful of respondents commented negatively on the additional information provided in the supplementary information note on 25 April 2013 (please see Chapter 2 for more details on this), with the point made that more clarification is required.

There were a few criticisms of the questions asked in the response form, with the comment made that they should be simpler to understand.

8

ORGANISED CAMPAIGNS

CHAPTER 8 – ORGANISED CAMPAIGNS

A number of respondents to the consultation used identical wording in their responses. A total of 10 sets of organised responses were received. Four organised campaigns used the response form, five organised campaigns submitted letters, emails or postcards and one organised campaign submitted responses both via the response form and whitemail. These are detailed in the table below.

Table 10 The number of responses received from each organised campaign

Name of Campaign		Number of respondents	
		Response form	Letters/emails/ postcards
A	Church Fenton HS2	641	0
B	'Polluter Should Pay' Postcard	0	508
C	HS2 Action Alliance	109	366
D	CADRAG (Culcheth And District Railway Action Group)	0	161
E	Tonge and Breedon HS2 Action Group	0	46
F	SOWHAT? (Swillington, Oulton, Woodlesford, HS2, Action Together)	37	0
G	Hopton against HS2	26	0
H	Warrington Stop HS2	20	0
I	Chortlon and Crewe	0	4
J	Unnamed Campaign	0	2
TOTAL		833	1,087

A – Church Fenton Says No To HS2 (641 responses)

A total of 641 respondents submitted identically worded responses using the response form, with a number of respondents making further comments on the arguments made.

The following points were made:

- Agreement with the introduction of a scheme. People who live on or near the proposed route should be adequately compensated for disruption and blight.
- There should be no qualifying reason for sale.
- HS2 must compensate everyone affected in full for any financial loss. A property bond scheme was mentioned.
- The panel is not independent because the final decision is taken by a representative of the Department of Transport. Everyone involved in the process must be completely independent of both HS2 Ltd and DfT.
- All information used in making a decision must be available for the public.

B – ‘Polluter Should Pay’ Postcard Campaign (508 responses)

A total of 508 respondents submitted a printed postcard available from HS2 Action Alliance’s website²⁸. Some 116 of these respondents adding their own comments in support of the arguments made. This postcard stated:

- If HS2 is in the national interest, no individual should have to suffer a loss in the value of their property. People should be free to move home.
- A scheme is needed now that reduces blight and benefits all who are affected. The proposals are unjust as they fail to help the majority of individuals who suffer losses from property blight due to HS2.
- Eligibility should only depend upon a property losing value.
- An independent appeal stage is required to ensure decisions are fair.
- Support for a property bond solution.

²⁸ <http://www.hs2actionalliance.org.uk/index.php/news/publications/category/5-compensation?download=212:compensation-consultation-response-letter-8-jan-2013&start=20>

C – HS2 Action Alliance (475 responses)

As well submitting an 84 page report (see Appendix D for a link to the report), HS2 Action Alliance provided a template letter for respondents to submit to the consultation²⁹. A total of 366 respondents submitted this letter, while a further 109 used the text in this letter to complete the response form. Many of these respondents added their own comments to elaborate further on the points made.

The letter made the following points:

- A scheme is required that compensates everyone experiencing blight from HS2. Individuals should not be expected to suffer personal losses as a result of HS2 and people should not be trapped in their homes unable to move.
- Phase Two EHS will not bridge the gap until statutory arrangements commence.
- Eligibility for compensation should depend solely on proving loss in market value because of HS2. If HS2 causes a loss in property values then HS2 Ltd must pay for this, not the individual.
- Criterion 2, 4 and 5 should all be removed.
- There should be an independent appeal body.
- The proposed EHS should be replaced with a market-based property bond scheme.

D – CADRAG (161 responses)

As well submitting a response to the consultation, CADRAG (Culcheth And District Railway Action Group) provided a template letter for respondents to submit to the consultation.³⁰

- The announcement of the Phase Two preferred route has already caused property blight. No individual should have to suffer significant financial loss as a result of HS2. The blighting of property values should be a cost to HS2 not individual property owners.

²⁹ <http://hs2actionalliance.org/index.php/compensation/exceptional-hardship-scheme>

³⁰ <http://www.olvera-andalucia.com/template/EHScadragresponse.pdf>

- A broader scheme than the proposed EHS is required. All individuals should be entitled to protection. The scheme should not end when statutory blight provisions are triggered. Everyone should be entitled to sell at full market value.
- The proposed criteria are too restrictive. The freedom to move should not depend upon exceptional hardship. All properties should be included. A fixed time limit without a sale should be required without a need to provide further evidence to demonstrate blight. The no prior knowledge and extreme hardship criteria should be dropped.
- The proposed process for EHS Phase Two is unfair. The application panel should be completely independent.
- The consultation document does not contain sufficient information and not enough publicity has been given to the consultation.

6 respondents wrote additional comments on their responses giving further detail on these points.

E – Tonge and Breedon HS2 Action Group (46 responses)

A total of 46 respondents submitted a template letter (from the group's website³¹) stating that their property is within the parish of Breedon on the Hill. This letter made the following points:

- The scheme is unfair and does not provide fair compensation for properties blighted by HS2.
- A broader scheme is required which is a Comprehensive Property Blight Protection Scheme. Protection is needed for at least 20 years.
- HS2 Ltd should purchase any property which has been put on the market if it has lost value because of HS2 Ltd.
- Blight is unfair and traps people. Individuals should not have to suffer a large uncompensated loss in value of their property.

³¹ <http://tonge-and-breedon-hs2-action-group.co.uk/consultations.html>

- The criteria are too restrictive, so too few would qualify, and are too subjective. It is unfair to exclude rented property and second homes. The location criterion is unnecessarily restrictive. The no prior knowledge criterion bakes in blight. Alternative criteria should be based solely on blight.
- An independent appeal stage must apply. Applicants must see the data on which a decision is based and more data on EHS cases is required.
- A property bond is a better solution than EHS.

7 respondents wrote additional comments on their responses elaborating on these points.

F – SOWHAT? (37 responses)

SOWHAT? (Swillington, Oulton, Woodlesford, HS2, Action Together) produced a suggested consultation response which was published on their website³².

A total of 37 respondents completed the response form using this response and many of them added their own comments elaborating further. The responses agreed that a compensation scheme is needed immediately as property blight has occurred since the publication of the preferred route. They called for a scheme to be in place until HS2 has been fully constructed in order to restore confidence in the property market in the affected areas.

The responses argued that proving there has been a loss of value to property should be sufficient to be eligible for the scheme. They stated disagreement with the criteria. They commented that Criterion 1 should include rented properties. The responses also highlighted difficulties in defining 'location' as Criterion 2, as the blueprint of HS2 has not been fully finalised and this could potentially lead to uncompensated losses. They disagreed with Criterion 5, arguing that the scheme should be available to anyone who wants to, but cannot move, due to HS2 and not just those experiencing 'exceptional hardship'.

The responses disagreed with the proposed process of operation for the EHS, arguing that the application panel should be independent and given the power to make final

³² <http://www.sowhat.org.uk/wp-content/uploads/2013/02/Exceptional-Hardship-Scheme-collective-reponse-FINAL.doc>

decisions. The responses commented that applicants should be given the choice of valuers and be able to appeal decisions.

G - Hopton Against HS2 (26 responses)

Hopton Against HS2 produced a suggested consultation response³³. A total of 26 respondents completed the response form using this response, many of them adding further comments on the arguments put forward. The following points were made:

- A scheme should be introduced to offer fair compensation to all affected. HS2 Ltd should compensate any property owner for the reduced value without having to prove 'exceptional hardship'. Individuals should not have to bear the cost of government proposals.
- Disagreement with the criteria overall and on an individual basis. The property criterion should include people forced to rent. The location criterion is too vague. It should not be necessary to demonstrate a need to sell, no prior knowledge or exceptional hardship.
- The process should be run independently of HS2 Ltd. There should be an appeals process.
- There should be a property bond.

H – Warrington Stop HS2 (20 responses)

Warrington Stop HS2 provided guidance notes to completing the consultation³⁴.

A total of 20 respondents completed the response form using this response and many of them added their own comments elaborating further. These responses expressed agreement with the need for a scheme. They expressed disagreement with the proposed criteria on the basis that anyone who can demonstrate any financial loss as a direct result of the proposals should be compensated fully. It should be available to anyone who wants to move. The compensation should provide for 100% of demonstrated financial loss not the 85% proposed under EHS Phase Two (it should be

³³ <http://www.hopton-against-hs2.co.uk/JPEGs/PDFs/Model%20reply%20EHS.pdf>

³⁴ <http://www.warringtonstophs2.co.uk/guidance-notes-consultation-form/>

noted that the proposed scheme will provide 100% compensation to successful applicants).

The responses expressed disagreement with the proposed EHS Phase Two process. It was argued that there should be an independent panel, it should not be the Secretary of State for Transport that makes the final decision and applicants should be able to choose their own surveyor for valuation purposes.

A property bond with a guaranteed from Government that people would receive full market value for their property in the event of a sale was suggested.

I – Chorlton and Crewe (4 responses)

A total of 4 respondents submitted a template letter relating to the section of the route between Chorlton and Crewe. The letter requested that the blight is either moved or compensated.

J – Unnamed Campaign (2 responses)

Two respondents living in a village close to the preferred Phase Two route emailed identical responses. It was agreed that there should be an EHS, but one that comes into effect immediately to compensate the property that has already suffered blight. It argued that anyone who wants to sell their property should be eligible so that no one loses out of the HS2.

The email disagreed with the proposed criteria underpinning the EHS on the basis that they are too restrictive. As an alternative principle, a property bond scheme was suggested, with the only necessary criterion as the need to demonstrate blight through loss of a property's market value.

It was argued that the panel and final decision maker should both be independent in the EHS process. The process should be transparent and an appeal process should be built in.

GLOSSARY OF TERMS

GLOSSARY OF TERMS

Ascribe	Response coding software package
Blight	Any financial impact on a property, its resale value or ability to sell
Campaign	An organised action group within which two or more individuals responded with an identical or similar response.
Code	Category/theme that a response contains.
Coding	The process whereby responses are categorised by themes included.
Consultation Document	The document published in January 2013 entitled 'High Speed Two: Exceptional Hardship Scheme for Phase Two. A discretionary purchase scheme for property owners whose properties may be affected by high speed rail links from the West Midlands to Leeds and Manchester, and a Heathrow spur'. It outlines The purpose of the consultation, the proposed EHS scheme and how to respond
Department for Transport (DfT)	Government department responsible for transport policy in the UK (where not devolved).
Heathrow Spur	The proposed section of track linking Heathrow Airport to the Phase One route.
High Speed One (HS1)	The Channel Tunnel Rail Link from St Pancras International station to the Channel Tunnel.
High Speed Two Ltd (HS2 Ltd)	The company set up by the Government to develop proposals for a new high speed railway line between London and the West Midlands and to consider the case for new high speed rail services linking London, northern England and Scotland.
Individual	Any one person who responded to the consultation, expressing their own views
Ipsos MORI	The organisation who independently received, analysed and reported on the consultation responses
Online response form	Online Response – Any response submitted using the online response form
Organisation or group	An establishment who responded on behalf of a group of people

Phase One	The high speed line from London to the West Midlands, including a link to the West Coast Main Line (WCML) and to HS1.
Phase Two	Lines from the West Midlands to Manchester and to Leeds, including stations in South Yorkshire and the East Midlands, and a direct link to Heathrow Airport ³⁵

³⁵ Work on Heathrow now paused, see January 2013 Command Paper

APPENDICES

LIST OF APPENDICES

Appendix A: Response form

Appendix B: Marked-up Codeframes

Appendix C: Technical note on coding process

Appendix D: List of organisations and groups taking part

Appendix E: Letters about the extension of the consultation

Appendix F: Campaign responses

APPENDIX A – RESPONSE FORM



Department
for Transport



High Speed Two: West Midlands - Leeds and Manchester, and a Heathrow spur (Phase Two)

Exceptional Hardship Scheme for Phase Two Consultation

Consultation response form

Consultation closes at 5pm on 20th May 2013

This consultation seeks your views on the Government's proposals to introduce an Exceptional Hardship Scheme for Phase Two of the HS2 project (West Midlands to Leeds and Manchester, and a Heathrow spur).

Please respond online at www.hs2.org.uk or by using this response form.

For more information about the consultation go to the website www.hs2.org.uk or call 020 7944 4908.

HOW TO RESPOND

Please respond either by using this form or online at www.hs2.org.uk

You can send your response by post or by email to the addresses below:

Email HS2EHS@ipsos.com

Post

You do not need a stamp or postcode. Please write the following on the envelope.

Freepost PHASE 2 EHS CONSULTATION

**Consultation closing date:
5pm on 20th May 2013**

Please read the consultation document called *High Speed Two: Exceptional Hardship Scheme for Phase Two* before answering any of the questions – see www.hs2.org.uk. If you have queries please email HS2 Ltd at hs2enquiries@hs2.org.uk or call the HS2 Ltd enquiries line on **020 7944 4908**.

Consultation responses and correspondence addressing issues relevant to this consultation that are sent directly to HS2 Ltd will be forwarded to one of the dedicated response channels detailed above for consideration by our response analysis agency.

HS2 Ltd cannot accept responsibility for responses that are sent to any addresses other than those advertised on our website and on all associated consultation documents.

Please tick the box(es) as appropriate, or write your response clearly in black ink within the boxes.

You may add in extra sheets of paper or evidence, if needed, making it clear to which question your answer refers. If you do not have any comments please leave the box(es) blank.

Within this response form please provide views and comments on the **Exceptional Hardship Scheme for Phase Two ONLY, not on any other aspect of HS2**. There are or will be other consultations relating to other aspects of HS2 on which you can have your say – please refer to the HS2 website for more details, or to find out where to send your comments on other aspects of HS2.

CONFIDENTIALITY AND DATA PROTECTION

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 and the Environmental Information Regulations 2004).

If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, in itself, be regarded as binding on the Department for Transport or HS2 Ltd.

The Department for Transport, HS2 Ltd and Ipsos MORI will process your personal data in accordance with the Data Protection Act 1998 and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. Contact details that you provide may be used to inform you of the outcomes of the consultation and any decisions in due course.

If you wish for your response to be treated as confidential please **tick the box** and write in your reasons in the box below.

PART ONE - INFORMATION ABOUT YOU

Section A

Are you responding on your own behalf or on behalf of an organisation or group?

Please tick ONE box only

- Providing my own response (please complete section B below, then go to **Part Two**)
- Providing a response on behalf of an organisation or group (please complete section C below, then go to **Part Two**)

Section B

If you are providing your own response:

It is important that you provide your name, address, postcode and, where appropriate, an email address in case we need to contact you to confirm any details from your response.

Your Contact Details:

First name:
Surname:
Address:
Postcode:
Email:

Which ONE of these best applies to this household:

(Please refer to the Command Paper *High Speed Rail: Investing in Britain's Future – Phase Two: the route to Leeds, Manchester and beyond* which sets out the Government's initial preferred route options for Phase Two of the high speed rail network.)

Please tick all box(es) that apply

- I/We own and live in a property within the area of the Government's initial preferred route options for Phase Two
- I/We own a property within the area of the Government's initial preferred route options for Phase Two, but live somewhere else
- I/We do not own a property within the area of the Government's initial preferred route options for Phase Two
- Don't know/would prefer not to say

Section C

If you are providing a response on behalf of an organisation or group:

The name and details of the organisation or group may be subject to publication or appear in the final report

Details of your Organisation or Group

What is your name, role and the name, address and email address of the organisation or group on whose behalf you are submitting this response?

Please write in the box below

Your Name:
Role:
Name of the organisation or group:
Address of organisation or group:
Email:

What category of organisation or group are you representing?

Please tick ALL boxes that apply

- Academic (includes universities and other academic institutions)
- Action group (includes rail and action groups specifically campaigning on the high speed rail network proposals)
- Business (local, regional, national or international)
- Elected representative (includes MPs, MEPs, and local councillors)
- Environment, heritage, amenity or community group (includes environmental groups, schools, church groups, residents' associations, recreation groups, rail user groups and other community interest organisations)
- Local government (includes county councils, district councils, parish and town councils and local partnerships)
- Other representative group (includes chambers of commerce, trade unions, political parties and professional bodies)
- Statutory agency
- Transport, infrastructure or utility organisation (includes transport bodies, transport providers, infrastructure providers and utility companies)

Please tell us who the organisation or group represents and, where applicable, how you assembled the views of members:

Please write in the box below





PART TWO - CONSULTATION QUESTIONS

ALL TO ANSWER

The Government is seeking views on the questions set out below. These are in the same order as they are listed in the consultation document. In each case, the Government is interested in whether or not you agree with its proposals and why, as well as any additional evidence that you feel it should consider in reaching its final decision.

Introduction of an Exceptional Hardship Scheme for Phase Two of the HS2 project

Before answering Question 1 please read pages 9 – 10 in the *High Speed Two: Exceptional Hardship Scheme for Phase Two* consultation document.

Question 1

Do you agree or disagree that the Department for Transport should introduce an Exceptional Hardship Scheme for Phase Two ahead of decisions on how to proceed with the routes? What are your reasons?

Please summarise your key comments within this box.



Exceptional Hardship Scheme Principles and Criteria

Before answering Question 2 please read pages 10 – 13 in the *High Speed Two: Exceptional Hardship Scheme for Phase Two* consultation document.

Question 2

Do you agree or disagree with the proposed criteria underpinning the Exceptional Hardship Scheme for Phase Two? What are your reasons? Please specify any alternative principles you would propose, including specific criteria for determining qualification for the scheme.

In this box please tell us whether you agree or disagree with the proposed criteria underpinning the Exceptional Hardship Scheme for Phase Two and explain your reasons.

In this box please specify any alternative principles you would propose, including specific criteria for determining qualifications for the scheme.



Operation of the Phase Two Exceptional Hardship Scheme

Before answering Question 3 please read pages 14 – 15 in the *High Speed Two: Exceptional Hardship Scheme for Phase Two* consultation document.

Question 3

Do you agree or disagree with the proposed process for operating the Exceptional Hardship Scheme for Phase Two? What are your reasons? Please specify any alternative arrangements which you would suggest.

In this box please tell us whether you agree or disagree with the proposed process for operating the Exceptional Hardship Scheme for Phase Two and explain your reasons.

In this box please specify below any alternative arrangements which you would suggest for operating the Exceptional Hardship Scheme for Phase Two?

Additional Evidence

Have you attached additional evidence to this response from?

Please tick ONE box only

Yes

If you have attached additional evidence, please write in the number of pages in this box

No

Thank you for completing the response form. Your views play an important role in informing the Government's decision.

Please send your response to the address below.

You do not need a stamp or postcode. Please write the text shown below on the envelope:

Freepost PHASE 2 EHS CONSULTATION

**Please ensure your response reaches us by the consultation closing date:
5pm on 20th May 2013.**



APPENDIX B – MARKED-UP CODEFRAMES

Response Form Topline

Total

	Base size:	Total
Q.A	Are you responding on your own behalf or on behalf of an organisation or group?	953
	Providing my own response	913
	Providing a response on behalf of an organisation or group	40
Q.B	Which ONE of these best applies to this household?	872
	I / We own and live in a property within the area of the Government's initial preferred route options for Phase Two	790
	I / We own a property within the area of the Government's initial preferred route options for Phase Two, but live somewhere else	49
	I / We do not own a property within the area of the Government's initial preferred route options for Phase Two	32
	Don't know / would prefer not to say	11
Q.C	What category of organisation or group are you representing?	38
	Action group	2
	Business	10
	Elected representative	9
	Environment, heritage, amenity or community group	7
	Local Government	12
	Other representative group	4
Q.1	Do you agree nor disagree that the Department for Transport should introduce an Exceptional Hardship Scheme for Phase Two ahead of decisions on how to proceed with the routes? What are your reasons?	943
	AGREE TO / DISAGREE WITH PROPOSAL (NET)	654
	Agree with caveats	42
	Agreement (sub-net)	567
	Strongly agree	33
	Agree	534
	Disagreement (sub-net)	47
	Disagree	39
	Strongly disagree	8
	REASONS FOR AGREEING / DISAGREEING WITH PROPOSED INTRODUCTION OF EHS (NET)	907
	Property - house / business / land / unspecified (sub-net)	624
	EHS is needed to allow us to move house	6
	House / property is already on the market	28
	House / business / property is / will be unsellable / could / will affect future sale	244
	Intention to sell / future plans to put house / property / business on the market	58
	House / business / property is close to the preferred route	84
	Negative impact on property prices following announcement	487
	Disagree with annual rateable value / not exceeding £34,800	1
	Adverse speculation / perception affects the sale of properties	18
	EHS will allow a quick sale of the property	2
	Inability to sell a property will lead to an increase in property maintenance costs	4
	Owners should be given the right to sell at unblighted market price / sell to the government	16
	Blight to properties took place immediately on announcement of preferred route	77
	Long term / negative impact / impact of blight / on local property market / until final route is decided / work starts	56
	There must also be a consideration that over-generousness could set an early precedent	1
	HS2 proposals put pressure on property owners to sell / move	5
	HS2 link has discouraged buyers / potential buyers of properties	10
	Personal reasons (sub-net)	171
	Personal reasons (divorce / separation) make it necessary / may make it necessary to sell the house / property / to release equity	13
	Personal reasons (funding retirement / care home plans) make it necessary / may make it necessary to sell the house / property / to release equity	55
	Personal reasons (family - growing / need to move closer to school / family / dependants) make it necessary / may make it necessary to sell house / property	36
	Personal reasons (health) make it necessary / may make it necessary to sell the house / property	41
	Personal reasons (financial / unemployment) make it necessary / may make it necessary to sell to minimise financial strain	13
	Personal reasons (career) make it necessary / may make it necessary to sell the house / property	18
	Personal reasons (downsize property) make it necessary / may make it necessary to sell house / property / to release equity	50
	Personal reasons (old age) make it necessary / may make it necessary to sell house / property / to release equity	26
	Personal reasons (other) make it necessary / may make it necessary to sell house / property	30
	Location (sub-net)	204
	Location will be / is blighted / no longer desirable after announcement of preferred route	61
	Property within 120 metres of track to be compulsory purchased	1
	Construction of HS2 will disturb the area / will have long term adverse affect on the area	65
	Views from my property will be affected / effects of 'loss of views' should be considered	51
	Additional traffic / traffic congestion will have a negative impact on local area	29
	Construction areas / routes / final route needs to be decided / specified / clarified	7
	Noise will negatively affect / disturb the area / will be a nuisance / should be considered	87
	Location / area will no longer be tranquil / loss of peace and quiet / rural beauty will be destroyed	44
	HS2 proposals will have a negative impact on wildlife	3
	Should include properties above bored tunnelled sections	10
	Air pollution / dust will have a negative impact on the environment	14
	Railway height / elevation of tracks / fly-over / viaducts / tunnels will have an impact on the location / should be taken into account	28
	Other impact on the environment mentions	14

Financial impact (sub-net)	214
Benefit should not be at financial cost to those affected by HS2	19
EHS should minimise financial impact / hardship	19
Owners / businesses should not be worse off after / than prior to announcement of preferred route	12
HS2 proposals could have / has had a negative impact on investments / has caused / can cause financial loss	64
Difficulties with / unable to obtain a mortgage / bank loans / property insurance	52
Additional / financial support should be provided towards costs of moving / any loss suffered	13
House / property is a large / largest asset / loss is huge	59
Our retirement fund from sale proceeds / equity has been greatly reduced / will cause difficulty / hardship / will have less to live on	16
Estate agents no longer offer valuation on properties since announcement of preferred route	1
Loss in value of property is a tax on property owners	10
Other financial impact mentions	11
Quality of life (sub net)	272
Quality of life is / will be adversely affected	56
EHS should consider the effects of loss of enjoyment to those affected	5
Construction work will cause upset / disruption to people's lives	19
People's livelihood will be adversely affected	8
Adverse effect on the lives of elderly / pensioner / retired	51
Adverse effects on health / well-being / extent of emotional stress / worry / confusion should be considered	103
EHS will minimise stress on those directly affected / give peace of mind	7
HS2 proposals have / will cause blight to / affects everyone living close to route	54
HS2 proposals have brought about distress / worry / despair	32
Other quality of life mentions	1
General (sub-net)	727
Structural damage should be a factor / taken into consideration	2
Lack of contact / need more personal communication from HS2 Ltd / government with those affected	18
Not qualified / confident / objective to answer	1
I / we / people should not suffer / bear the cost / due to actions of Government / HS2 / third party / over which we have no control	133
People should be able / have the freedom / choice / to move / relocate / re-establish themselves	97
People have the right to sell their property / make own choices / whenever / for whatever reason	35
Live close to the preferred route / line / track / preferred route runs through our house / property / business / land / village / will be demolished / will lose my	52
Buyers are pulling out / potential buyers are / will be discouraged	75
Choose a route that causes the least disruption / blight to properties / location	8
Blight is unfair / unjust on people / should not have to suffer uncompensated loss	54
Blight is extensive / affects a wider area / more than 120 metres	31
Impact of blight is immediate / soon after announcement of preferred route / is happening / being experienced now	65
Impact of blight continues until the final route is decided / built	11
Blight is worse in the early stages / before construction / HS2	12
Proposals create uncertainty / long term uncertainty	47
Proposals are a breach of my rights / rights to peace and quiet enjoyment / freedom	15
HS2 proposals have brought / will bring about hardship	22
HS2 proposals create uncertainty / long term uncertainty	101
Compensation (sub-sub-net)	408
Compensation / remedy should be available at any time	26
Compensation needs to be fair / transparent	107
Compensation / remedy is needed now	80
Compensation should be full / adequate / sufficient	116
Compensation should be available to any / everyone who is / are affected	197
Compensation should be for any loss in value / 100% of unblighted value / failure to sell at pre-announcement valuation price	124
Void periods for rental properties should be compensated	1
15% threshold is unreasonable / we will lose too much in terms of monetary value	4
Compensation for disturbance should be included	9
Compensation / scheme / protection is needed during the long years of planning / construction / from beginning until the end of the project / HS2	70
Compensation should not be restricted to distance / away from track	18
Amount of compensation to be awarded is unclear / ambiguous	3
HS2 should not go ahead if everyone affected cannot be compensated	8
Businesses that are required to relocate should be given adequate compensation to ease relocation	1
Other mentions of compensation	6
Comments on EHS (sub-sub-net)	401
EHS should consider the age of applicants / affected parties	5
Should not have to prove hardship / urgent need to sell / should not be part of the criteria	79
Everyone affected by HS2 needs to be informed of EHS	10
EHS will not / compensate everyone / protect interests of / not helpful to owners / residents affected	34
EHS for Phase Two should be better than for Phase One	6
EHS is / scheme proposals are a breach of my rights / rights to peace and quiet / freedom / traps people from moving	15
Exceptional Hardship Scheme (sub-sub-sub-net)	221
The scheme has to be fair / transparent	25
EHS will / may allow us / people to move / re-locate sooner rather than later	10
EHS is / could be inadequate to cover the full blight caused by preferred route announcement	34
EHS scheme needs to be broader	33
The term 'Exceptional' in Exceptional Hardship Scheme is inappropriate / should be just hardship	58
EHS should consider possible segregation of communities / villages	2
Hardship is unpredictable / sudden / occurs immediately	8
EHS should come into effect quickly / as soon as possible	61
EHS should have been introduced before preferred route was announced	6
EHS is / could be unlawful	5
EHS is a tax on property owners	9
EHS proposals create uncertainty / long term uncertainty	5
Terminology of a 'modest' loss is unreasonable	2
EHS should consider the uncertainty caused by HS2 proposals	7

Criteria (sub-sub-sub-net)	102
EHS should consider / include anyone who is / may be affected	16
Criteria to meet exceptional / hardship is not clear / ambiguous	9
Criteria are restrictive / limited / needs to take more factors into consideration	43
EHS should cover a wider / widest geographical area	15
EHS should be available to those who simply want to move	19
Should include all properties / nature of ownership / occupation / use of property should not matter	16
Process (sub-sub-sub-net)	29
EHS needs additional work / amendments / modifications / should be redrafted	9
EHS should be an easy process / minimise bureaucracy	3
EHS should provide detailed feedback / as soon as possible on process of application	1
EHS should have no time constraints / time constraints are unsuitable	11
EHS should come into effect as soon as route is confirmed	1
The scheme should be administered by an independent body	2
The process could be difficult for elderly / vulnerable people	3
Positive mentions of EHS (sub-sub-sub-net)	51
EHS will / should minimise uncertainty	14
Allow people to sell before line is built	2
Allow people to sell / move before route is decided / before construction starts	5
EHS will compensate / protect interests of / helpful to owners / residents affected	32
EHS will / should prevent disruption to housing market / investments	3
Negative mentions of EHS (sub-sub-sub-net)	56
EHS is unfair / unjust / unacceptable	54
EHS scheme is flawed	5
Alternative schemes to EHS (sub-sub-sub-net)	263
Need a compensation scheme / a mechanism to compensate loss / not EHS	213
Acceptance should be automatic for those affected / reasons for moving need not be justified	17
Need a scheme that restores confidence in the property market	8
Need a scheme that protects the property owner from loss	33
Need a scheme that is broader than EHS	17
Alternative / compensation scheme should come into effect now / quickly / as soon as possible	42
A compensation scheme should have been introduced before preferred route was announced	9
Other alternative scheme to EHS	6
Property bond scheme (sub-sub-sub-net)	23
A property bond scheme should be adopted instead / would be a better option	19
Property bond scheme gives assurance that property owners will receive full market value in the event of a sale	6
Positive mentions of property bond scheme	6
Property bond scheme is fair / equitable to all	2
Property bond scheme maintains confidence in the property market	6
Property bond scheme should come into effect as soon as possible	1
COMMENTS ON HS2 (NET)	328
Announcement of preferred route has affected our / peoples future plans / has put our / peoples lives on hold / traps people from moving	137
HS2 will cause long term / permanent blight / blight to properties affected	41
Government / HS2 Ltd should bear the cost of all blight	34
Completion of HS2 is likely to / will outrun my life expectancy	6
HS2 railway plan is costly / should not be built / is unacceptable	20
I / everyone / the nation will benefit from HS2 Phase Two	4
HS2 is not in the entire nations interest / not everyone will benefit	35
No warning / prior information of HS2 / before February 2013	18
Strongly oppose proposed railway plans	3
Government should have the right to build the best route	1
Timeline for finalising HS2 / final route / until line is constructed / is too long	57
HS2 proposals are targeting an already deprived area	3
HS2 proposals are a breach of my rights / rights to peace and quiet enjoyment / freedom	22
HS2 proposals / preferred route announcement has / will adversely affect the local / country's economy	9
More publicity / awareness of the Scheme / blight provisions / need more communication from HS2 Ltd / with everyone affected	45
HS2 Ltd / government should / has a duty to / protect / focus on people's interests	44
OUT OF SCOPE (NET)	35
Out of scope - Reference to Phase One	32
Build a tunnel / tunnel preferred to viaduct	2
Government should sell the bought properties at blighted market rate	1
COMMENTS ON CONSULTATION (NET)	54
Consultation document (sub-net)	51
Criticism of consultation document	11
Availability of information / do not have sufficient / relevant information	42
Availability of information / do not have sufficient regarding park home owners	2
EHS should be simple / easy to understand / without jargon	3
Consultation process (sub-net)	3
Consultation should be simple / easier to complete	2
Consultation is unfair	1
Other Responses (NET)	32
Attachment - map / deeds only	2
See previous response	6
Missing / incomplete text	19
Illegible response	1
Additional response	4
Other Comments (NET)	83
Other - negative	41
Other - positive	5
Other - neutral	39

	Base size:	941
Q.2	In this box please tell us whether you agree or disagree with the proposed criteria underpinning the Exceptional Hardship Scheme for Phase Two and explain your reasons.	
	AGREE TO / DISAGREE WITH OVERALL PROPOSED CRITERIA (NET)	798
	Agree with caveats	73
	Neutral / neither agree nor disagree	3
	Agreement (sub-net)	279
	Strongly agree	6
	Agree	176
	Any agreement with specific criteria	107
	Any agreement with criterion 2	69
	Any agreement with criterion 3	21
	Disagreement (sub-net)	564
	Disagree	334
	Strongly disagree	58
	Any disagreement with specific criteria	323
	Any disagreement with criterion 1	28
	Any disagreement with criterion 2	102
	Any disagreement with criterion 3	196
	Any disagreement with criterion 5	132
	CRITERIA TO DETERMINE QUALIFICATION FOR Phase Two EHS (NET)	638
	Property type - Criterion 1 (sub-net)	68
	Agree with Criterion 1 - property type and ownership	28
	Disagree with Criterion 1 - property type and ownership	18
	Agree with caveats Criterion 1 - property type and ownership	4
	Criterion 1 is restrictive / limited / needs to take more factors into consideration	11
	Disagree with annual rateable value not exceeding £34,800	10
	Location of property - Criterion 2 (sub-net)	304
	Agree with Criterion 2 - location of property	21
	Disagree with Criterion 2 - location of property	50
	Strongly disagree with criterion 2 - location of property	6
	Criterion 2 is restrictive / limited / needs to take more factors into consideration	49
	Agree with 2.15 / a fixed outer distance / area from the preferred route is not appropriate	50
	Disagree with 2.15 / a fixed outer distance / area from the preferred route should be set	33
	Location is / will be blighted / no longer desirable / directly affected by preferred route	58
	Property is in a rural area / impact may be greater	15
	Properties affected by the route / construction / building work cannot be determined before the route is finalised	22
	Disagree with 60 / 120 metres boundary / in rural area	20
	Criterion 2 / location of property / 'distance from line' is not clear / is ambiguous	44
	Para 2.15 is contradictory	3
	Disagree with 2.16 - other factors (contours of land, surrounding features, relative height of railway in relation to the property and the likely disruption to the	7
	Blight will affect a larger / wider area than what is covered in scheme	62
	Other location of property mentions	9
	Effort to sell and the impact of blight - Criterion 3 (sub-net)	487
	Agree with Criterion 3 - effort to sell and the impact of blight	13
	Disagree with Criterion 3 - effort to sell and the impact of blight	45
	Agree with caveats Criterion 3	8
	Criterion 3 is restrictive / limited / needs to take more factors into consideration	10
	Criterion 3 / effort to sell and the impact of blight is not clear / ambiguous	12
	Disagree with 2.20 - 15% threshold on property asking price / is unreasonable / will lose too much in terms of monetary value	151
	Disagree with 2.20 - property to have been in the market for at least 3 months / too long in situations of 'hardship'	28
	EHS ignores impact on local property prices	4
	'Effort to sell' should not be a part of the criteria	20
	'Effort to sell' should not apply to properties directly on the proposed route	3
	House / property is / properties are blighted / negative impact on value / unable to sell at market value / affected by announcement of preferred route / HS2	278
	Property is / properties are / will be unsellable / could / will affect future sale of property	111
	Buyers are pulling out / potential buyers are / will be discouraged	66
	Disagree with 2.21 - should only need to prove property has been on market	3
	Other effort to sell and impact of blight mentions	27
	No prior knowledge of Phase Two of HS2 - Criterion 4 (sub-net)	136
	Agree with Criterion 4 - no prior knowledge of HS2	38
	Disagree with Criterion 4 - no prior knowledge of HS2	71
	Criterion 4 makes the sale of property more difficult / causes further blight	30
	Other comments on no prior knowledge of Phase Two of HS2	12
	Criterion 4 is too ambiguous / difficult to prove no prior knowledge	13
	Exceptional hardship / pressing need to sell - Criterion 5 (sub-net)	299
	Agree with Criterion 5 - exceptional hardship	10
	Agree with caveats Criterion 5 - exceptional hardship	4
	Disagree with Criterion 5 - exceptional hardship	79
	Strongly disagree with criterion 5 - exceptional hardship	13
	Criterion 5 / exceptional hardship is not clear / ambiguous	34
	Criterion 5 is restrictive / needs to be flexible / applicants should be allowed to contest all forms of hardship	62
	Should not have to prove hardship / should not be part of the criteria	130
	Hardship is unpredictable / sudden / occurs immediately	5
	Para 2.28 - 'pressing need to sell' is not clear / ambiguous	16
	Hardship is difficult to quantify	12
	Disagree with paragraph 2.28 "pressing need to sell"	51
	Disagree with paragraph 2.26 "cannot pre-define exceptional hardship"	4
	Disagree with paragraph 2.27 - forms of hardship	8
	Other comments on exceptional hardship / pressing need to sell Criterion 5	11
	ALTERNATIVE SUGGESTIONS (NET)	766
	Alternative suggestion to property type criterion 1 (sub-net)	188
	Second home owners should not be disadvantaged / discriminated / should be included	48
	Should include all properties / nature of ownership / occupation / use of property should not matter	171

Void periods for rental properties / properties that cannot be 'let' at a normal rate should be included	9
Alternative suggestions to location of property criterion 2 (sub-net)	108
Property affected by / on access roads to / construction should be considered	26
Tunnel guarantee scheme should be in place / is a good idea / to avoid impact of blight	1
Should include properties above / close to bored tunnelled sections	79
Other alternative location mentions	5
Alternative suggestions to distance of property from the track (sub-sub-net)	157
EHS should cover a wider / widest possible geographic area	67
Distance of property from proposed sites should be reviewed / taken into consideration	21
Fixed outer distance / area from construction / excavated site should be set	11
Other alternative suggestions to distance of property from the track	9
Distance from track (sub-sub-sub net)	77
Other distance from track mentions	7
Specific distance from track mentions	71
Should include properties within 60 / 120 / 150 / 200 / 500 metres / 1km / 2km from the track / line	39
Should include properties within 500 yards	1
Should include properties within 0.5 / 1 / 2 / 3 mile(s) from the track / line	32
Alternative suggestions to effort to sell / impact of blight criterion 3 (sub-net)	90
Should consider properties already on the market for a certain period time	15
Criteria should include properties put up for sale after Phase Two announcement	7
Should have a 5% / 7.5% / 10% threshold on property asking price	37
Should include properties that cannot be sold at unblighted price	11
Help / support to sell the property should be given to affected parties	20
Other alternative suggestions to effort to sell / impact of blight	12
Alternative suggestions to no prior knowledge of Phase Two of HS2 criterion 4 (sub-net)	2
A fixed date should be set after which people should be expected to have prior knowledge of line	2
Alternative suggestions to exceptional hardship / pressing need to sell criterion 5 (sub-net)	84
Should not just be based on pressing need to sell	15
Compensation should be available to anyone with a pressing need to sell	13
'Intention to sell' / future plans to sell should be considered / a criterion	27
'Intention to move' / future plans to move should be considered / a criterion	35
Other alternative suggestions (sub net)	697
Improvement(s) to property should be considered by the scheme	12
Should be able to apply once property is blighted / not wait till HS2 route is finalised	3
Should be tailored to individual needs / personal circumstances / case by case	33
Other alternative suggestions	41
Alternative Schemes to EHS (sub-sub-net)	177
Should have a compensation scheme / not EHS	12
Government / HS2 should purchase the blighted property immediately / now	5
There should be an option to rent back from the government	2
Property bond scheme (sub-sub-sub-net)	167
Property bond / warranty scheme should be adopted / would be a better option	149
Property bond scheme gives assurance that property owners will receive full market value in the event of a sale	71
Property bond scheme is just / fair	25
Property bond scheme reduces blight / the costs of blight	26
Property bond scheme will boost market confidence	39
Other positive mentions of property bond scheme	28
Property bond scheme will reduce opposition to the HS2 project	13
Property bond can be used for re-mortgaging purposes	11
Property bond is transferable / unused property bond will allow owners to be compensated when HS2 is completed	12
Applicant's status (sub-sub-net)	54
EHS should consider length of time applicants have lived in their house	8
EHS should take into consideration the age of applicants / affected parties	49
Other applicant's status mentions	3
Compensation (sub-sub-net)	545
Compensation / remedy should be available immediately / now / as soon as possible	69
Compensation / sliding scale of compensation should be in relation to distance / away from the track	9
Compensation should be available to anyone / everyone who is / affected	216
Compensation should be quantified / based on measurement of impact / not personal opinion / HS2's discretion	10
Compensation should be in full / adequate / sufficient	126
Compensation needs to be fair / transparent	91
Compensation should be available at any time	28
Property prices should be fair / compensation should be for any loss in value / 100% of unblighted value / failure to sell at preannouncement valuation price	321
Need a compensation scheme / a mechanism to compensate loss	11
Compensation / scheme / protection is needed during the long years of planning / construction / from beginning until the end of the project / HS2	13
A clear time frame / timetable for process / compensation is needed	12
Compensation should be / at least be similar to that offered in Phase One	1
Additional compensation for the distress caused by the HS2 proposals	12
Compensation should be available to all affected by HS2 route	14
There are financial penalties not referred to (eg Stamp Duty (SDLT)) / should be included	13
Additional costs / costs of moving / professional assistance should be covered	41
Other compensation mentions	47
Eligibility (sub-sub-net)	397
Should not have to meet all / five of the criteria	8
Acceptance should be automatic for those affected / reasons need not be justified	66
Blight to property should be sole / only criterion / need only prove loss	145
Should include / consider groups (community / village) affected / not as individuals	17
People should be able / have a choice / to move / relocate / re-establish themselves	127
Rule(s) on eligibility / criteria is / are unfair / unreasonable	58
Falling property prices may make it necessary to sell	1
Other eligibility mentions	14
Para 2.9 - "Seriously affected" is not defined / unclear / ambiguous	16
Valuation of properties should be fair / should take all factors into consideration / should be the basis for compensation	19
Property owners have the right to sell their property whenever / for whatever reason	74
Owners who lost sale due to the announcement should be accepted / compensated	3

Criteria are broad	2
Criteria should be clear / logical / reduce ambiguity	20
Criteria will prevent people from applying for EHS	14
Criteria will prevent people from taking advantage of EHS compensation scheme	5
Valuation (sub-sub-net)	88
There should be an independent valuation of all affected properties	33
Valuation by an estate agent should not be required / only show property on market for reasonable price	7
Independent valuation of properties by more than one estate agent	14
Blighted property valuation should be compared to properties in other similar unblighted areas / previous years valuation / average of multiple market value	18
Other valuation mentions	30
GENERAL (NET)	788
Separate qualifying criteria for properties subject to compulsory purchase	6
Choose a route that causes the least disruption / blight to properties	25
Do not feel qualified to make an informed decision	6
Impact of blight is immediate / soon after announcement of preferred route / is happening / being experienced now	22
Other general mentions	8
Quality of life (sub-net)	191
Impact on / loss of quality of life / disturbance / disruption to our lives should be considered	89
Adverse effect on health / well being / extent of emotional stress / confusion / mental state of those affected / immediate and in the future / should be considered	72
Announcement has / could affected our / people's future plans / we / people cannot be expected to put our lives on hold / be trapped in our homes	59
Other quality of life mentions	5
Impact on the environment (sub-net)	219
Noise should be a factor / taken into consideration	106
Construction / impact on surroundings / change to landscape should be considered / quantified	123
Views from my property will be affected / visibility of the HS2 line from the property should be considered	67
Road congestion should be a factor / taken into consideration	32
Accommodation / location of workmen / equipment should be a factor / taken into consideration	6
Impact of vibration should be considered	21
Impact of railway height / elevation of tracks / viaducts should be taken into account	38
Structural damage should be a factor / taken into consideration	12
Air pollution / dust will have a negative impact on the environment	16
Other impact on the environment mentions	29
Impact on business (sub-net)	26
Business is blighted / directly affected by preferred route / these HS2 proposals	21
Adverse speculation will decrease demand for business	1
Other impact on business mentions	11
Financial impact (sub-net)	123
Unable to obtain a mortgage / bank loans / re-mortgage	34
Home(s) are an investment / our largest asset / all our money is tied up in our house(s) / should be able to release equity	58
Other financial impact mentions	44
Personal circumstances (sub-net)	268
Personal reasons (funding retirement / care homes) mentions make it necessary / may make it necessary to sell the house / property to release equity	85
Personal reasons (family) mentions make it necessary / may make it necessary to move / sell the house / property to release equity	37
Personal reasons (financial) mentions make it necessary / may make it necessary to move / sell the house / property to release equity	42
Personal reasons (health) mentions make it necessary / may make it necessary to move / sell the house / property to release equity	57
Personal reasons (career) mentions make it necessary / may make it necessary to move / sell the house / property to release equity	28
Personal reasons (divorce) mentions make it necessary / may make it necessary to move / sell the house / property to release equity	8
Personal reasons (school) mentions make it necessary / may make it necessary to move / sell the house / property to release equity	3
Personal reasons (death of a family member) mentions make it necessary / may make it necessary to move / sell the house / property to release equity	11
Should consider change in lifestyle / life plans	8
Personal reasons (moving home to downsize) mentions make it necessary / may make it necessary to move / sell the house / property to release equity	53
Personal reasons (other) mentions make it necessary / may make it necessary to move / sell the house / property to release equity	17
Live close to the preferred route	71
Other personal reasons mentions	27
Personal reasons (age / old age) mentions make it necessary / may make it necessary to move / sell the house / property to release equity	51
Comments on EHS (sub-net)	559
EHS should be an easy process / minimise bureaucracy	13
Should be able to appeal / not just on new information only	9
Appeals procedure should be fair	11
Should provide feedback on application made	2
EHS process / scheme needs to be administered realistically / competently / unsure if it will	15
EHS should come into effect quickly / as soon as possible	34
EHS should be available at any stage of the process	7
Other negative property type comments	1
Independent panel should be appointed / HS2 / Government should not be 'judge and jury'	18
Engineers / surveyors / professional bodies should decide / report / there should be a scientific analysis on the effect of HS2 on properties	18
There must also be a consideration that over-generousness could set an early precedent	1
Other EHS process mentions	14
Positive comments on EHS (sub-sub-net)	82
Criteria are / should be appropriate / reasonable / fair	41
EHS will compensate / protect interests of / helpful to owners / residents affected	13
EHS is a good idea / is needed	4
EHS should be fair / just	22
EHS should minimise financial impact / should provide financial stability	8
Negative comments on EHS (sub-sub-net)	477
Adverse speculation / perception affects the sale of properties	16
EHS is for benefit of HS2 Ltd / do not consider needs of applicants	25
EHS / criteria are unclear / ambiguous / arbitrary / complex / difficult to understand / subjective	84
EHS / scheme / criteria are restrictive / limited / needs to be widened / to take more factors into consideration	270
Longer timeframe should be allowed for the EHS process	27
EHS needs to minimise uncertainty	4
EHS creates long term uncertainty	23
Negative mentions about name of scheme 'Exceptional' hardship / not normal hardship	16
EHS will not / compensate everyone / protect interests of / not helpful to owners / residents affected	119
EHS is inadequate / will not compensate fully	43

EHS has not been fully thought through / is badly thought through does not meet its stated aim	18
EHS is unfair / unjust / unreasonable	105
EHS is a breach of my rights / freedom	19
EHS have brought / will bring about hardship	2
EHS is / could be unlawful	3
EHS should be available to those who simply want to move	8
Scheme restricts home owners selling / moving from their property	20
EHS should not force home owners to sell / make future decisions / where there is no plan to move	28
Other negative comments on EHS	15
Comments on HS2 Phase Two Proposals (sub-net)	420
HS2 proposals creates long term / uncertainty	47
Should consider future impact of HS2 proposals	7
HS2 railway will not be beneficial to local population	16
HS2 railway should not go ahead / be built / is costly	41
HS2 railway plan can cause default on bank loan(s) on property	2
Negative mentions of HS2 Ltd / government	31
HS2 is a breach of my rights / right to peace and quiet enjoyment / freedom	29
I / we / people should not suffer / bear the cost / due to actions of Government / HS2 Ltd / third party / over which we have no control	150
HS2 route should be finalised quickly / timeline for finalising / construction of final route is too long / too far in the future	37
HS2 will cause long term blight to properties affected.	35
HS2 should not go ahead if everyone affected cannot be compensated	25
HS2 proposals have brought / will cause blight / will bring about hardship / to everyone living close to the route	45
Impact on / loss of quality of life due to HS2 proposals / government plans	13
Government / HS2 Ltd should bear the costs of all blight	131
HS2 proposals will affect our standard of living / standard of accommodation	5
HS2 proposals will / are costing owner-occupiers money	12
HS2 proposals have / will create job uncertainty / loss	3
HS2 proposals will have a negative impact on local services / recreational facilities	8
HS2 proposals will have a negative impact on wildlife	6
HS2 proposals have brought / will bring about distress	18
HS2 Ltd / government should / has a duty to / protect / focus on people's interests	30
Other HS2 operation mentions	5
More publicity / awareness of the Scheme / lack of contact / need more personal communication from HS2 Ltd / government with those affected	33
Compensation of HS2 is likely to / could / will outrun life expectancy	3
COMMENTS ON CONSULTATION (NET)	104
Explanation should be simple / easy to understand / without jargon	24
Availability of information / do not have sufficient / relevant information	80
People may not have heard of HS2 / EHS / needs to be better publicised	11
People should have been informed earlier	6
OUT OF SCOPE (NET)	46
Negative comments about HS2 Phase One compensation scheme	26
Build a tunnel / tunnel preferred to viaduct	9
Other Phase One compensation scheme mentions	10
Other out of scope	1
Businesses need to be able to plan long term / need certainty over business viability	1
Businesses are subject to a different set of pressures and considerations to individuals	1
Other Responses (NET)	177
Attachment - maps / deeds / house ad / letters from estate agents / solicitors	36
See previous response	74
Blank	30
Don't know	2
No comment	5
Missing / incomplete text	15
None / nothing	6
Additional response	25
Other Comments (NET)	160
Other - negative	75
Other - positive	2
Other - neutral	103
Base size:	920
Q.3 In this box please tell us whether you agree or disagree with the proposed process for operating the Exceptional Hardship Scheme for Phase Two and explain your reasons.	
AGREE TO / DISAGREE WITH PROPOSED PROCESS (NET)	693
Agree with caveats	95
Neither agree nor disagree	4
Agreement (sub-net)	193
Strongly agree	1
Agree	182
Agree with paragraph 2.31	2
Agree with paragraph 2.33	2
Agree with paragraph 2.34	5
Agree with paragraph 2.36	2
Agree with paragraph 2.37	2
Agree with paragraph 2.38	2
Agree with paragraph 2.39	1
Agree with paragraph 2.40	1
Agree with paragraph 2.41	1
Disagreement (sub-net)	421
Strongly disagree	47
Disagree	341
Disagree with paragraph 2.31	5
Disagree with paragraph 2.32	26
Disagree with paragraph 2.35	5
Disagree with paragraph 2.36	6
Disagree with paragraph 2.37	5

Disagree with paragraph 2.38	6
Disagree with paragraph 2.42	4
Disagree with paragraph 2.33	1
Disagree with paragraph 2.34	1
PROCESS FOR OPERATING EHS (NET)	415
A clear time frame / timetable for process is needed	29
A clear time frame / timetable for compensation / payment is needed	11
The process needs to be immediate / quick / efficient	66
Application process should be transparent	73
SDLT should be waived on replacement / new properties below a particular value	1
The process needs to be simplified / more streamlined	30
People should be given enough / a certain amount of time to move into new properties	3
Applicants should be able to re-apply if they feel decision is unfair	17
Personal representation / professional assistance should be allowed for application / at any stage (eg re-application / appeals)	51
Needs to be managed / addressed in a positive / constructive / considerate manner	9
Other mentions of process for operating EHS	18
Positive mentions of process (sub-net)	57
The process is clear / unambiguous	5
The process is appropriate / reasonable / fair	54
Other positive mentions of process	2
Negative mentions of process (sub-net)	215
Process is unfair / unjust / biased	88
The process is complicated / difficult / obscure / long winded / ambiguous	65
The process needs additional work / amendments / modifications / should be redrafted	39
Difficulties with process will increase cost	2
The process could be difficult for elderly / vulnerable people	16
There are financial penalties not referred to (eg Stamp Duty (SDLT))	4
Process should be administered fairly / impartially / realistically / competently	39
Other negative mentions of process	6
ALTERNATIVE SUGGESTIONS (NET)	610
Intention to sell / plans to sell in the future should be taken into account	10
Applicants may be put off by process / designed to hinder / should be made easy	11
Reasons for moving need not be justified	19
Acceptance should be automatic for those affected / reasons need not be justified	22
Helpline / advice / neutral panel of advisors (e.g RICS) should be available / to help with applications / at no cost	44
The extent of blight / financial loss should be assessed / without expense to the claimant	17
Fast track process for the elderly / those facing ill health / financial difficulties	11
Other alternative suggestions	40
Independent panel (sub-net)	332
The scheme should be administered by an independent body / tribunal / not HS2 Ltd / DfT / Government	133
Independent panel should be presided / chaired by a judge	8
Independent panel / body / tribunal should make final decision on applications / not Secretary of State / DfT	116
Panel should be made up of more than three / a certain number of members	5
Local panel / body / tribunal should settle cases	13
Other mentions of Independent panel	11
Appointment (sub-sub net)	84
Independent panel should be appointed by an independent body (e.g RICS) / not HS2 Ltd / DfT	76
Independent panel should be appointed by MPs whose constituencies are affected	5
Independent panel should be appointed by the Secretary of State	3
The selection process / information about independent panel members should be available to the public	12
Other appointment mentions	5
Representation (sub-sub net)	130
Independent panel should include local councillors / members of the government	6
Independent panel should include members of the public / people from different / various professions / local estate agents / specialists (eg doctors)	30
Independent panel should represent / include people whose property / business is blighted	9
Independent panel should include members / supporters of anti HS2 groups (eg. Stop HS2)	5
Panel should be fully independent / should not include members of government / HS2 Ltd	95
Mentions of HS2 Ltd / DfT / Government involvement (sub-sub-net)	138
Government / HS2 Ltd should not have absolute discretion / cannot be judge and jury	74
HS2 Ltd / government should protect / focus on people's interests	55
Other mentions of HS2 / DfT / Government involvement	8
Other negative mentions of HS2 / DfT / Government involvement	19
Property (sub-net)	68
Should include properties already on the market	1
Should include properties already on the market for a certain amount of time	1
All properties should be considered / included for EHS	15
Should include properties that cannot be sold at the unblighted price	6
Properties for which offers / firm offers have been withdrawn should be purchased at the offer price	2
Impact on property / property values should be considered	40
There should be a difference between blighted properties and compulsorily purchased properties	2
There should be an option for 'renting back' the property	3
Other mentions of property	3
Documentary evidence (sub-net)	53
Applicants can add further evidence only if they want to / should not be compulsory / at any point	17
Applicants should not have to provide documentary / additional evidence (eg photos)	8
Access to Evidence (maps, photos, documentation) should not be expensive	3
Evidence (maps, photos, documentation) should be easy to obtain	12
Applications should be thoroughly considered / not only based on documentary evidence (eg site visit / hearing)	22
Other documentary evidence mentions	3

Appeals (sub net)	256
Applicants should be able to appeal / if they feel decision is unfair / at any stage	73
There should be an independent / appeals procedure	193
There should be a higher / second tier / appeals procedure for the scheme	9
Appeals process should be transparent / open / give reasons / feedback why unsuccessful	24
Other appeals mentions	8
Compensation (sub net)	251
Additional / more compensation for compulsory purchases / if people are forced to relocate	4
Compensation / remedy should be available immediately / now / as soon as possible	35
Compensation should be for any loss in value due to blight	60
Compensation should be available to any / everyone who is / are affected	112
Compensation claims should be reviewed by an independent arbitrator / panel	17
Compensation should be just / fair	40
Compensation should be full / adequate	71
Compensation should be available for houses / properties above tunnelled sections	5
Other compensation mentions	23
VALUATION (NET)	160
Make use of pre-existing / historical information about property value	11
New valuation required only if pre-existing information is inappropriate / insufficient	4
Estate agents / local valuers / RICS valuers should be trusted / referred to about value / history of property	36
Disagreements to valuations can be resolved by face-to-face negotiations	4
Applicants should have a free choice of any valuer for their property (e.g RICS) / not restricted to those on HS2's list	68
Property prices / value should be agreed upon / by all parties involved	13
Property prices should be fair / based on unblighted value / on offers made prior to the announcement of the HS2 route	61
Other valuation mentions	30
PERSONAL CIRCUMSTANCES (NET)	49
EHS should take into account personal reasons / circumstances	20
EHS should take into account family reasons / circumstances	5
Personal reasons (divorce / separation) mentions make it necessary / may make it necessary to sell the house / property / to release equity	2
Personal reasons (financial / unemployment) mentions make it necessary / may make it necessary to sell house / property / to release equity to minimise f	5
Personal reasons (funding retirement / care homes) mentions make it necessary / may make it necessary to sell the house / property / to release equity	12
Personal reasons (health) mentions make it necessary / may make it necessary to sell house / property to release equity	6
Personal reasons (old age) mentions / make it necessary / may make it necessary to sell house / property to release equity	7
Personal circumstances (other) mentions / make it necessary / may make it necessary to sell house / property to release equity	7
GENERAL COMMENTS (NET)	536
People should have the choice to move / should not be forced to move	31
Not qualified / confident / objective to answer	10
Scheme needs to be fair	30
Location (sub-net)	111
The impact on surroundings / effects / extent of construction work / disturbance to the area should be considered	45
Local amenities will be adversely affected	2
The location criterion is restrictive / limited / needs to include more factors (eg area reputation / desirability)	12
Noise will negatively affect / disturb the area / should be taken into consideration / compensated for	24
Local characteristics should be taken into account	19
Other location mentions	6
Distance from route (sub-sub-net)	63
Distance criteria for EHS is unclear	6
A fixed outer distance / area from the preferred route should be set	7
Property / house is close to preferred route	12
Distance criteria for EHS is inadequate / should cover a wider / widest geographical area	33
Other distance from route mentions	16
Quality of life (sub-net)	98
The effects / extent of emotional stress / confusion / disturbance / disruption to people's lives should be considered / compensated for / a criterion	51
EHS should take into account the loss / impact / change to quality of life / lifestyle	45
Psychiatric / medical assessments should be provided for those affected	9
EHS needs to minimise stress on those directly affected / give peace of mind	13
Other quality of life mentions	5
Financial impact (sub-net)	167
Property is unsellable / will affect future sale of property	25
Buyers are pulling out / potential buyers are discouraged	5
Additional financial support / help should be provided towards costs / of moving / any loss suffered	29
Unsellability will lead to an increase in property maintenance costs	2
Property prices vary according to market trends	2
EHS proposals are already costing money / costing owner-occupiers money	7
All information / facts / figures / financial data should be made available to the public	94
Unable to obtain a mortgage / bank loans	6
Other financial impact mentions	14
Property bond scheme (sub-net)	104
A Property bond scheme should be adopted instead / would be a better option	88
Property bond scheme is fairer / equitable to all	25
Property bond scheme maintains confidence in the property market	20
Property bond scheme gives assurance that property owners will receive full market value in the event of a sale	18
Positive mentions of property bond scheme	35
Negative mentions (sub-net)	305
Lack of contact / need more / personal communication from HS2 Ltd with those affected	58
I / we should not suffer / bear the cost due to actions of Government / HS2 / third party / over which we have no control	52
Proposals create uncertainty / long term uncertainty	28
EHS proposals create uncertainty / long term uncertainty	19
Concerns that the majority of applicants will not qualify for EHS	14
EHS proposal / scheme is unfair / unjust	32
EHS is limited in its application / does not take enough into consideration / is restrictive	51
EHS may cause more harm than good / create problems rather than solutions	10

Applicant should not incur additional expense in making an application / proving his case under the Scheme	32
Should not have to prove eligibility	5
HS2 has brought about a forced sale of a property	2
EHS is a bad idea / will not work / is not a sufficient scheme	17
There should be no time constraints for EHS	32
HS2 should not go ahead if everyone affected cannot be compensated	27
The term / definition of "exceptional hardship" is ambiguous / not clear	9
EHS is / could be unlawful / a breach of my rights	18
Should not have to prove hardship / pressing need to sell / should not be part of criteria	18
Announcement of preferred route has affected our future plans / has put our lives on hold / traps people from moving	26
Other negative mentions	7
Positive mentions (sub-net)	9
EHS is a good idea / is needed	6
EHS will help / assist me / us	3
Comments on HS2 (sub-net)	116
Property is blighted / directly affected by preferred route / announcement of preferred route / by HS2 proposals	35
HS2 is not needed / costly / should not be built	30
Benefits should not be at financial costs to those affected by HS2 proposals	17
HS2 proposals are already costing money / costing owner-occupiers money	4
HS2 proposals create uncertainty / long term uncertainty	14
People may not have heard of HS2 / EHS / statutory provisions / needs to be better publicised / more communication with those affected	38
HS2 / Government should absorb the costs of all blight	5
Other comments on HS2	6
OUT OF SCOPE (NET)	101
Other out of scope mentions	10
Reference to Phase One	79
Route should be changed / underground / build somewhere else	12
COMMENTS ON CONSULTATION (NET)	145
Consultation document (sub-net)	135
Criticism of questions / questionnaire	3
Availability of information / need more / sufficient / relevant / detailed	123
Explanation should be simple / easy to understand / without jargon	27
Consultation process (sub-net)	20
All parties involved / concerned / affected should be consulted	19
Further / supplementary information provided	1
Other Responses (NET)	157
Attachment - map / deeds only	2
Attachment	4
See previous response	92
Blank	39
Don't know	2
None / Nothing	18
Missing / incomplete text	8
Additional response	2
Other Comments (NET)	88
Other - neutral	60
Other - negative	35

Whitemail Topline

Total

Base size: 183

Q.1	Free text responses covering agreement for EHS / criteria / process	
	AGREE TO / DISAGREE (NET)	106
	Agreement (sub-net)	51
	Strongly agree to proposal for EHS scheme	5
	Agree to proposal for EHS scheme	33
	Agree to proposed criteria	1
	Agree to proposed process	5
	Agree with caveats - to proposal for EHS scheme	9
	Agree with caveats - to proposed criteria	6
	Agree with caveats - to proposed process	4
	Any agreement with specific criteria	11
	Disagreement (sub-net)	92
	Strongly disagree to proposal for EHS scheme	4
	Strongly disagree to proposed criteria	5
	Strongly disagree to proposed process	3
	Disagree to proposal for EHS scheme	12
	Disagree to proposed criteria	29
	Disagree to proposed process	42
	Any disagreement with specific criteria	74
	Any disagreement with criterion 1	5
	Any disagreement with criterion 2	36
	Any disagreement with criterion 3	56
	Any disagreement with criterion 5	28
	REASONS FOR AGREEING / DISAGREEING WITH PROPOSED EHS SCHEME (NET)	130
	Property - house / business / land / unspecified (sub-net)	117
	EHS is needed to allow us to move house	1
	House / property is already on the market	3
	House / business / property is / will be unsellable / could / will affect future sale	34
	Intention to sell / future plans to put house / property on the market	7
	House / business / property is close to the preferred route	24
	Disagree with annual rateable value / not exceeding £34,800	4
	Adverse speculation / perception affects the sale of properties	1
	Negative impact on property prices following announcement	70
	Owners should be given the right to sell to the government at unblighted market price	3
	Blight to properties took place immediately on announcement of preferred route	44
	Long term / negative impact on local property market / prices will continue to decrease until / final route is decided /work starts	23
	HS2 has very long lead times / blight is more prolonged	35
	Property values are thought to be lowest before and during construction	1
	With reasonable assumptions / from unpublished reports, it is clear that properties within a kilometre suffer an average level of blight of almost 20%	3
	Businesses are subject to a different set of pressures and considerations to individuals / assessing hardship is likely to be more complex	2
	Businesses need to be able to plan long term / need certainty over business viability	5
	The scheme will not be of value to the majority of farm businesses who suffer adverse impact as a result of the proposal	1
	Potential impact on proposed development schemes / ability to achieve sustainable development in the area	3
	Positive mentions (sub-net)	3
	EHS is a good idea / is needed	2
	EHS will compensate / protect interests of / helpful to owners / residents affected	1
	Negative mentions (sub-net)	61
	EHS is limited in its application / needs to be broader	32

EHS will not compensate / protect interests of / help owners / residents affected	36
EHS is unfair / unjust / inequitable	25
The logic of an EHS does not fit the HS2 time profile	8
Scheme restricts home owners selling / moving from their property	1
EHS should not force home owners to sell / make future decisions / where there is no plan to move	2
Other negative comments - reasons for disagreeing with EHS	9
ALTERNATIVE SUGGESTIONS TO EHS SCHEME	55
Alternative schemes to EHS (sub-sub-net)	55
There should be an advanced purchase scheme which operates until the completion of HS2 / could generate income	3
A sale and rent back scheme would allow homeowners to remain in their homes as tenants until the properties are required	1
Property bond (sub-sub-sub-net)	51
Property bond / warranty scheme should be adopted / would be a better option	48
Property bond scheme gives assurance that property owners will receive full market value in the event of a sale	18
Property bond scheme is just / fairer	12
Property bond scheme reduces the cost of blight	19
Property bond scheme maintains confidence in the property market	28
Property bond scheme will reduce opposition to HS2	6
Property bond - the cost to the Government is not the purchase cost of properties but the net cost after their resale	1
Property bond scheme should be additional to existing compensation packages	1
Other positive property bond scheme comments	16
FINANCIAL IMPACT (NET)	54
HS2 proposals have had a negative impact on investments / financial loss	10
EHS should minimise financial impact / hardship	7
Difficulties with / unable to obtain a mortgage / re-mortgage / bank loan / property insurance	20
Home(s) are an investment / our largest asset / all our money is tied up in our house(s) / should be able to release equity	25
Other financial impact comments	7
REASONS FOR AGREEING /DISAGREEING WITH CRITERIA TO DETERMINE QUALIFICATION FOR Phase Two EHS (NET)	138
General comments on criteria (sub-net)	50
Criteria are restrictive / limited / subjective / need to take more factors into consideration	46
Criteria are unclear / not thought through / arbitrary / complex	23
Other negative criteria comments	1
Should not have to meet all / five of the criteria	2
Property type - Criterion 1 (sub-net)	10
Agree with criterion 1 - property type and ownership	3
Disagree with criterion 1 - property type and ownership	4
Disagree with annual rateable value not exceeding £34,000	1
Other property type comments	2
Location of property - Criterion 2 (sub-net)	93
Disagree with Criterion 2 - location of property	22
Strongly disagree with Criterion 2 - location of property	5
Criterion 2 is restrictive / limited / needs to take more factors into consideration	26
Agree with 2.15 / a fixed outer distance / area from the preferred route is not appropriate	9
Disagree with 2.15 / a fixed outer distance / area from the preferred route should be set	10
Location is blighted / no longer desirable / directly affected by preferred route	32
Property is in a rural area / impact may be greater	9
Properties affected by construction / building work cannot be determined before the route in finalised	11
Disagree with 60 / 120 metres boundary in rural area	6
Blight will affect a larger / wider area than that covered in the scheme	39

Criterion 2 / location of property / 'distance from line' is not clear / is ambiguous	10
Criterion conflicts with stated aim of EHS which is to alleviate blight	16
Loss of amenity / impact on value because of loss of amenity	12
The SIN attempts to justify the need for a location criterion as well as a blight one fails to provide any convincing argument	1
The location criterion overrides and rejects blighted properties from EHS eligibility	1
Other location on property comments	5
Effort to sell and the impact of blight - Criterion 3 (sub-net)	103
Agree with criterion 3 - effort to sell and the impact of blight	3
Disagree with criterion 3 - effort to sell and the impact of blight	7
Conditional agreement Criterion 3	2
Criterion 3 is restrictive / limited / needs to take more factors into consideration	5
Criterion 3 / effort to sell and impact of blight is not clear / is ambiguous	8
Disagree with 2.20 - 15% threshold on property asking price / is unreasonable / will lose too much in terms of monetary value	54
Disagree with 2.20 - property to have been in the market for at least 3 months / too long in situations of 'hardship'	12
House / property is blighted / negative impact on value / unable to sell at market value / affected by announcement of preferred route / HS2 track	49
Property is unsellable / could / will affect future sale of the property	18
Buyers are pulling out / potential buyers will be discouraged	18
Estate agents are now requiring upfront fee / charging more to market properties they may not be able to sell because of HS2	12
Base blight criterion only on 'loss in value' / which is practical, transparent, relevant to the Scheme's aims	10
We are concerned that para 2.21 give the Government more reasons for refusing the application	1
The means testing and restrictions on qualifying reasons for sale are inherently unfair	1
Other negative effort to sell and the impact of blight comments	7
Other positive effort to sell and impact of blight comments	3
No prior knowledge of Phase Two of HS2 - Criterion 4 (sub-net)	44
Agree with Criterion 4 - no prior knowledge of HS2	3
Disagree with Criterion 4 - no prior knowledge of HS2	26
Criterion 4 makes the sale of property more difficult / increases blight	30
Criterion 4 will negate some open market sales and thereby increase the call on EHS and the public purse	1
Other comments on no prior knowledge of Phase Two of HS2	3
Exceptional hardship / pressing need to sell - Criterion 5 (subnet)	81
Conditional agreement Criterion 5 - exceptional hardship	1
Disagree with Criterion 5 - exceptional hardship	23
Strongly disagree with criterion 5 - exceptional hardship	8
Criterion 5 / exceptional hardship is not clear / is ambiguous	13
Criterion 5 is restrictive / needs to be flexible / applicants should be allowed to contest all forms of hardship	34
Should not have to prove hardship / exceptional hardship / should not be part of the criteria	48
Hardship is unpredictable / sudden / occurs immediately	4
Para 2.28 - 'pressing need to sell' is not clear / is ambiguous	5
Disagree with paragraph 2.28 "pressing need to sell"	1
'Intention to sell' / future plans to sell should be considered / a criterion	2
Intention to move / future plans to move should be considered / a criterion	4
Other exceptional hardship comments	5
ALTERNATIVE SUGGESTIONS TO CRITERIA (NET)	134
Alternative suggestion to property type criterion 1 (sub-net)	50
Should include all properties / nature of ownership / occupation / use of property should not matter	43
Larger businesses should be included / considered in the criteria	2
Second home owners should not be disadvantaged / discriminated against / should be included	20

Alternative suggestions to location of property criterion 2 (subnet)	23
Property on access roads affected by construction should be considered	3
Should include properties above / close to bored tunnelled sections	20
Alternative suggestions to distance of property from the track (sub-sub-net)	18
EHS should cover a wider / widest possible geographic area	6
Distance of property from proposed sites should be reviewed / taken into consideration	1
Fixed outer distance / area from construction / excavated site should be set	4
Other distance from track / line comments	1
Specific distance from track mentions	12
Should include properties within 60 / 120 /150 / 200 / 500 / 1km metres of the track / line	9
Should include properties within 0.5 / 1 / 2 / 3 mile(s) from the track / line	3
Alternative suggestions to effort to sell / impact of blight criterion 3 (sub-net)	15
Should include properties already on the market for a certain amount of time	1
Should have a 5% / 7.5% / 10% threshold on property asking price	11
Where there is a repossession situation the requirement to show a minimum of marketing time should be relaxed	1
The blight criterion should be simplified to require only that the property has received no offer at the unblighted expected sale price and that this is by reason of HS2	1
Other alternative suggestions to effort to sell / impact of blight	1
Alternative suggestions to exceptional hardship / pressing need to sell criterion 5 (sub-net)	4
Should not just be based on pressing need to sell	2
Other comments on Criterion 5 - exceptional hardship / pressing need to sell	3
Other alternative suggestions (sub-net)	18
There are financial penalties not referred to (eg Stamp Duty (SDLT)) / should be included	4
Improvement(s) to property should be considered by the scheme	1
Should be able to apply once property is blighted / not wait till HS2 route is finalised	3
EHS should be tailored to individual needs / personal circumstances / case by case	6
Other alternative suggestions	8
Alternative schemes to EHS (sub-sub-net)	61
Should have a compensation Scheme / not EHS	45
HS2 should be required to purchase the property / at full market price / until HS2 is complete	12
Other comments on alternative schemes	4
A Comprehensive Property Blight Protection scheme is required	4
Compensation scheme / alternative scheme should come into effect now / quickly / as soon as possible	11
Need a scheme which maintains market confidence	18
Applicant's status (sub-sub-net)	2
EHS should take into consideration the age of applicants / affected parties	2
Other applicant's status comments	1
Compensation (sub-sub-net)	111
Compensation should be available immediately / now / as soon as possible	28
Compensation / sliding scale of compensation should be in relation to distance / away from the track	1
Compensation should be available to anyone / everyone who is affected by the proposals	64
Compensation scheme for owners of blighted properties with no immediate plans to move	8
Compensation should be quantified / based on measurement of impact / not personal opinion / HS2's discretion	3
Compensation needs to be in full / adequate / sufficient	51
Compensation needs to be fair / transparent	52
Compensation should be available at any time / throughout and beyond the life of HS2	34
Property prices should be fair / should be for any loss of value / 100% of unblighted value / failure to sell at preannouncement valuation price	45

Statutory blight provisions will not compensate the majority of property owners prejudiced by HS2	7
Unless the principle of fairness to those affected is established, the inadequacies in the package of compensation arrangements will inevitably cause opposition to any project	1
The Government should cover the seller's agent's and legal fees incurred	1
There has to be a generous non-statutory scheme	1
Modernise compensation to make infrastructure projects more readily implementable	2
Other compensation comments	15
Eligibility (sub-sub-net)	71
Acceptance should be automatic for those affected / reasons need not be justified	5
Blight to property should be sole / only criterion / need only prove loss	49
People should be able / have the choice to move / relocate / re-establish themselves	10
Rule(s) on eligibility / criteria is / are unfair / unreasonable	13
Property owners have the right to sell their property whenever / for whatever reason	16
Other eligibility comments	8
REASONS FOR AGREEING /DISAGREEING WITH PROCESS FOR OPERATING EHS (NET)	53
A clear time frame / timetable for process / compensation is needed	7
A clear time frame / timetable for compensation / payment is needed	6
Application process should be transparent	17
The process needs to be quick / immediate / efficient	9
The process needs to be simplified / streamlined	8
Process should be administered fairly / impartially / realistically / competently	11
Other comments on process for operating EHS	6
Positive mentions of EHS process (sub-net)	8
The process is clear / unambiguous	1
The process is / seems / looks appropriate / reasonable / fair	2
Other positive mentions of EHS process	3
Positive development that process for administering EHS is more transparent than the previous property compensation scheme	1
The decision to use local estate agents in the scheme is welcome	1
Welcome the fact that the range of admissible evidence is wider	1
Support Government's commitment to pay for associated costs of moving	2
Negative mentions of process (sub-net)	26
Process is unfair / unjust	14
The process is complicated / difficult / obscure / long winded	3
The process needs additional work / amendments / modifications / should be redrafted	5
True nature of blight is ignored in these proposals	2
Government proposals are an inadequate response to the issues	1
Safeguarding has no relevance to the vast majority of people affected by blight	1
The idea that arrangements need only bridge the gap to safeguarding directions being made is inconsistent with the evidence of blight and distance from the proposed route	2
The model that best fits an EHS scheme is where the infrastructure scheme has a short life	2
There appears to be no reasonableness or 'fair balance' criteria within the decision making process	2
Concern remains that without scrutiny and transparency of Government policy on 'exceptional hardship' the scope for inconsistent application remains an unacceptable risk	2
The loss of value is entirely caused by a Government promoted scheme	1
There is no merit in introducing a temporary scheme to bridge the gap until safeguarding directions are made	1
The implication that when uncertainty about the precise route is removed, so will blight, is false as blight is far more widespread than the boundary of the safeguarded zone	1
Other negative mentions of the EHS process	5

ALTERNATIVE SUGGESTIONS TO PROCESS FOR OPERATING EHS (NET)	102
Helpline / advice / neutral panel of advisors should be available / to help with applications / at no cost	4
Reasons for moving should not need to be justified	2
The extent of blight / financial loss should be assessed without expense to the claimant	7
Applicants should be able to reapply if they feel decision is unfair	2
Fast track process for the elderly / those facing ill health / financial difficulties	1
Personal representation / professional assistance should be allowed for application / at any stage (eg re-application / appeals)	31
All data on EHS cases should be published / quarterly data should be released on number of applications / number of successful applications	19
Other alternative process suggestions	7
Independent panel (sub-net)	84
The scheme should be administered by an independent body / not HS2 Ltd / DfT	29
Independent panel / body / tribunal should make final decision on applications	15
Appointment (sub-sub net)	12
Independent panel should be appointed by an independent body / not HS2 Ltd	10
Final 'decision maker' should be an independent observer / arbitrator with judicial experience / Ombudsman	2
Representation (sub-sub net)	28
Independent panel should include people whose property / business is blighted	2
Panel should be fully independent / should not include member of government / HS2 Ltd	13
Independent panel should include members of the public / people from different / various professions / local estate agents / specialists (eg doctors)	19
Valuation (sub-sub-net)	32
There should be an independent valuation of all properties	12
Valuation should be fair / should take all factors into consideration	1
Property prices should be fair / based on unblighted value / on offers made prior to the announcement of the HS2 route	4
Independent valuation of properties by more than one estate agent / valuer	3
Applicants should have a free choice of any valuer for their property / should not be restricted to those on the HS2 list	14
Blighted property valuation should be compared to properties in other similar unblighted areas / previous years valuation / average of multiple market values	11
The 'realistic asking price' for the purposes of EHS may not be the same as the typical initial asking price	1
It would be far clearer and less subjective to relate offers to the 'expected unblighted sale price' establishable through the industry standard 'Red Book'	2
Other valuation comments	11
Mentions of HS2 Ltd / DfT / Government involvement (sub-subnet)	54
HS2 Ltd / Government should protect / focus on people's interests	10
Secretary of State should not make the final decision on applications / property purchase	4
Other negative mentions of HS2 Ltd / Government involvement	17
Secretary of State / DfT representative should not make the final decision on applications / property purchase	2
Govt / HS2 is 'judge and jury' / has absolute discretion / this is unfair	19
Government / HS2 Ltd should bear the costs of all blight	19
Clarifications provided by Govt do little to correct initial deficiencies	1
While severe blight might be a temporary problem - it is for a period measured in decades for HS2	1
Uncompensated loss has not been included in the business case	1
That HS2 Ltd reserve the right to arbitrarily accept cases not meeting the criteria heightens the unfairness of the criteria and process	1

Documentary evidence (sub-net)	6
Applicants should not have to provide documentary / additional evidence (eg photos)	2
Applications should be thoroughly considered / not only based on documentary evidence (eg site visits / hearing)	1
Other documentary evidence mentions	2
Applicants should be able to submit additional evidence after applying / at any point	2
Appeals (sub net)	64
Applicants should be able to appeal if they feel decision is unfair	19
There should be an independent / appeals procedure	50
There should be a higher / second tier / appeals procedure for the scheme	2
Data / evidence on which a decision is based must be made available to the applicant / prior to appeal	21
Other appeals comments	5
PERSONAL REASONS / CIRCUMSTANCES (NET)	47
Personal reasons (divorce / separation) make it necessary / may make it necessary to sell the house / property / to release equity	3
Personal reasons (funding retirement / care home plans) make it necessary / may make it necessary to sell the house / property / to release equity	15
Personal reasons (family - growing / need to move closer to school / family / dependents) make it necessary / may make it necessary to sell house / property	8
Personal reasons (health) make it necessary / may make it necessary to sell the house / property	11
Personal reasons (financial / unemployment) make it necessary / may make it necessary to sell to minimise financial strain	1
Personal reasons (career) make it necessary / may make it necessary to sell the house / property	3
Personal reasons (downsizing) make it necessary / may make it necessary to sell house / property	21
Personal reasons (old age) make it necessary / may make it necessary to sell house / property / to release equity	8
Personal reasons (other) make it necessary / may make it necessary to sell house / property	9
Personal reasons (relative dying, acting as executor) make it necessary / may make it necessary to sell the house / property / release equity	7
LOCATION (NET)	71
Location will be / is blighted / no longer desirable after announcement of preferred route	10
Construction of HS2 will disturb the area / will have long term adverse effects on the area	41
Views from property will be affected / effects of 'loss of views' should be considered	25
Noise / vibration will negatively affect / disturb the area / will be a nuisance	38
Location will no longer be tranquil / loss of peace and quiet / rural beauty will be destroyed	24
Pretending that blight is localised suggests a cynical disregard for the majority of people affected by blight	1
QUALITY OF LIFE (NET)	89
Impact on / loss of quality of life / disturbance / disruption to our lives should be considered	29
Adverse effects on health / well being / extent of emotional stress / worry / confusion should be considered	49
We / people cannot be expected to put our lives on hold / be trapped in our homes	41
HS2 / construction / will have a negative impact on the environment	15
The natural flow of people in and out of villages is in danger of stopping altogether for the next few decades if this matter is not taken seriously	1

GENERAL COMMENTS (NET)	122
I / we / people should not suffer / bear the cost / due to actions of Government / HS2 / third party / over which we have no control	44
People should be able / have the freedom / choice / to move / relocate / re-establish themselves / is a breach of our rights / ECHR rights	40
Live close to the preferred route / line / track / preferred route runs through our property / business / village / will be demolished / will lose my home	43
Buyers are pulling out / potential buyers are / will be discouraged	8
Blight is unfair / unjust on people / individuals / should not have to suffer uncompensated loss / fear of financial loss	47
Proposals create / may create uncertainty / long term uncertainty	41
Negative comments about HS2 phase 1 compensation scheme (judged unlawful / few successful applicants)	42
Those in vicinity of route are expected to bear cost of capital project from which they may not benefit / cannot afford / cost should be shared equitably / is a tax on those close to route	25
Adopt polluter pays principle / the blighting is a consequence of HS2 and so it should be a cost to HS2 and not those who happen to live in the affected locality	21
HS2 Ltd becomes 'purchaser of last resort'	17
EHS should mitigate any significant negative impact on property values which arise as a result of rumour prior to confirmation of final route	1
COMMENTS ON CONSULTATION (NET)	62
Consultation document (sub-net)	49
Criticism of consultation document	18
EHS should be simple / easy to understand / without jargon	11
Availability of information / need more / sufficient / relevant / detailed	43
Supplementary Information Note (SIN) has added to the confusion / has an error / does not give full information	3
People not being informed of findings of HS1 blight / cannot make informed opinion on HS2	5
Consultation process (sub-net)	40
Lack of contact / communication from HS2 Ltd with those affected	27
Consultation is fundamentally unfair / flawed / a sham	16
Government is attempting mislead consultees / misrepresenting what a compensation scheme needs to address	2
Little effort has been made to help consultees understand the information provided	3
Evidence from CBRE study on the severity of blight used	1
Other negative consultation process comments	19
Other Responses (NET)	1
Additional information	1
Other Comments (NET)	47
Other - negative	30
Other - positive	5
Other - neutral	23
OUT OF SCOPE (NET)	72
General opposition to HS2 / high speed rail / HS2 should not go ahead / we cannot afford it	50
Opposition to the route of HS2 / negative comments about the impact of route	23
General support for HS2	1
HS2 route brings no increase in any form of local amenity	1
Other out of scope	15
Any mention of Q.1 issues	167
Any mention of Q.2 issues	156
Any mention of Q.3 issues	107

APPENDIX C – TECHNICAL NOTE ON CODING PROCESS

Receipt and handling of Response Forms

Postal response forms received by Ipsos MORI were logged and scanned electronically. The spontaneous verbatim response to the open-ended questions (on the response form) was electronically captured as an image in the scanning process, then loaded into the Ascribe coding package. Responses received on the web-based electronic response form were also logged, and the verbatim comments loaded into Ascribe.

All non-Response Form responses, such as e-mails, letters and reports were also logged and registered on arrival at Ipsos MORI. Each response was assigned a unique ten digit serial number.

During each working day a tally of the total number of each format of response received was maintained and logged.

Where appropriate, longer and/or more technical responses were photocopied before being sent to the project management team for manual coding and or reading and digesting before being reported upon. Likewise, while postal response forms were scanned, in a number of cases extra comments had been written on additional sheets of paper. Such responses were manually coded alongside free text responses.

The handling of responses was subject to a rigorous process of checking, logging and confirmation in order to minimise document loss and to support a full audit trail. All original electronic and hard copy responses remained securely filed within Ipsos MORI, catalogued and serial numbered for future reference.

Release of additional information

As the Secretary of State released additional information on the proposals on 25th April, the original end date for the consultation was extended from 29th April to 20th May. People who had already submitted a response were invited to make any additional comments by email, post, or official response form. Additional responses submitted during this time were matched up with the original responses from each respondent.

Cut-off date for receipt of responses

The consultation ran for 17 weeks from 28th January until 20th May 2013. Any responses dated and received within these dates were treated as valid consultation responses.

In addition, to make allowance for any potential delays within the post, all those with a post mark within the official consultation period were accepted as “on time” if received within 5 working dates from the closing date of the consultation.

Development of initial coding frame

Coding is the process by which free-text comments, answers and responses are matched against standard “codes” from a coding frame Ipsos MORI compiled to allow systematic statistical and tabular analysis. The codes within the coding frame represent an amalgam of responses raised by those registering their view and are comprehensive in representing the range of opinions and “themes” given.

The Ipsos MORI coding team drew up an initial code frame for each open-ended free-text question using the first 30 to 40 response form responses, and 10 to 15 responses for whitemail responses. An initial set of codes was created by drawing out the common “themes” and points raised across all response channels. Each code thus represents a discrete view raised. The draft coding frame was then presented to the Ipsos MORI project team and HS2 project team and fully approved before the coding process continued. The code frame was continually updated throughout the analysis process to ensure that newly emerging “themes” were captured.

Coding using the Ascribe package

Given the scale and complexity of the HS2 proposals, Ipsos MORI used the web-based Ascribe coding system to code all open-ended free-text responses found within completed response forms and from the free-form responses (i.e. those that are not sent in via the official response form and in another format such as letters, e-mails and reports, etc.). Ascribe is a proven system which has been used on numerous large scale projects. The scanned and electronic verbatim responses (from the online and postal response forms) were uploaded into the Ascribe system, where the coding team worked systematically through the verbatim comments and applied a code to each relevant part(s) of the verbatim comment. All free-form responses were coded

manually, on paper and then the serial numbers and relevant codes were loaded into Ascribe.

The Ascribe software has the following key features:

- Accurate monitoring of coding progress across the whole process, from scanned image to the coding of responses;
- An “organic” coding frame that can be continually updated and refreshed; not restricting coding and analysis to initial response issues or “themes” which may change as the consultation progresses;
- Resource management features, allowing comparison across coders and question/issue areas. This is of particular importance in maintaining high quality coding across the whole coding team and allows early identification of areas where additional training may be required and;
- A full audit trail – from verbatim response to codes applied to that response.

Coders were provided with an electronic file of responses to code within Ascribe. Their screen was split, with the left side showing the response along with the unique identifier, while the right side of the screen showed the full code frame. The coder attached the relevant code or codes to these as appropriate and, where necessary, alerted the supervisor if they believed an additional code might be required.

If there was other information that the coder wished to add they could do so in the “notes” box on the screen. If a response was difficult to decipher the coder would get a second opinion from their supervisor or a member of the project management team. As a last resort, any comment that was illegible was coded as such and reviewed by the Coding Manager.

Briefing the coding team and quality checking

A core team of 10 coders worked on the project, all of whom were fully briefed and were conversant with the Ascribe package. This team also worked closely with the project management team during the set-up and early stages of code frame development.

The core coding team took a supervisory role throughout and undertook the quality checking of all coding. Using a reliable core team in this way minimises coding variability which retains data quality.

To ensure consistent and informed coding of the verbatim comments, all coders were fully briefed prior to working on this project. The Coding Manager undertook full

briefings and training with each coding team. All coding was carefully monitored to ensure data consistency and to ensure that all coders were sufficiently competent to work on the project.

The coder briefing included background information and presentations covering the Exceptional Hardship Scheme for Phase Two proposal, the consultation process and the issues involved, and discussion of the initial coding frames. The briefings were carried out by one of Ipsos MORI's executive team members, with the initial briefing involving personnel from HS2 Ltd. This briefing took place on 6th February 2013.

All those attending the briefing were instructed to read, in advance, the Consultation Document and go through the response form. Examples of a dummy coding exercise relating to this consultation were carefully selected and used to provide a cross-section of comments across a wide range of issues that may emerge.

Coders worked in close teams, with a more senior coder working alongside the more junior members, which allowed open discussion to decide how to code any particular open-ended free-text comment. In this way the coding management team could quickly identify if further training was required or raise any issues with the project management team.

The Ascribe package also afforded an effective project management tool, with the coding manager reviewing the work of each individual coder, having discussion with them where there was variance between the codes entered and those expected by the coding manager.

To check and ensure consistency of coding, 100% of coded responses from the response forms were validated by the coding supervisor team, who checked that the correct codes had been applied and made changes where necessary.

Updating the coding frame

An important feature of the Ascribe system is the ability to extend the code frame “organically” direct from actual verbatim responses throughout the coding period.

The coding teams raised any new codes during the coding process when it was felt that new issues were being registered. In order to ensure that no detail was lost, coders were briefed to raise codes that reflected the exact sentiment of a response, and these were then collapsed into a smaller number of key themes at the analysis

stage. During the initial stages of the coding process, meetings were held between the coding team and Ipsos MORI executive team to ensure that a consistent approach was taken to raising new codes and that all extra codes were appropriate and correctly assigned. In particular, the coding frame sought to capture precise nuances of respondents' comments in such a way as to be comprehensive.

A second key benefit of the Ascribe system is that it provides the functionality of combining codes, revising old codes and amending existing ones as appropriate. Thus, the coding frame grew organically throughout the coding process to ensure it captured all of the important "themes".

Responses supported by other information

Responses were also received in other formats, these being letters, e-mails and reports. Several responses also included accompanying documents such as maps, deeds and letters from estate agents and surveyors.

Checking the robustness of the datasets

All open-ended free-text responses were coded twice, the first time by the coder and the second time by a senior coder to verify that the correct code or codes have been applied to the open-ended free-text responses and to make amendments as necessary. This second verification occurred once the coding frame had been extensively developed, enabling the most appropriate codes to be applied and back-coding of 'other' codes into newer codes where appropriate, using codes which may have not existed at the time the response was originally coded.

Once coding was complete, and all data streams combined, a series of checks were undertaken to ensure that the data set was comprehensive and complete. The initial check was to match the log files of serial numbers against the resultant data files to ensure that no responses were missing.

In the case of any forms logged that could not be found in the dataset, the original was retrieved from the filed storing boxes, captured then coded and verified as appropriate. A check was then run again to ensure records existed for all logged serial numbers. During this process it was also possible to identify any duplicate free format responses (e.g. where two cases for the same serial number appeared). Where this was detected, one form was noted as a duplicate (using the corresponding code) to identify that it was not missing data and the information was not double counted.

APPENDIX D – LIST OF ORGANISATIONS AND GROUPS TAKING PART

As well as responses from individuals, we received responses from 100 organisations and groups. Within the table below we outline the names of the organisations and groups who took part - ordered by category. Please note that three organisations requested confidentiality, and are therefore not listed here.

BUSINESSES

- Bridge Farm Hotel
- Champion Hire Ltd
- SME Strategy Consultancy
- The Co-operative Banking Group

CAMPAIGN GROUPS

- Church Fenton Says No To HS2
- Colton Staffs Against HS2
- Culcheth and District Railway Action Group³⁶
- Drayton Bassett Against HS2
- HS2 Action Alliance³⁷
- HS2 Parish Council Action Group in Cheshire
- Hillingdon Against HS2
- Hopton Against HS2
- Kings Bromley Stop HS2 Action Group
- Madeley Stop HS2 Action Group
- Middleton HS2 Action Group
- Polesworth and District Stop HS2 Action Group
- Rixton with Glazebrook HS2 Action Group
- Ruislip Against HS2
- SoWhat³⁸
- Stoke Mandeville Action Group

³⁶ <http://www.olvera-andalucia.com/template/EHScadragresponse.pdf>

³⁷ <http://hs2actionalliance.org/index.php/compensation/exceptional-hardship-scheme>

³⁸ <http://www.sowhat.org.uk/phase-2-exceptional-hardship-scheme-ehs-consultation/>

- Stoneleigh HS2 Action Group
- Stop HS2 Ltd
- Tonge and Breedon HS2 Action Group³⁹
- Warrington Stop HS2
- Woodthorpe Village Community Group

CONSERVATION GROUPS

- Historic Houses Association⁴⁰
- Madeley Conservation Group

ESTATE AGENTS

- Culcheth Developments LTD
- Dishford LTD / Westcourt Properties LTD
- Fairfield Residential LTD
- Five Rivers Properties LTD
- Fox Bennett

LOCAL AUTHORITIES

- Ashfield District Council
- Bolsover District Council
- Broxtowe Borough Council
- Buckinghamshire County Council
- Erewash Borough Council
- Leeds City Council
- Leicestershire County Council
- Rotherham Metropolitan Borough Council
- North West Leicestershire District Council⁴¹
- Wakefield Metropolitan District Council
- Warwickshire County Council⁴²

³⁹ <http://tonge-and-breedon-hs2-action-group.co.uk/consultations.html>

⁴⁰ <http://www.hha.org.uk/Private/5109/Live/download/HHA%20Response%20to%20HS2%20phase%202%20Exceptional%20Hardship%20Scheme.pdf>

⁴¹ https://www.nwleics.gov.uk/files/documents/appendix_a_hs2_exceptional_hardship_scheme_consultation_response1/Appendix%20A%20-%20HS2%20Exceptional%20Hardship%20Scheme%20-%20consultation%20response.pdf

⁴²

<http://democratic.warwickshire.gov.uk/Cmis5/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=IQl6mviAO0QulsQSRFx%2FJT6kkIEqFby7WG8qKmq7obB5QMSQRi%2F8wq%3D%3D&mCTIbCubSFIXsDGW9IXnlq%3D%3D=hFfIUdN3100%3D&kCx1AnS9%2FpWZQ40DXFvdEw%3D%3D=hFfIUdN3100%3D&uJovDxwdiM>

LEGAL

- Barton Willmore LLP
- Berrymans Lace Mawyer LLP
- Weightmans LLP

MEMBERS OF PARLIAMENT

- Alec Shelbrooke MP, Elmet & Rothwell⁴³
- Andrea Leadsom MP, South Northamptonshire⁴⁴
- Andrew Bridgen MP, North West Leicestershire
- Anna Soubry MP, Broxtowe
- Christopher Pincher MP, Tamworth
- Jeremy Lefoy MP, Stafford
- Michael Fabricant MP, Lichfield⁴⁵
- Natascha Engel MP, North East Derbyshire
- Nigel Adams MP, Selby and Ainsty⁴⁶
- William Cash MP, Stone

PARISH COUNCILS

- Armitage with Handsacre Parish Council
- Church Fenton Parish Council
- Coleorton Parish Council
- Culcheth and Glazebury Parish Council
- Denham Parish Council
- High Leigh Parish Council
- Hopton & Coton Parish Council
- Hough & Chorlton Parish Council
- Ingestre with Tixall Parish Council
- Lostock Gralam Parish Council
- Madeley Parish Council

⁴³ <http://www.alecshelbrooke.co.uk/index.php/home>

⁴⁴ <http://www.andrealeadsom.com/local-issues/high-speed-rail>

⁴⁵ <http://www.michael.fabricant.mp.co.uk/HS2-EHS-response-April.pdf>

⁴⁶ <http://www.selbyandainsty.com/latest-news/1348-nigel-contributes-to-hs2-compensation-consultation>

- Measham Parish Council
- Mere Parish Council
- Middleton Parish Council
- Polesworth Parish Council

RESIDENTS' ASSOCIATIONS

- Ardsley Residents' Association
- Joygate Residents' Association
- Little Kingshill Village Society
- Packington Nook Residents' Association
- Richings Park Residents' Association

SURVEYORS

- P. Wilson & Company
- Peter Christys
- Russell Poole
- The John Michael Rowen SIPP
- WA Barnes LLP
- Chartered surveyor on behalf of two clients

TRADE BODIES

- Central Association of Agricultural Valuers
- Compulsory Purchase Association
- Council of Mortgage Lenders ⁴⁷
- Country Land and Business Association
- Long Eaton Chamber of Trade
- Mid Yorkshire Chamber of Commerce & Industry
- National Association of Estate Agents (NAEA)
- National Farmers Union (NFU)
- Sheffield Chamber of Commerce
- The Law Society of England and Wales

⁴⁷ <http://www.cml.org.uk/cml/filegrab/hs2-phase-2-ehs-mav-2013.pdf?ref=8690>

TRANSPORT

- Transport for London
- West Yorkshire Passenger Transport Executive

OTHER

- Border Collie Trust GB
- Cathedral and Church Buildings Division, Church of England
- Staffordshire Westminster Club

APPENDIX E – LETTERS FROM THE CHIEF EXECUTIVE OF HS2 LTD

Letter from Alison Munro – Chief Executive of HS2 LTD – sent on 25th April

HS2 Ltd's version of the letter for postal notifications did not include the first sentence, as it would not apply to all respondents



Eland House
2nd Floor
Bressenden Place
London SW1E 5DU
Tel: 020 7944 4908

25 April 2013

Dear Sir/Madam

High Speed Two: Extending the consultation period for Consultation on Exceptional Hardship Scheme for Phase Two

I wrote to you on 28 January 2013 in relation to the Phase two Exceptional Scheme Consultation. That consultation was launched on 28 January and invited comments on proposals to introduce an Exceptional Hardship Scheme to deal with cases of property blight caused by the proposals for Phase Two of HS2 where the owner-occupier has a pressing need to sell their property. The Secretary of State for Transport has today made available some further information in relation to the Phase Two Exceptional Hardship Scheme consultation. Accordingly, the Secretary of State for Transport has extended the consultation period to allow interested parties time to consider the new information and respond if they wish to.

I felt it would be right to write to you again to inform you of this extension directly and advise you of the new closing date for the consultation, 20 May 2013. In light of the additional information you may wish to reconsider your response and submit further comments. Ipsos Mori, the company responsible for response analysis, has provided you with the instructions for submitting a further response in the accompanying email.

The 'Supplementary Information Note' is available online at www.hs2.org.uk and printed copies are available in local libraries, Citizens' Advice Bureaux and customer service departments of Local Authorities along the Initial Preferred Phase Two route.

The additional information in the note consists of

- A summary of the more significant feedback that we have received on the operation of the Exceptional Hardship Scheme that is already in place for Phase One, and our responses to those points
- Data about the operation of the EHS for Phase One; and



- A study of property blight around the Phase One route in the six months immediately following the announcement of the proposed route.

Responses to the consultation can be submitted online www.hs2.org.uk or by completing a response form and returning it by email to: HS2EHS@ipsos.com or by post to: FREEPOST PHASE 2 EHS CONSULTATIONⁱ.

Full details of the proposals, consultation documents and ways to respond can be found on the consultation website (www.hs2.org.uk). We would like to encourage people to make use of the online and electronic formats wherever possible, however paper copies of the documents can be ordered online at www.dft.gov.uk/orderingpublications or by telephone on 0300 123 1102. If you have other questions about the proposals or about HS2 please contact 020 7944 4908.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Alison Munro', written in a cursive style.

Alison Munro
Chief Executive
High Speed Two (HS2) Ltd

ⁱ No further information is needed with this freepost address. Please note that this particular Royal Mail service does not allow for recorded or registered deliveries. If you wish to receive confirmation that your postal submission has reached us, please contact Public Enquiries on 020 7944 4908 or email HS2EHS@ipsos.com

Letter from Alison Munro – Chief Executive of HS2 LTD – sent on 7th May



Eland House
2nd Floor
Bressenden Place
London SW1E 5DU
Tel: 020 7944 4908

07 May 2013

Dear Sir/Madam

High Speed Two: Extending the consultation period for Consultation on Exceptional Hardship Scheme for Phase Two

On 25 April 2013 the Secretary of State for Transport has made available some further information in relation to the Phase Two Exceptional Hardship Scheme consultation. That consultation was launched on 28 January and invited comments on proposals to introduce an Exceptional Hardship Scheme to deal with cases of property blight caused by the proposals for Phase Two of HS2 where the owner-occupier has a pressing need to sell their property.

The Secretary of State for Transport has also extended the consultation period to allow interested parties time to consider the new information and respond if they wish to. I felt it would be right to write to you to inform you of this extension directly and advise you of the new closing date for the consultation, 20 May 2013. In light of the additional information you may wish to reconsider your response and submit further comments. Ipsos Mori, the company responsible for response analysis, has provided instructions for submitting a further response and your response ID (enclosed).

The 'Supplementary Information Note' is available online at www.hs2.org.uk and printed copies are available in local libraries, Citizens' Advice Bureaux and customer service departments of Local Authorities along the Initial Preferred Phase Two route.

The additional information in the note consists of

- A summary of the more significant feedback that we have received on the operation of the Exceptional Hardship Scheme that is already in place for Phase One, and our responses to those points
- Data about the operation of the EHS for Phase One; and
- A study of property blight around the Phase One route in the six months immediately following the announcement of the proposed route.



Responses to the consultation can be submitted online www.hs2.org.uk or by completing a response form and returning it by email to: HS2EHS@ipsos.com or by post to: FREEPOST PHASE 2 EHS CONSULTATIONⁱ.

Full details of the proposals, consultation documents and ways to respond can be found on the consultation website (www.hs2.org.uk). We would like to encourage people to make use of the online and electronic formats wherever possible, however paper copies of the documents can be ordered online at www.dft.gov.uk/orderingpublications or by telephone on 0300 123 1102. If you have other questions about the proposals or about HS2 please contact 020 7944 4908.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Alison Munro', written in a cursive style.

Alison Munro
Chief Executive
High Speed Two (HS2) Ltd

ⁱ No further information is needed with this freepost address. Please note that this particular Royal Mail service does not allow for recorded or registered deliveries. If you wish to receive confirmation that your postal submission has reached us, please contact Public Enquiries on 020 7944 4908 or email HS2EHS@ipsos.com

EMAIL ABOUT THE EXTENSION

Dear <<name of respondent here>>

This email is to let you know that the consultation period for **Consultation on Exceptional Hardship Scheme for Phase Two** has been extended to **5pm on 20th May**.

As you have previously provided a response to this consultation, we are writing to notify you of the rationale for the extension. Please see the attached letter for further information. You will also find that a supplementary information note is available online at <http://www.hs2.org.uk/have-your-say/consultations/phase-two/exceptional-hardship-scheme>.

If, after reviewing the additional information, you would like to change or amend your original response, please send additional comments to the consultation email address which is HS2EHS@ipsos.com. There is no need to provide your original response again, as we will add any additional comments you send us to your original response. We would just ask that if you send additional comments that you make clear you are providing **additional comments**, and that you provide the following information with your comments:

- **Your name**
- **Address**
- **Unique ID number (your unique ID is xxx)**

Providing the above details will make it easier to match your additional comments to your original response.

Should you wish to provide additional comments by post, please include these by letter and include the above information. The address to send comments by post is **FREEPOST PHASE 2 EHS CONSULTATION**. You do not need a stamp or postcode.

Please ensure that if you have any additional comments to make, these reach us by the closing date of **20th May by 5pm** in order to be processed.

If you have any queries about the scheme, or for more information about the proposed route, please contact the HS2 Public Enquiries Team on 0207 944 4908 or at hs2enquiries@hs2.org.uk.

With best wishes,
The Ipsos MORI Consultation Team

APPENDIX F – CAMPAIGNS

Only campaigns that did not come in on the response form are included in this section.

**No stamp
required**

FREEPOST

PHASE 2 EHS CONSULTATION

High Speed 2: Phase 2 Exceptional Hardship Scheme (EHS) Consultation

I believe the ‘polluter should pay’. Government’s proposals are unjust as they fail to help the vast majority of individuals who suffer losses from property blight due to HS2:

All Q: If HS2 is in the national interest, no individual should have to suffer a loss in the value of their property – we can’t wait 4yrs never mind 20yrs to see HS2’s final impact. People should be free to move home and get on with their lives as they normally would.

Q1 on whether EHS should apply: Blight is widespread and severe (ie 20% within 1km of the line). A scheme is needed now that reduces blight and benefits all who are affected.

Q2 on EHS rules: Eligibility should only depend on a property losing value – not its physical *location* in relation to the line, or personal *hardship* rules unrelated to property blight

Q3 on EHS operation: An independent appeal stage should exist to ensure decisions are fair – 27% of Phase 1 EHS applicants re-apply, some up to 5 times before having success

All Q: I support a Property Bond solution, as endorsed by the property professionals

Other remarks:

This is my formal response to the three consultation questions

NAME

ADDRESS:

POSTCODE:

THIS IS MY FORMAL RESPONSE TO THE 3 QUESTIONS ON THE PROPOSED EHS SCHEME FOR PHASE 2 OF HS2

Dear Prime Minister and Secretary of State for Transport

HS2: Exceptional Hardship Scheme for Phase 2 (West Midlands to Leeds, Manchester and a Heathrow spur)

All along the 214 miles of the proposed Phase 2 route (from the West Midlands to Leeds and to Manchester) people are suffering property blight because of HS2. The blight is severely disrupting lives, already wiping hundreds of thousands of pounds off homes, and with nothing in exchange, even when it's built in decades to come. Given you believe that HS2 is in the national interest, then everyone who is affected must be fully and fairly compensated, otherwise it is simply a tax on property owners in the vicinity of HS2.

The Exceptional Hardship Scheme (EHS) is plainly not as you state a "generous" compensation deal.

I believe that the EHS proposals are inadequate, unjust and the rules are far too restrictive – the experience from Phase 1 provides ample evidence that EHS is not the answer. My responses to your consultation questions are:

Q1: A scheme is needed, but one that compensates everyone experiencing blight from HS2, not just the tiny number who can prove 'exceptional hardship'– under Phase 1 just 40 property owners a year have been helped, ie less than 1 case for every mile, despite some 172,000 properties being blighted.

Q1: It can't be right that individuals are expected to suffer personal losses, typically of 20%, because of HS2.

Q1: It is misleading to say that EHS will bridge the gap until the Statutory blight arrangements kick in (at end 2016). These arrangements are for compulsory purchase and do nothing for most people affected by blight.

Q1: People should not be trapped in their homes unable to afford to move or re-mortgage and get on with their lives as they normally would. This is not just until 2016 but for the next two decades until HS2 is built.

Q2: Eligibility for compensation should depend solely on proving loss in market value because of HS2.

Q2: Exceptional Hardship criteria is completely inequitable. The scheme should be available to anyone who wants to move and is rendered unable due to HS2.

Q2: I support the 'polluter pays' principle: if HS2 causes a loss in property values then the HS2 project must pay for it, not the private individual.

Q2: It is unfair to expect people living in affected properties to have to sell them for 85% of market value.

Q3: There is a clear need for an independent appeal body – over a quarter of Phase 1 cases had to re-apply.

Now is the time to modernise compensation arrangements. **A better solution would be to replace the current proposals with a market-based Property Bond scheme which can help reduce the blight itself.** This is the approach endorsed by the professionals such as the Council of Mortgage Lenders, the British Bankers Association and the National Association of Estate Agents. It was also acknowledged by a Government report after HS1 as coming closer than any other to dealing with the problem of blight.

If the Government can't afford fair compensation, then it can't afford HS2.

PRINT NAME	
ADDRESS 1	
ADDRESS 2	
ADDRESS 3	
CITY	
POSTCODE	
DATE	

Print off and **post** (no stamp needed) to: Freepost PHASE 2 EHS CONSULTATION,

Or e-mail to HS2EHS@ipsos.com

Alternatively, you can respond **online** via the consultation website at www.hs2.org.uk

I believe that the proposed Exceptional Hardship Scheme is unfair and inadequate. The announcement of the Phase 2 preferred route has already created property blight which is starting to disrupt people's lives. No individual should suffer significant financial loss as a result of their proximity to HS2. The vast majority of those blighted stand to gain no benefit from HS2

My responses to the specific Questions are:

Question 1

Do you agree or disagree that the Department for Transport should introduce an Exceptional Hardship Scheme for Phase Two ahead of decisions on how to proceed with the routes? What are your reasons?

- I support the immediate introduction of a scheme.
- A broader scheme than the proposed EHS is required to compensate property owners for the blight already created
- The blighting of property values in the locality of HS2 should be a cost to HS2, not to individual property owners. The scheme should cover all properties all reasons for moving and compensate the full loss in value including to those who never move

Question 2

Do you agree or disagree with the proposed criteria underpinning the Exceptional Hardship Scheme for Phase Two? What are your reasons? Please specify any alternative principles you would propose, including specific criteria for determining qualification for the scheme.

- The proposed criteria are unreasonable and too restrictive. The freedom to move without suffering a financial penalty because of HS2 should be the right of everyone in a democracy. It should not depend on "exceptional cases" qualified by personal cases of "hardship".
- The only fair approach to deciding loss in property value should be that decided by the property market (i.e. how much people will pay for a property blighted by HS2) – not by a set of arbitrary rules.

Property type

A fair scheme should include **all** properties - not just owner-occupiers, or small businesses.

Location of property

This rule ignores the full extent to which HS2 damages property values. The various overlapping phrases used, e.g., "in the vicinity", "seriously affected", "likely to be adversely affected", are confused and ambiguous.

A fair scheme should cover any property that has lost value because of HS2.

Effort to sell and the impact of blight

Threshold loss: - 85% Threshold.

It is wrong to require people to suffer up to 15% loss in value. Owners of heavily blighted properties are compensated, while those of moderate and lightly blighted ones (that have lost between 0% and 15% of value) are not. A fair scheme would require a much smaller loss threshold.

Proof it is due to HS2:

A fixed time limit without a sale should be required – e.g., from 3 to 9 months depending on the price level – without a need to provide further evidence to demonstrate relevant blight.

No prior knowledge

This crystallises the blight and depresses prices in the area. If a scheme is to avoid depressing prices, the 'no prior knowledge' condition should be deleted.

Exceptional hardship

- The extreme hardship criterion should be dropped.
- Everyone should be entitled to sell at full HS2-free market values.
- The only fair approach is to include everyone needing or wanting to sell for any reason.

Question 3

Do you agree or disagree with the proposed process for operating the Exceptional Hardship Scheme for Phase Two? What are your reasons? Please specify any alternative arrangements which you would suggest.

- No – the proposed process for operation of the EHS is unfair.
- The discretionary nature of scheme is unsatisfactory. All individuals should be entitled to protection, and not be subject to arbitrary exclusion.
- It is unreasonable that the scheme ends when the route is settled and 'statutory blight' provisions are triggered.
- The application panel should be completely independent of HS2 – not appointed by it – and able to make decisions, instead of recommendations to the Secretary of State's "decision maker". There should be an appeal process to ensure that decisions on applications are fair.
- The Consultation Document does not contain sufficient information or detail to enable the public to understand what the proposals are or how they would operate, and to allow people to give intelligent consideration to them and make an informed response.
- The publicity given to this consultation has been completely inadequate. No individual likely to be affected by it has been notified.

SIGNED :
(PRINT NAME)

DATE:

ADDRESS:

POSTCODE:

**High Speed Two Exceptional Hardship Scheme
Phase Two Consultation.**

Date

Dear Sirs,

Please find my response to the High Speed Two Exceptional Hardship Scheme for Phase Two Consultation. I am replying to the consultation in an individual capacity as I have a vested interest in the family home based in Tonge which is blighted by HS2

My name is ...

Address:.....
.....
.....
.....

My email address is

I consider that the Exceptional Hardship Scheme is unfair, inequitable and unjust and does not provide fair compensation for properties blighted by HS2.

Part Two – Consultation Questions

Question One – Do you agree or disagree that the Department for Transport should introduce an Exceptional Hardship Scheme for Phase Two ahead of decisions on how to proceed with the routes? What are your reasons?

I agree that we require a scheme NOW.

The proposed EHS is unsuitable. A broader Scheme is required which is a Comprehensive Property Blight Protection Scheme. Blight has occurred since 28 January 2013 when HS2 Phase II was announced. We need an effective solution that addresses:

1. The physical and amenity impacts of the project,
2. The uncertainty of the final outcome, and
3. The fear of uncompensated loss.

We need a Scheme that maintains property market confidence and that compensates owners for the blight already created. It is wrong that EHS is only an 'Interim Scheme' when the final route is chosen. Protection is needed until HS2 is built and operating – for at least 20 years. An alternative solution should remain throughout construction to continue to protect property values.

Blight is unfair, unjust and traps people, removes their freedom to move/re-mortgage. It is causing me stress, worry and upset. It is paralysing the property market.

Individuals should not suffer a large uncompensated loss in value of their property. Given the HS2 is said to be in the national interest, those impacted must be fully and fairly compensated – not by ‘exception’ or by a ‘hardship’ scheme – otherwise it becomes a tax on property owners.

The logic of an EHS does not fit the HS2 time-profile. Dept for Transport say the eventual blight from HS2 (when built) will be modest, but accept it is much worse before then. What is needed NOW is a scheme that 100% protects individuals from bearing that ‘temporary’ loss which, for HS2, is for 20 years plus.

Question Two – Do you agree or disagree with the proposed criteria underpinning the Exceptional Hardship Scheme for Phase Two? What are your reasons? Please specify any alternative principles you would propose, including specific criteria for determining qualification for the scheme.

I disagree. The criteria are too restrictive, so too few qualify. They do not compensate the great majority of individuals suffering property value losses as a direct result of HS2. The criteria are too subjective and open to interpretation with the limits on ‘discretion’ unclear. They are too arbitrary and unreasonable, unjustified in the circumstances of blight and timescales. They don’t meet the declared aim to protect the interests of property owners from losing the value in their property. Re the five proposed criteria:

1. **Property type:**
It is unfair to exclude rented property (especially if sole property) and second homes.
2. **Location:**
This is unnecessarily restrictive – it confines EHS to the physical impact of HS2 and excludes many properties losing value (since eligibility depends on being ‘adversely affected by construction or operation’ and so ignores the impact of blight that goes much wider).

It conflicts with the stated aim of EHS, which is to alleviate blight.

It is too subjective i.e. balancing distance vs. railway height vs. landscape vs. likely disruption. You don’t need a location criterion as well as the criterion on blight.

Alternative criteria should be based solely on blight, i.e. loss in market value, which is practicable, transparent and relevant to the Scheme’s aim. All other criteria are redundant.

The alternative principles should be: The polluter should pay, i.e.’ the blighting is a consequence of HS2 and so it should be a cost to HS2, and not to those

who happen to live in the affected locality. We must have a scheme that addresses the problem of blight itself, e.g. a MARKET BASED PROPERTY BOND SCHEME that can reassure owners, provide market confidence by mortgage lenders accepting un-blighted valuations, and so reducing blight itself. HS2 Ltd becomes 'purchaser of last resort'

3. **Blight**: 15% loss is too high (rules exclude anyone with an offer within 15% of the property's asking price). Instead, use the typical average figure (i.e. 7.5%) and it must be off the un-blighted asking price. Also, using 'offers' is open to abuse and is unfair (not all offers are serious). It is unreasonable to insist on three months advertising with an agent since many require an upfront fee – so HS2 must reimburse costs or allow DIY sales. And it is too subjective, e.g. proof it won't sell due to HS2 – use a time limit instead. The base blight criterion should be only on evidence of 'loss in value' (using the RICS' valuation basis) thereby meeting the stated aim of EHS.
4. **No prior knowledge of HS2**: Bakes in blight (this works against the property market by depressing prices. Any new buyer knows they cannot qualify under a Scheme and so will insist on buying at a discounted price). Remove this and the hardship criteria to allow the scheme to improve market confidence and alleviate the source of the blight itself.
5. **Hardship**: Inappropriate to rule for 4 years (statutory rules then ignore most blight) personal circumstances are unrelated to the degree of blight suffered. This is too restrictive and subjective and unreasonable terms. Remove this criterion, as it is not related to blight.

Question Three - Do you agree with the proposed process for operating the Exceptional Hardship Scheme for Phase Two? What are your reasons? Please specify any alternative arrangements which you would suggest.

I disagree. An independent appeal stage must apply. The proposed process (2 independents on a 3 man panel with a DFT nominee taking the decision) means Government has absolute discretion.

It is important and fair that applicants must see all the data used on which a decision is based i.e. information from agents too. The medical eligibility for 'hardship' requires appropriate panel competences and / or a medical approved process.

You must publish more data on EHS cases to help dispel the scepticism about unfair decisions.

Personal representation should be allowed for re-applications. Phase II changes should have no time limit on accepting offers; and reapplications should only to apply to the refused criteria.

Under an alternative scheme I propose that:

- HS2 Ltd agrees to purchase any property put on the market if it has lost value because of HS2. It is practical to do this. If the Government is right and the effects on properties are limited, then there will actually be few properties to purchase.
- The Scheme needs to include more than one independent valuation of the property and the property owner must have the option of his or her own valuation.
- Any decision on eligibility and property valuations should be subject to independent appeal, otherwise the Scheme is unjust and subject to abuse.

Other Key Points:

- Information: HS2 Ltd has refused to publish the data it holds on Phase I blight and EHS, so Phase II is not properly informed. The last consultation has been judged 'unlawful' for this reason in the High Court.
- Open-minded: Phase II EHS is almost identical to Phase I, so how can DFT be 'open minded'.
- Property Bond: This is a better solution to the blight problem. It not only provides market confidence and reduces blight, but will reduce much opposition to the Project, which itself costs money.
- Property Loss: EHS plans to compensate perhaps 50 cases on Phase II, leaving everyone else without compensation. HS2AA estimate losses at £5 billion for Phase I and some £10 billion on the full Y of Phase II, these levels would be lower if a PROPERTY BOND is used.
- The FULL LOSS, whoever bears it, must be added into the business case.

**IF THE GOVERNMENT CANNOT AFFORD FAIR COMPENSATION,
THEN IT CANNOT AFFORD HS2**

Yours faithfully

.....

Date :.....

**FREEPOST
PHASE 2 EHS CONSULTATION**

Chorlton and Crewe

Following the announcement of the HS2 phase 2, preferred route on the 28th January 2013 and specifically the section of the route between Chorlton and Crewe (drawing hs2/msg/mcm/z/dr/rt/60901 issue P4), I make the following comments to the consultation.

1. The proposed elevated section of track through Chorlton and Basford is totally unacceptable and presents a complete disregard for the surrounding South Cheshire Countryside.
2. The proposed rerouting of Newcastle Road, Casey Lane and Western Lane in Basford is totally inappropriate. It swallows up additional land, necessitates significant embankments and generally creates a blot on the countryside. None of this work would be necessary if the proposed elevated section was not adopted.
3. The report prepared by HS2 limited to advise government states that "it is considered at this stage that the visual impact on Chorlton would likely be minimal." Such a statement is outrageous and wrong, given the proposed elevated section would be some 16 meters (50 feet) higher than the existing crossing at Newcastle Road.
4. The proposed route would have a significant impact on the local community. The view, cumulative noise increase and reduction in number of crossing points and associated inconvenience will result in exceptional hardship and severely reduce the value of my property and my land. Given these reasons it would be reasonable that the blight is either moved or compensated. Further, in anticipation of the proposed timescales, we will be living with an ever increasing level of blight for the next 10-15 years.

Given these facts, it would appear that little regard has been given to the visual impact on the Cheshire countryside, or on the local residents, in selecting the proposed route. I would suggest that the detail of the proposed route in the vicinity of Hough/Chorlton/Basford is revisited.. A tunnel for instance would emolliate many of these issues and would probably end up cheaper than the significant compensation you re going to have to pay.

Please register my objections and my claim for compensation on the exceptional hardship Scheme.

Unnamed Campaign

I live in a village which is a short distance from the proposed route.

Question 1. Do you agree that the Department for Transport should introduce and Exceptional Hardship Scheme for Phase 2 ahead of decisions on how to proceed with the route? What are your reasons?

Yes, there should be a scheme, but as property is blighted now, then compensation should also be now, for those who want to sell but cannot as a direct result of HS2.

It should not be only for those experiencing exceptional hardship, it should be for those with a need or want to sell.

There should be a remedy for this between now and when HS2 is operational.

If HS2 is supposed to be in the national interest then no one should lose out as a result. If compensation is not part of the HS2 budget, then it should be added in to the budget, not passed on to the people who happen to live on the route.

Question 2. Do you agree with the proposed criteria underpinning the Exceptional Hardship Scheme for Phase 2? What are your reasons? Please specify any alternative principles you would propose, including specific criteria for determining qualification for the scheme.

I disagree with the proposed criteria.

It should not be restricted to main homes, but include all property that is blighted/devalued as a direct result of HS2.

This should not be at 85% but at a realistic market value. If you can prove that HS2 is the reason you can't sell then that should be sufficient to secure compensation.

Anyone who can demonstrate financial or material loss should qualify for this scheme.

Extreme Hardship is too limited and should not be a criterion. Anyone with a right to sell should qualify.

The best alternative principle would be bond scheme whereby in the event of a required sale, the government would guarantee to be purchaser of last resort at market value. This is fair and would prevent panic selling, and therefore reduce blight and opposition to HS2.

The only criterion should be the need to demonstrate blight through loss of market value as a direct result of the proposed HS2 route.

Listen to people and what they need. Blighted people are being forced to contribute disproportionately towards HS2 and only a small minority are being compensated through this scheme. This cost should not be hidden, it should be in the business case.

Question 3 Do you agree or disagree with the proposed process for operating the Exceptional Hardship Scheme for Phase 2? What are your reasons? Please specify any alternative arrangements which you would suggest.

I don't agree with the proposed process. The panel should be entirely independent of HS2 and of the DfT, as should the final decision maker. The process is not transparent. It should be.

There is no appeal process, which there should be.

The Government is claiming that it is giving full and fair compensation. It is not meeting this claim.