

# STANSTED AIRPORT LIMITED (STAL)

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## CLAIMS RELATING TO AIRPORT WORKS DATING FROM 1999 TO 2007

# GUIDE TO RESIDENTS

February 2018

Between 1999 and 2007, various pieces of taxiway and aircraft stands were built at Stansted Airport. As these are 'public infrastructure works', some people whose homes have been affected by the use of the works may be entitled to compensation under the Land Compensation Act 1973. This Guide contains some general information with regard to the question of who may, or may not, be entitled to bring a claim and the manner in which compensation is calculated.

This Guide was first published on 9 June 2016. Since that date the airport has been receiving claims and some have been successfully resolved. The process of considering and resolving outstanding claims with claimants and their advisers (where appropriate) is ongoing. This updated version of the Guide (February 2018) includes some important changes. These are:

1. Any further claims should be submitted by 31 July 2018. STAL may refuse to consider any claim that is received after this date
2. The deadline for making a reference to the Upper Tribunal (Lands Chamber) for all claims has now been extended to 31 July 2019. This is to allow longer for outstanding claims to be resolved.
3. Legally, any claimant has to have been in residence at the time the relevant works were completed, and also at the date the claim is lodged. STAL is now prepared, without obligation, to consider claims that do not meet the second criterion (i.e. residents who may have moved away since the works were completed and brought into use in 2007).

THE INFORMATION, WHICH APPEARS IN SECTION A, IS PROVIDED AS A COURTESY ONLY AND YOU MUST NOT RELY ON IT DEFINITELY. WE STRONGLY RECOMMEND THAT YOU TAKE INDEPENDENT PROFESSIONAL ADVICE ON YOUR ENTITLEMENT TO CLAIM AND ON THE QUESTION OF WHETHER OR NOT ANY COMPENSATION IS LIKELY TO BE DUE TO YOU. THERE ARE COMPLEX TECHNICAL AND LEGAL ISSUES TO BE WEIGHED UP.

The Guide also provides those who may have been affected by the public infrastructure works at Stansted Airport in the 1999-2007 period, with details of how to claim and an understanding of what will happen next. This information appears in Section B.

PLEASE NOTE THAT NEITHER SECTION 'A' NOR SECTION 'B' RELATES TO NON-RESIDENTIAL PROPERTY. IF YOUR PROPERTY IS NON-RESIDENTIAL IN NATURE THEN YOU SHOULD SEEK INDEPENDENT ADVICE.

## SECTION A

### What are the 'public infrastructure works'?

Between 1999 and 2007, various works took place to the taxiways and aircraft parking areas at Stansted Airport. These are listed below and shown on the aerial photograph at Appendix 1 of this Guide.

Delta Cul-de-Sac Apron/Stand	Both the cul-de-sac and the stands on both sides were completed by June 2001.
Echo Cul-de-Sac Apron/Stand	Stand numbers 83, 84 and 85 completed October 2006.
<b>Taxiways</b> <ul style="list-style-type: none"><li>• Juliet (from M to Y taxiways)</li><li>• Kilo (ref. K1,K3)</li><li>• Lima (ref. LR)</li><li>• November Taxiway Runway Crossing Hold (Ref N1,N3)</li></ul>	All these taxiway works were constructed between December 1999 and April 2001 and completed by April 2001.
Quebec RET/RAT	Completed in March 2007

### Who can claim compensation?

Owners and some occupiers of residential property at the relevant times will be able to claim, so long as "physical factors" brought about by the use of the works have directly led to a reduction in the value of their property. The "physical factors" are noise, vibration, smell, fumes, smoke, artificial lighting and certain discharges onto land.

If you acquired your property after 31 March 2007, we believe it is only in exceptional circumstances that you will qualify to bring a claim.

Similarly, if you owned and occupied your property on 31 March 2007 but subsequently sold it and vacated before a claim is submitted, it is unlikely that you will qualify legally to bring a claim. However, in response to local comments, the airport is, without obligation, prepared to consider claims that fall into this category (i.e. where a claimant has vacated and sold a property after 31 March 2007) if claimants submit details of their particular circumstances that they believe entitle them to compensation.

You cannot claim compensation because the airport seems busier than it was previously. Your claim has to show that the use of the particular works created one or more of the "physical factors" and that that/those factor(s) caused the value of your home to fall at the relevant times.

## At which date is that compensation assessed?

Any loss in value of your property is measured one year and one day after the relevant works first opened, which is the first date a claim for compensation can be made. This date is referred to as the "First Claim Day". You need to show the difference between the value of your property on the First Claim Day with the works in use, compared to what it would have been on that same date (i.e. the First Claim Day) without the works in use.

## SECTION B

# How do I make a claim for compensation?

You need to write or email:

Compensation Claims  
Stansted Airport Limited  
Enterprise House  
Bassingbourn Road  
ESSEX  
CM24 1QW

Stansted Compensation Claims - [compensation\\_enquiries@stanstedairport.com](mailto:compensation_enquiries@stanstedairport.com)

We request that all claims are submitted to us by no later than 31 July 2018. Please note that we may refuse to consider a claim that is received after this date.

We request the following information:

- the address of the property;
- ownership and occupancy of the property now and at 31 March 2007;
- the effect these particular works have had on your property including details of the physical factors that are said to have occurred (e.g. noise, vibration) (as opposed to the effect of the airport as a whole); and
- the amount of compensation you believe is due to you reflecting the loss in value of your property because of the works.

In fact, we will be able to evaluate your claim more quickly if you can also provide us with details of:

- the nature of your legal ownership/occupancy of the property at 31 March 2007 (e.g. did you own your home or were you a tenant or had you inherited the property from a relative?);
- the type of property (e.g. residential or one of the limited number of non-residential properties which are in scope to compensation under the 1973 Act);
- evidence regarding the 'physical factors' (listed in Section A) said to have affected your home at the First Claim Day (also mentioned in Section A) and which had directly arisen as a result of the works; and
- appropriate valuation evidence in support of the amount of compensation you are claiming.

Please note that if you do not provide sufficient information in support of your claim, it is likely to be rejected. Most residents choose to seek professional advice and help on these technical matters.

We have attached a form in Appendix 2 which may help you to provide the necessary information.

Please also note that if your property lies outside the coloured area on the attached map (Appendix 3), we believe it is unlikely that your claim will qualify for compensation. If your property lies within the coloured area, then you will still need to demonstrate that your claim satisfies all the requirements to qualify for compensation.

## What if I have already claimed?

In this case, you will have received an acknowledgement from STAL already. We will now consider your claim, and any supporting evidence. If you used an agent to lodge your claim, the same will apply. You should ask your agent what progress has been made, and whether further information has been provided or is needed.

## What happens next?

We will pass your claim to our experts, but we cannot progress the claim until we receive sufficient information from you in support of it.

Should we become satisfied that you appear to have a valid claim, we may want to inspect your property and have discussions with you, or your agent, about the claim. If we reach agreement on the compensation to be paid to you, we will pay that compensation, together with interest from the date of the claim and the reasonable costs of your advisers. There are certain criteria about what these costs may include. In return, you will confirm that you have no further claims in relation to the use of the work.

## What if we don't agree?

If you consider you have a valid claim but we do not agree, or if we cannot agree on the amount of compensation to be paid, you can refer your claim to the Upper Tribunal (Lands Chamber) – often called the 'Lands Tribunal'.

Please note that since the original announcement in June 2016, we have extended the deadline for claims to be referred to the Lands Tribunal to 31 July 2019. We may now treat your claim as being "out of time" if you have not referred it to the Lands Tribunal on or before 31 July 2019.

The Lands Tribunal process is similar to a formal court action, and again we would strongly recommend that you take professional advice about this step.

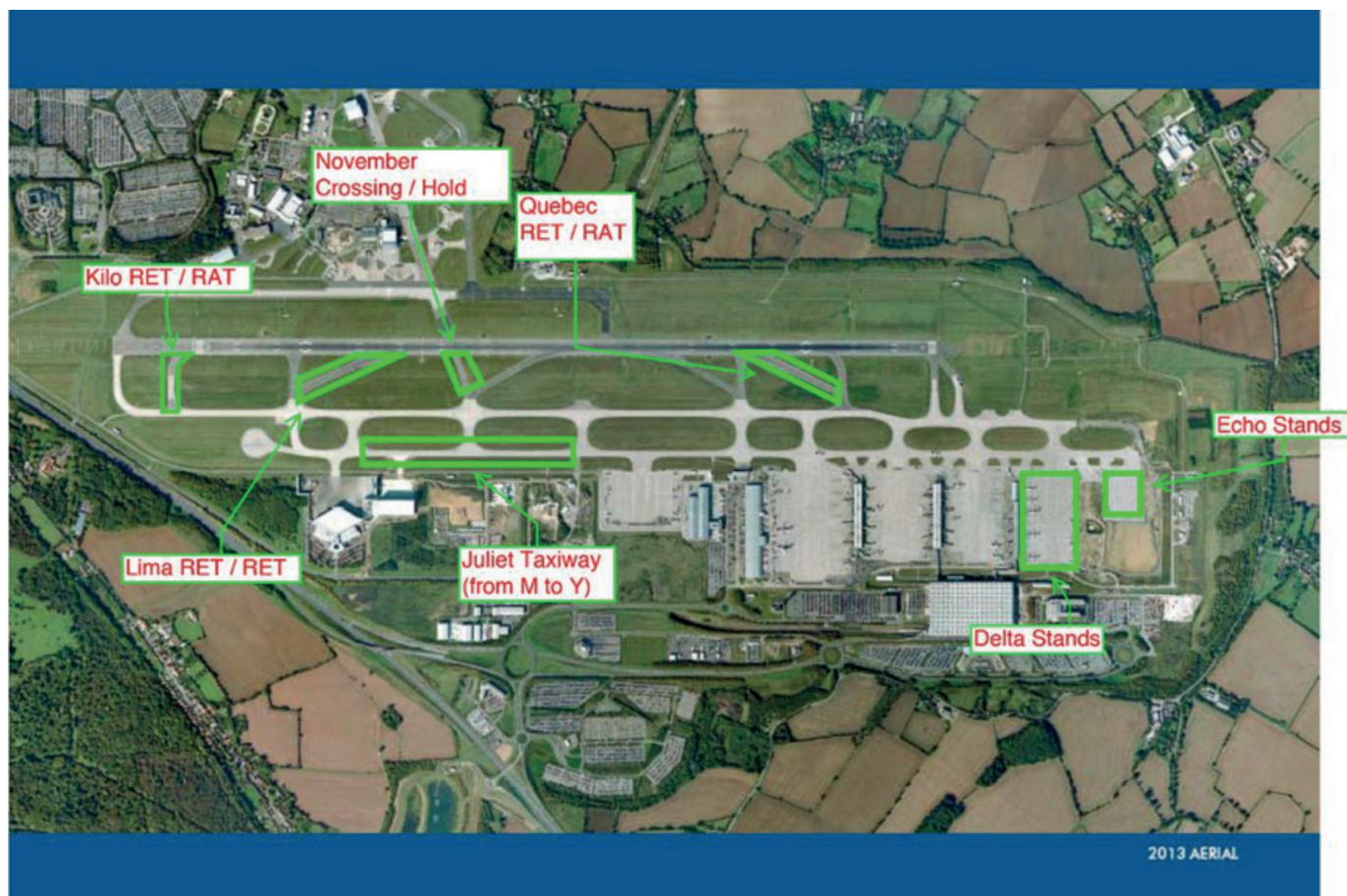
## Where can I find out more?

You can approach a professional adviser to act for you or give you advice. This might, for example, be a solicitor, valuer or surveyor. They will be able to advise you in the light of your own personal circumstances.

The Land Compensation Act 1973 is the Act of Parliament which creates the right to be compensated, in certain circumstances, for the effect of works such as those carried out at Stansted Airport in the 1999-2007 period. Part 1 of that Act is particularly relevant, hence the common reference to 'Part 1' claims.

The Lands Tribunal provide advice on their procedures at <https://www.gov.uk/courts-tribunals/upper-tribunal-lands-chamber>

## APPENDIX 1 - Completed Works



## APPENDIX 2

### STANSTED AIRPORT LIMITED

### COMPENSATION CLAIMS RELATING TO AIRPORT WORKS DATING FROM 1999 TO 2007

### CLAIM INFORMATION FORM

This form is to be completed by the person(s) who is/are making the claim for compensation. Please ensure that the form is completed to assist with our consideration of the claim.

#### 1. CONTACT DETAILS

Name(s) of claimant: .....

Address: .....

.....

..... Post Code: .....

Telephone: .....

Email: .....

#### 2. PROPERTY DETAILS

(a) The full address of the property in respect of which the claim is made:

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.....

(b) Type of property (e.g. detached house, bungalow etc):

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### 3. OWNERSHIP INFORMATION

(a) What is the nature of your ownership of the Property (i.e. freehold or leasehold)?

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(b) When did you acquire your interest in the property?

.....

(c) Do you occupy the property? If not, please provide details of who is in occupation and what interest they have in the property (e.g. freehold or leasehold)

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(d) Has any new building been erected on the land, or any existing building been improved or extended? If so, please confirm on what date these works were completed.

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(e) Do you own any other land next to, or in close proximity, to the property? If so, please provide full details to us.

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### 4. CLAIM INFORMATION

(a) Details of public works

The table below sets out in summary details of the taxiway and aircraft stands built and brought into use at Stansted Airport between 1999 and 2007:

WORKS	DATE OF WORKS
Taxiways Juliet (from M to Y taxiways), Kilo (section K1, K3), Lima (section LR) and November (section N1, N3)	Completed between December 1999 and April 2001 and brought into use by April 2001.
Works to the Delta Cul-de-Sac aprons and stands	Completed and brought into use by June 2001
Works to three of the Echo Cul-de-Sac stands	Completed and brought into use by October 2006
Quebec rapid exit taxiway	Completed and brought into use by March 2007

Does your claim relate to all of the works set out in the table above? If not, please confirm which works you rely upon in support of your claim.

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(b) The physical factors complained of (i.e. noise, vibration, smell, fumes, smoke, artificial lighting and certain discharges onto land)

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(c) Amount of compensation claimed:

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## 5. OTHER INFORMATION

(a) If you have appointed a professional adviser or agent to represent you in relation to your claim, please provide their contact details to us (name, address (including postcode) and telephone number):

.....

.....

(b) Please provide details of any additional information you may wish to submit to us in support of your claim:

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.....

Signature of claimant(s):

Signed:..... Date: .....

Signed:..... Date: .....

Signed:..... Date: .....

## APPENDIX 3

### Stansted Airport Ltd Claims Relating to Airport Works from 1999 to 2007

