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Compensation Claims for new road schemes

Part 1 Land Compensation Act 1973



Have you been affected by a new road scheme? Here at Parsons Son & Basley we have specialist Chartered Surveyors who can assist with obtaining compensation for you.

You will be relieved to hear that, by virtue of Part 1 of the Land Compensation Act 1973, homeowners affected by such circumstances have the right to claim compensation for the resulting reduction in value of their home.

The claims process is not always straightforward – the highway authority responsible for the new scheme will appoint a Chartered Surveyor to represent its interests and to negotiate each individual claim. The success or failure of the claim will depend on the expertise of your representative.

Our aim is to provide a professional and friendly service to you. We will deal with all the negotiations on your behalf and continue to provide you with advice during the claims process.

Contact us Now by:	Telephone:	Email:	Or write to us at:
Or visit our website www.psandb.co.uk	01273 326171	claims@psandb.co.uk	32 Queens Road Brighton BN1 3YE

Frequently asked Questions:

Q: What is the Compensation for?

A: Part 1 of the Land compensation Act 1973 provides a right to certain homeowners to claim compensation where their homes are reduced in value by the use of a new road or railway or other public works. The reduction in value must arise as a direct result of noise, smell, fumes, smoke, etc. arising from the use of the scheme. The Act currently makes no provision for compensation to be paid for reduction in value arising as a result of the construction works or loss of view.

Q: Who can claim?

A: In order to claim, you must own your property on or before the date the road opens to traffic and you must own and occupy your property when the claim is submitted (usually 12 months after the road is opened). Non-resident landlords of tenanted property can also claim provided the property is occupied by a tenant at the time the claim is submitted. Long leaseholders may also claim.

Q: How much will it cost me to pursue a claim?

A: If we are successful in getting compensation for you, the highway authority will make a payment towards our fees. Sometimes we will ask you to contribute to our fees; if we do, this will be based on a percentage of the compensation you receive. All fees will be agreed between us in advance of us commencing work. If we are unsuccessful we do not charge, provided we are the only agent acting.

Q: How much compensation will I receive?

A: The amount of compensation offered to you will depend upon, amongst other things, the value of your property (assessed at the statutory valuation date) and its proximity to the road. Claimants can usually expect to receive between 2% and 5% of the capital value of the property, with larger amounts being paid in many circumstances.

Q: Do I have to instruct you now – the scheme is not finished?

A: It is best to instruct us as soon as possible – we can then include your details on our database and provide you with regular updates on the progress of the scheme.

Q: Can I claim for the disruption I suffer during the construction period?

A: No. Your claim is purely for the loss in value to the property arising from use of the public works.

Q: When should the claim be submitted?

A: The earliest opportunity is one year after the road opens to traffic, unless you agree to sell your property before that date; then you must submit your claim between exchange of contracts and completion of the sale.