



Need to Sell Property Scheme Guide

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Campbell Park, Milton Keynes

1. Introduction

- 1.1.1 This guidance and application form is for owners of properties who are seeking to sell their property to East West Rail Company Ltd (EWR Co) under the Need to Sell (NTS) Property Scheme.
- 1.1.2 EWR Co has set up the NTS Property Scheme to support property owners who have a compelling reason to sell their property but are unable to do so, other than at a substantially reduced value (referred to in this document as a 'blighted value'), due to the EWR Project. A compelling reason is where you would face an unreasonable burden in the next three years if you are unable to sell your property. Whether something is an unreasonable burden will be judged on the facts of each case and the degree of hardship caused to you or your family. You must also demonstrate that you are likely to be seriously affected by either the construction or operation of the EWR Project.
- 1.1.3 The NTS Property Scheme is intended to address impacts on property market conditions that may result from the EWR Project. This monetary impact is referred to as blight, by which we mean generalised blight. It is not statutory blight as referred to in the EWR Co Guide to Statutory Blight for which there are separate provisions that will be available to eligible owner-occupiers when the DCO application is submitted.
- 1.1.4 At the point that the DCO application is submitted, owner-occupiers are eligible to make a claim under the statutory blight arrangements in section 149 of and Schedule 13 to the Town and Country Planning Act 1990 and should use those provisions rather than the NTS Property Scheme. Section 2.2 below gives more details.
- 1.1.5 The NTS Property Scheme will apply up to 12 months after the railway (which forms part of the EWR Project) comes into use. Beyond this time there may be other statutory compensation available. For example Part 1 of the Land Compensation Act 1973 may apply if there is a reduction in the value of their property arising from certain physical effects of the railway. For more information see EWR Co Guide on Part 1 claims.



Butterfly Bridge, Bedford

2. The Need to Sell Property Scheme

2.1 NTS Property Scheme

- 2.1.1 The NTS Property Scheme is available to eligible property owners who can show convincing evidence that they have a compelling reason to sell their property, but have not been able to do so other than at a substantially reduced value because of the EWR project. If your application to the scheme is successful, EWR Co will agree to buy your property at its unblighted market value.
- 2.1.2 The NTS Property Scheme is a discretionary purchase scheme, which means the law does not require EWR Co to offer this assistance but we have committed to do so anyway. EWR Co manage the NTS Property Scheme through our NTS team whose role is to process applications. If you apply you will have a named NTS manager as your main point of contact. The NTS team do not make recommendations or decisions on individual applications, this is done by a panel who are independent of EWR Co and an independent decision-maker, usually a senior civil servant in the Department for Transport (DfT).
- 2.1.3 A panel of three professionals who are fully independent of EWR Co and DfT will look at whether your application meets certain criteria (conditions). This is the NTS Panel. They will then recommend to the Secretary of State for Transport whether your application should be accepted. A senior civil servant will then review the recommendation and make a final decision on behalf of the Secretary of State for Transport. However, if the senior civil servant disagrees with the panel's recommendation, the case will be decided by the Secretary of State or a minister with authority to make the decision. The senior civil servant, Secretary of State or minister are referred to in this guide as the 'decision-maker'.
- 2.1.4 Following this independent decision, the NTS team will contact you to let you know what the decision is and why. If your application to the scheme is successful, EWR Co will agree to buy your property. Further guidance on the purchase process is found on the EWR website: Land and Property.

2.2 Before applying

- 2.2.1 Owner- occupiers who are eligible to serve a statutory blight notice on an acquiring authority (including EWR Co, the Secretary of State for Transport or a similar body) asking them to buy their property under the criteria that apply under the Town and Country Planning Act 1990 should not apply under the Need to Sell Property Scheme. The statutory blight process does not require you to

demonstrate a compelling need to sell and includes additional payments under the Compensation Code.

- 2.2.2 A statutory blight notice can be served (if you meet certain criteria) after the submission of an application for a Development Consent Order (DCO) or a Transport and Works Act Order (TWAO) For more information see the EWR Co Guide to Statutory Blight.

3. Need to Sell Criteria

It is in your interests to provide as much supporting evidence as possible to support your application to the NTS Property Scheme.

In exceptional circumstances, if your application does not meet all the criteria but a strong overall case can be made to buy your property, the panel may recommend the decision-maker uses their discretion to decide that the property should be acquired.

The application form includes a full list of information and documents that can be used as evidence to show you meet the criteria for the scheme.

3.1 Criterion 1 – type of property and ownership

| Do I have an interest in the property which qualifies me to apply? | | | | | |
|--|--|--|---|---|---|
| YES – I am a freeholder or a leaseholder with at least three years left on my lease and one of the following | | | | YES – I am one of the following | |
| I am an owner-occupier of a private residential property that is my main home | I am an owner-occupier of a business premises that have an annual rateable value of no more than £36,000 | I am an owner-occupier of an agricultural unit where my main home is located | I am a reluctant landlord who can show that I had a compelling reason to sell at the time I moved out of the property in order to avoid or escape an unreasonable burden and that letting the property would only relieve this burden temporarily. I do not own another home. | I am a personal representative of someone who has died who had a qualifying interest at the time of their death | I am a mortgage lender (for example, a bank) with a right to sell the property and who can give immediate vacant possession |

- 3.1.1 To be eligible for the NTS Property Scheme, you need to provide evidence that you have a qualifying interest in the property. These are listed in the table above.
- 3.1.2 Owner-occupiers of business premises may be eligible as set out in the table above. A business itself cannot be sold as a going concern to EWR Co under the NTS Property Scheme and we will not pay any compensation towards the cost of the business being wound up or relocated. Any offer we make under the scheme would only be for the unblighted market value of the premises.
- 3.1.3 Owner-occupiers must have a 'qualifying interest' on the date they sign the application. This is either a freehold or leasehold interest in the property. If it is a leasehold interest, the tenancy must be signed for a certain number of years (term), and there must be at least three years left on the lease on the date you sign your application.
- 3.1.4 The owners of a freehold or leasehold interest are those people whose names are on the Land Registry title or, for 'unregistered land', on the title deeds (or conveyance) for the property.
- 3.1.5 If you only want to sell part of your property, you must clearly state this in your application and provide a clear plan of the area you want to sell. This must also match the area you have marketed for sale.
- 3.1.6 If you have a qualifying interest, you will also need to show that you meet the occupancy or other requirements below.
- 3.1.7 In the case of joint ownership of a private home where owner occupation cannot be established for example due to a relationship breakdown, this can be discussed with the NTS Team.

| Do I meet the occupancy requirements? | |
|---------------------------------------|--|
| Private Homes | <p>You must be living in the property on the date you submit your application and must have owned it and lived in it as your main home for at least six months before that date.</p> <p>Or</p> <p>If the property is empty, you must have lived there as your main home for at least six months before it became empty, and as long as it has not been empty for more than 12 months and has not been occupied by anyone else since.</p> |
| Business Premises | <p>You must have a qualifying interest in the premises on the date of your application and must have owned or leased it for at least six months before that date and have run a business from there throughout this time.</p> <p>Or</p> <p>If the property is empty, you must have run a business from there for at least six months before it became empty, as long as it has not been empty for more than 12 months.</p> |
| Non-residents | <p>You must have the right to sell the property and be able to give immediate vacant possession.</p> <p>If you are the representative of someone who has died, the Land Registry title for the property does not need to be updated with the names of beneficiaries under the will. You can prove you have the right to sell the property by submitting relevant documents, such as a death certificate, will, grant of probate, or letters of administration.</p> <p>If you are a reluctant landlord, you must show that the property you are applying for under the scheme is the only property that you own. You should be able to show that you moved out after you knew about EWR proposals that affected your property</p> |
| Agricultural Unit | <p>You must have a qualifying interest in the agricultural unit and have occupied it for at least six months before the date of your application.</p> <p>OR</p> <p>If the agricultural unit is not occupied, you must have a qualifying interest in it, and must have occupied it for at least six months before it became empty, as long as it has not been empty for more than 12 months.</p> <p>AND</p> <p>For the purpose of this scheme, your main home must be located on the agricultural unit.</p> |

3.2 Criterion 2 – location of property

Is your property likely to be seriously affected by either the construction or the operation of the new line?

3.2.1 To be eligible for the NTS Property Scheme, you need to provide evidence that your property is likely to be seriously affected by either the construction or the operation of the EWR Project. The Need to Sell Property Scheme applies to the proposals described in the Route Update Announcement. For the proposed new section of railway between Bedford and Cambridge this incorporates the route referred to as Alignment 1 (Tempsford variant). For the other proposed infrastructure works between Oxford and Cambridge this incorporates works after Connection Stage One which is being delivered by the East West Rail Alliance. The route is shown in the map below and further information is available in the Route Update Report, which is available on the EWR website.

3.2.2 Distance from the line is one factor, but others include:

- the particular characteristics of the property and the nature of its local area, including its position and surroundings
- the character of the line once it is completed (for example, whether it will run in a cutting or on a viaduct)
- the likely impact of the construction of the line in the area
- the physical features of the area (for example, whether it is a flat flood plain or hilly)
- the distance to any nearby points of significant change to the character of the line (for example, a bridge, an embankment a tunnel entrance or a viaduct).



3.2.3 The panel will consider each application on a case-by-case basis, taking into account the different characteristics of the route in different areas (for example, whether the railway is on a viaduct or in a cutting). They will use engineering and construction drawings, mapping software and aerial photographs which we will provide (if available) to look at how the construction or operation of the railway would affect your property. If you want to, you can also submit your own photographic evidence of the features of your property (for example, the view towards the railway line) and the immediate area to support your statements about the effect of the railway on your property.

3.2.4 In assessing the potential for a property to be seriously affected the panel would consider the information published at the time on the EWR project including environmental information.

3.2.5 To help you judge how near your property is to the EWR route, you can refer to information on the EWR website or, you can contact the NTS Team by telephone on **0330 838 7583** or email **needtosell@eastwestrail.co.uk**.

3.2.6 There is no fixed distance from the route that a property must be to meet this criterion. The purpose of this criterion is to decide whether a property's location means that it is likely to be seriously affected by the construction or operation

of the EWR project. This criterion is used to link the location of your property and the area's physical features to the EWR route and will take into account the different characteristics of the route. The purpose of this criterion is not to consider the effect of the project on the market value of your property – we assess that separately under the 'effort to sell and the effect of blight' criterion.

3.3 Criterion 3 – effort to sell and the effect of blight

3.3.1 The purpose of this criterion is to decide whether the blight resulting from the EWR project, rather than any other factor, is the reason why your property has not been sold or could not be sold, other than at a substantially reduced value (blighted value).

3.3.2 We will expect you to provide evidence to show the following:

- That you have asked at least three recognised estate agents (see below) for advice on marketing your property, including what its realistic unblighted asking price should be.
- That your property has been on the market with at least one recognised estate agent for at least three months immediately before the date of your application. You should continue to market your property at least until you know the outcome of your application.
- That you have made all reasonable efforts to sell your property, taking into account the current housing market (including testing more than one asking price).
- That the EWR project is the reason your property has not been sold or cannot be sold, other than at a substantially reduced value (blighted value), and you can demonstrate this, for example, through feedback from viewings or people who have chosen not to view and other relevant evidence.
- That you have not received an offer within 15% of the property's realistic unblighted asking price, or you can show evidence that an offer received above this level represents a blighted value.

3.3.3 We use the term 'recognised estate agent' to mean an estate agent who has experience of marketing properties in the local area, advertising through a variety of media. This can include estate agents who do not have an office in the local area but who, for example, speak to possible viewers, collect feedback, provide a 'For Sale' board (or online listing) and a floor plan, and take professional photographs.

Offers received:

3.3.4 The requirement that you should make all reasonable efforts to sell your property and that, despite those efforts, you have not received offers within 15% of the property's realistic unblighted asking price, helps to show any effect of the EWR Project. We make the distinction between the asking price of the property and the final purchase price of the property. The asking price is set with the aim of achieving the best possible price. We do not expect you to accept a blighted value for your property. If you consider that an offer received within 15% of a realistic unblighted asking price represents a blighted value, you should submit evidence of this for the NTS Panel to consider.

3.3.5 If at the time you send us your application, or before we pass your application to the panel to consider, you receive an offer for your property that is within 15% of the unblighted asking price, we will not be able to pass your application to the panel until you are able to show us you have accepted or refused the offer. If you refuse the offer because you consider it is at a blighted value, the panel will expect to see evidence to show this. We do not expect you to accept an offer at a blighted value for your property. However, if you accept any offer, whether it is within 15% of the asking price or not, we will not be able to pass your application to the panel to consider while a sale is in progress. This is because it is not appropriate for EWR Co to intervene in or prevent an open-market sale or to affect the property market by competing with open-market buyers to buy a property under the NTS Property Scheme.

Inability to market a property

3.3.6 The panel will carefully consider the evidence you give in your application about how you have tried to actively market your property. In particular, evidence that several local estate agents have refused to market the property due to the EWR project is important information. In this situation, the panel would not expect a property to be fully marketed. Evidence that local estate agents have refused to market the property due to the EWR project should be in the form of letters or emails from estate agents to you.

Upfront fees and paid representatives

3.3.7 The panel would not expect a recognised estate agent to charge you any upfront, non-refundable marketing fee due to the EWR proposals. If an estate agent asks you for a fee before they will market your property because they do not believe it will sell due to the EWR project, and you want us to take this into consideration, you must provide clear written evidence of this in your application. This does not

apply if the estate agent charges upfront fees for all properties, regardless of the EWR proposals (for example, if they charge a fee to market the property instead of receiving commission).

3.3.8 If you choose to use a paid representative who is also your estate agent or if you enter into an agreement with an estate agent or other agent who would gain financially from selling your property to EWR Co under the NTS Property Scheme, our panel or decision-maker will not take into account any market appraisal, feedback or other evidence they provide. This is to protect both you and the taxpayer by only considering advice from estate agents and agents who are independent and so do not have a personal or financial interest in profiting from the sale of the property to EWR Co.

Other ways of marketing your property

3.3.9 You may choose to market the property yourself. This would include using websites where you can upload details of your property in the form of a listing, to publicise its availability. However, it is unlikely that this sort of self-marketing approach would be able to provide the same level and quality of evidence as using a recognised estate agent.

3.3.10 Under this criterion, in your application you have to include information about estate agents' marketing proposals and feedback from people who viewed – or chose not to view – the property. We would not ignore any efforts you have made to market the property yourself, but you must still market the property with at least one recognised agent.

3.3.11 The following are examples of evidence that, if possible, you should submit in support of this criterion 3:

- The performance of the current housing market and the efforts that sellers would normally have to make in that market, particularly if they had a compelling need to sell their property. (You can get this information from estate agents, chartered surveyors or the media.)
- The price your property would be marketed at ignoring the effect of EWR proposals (for example, through providing a range of suggested asking prices from estate agents).
- Evidence that you have approached at least three estate agents for a proposed asking price and that the eventual asking price you use reflects their professional opinion of the price your property would be marketed at, ignoring the effect of EWR proposals.

- Evidence that you have tried more than one asking price (for example, through advertisements or correspondence with your estate agent).
- The agency or sales agreement with your estate agent. If you have used more than one recognised estate agent to market the property, you should provide all agency agreements and evidence of the marketing carried out by each agent.
- Evidence that the property has been actively marketed with at least one recognised estate agent for at least three months.
- Feedback from possible buyers on viewings carried out while your property was being marketed. We would need evidence or confirmation of this from a recognised estate agent.
- Any information from the estate agent showing that possible buyers did not want to view the property due to the expected effect of the EWR project.
- Evidence that an offer received was at a blighted value, such as feedback from a possible buyer to estate agents, and local property market information on the difference between the asking price and the sale price.
- Written evidence (emails or letters) that you are unable to market your property because at least three recognised estate agents refuse to take it on due to the EWR project.

3.4 Criterion 4 – no prior knowledge

Did you buy or lease your property before Route Update Announcement (RUA)

| | |
|--|---|
| Yes – you will automatically be assessed as having had no prior knowledge and having satisfied this criteria. | No - If you purchased your property after the RUA we will assess your case (please see below). |
|--|---|

3.4.1 This criterion is in place to avoid people abusing the NTS Property Scheme by buying a property at its blighted value so they can sell it to EWR Co at an unblighted market value later and profit from the difference. This protects the interests of taxpayers and people who have a compelling reason to sell their property

3.4.2 If you bought or leased your property after we published details of the EWR proposals at RUA, that seriously affect your property, we may consider that you knew about the EWR route before you bought the property. The date of the RUA

for the EWR Project is 26 May 2023 Further information is available in the Route Update Report which is available on the EWR website.

3.4.3 When considering this criterion, the panel and decision-maker will look at:

- The amount of information about the EWR Project available at the time you bought the property; and
- whether, from this information, you could reasonably have known that your property is likely to be seriously affected by either the construction or the operation of the new line.

3.4.4 There may be evidence to show you could not have known that your property is likely to be seriously affected by either the construction or the operation of the new line. You may have completed a purchase or lease after the relevant EWR proposals are published, but were not aware of the proposals or didn't know that the property would be close to the route. For example, if the searches relating to the purchase or lease of the property were done before the date the proposals were announced, but you did not complete the purchase or lease until after that date, the panel would take this into account.

3.4.5 In cases where EWR Co has agreed to buy a property where you have not met the 'no prior knowledge' criterion, but you have a strong overall case, we will consider whether to relax this criterion in your case. If you purchased the property at a blighted value due to the EWR Project, we will consider whether it would be appropriate to adjust the price that we are willing to pay for the property to take account of its value at the time it was originally bought.

3.5 Criterion 5 – compelling reason to sell

Do you have evidence of a compelling reason to sell your property? By this we mean that you would be placed under an unreasonable burden within the next three years if you could not sell.

3.5.1 The NTS Property Scheme is available to eligible property owners who can show that they have a compelling reason to sell their property, but have not been able to do so other than at a substantially reduced value because of the EWR project.

3.5.2 We ask for evidence of a compelling reason to sell so that public money can be targeted towards those most in need. In designing the NTS Property Scheme, EWR Co has sought to balance the needs of individuals with the costs to the public purse.

3.5.3 If you can show that you would be under an unreasonable burden within three years from the date of your application, we would expect you to meet this criterion. In the final three years of the NTS Property Scheme, this time frame will only extend to the end of the scheme and so may be less than three years. The end of the NTS Property Scheme will be 12 months after the railway (which forms part of the EWR Project) comes into operation, which is the time that 'Part 1 compensation' becomes available (see para 1.1.5). The market is expected to return to normal towards the end of the NTS Property Scheme.

3.5.4 The NTS Panel will need a clear explanation of any reason (or reasons) to sell a property now, or evidence that you would be put under an unreasonable burden if you were unable to sell it in the next three years. As much evidence as possible should be provided as the panel will need to see proof of each statement made.

3.5.5 As a guide, the following situations may, depending on the individual circumstances, be considered as creating a compelling need to sell:

- A disability or long-term condition(s)
- A disability or long-term condition(s) seriously affected by the construction and operation of the EWR project
- A serious change in ability to meet financial commitments, for example following loss of a job
- A growing family resulting in a compelling need to move
- Downsizing to reduce financial commitments, for instance as part of a retirement plan
- A move to care for dependent family members
- A relocation required for work or a new job
- Dividing assets as part of a settlement following a relationship breakdown
- Winding up the estate of someone who has died

3.5.6 This list is not intended to be exhaustive. We are aware that other circumstances may create a compelling need to sell and these would be considered by the panel on a case-by-case basis.

- 3.5.7 The evidence you give us must show why you would suffer an unreasonable burden within the next three years, as a result of the circumstances set out in your application, if you cannot sell your property at the current time. We only need evidence which supports the compelling reason to sell that you have given in your application. For example, if the reason you give is not financial but is a health-related reason, we do not need financial evidence.
- 3.5.8 If your application is fully or partly related to health and mobility issues, the panel and the decision-maker will take the following into account when assessing it:
- Whether, if you stayed in your property, you would have to take on extra help to carry out routine maintenance of your property because your disability or long-term condition(s) means you cannot do the work you used to do yourself before the start of your disability or long-term condition(s).
 - Whether, if you stayed in your property, you would incur significant extra expense in adapting your property to meet your medical or mobility needs.
 - Whether, if your long-term condition(s) or disability means you need significant support from your family, you would not be able to access that support from your property.
 - Whether, if your disability or long-term condition(s) means that you will need to regularly use local amenities, staying in your property would mean living in a location where you cannot access them easily and independently.
- 3.5.9 If the panel and decision-maker believe that your disability or long-term condition(s) is likely to get worse, they can look further ahead than three years when considering whether to accept your application. That is, they may consider that your disability or long-term condition(s) will not become a compelling need to sell in the next three years, but that it would do over a longer period. They will decide whether to do this based on the evidence you include in your application.
- 3.5.10 If you receive the State Pension (or expect to receive a State Pension within three years of applying to the NTS Property Scheme), we would not usually need evidence to support your plans to retire under criterion 5 – compelling reason to sell, unless your application is fully or partly related to financial circumstances resulting from your retirement.

4. Application process

- 4.1.1 Our NTS team cannot advise you on evidence that may result in a successful application, as each case will depend on individual circumstances. Their role is to manage a fair and efficient decision-making process on behalf of EWR Co. It is your responsibility to supply all the relevant evidence to support your application.
- 4.1.2 You do not need to have property valuations carried out by a chartered surveyor at any stage before or during the application process. The people considering your application will take into account the views of the estate agents marketing your property on what the realistic unblighted asking price would be.
- 4.1.3 It is essential that you read and understand the requirements of the NTS Property Scheme. If you have any questions about the scheme, please contact our Helpdesk (see section on Further Information). If you have applied for the NTS Property Scheme before but been unsuccessful, your decision letter will outline the reasons you were unsuccessful and whether we need more or different evidence for the eligibility criteria. It is important that you read and understand your decision letter and the feedback from our NTS team if you are thinking about applying again because your circumstances have changed or you are able to provide further evidence.
- 4.1.4 The NTS Property Scheme is aimed at supporting people who are most directly and negatively affected by the proposals for EWR. Decisions on your application are based on the information and evidence you provide. If you resubmit an application using the same basic information hoping for a different outcome, it is not likely to be successful. If you have no further useful evidence to give us, or if there has not been a significant change in your circumstances, you would need to seriously consider whether it is worth repeating your application.
- 4.1.5 You do not need to appoint professional representatives to help with your application. EWR Co has designed the application process so that you do not need anyone to act on your behalf. Once you have applied for the NTS Property Scheme, you will be allocated a named manager from our NTS team who will be your main point of contact.
- 4.1.6 You are welcome to seek support from someone other than an NTS manager, to help with your application. You may want to ask a friend or relative or a professional. In your application you must explain the relationship between you and any representative you ask us to correspond with. For any statement made on your behalf, your representative must sign the statement (or statements) and

give their name, firm and position in that firm (if this applies) and declare that the information is correct to the best of their knowledge.

- 4.1.7 If you use a paid representative, or if you enter into an agreement with an estate agent or agent who would gain financially from EWR Co buying your property under the NTS Property Scheme, the panel or decision-maker will not be able to take into account any market appraisal, feedback or other evidence provided by this estate agent or agent.

4.2 Step one: You send us your application and supporting evidence

- 4.2.1 Fill in the application form and send it to us with as much supporting evidence as you can provide.

- 4.2.2 In the application form, we have included examples of the documents we need. They include:

- proof of identity (Section 2.1);
- evidence of property type and ownership (Section 3.3);
- evidence that the property is likely to be seriously affected by either the construction or the operation of the EWR line (Section 4);
- evidence of your efforts to sell and the effect of the EWR project (Section 5.1);
- evidence of a compelling reason to sell (Section 7).

- 4.2.3 You should try to provide evidence to cover at least the past six months, as it will help give the panel a full picture of your circumstances.

- 4.2.4 If you don't provide original documents or certified copies of the evidence we need, this will delay the decision on your application. We need this evidence, or an explanation of why you cannot produce it, before the panel can consider your application. If you cannot produce one or more pieces of evidence, please include the reason for this in your application.

- 4.2.5 If you are not providing original documents, copies should be certified by a UK solicitor, an accountant, a doctor listed on the General Medical Council website, or a bank manager. You will need to give us this person's name and contact details including email address, telephone number and address so that we can contact them if necessary.

- 4.2.6 We also accept copies of documents which have been certified using the official Post Office Identity Document Checking Service. If you use this service we will need the original, filled-in checking service form and the original till receipt from the post office. We should receive your application no later than two months from the date on the till receipt. If you do not meet any of these requirements, we will not accept certification by the Post Office.

- 4.2.7 We need one document to confirm the identity of everyone who needs to sign the application form. This could be a document that you are already providing as evidence for another part of your application. Please see the declaration section of the application form for a complete list of documents that can be used to confirm your identity.

4.3 Step two: The NTS team reviews your application

- 4.3.1 The NTS team will acknowledge your application by email or letter. They will review your application to make sure that it is ready for the panel to consider and contains the information we have asked for on the application form. If information is missing, or if you have not provided evidence for any or some of the criteria, we will contact you and ask if you would like to provide it. Also, in almost all cases, we will contact the estate agents who are currently marketing the property.

- 4.3.2 Your application will be set up on the 'Track my Property Case' portal and you will be sent login details to use the portal. Although new discretionary property scheme applications and supporting evidence cannot currently be submitted online, the portal will allow you to track the progress of your application after we receive your original application form and supporting evidence. You will be given a named NTS manager, who will be your main point of contact if you have any questions.

- 4.3.3 We will check your original documents and return them to you as soon as possible after receiving your application.

- 4.3.4 We will take copies of all documents and return the originals to you. If it is not possible to produce a clear copy of the document (due to its age or condition), we may need to keep the original until a decision on your application has been made. The NTS team will tell you if we need to do this.

- 4.3.5 The NTS team will hold paper and electronic copies of your documents in line with the Data Protection Act 2018.

- 4.3.6 For information about how we will handle your personal information, please see our Privacy Notice.

4.4 Step three: An independent panel considers your application

- 4.4.1 We will pass your application to the NTS panel for consideration.
- 4.4.2 The three members of the panel will be independent of EWR Co and the Department for Transport.
- 4.4.3 The panel will make a recommendation to the Secretary of State for Transport.
- 4.4.4 For further information about the panel, please refer to EWR website.

4.5 Step four: The Secretary of State decides your application

- 4.5.1 A senior civil servant who has authority from the Secretary of State will consider your application and the recommendation made by the NTS panel. They will either make the final decision or present their view to the Secretary of State or a minister for a final decision.
- 4.5.2 If your application is accepted, we will write to you. The next step will be for you to begin the valuation process which is explained in 4.5.3.
- 4.5.3 Where a successful application is made under the NTS Property Scheme, we will buy the property at its unblighted market value. That is the property value as if there were no plans for the EWR Project. Under the NTS Property Scheme valuation process, initially two valuations will be completed, both paid for by us. You will choose one of the valuers. If the two valuations are within 10% of each other our offer will be based on the average of these valuations. If the two valuations are not within 10% of each other, we will pay for a third valuation and our offer will be based on the average calculated from the two closest valuations. All valuations will be carried out by a RICS Registered Valuer (see glossary). There is more information on the valuation process on the EWR website. Following these valuations, EWR Co will make you an offer to purchase your property at its unblighted market value.
- 4.5.4 You will have three years from the date of our letter accepting your application, to begin the process of selling your property. You can begin the valuation process at any time within the first two and a half years. This will leave six months for you to accept an offer and instruct your solicitors to begin the conveyancing process. If you do not instruct your solicitors within the three-year period following our letter, the acceptance will no longer be valid and you will need to reapply. Once

you have received your offer your property will not be revalued at any point (either within or after the three-year period).

- 4.5.5 If you accept the offer within the three-year period and have instructed solicitors but do not actively follow up the sale, we will withdraw the offer if conveyancing is not under way and actively going ahead within six months of the three-year period ending.
- 4.5.6 The offer will represent 100% of the unblighted market value of your property at the time of the valuation. The unblighted market value at that point may be different from the unblighted asking price used when marketing the property.
- 4.5.7 If you are unsuccessful, the NTS team will write to you, setting out the reasons for the decision in your decision letter. There will be no opportunity to discuss your case with the panel members or decision maker. To help make sure the application process is impartial and consistent, the decisions of both the panel and the decision-maker are based only on the information in applications and supporting evidence.
- 4.5.8 You can reapply if there is a significant change in your circumstances or you have new evidence that may be relevant to the reason (or reasons) your application was turned down. If you are unable to provide new evidence, and your circumstances have not changed, it is very unlikely that reapplying on these grounds would result in a different outcome.
- 4.5.9 You need to reapply only in relation to the criterion (or criteria) under which you were unsuccessful, as long as:
 - you submit your application within six months of receiving a previous decision (that is, six months from the date on the most recent, previous decision letter); and
 - there has been no significant change in your circumstances in relation to the criterion (or criteria) on which you had previously been successful.

Otherwise, when you reapply you would need to cover all five criteria again.

4.6 Help from others with your application

- 4.6.1 EWR Co has designed the application process so that you do not need anyone else to act on your behalf. We have tried to provide as much information as possible in this document to help you. Once you have submitted your application, you will be allocated a named manager from our NTS team who will be your main point

of contact. You are welcome to contact us with questions at any point, using the contact details in our acknowledgement letter.

- 4.6.2 You are welcome to seek support from someone other than an NTS manager to help you with your application. However, EWR Co will not refund any costs you may have in doing this. You may want to ask a friend or relative or a professional. In your application you must explain the relationship between you and any representative you ask us to correspond with.
- 4.6.3 For any statement made on your behalf, your representative must sign the statement and declare their name, firm and position in that firm (if this applies), and that the information is correct to the best of their knowledge.
- 4.6.4 As set out in Section 3.3.8, if your representative is also your estate agent, the panel will not be able to take into account any market appraisal or other evidence provided by them. This is to protect both you and the taxpayer by only considering advice from estate agents who are independent and so do not have a personal or financial interest in profiting from EWR Co buying your property.
- 4.6.5 You (the person or persons with the qualifying interest in the property) must sign and date the declaration page and read and understand every page of the filled-in application form and every piece of evidence submitted.
- 4.6.6 We will copy representatives into all correspondence, but we will always send correspondence direct to you for security, transparency and speed. So please make sure you provide your contact details, such as your email address and phone number (and those for any other applicants), even if you are using a representative.
- 4.6.7 We will also need you to give your permission if a representative asks to see documents such as valuation reports for your property, before we are able to show that document to the representative.
- 4.6.8 If your representatives holds power of attorney they will be legally acting on your behalf including making statements and signing documents and they will be our contact during the process, as if they are the applicant.

4.7 Accepted applications and offers made

- 4.7.1 If we have accepted your application because your compelling reason to sell is urgent, we expect you to try to sell your property to us as quickly as possible.

- 4.7.2 If at any point between the decision letter being sent and you exchanging contracts we become aware of any information or a significant change in circumstances that would affect the decision made on your application, we can review the decision. This could result in withdrawing our acceptance or offer. If this happens, you will be able to reapply to the NTS Property Scheme, to reflect the change in your circumstances or extra information.
- 4.7.3 We will not withdraw the acceptance or offer if you receive an offer on the property from someone else, after your decision letter is sent.



Cambridge Biomedical Campus

5. Further Information

- 5.1.1 Once you have submitted an application, you will be provided with a named NTS manager who will be your main point of contact if you have any questions.
- 5.1.2 For further information referenced in this guide, you can find the following information on the EWR website or via the links provided.

Links to Further Information

[EWR Website](#)

[EWR Website Land and Property](#)

[EWR Co Privacy Notice](#)

[EWR Guide to Part 1 Claims](#)

[EWR Guide to Statutory Blight](#)

[EWR 2021 Consultation Archive](#)

- 5.1.3 We will treat every applicant with respect however, if you find you have issues, concerns or wish to make a complaint please don't hesitate to get in touch so we can investigate and quickly find a good resolution. You can do this by:
- Raising the issue with your dedicated NTS Manager
 - Sending us a message online at eastwestrail.co.uk/get-in-touch
 - Calling us on **0330 838 7583**
 - Writing to us at **Freepost EAST WEST RAIL**
- 5.1.4 If your application has been unsuccessful, you can reapply (see above). The outcome of an application cannot be altered by complaining to us.

5.2 Completing your application form

- 5.2.1 To download a copy of the NTS application form, head to eastwestrail.co.uk/needtosell

- 5.2.2 If you'd prefer EWR Co to send you a copy of the application form to your home address, please request this via needtosell@eastwestrail.co.uk or by calling us on **0330 838 7583**.

5.3 Submitting your application form

- 5.3.1 Please send your filled-in application form, along with all supporting evidence, in hard copy (paper format) to the address below. We strongly recommend you send your application using Royal Mail Special Delivery, but we do not insist on this.

EWR Co
One Grafton Mews
Midsummer Boulevard
Milton Keynes
Buckinghamshire
MK9 1FB

6. Abbreviations & Glossary

| Term | Description |
|--|--|
| Agricultural unit | Land which is occupied as a unit for agricultural purposes, including any home or other building occupied by the same person for the purpose of farming the land. Agricultural purposes are horticulture, fruit growing, seed growing, dairy farming, breeding and keeping livestock, using land as grazing land, meadow land, osier land, market gardens or nursery grounds, and using land for woodland in a way that supports the farming of land or for other agricultural purposes. |
| Blight | The term blight used in this document refers to generalised blight. Generalised blight is typically used to describe the actual or assumed depreciation in value of property which may be attributable to a proposed infrastructure scheme. |
| Compensation Code | A collective term for the principles derived from Acts of Parliament and case law relating to compensation for compulsory acquisition. The overriding principle of compulsory purchase compensation is equivalence. This is the principle that people whose land is acquired compulsorily should be left neither better nor worse financially as a result of their land being acquired and are entitled to compensation which is neither more or less than the value of their loss. |
| Disability | The Equality Act 2010 defines disability as a long term physical or mental impairment that has a substantial and adverse impact on a person's ability to carry out day to day activities. |
| East West Rail (EWR, EWR Project) | A proposed new rail link, which would connect communities between Oxford, Milton Keynes, Bedford and Cambridge. This is the project. |
| Eligible property owner | A property owner with an interest in property that makes them eligible to apply under the NTS Property Scheme (subject to meeting the other criteria) The eligible types of interest are defined in the table for Criterion 2 in the Guide to the NTS Property Scheme. |
| Owner-occupier: | An owner-occupier is anyone who owns a property (either outright or with a mortgage) as a freehold or on a lease with a certain term (and which has at least three years left to run) and uses it as their main home or place of business. Under the Statutory Blight regime, the full definition of 'owner-occupier' is in chapter 2, part 6 of the Town and Country Planning Act 1990. |

| Term | Description |
|-----------------------------------|---|
| Property acquisition agent | A specialist property firm contracted by EWR Co to oversee the process of buying a property once it has been accepted under the NTS Property Scheme and an offer price has been accepted. |
| RICS Registered Valuer | A RICS Registered Valuer following the RICS Valuation - Global Standards (the 'Red Book') and the RICS Valuation - Global Standards 2017: UK national supplement. These standards are relevant to the date of valuation and may be updated periodically by RICS. These contain mandatory requirements and valuation practice guidance applications for all RICS members undertaking valuations. |
| Statutory Interest | An interest rate set at the Bank of England base rate that may be payable on compensation due under the Compensation Code |
| 'Track my Property' Case | Online tracking portal that allows applicants to keep updated on the progress of their application. |
| Unblighted market value | The value of the property in current market conditions, as if there were no plans for the EWR Project. |
| Unblighted asking price | The realistic asking price of the property in current market conditions, as if there were no plans for the EWR Project. |

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