

**THE LONDON BOROUGH OF SOUTHWARK**

**TOWN AND COUNTRY PLANNING ACT 1990**

**AND ACQUISITION OF LAND ACT 1981**

**THE LONDON BOROUGH OF SOUTHWARK (ELMINGTON ESTATE SITE E)  
COMPULSORY PURCHASE ORDER 2015**

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**STATEMENT OF CASE MADE BY THE LONDON BOROUGH OF SOUTHWARK UNDER  
RULE 7 OF THE COMPULSORY PURCHASE (INQUIRIES PROCEDURE) RULES 2007**

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# THE LONDON BOROUGH OF SOUTHWARK (ELMINGTON ESTATE SITE E) COMPULSORY PURCHASE ORDER 2015

## 1 INTRODUCTION

- 1.1 This Statement of Case ("the Statement") has been prepared on behalf of the London Borough of Southwark ("the Council") in its capacity as the acquiring authority pursuant to Rule 7 of the Compulsory Purchase (Inquiries Procedure) Rules 2007.
- 1.2 On 17th February 2015 the Council made the London Borough of Southwark (Elmington Estate Site E) Compulsory Purchase Order 2015 ("the Order") pursuant to resolutions of the Council's Cabinet of 23rd October 2012 and 16th September 2014 (minutes and report annexed to this Statement at CD1 on page 3 of the bundle of Core Documents and CD2 on page 29). The Order, together with the Council's Statement of Reasons, was submitted to the Secretary of State for Communities and Local Government ("the Secretary of State") for confirmation on 10th March 2015. Two objection letters to the Order were received by the Secretary of State. The Secretary of State by way of a letter dated 7th May 2015 has given notice of his intention to call a Public Inquiry on a date yet to be fixed.
- 1.3 This Statement sets out the particulars of the Council's case for the making of the Order that will be put forward at the Public Inquiry and sets out the Council's response to the objections raised.
- 1.4 The Council is seeking to acquire land, property and other interests, except interests owned by the Council, in a site forming part of the Elmington Estate ("the Estate") in Camberwell London. The site is situate at the junction of Benhill Road and Elmington Road London SE5. The site is known as Site E Elmington Estate and contains the blocks known as 1-51 (consecutive) Houseman Way and 90-106 (evens) Benhill Road, London SE5 ("the Order Land (Site E)"), all of which land is shown edged red and coloured pink on the plan annexed at CD3 at page 69 ("the Order Map"). The Council wishes to acquire the land, property and other interests in the Order Land (Site E) which it does not own to enable the redevelopment and regeneration of that part of the Estate. It is not the Council's intention to acquire the electricity substation coloured green on the Order Map which is being retained.
- 1.5 The Council has been pursuing a programme of refurbishment and redevelopment of the Estate since 1999 as part of its wider commitment to the regeneration of Camberwell. A substantial part of the Estate has now been regenerated, either by refurbishment or by redevelopment, to ensure that all residential units on the Estate meet the Government's Decent Homes Standard and there remain only a few blocks on the Estate to be regenerated of which the Order Land (Site E) forms part. The blocks remaining to be regenerated are

situated on the Order Land (Site E) and on two neighbouring sites known as Sites D (1-59 (odds) Benhill Road) and G (1-12 Flecker House, 1-20 Broome Way and 30-72 (evens) Lomond Grove). These blocks together with the site of the former Area Housing Office (known as Site C), which is already in the Council's freehold ownership, comprise the final third phase of the regeneration of the wider Estate.

- 1.6 These sites (Sites D, E and G) were selected by the Council at its Executive meeting (the precursor to the Cabinet) held on 14<sup>th</sup> October 2009 (minutes and report annexed at CD4 at page 71) for redevelopment rather than refurbishment, after consultation with residents of the Estate, for the reasons outlined later in this Statement.
- 1.7 The Council holds the freehold title to all of the Order Land (Site E). However, there are outstanding leasehold and other interests that have to be acquired to bring the Order Land (Site E) within the control of the Council and to allow redevelopment to take place. The outstanding interests lie within the Order Land (Site E).
- 1.8 The Council has selected Family Mosaic Housing Association and Bellway Homes Limited, working as joint partners ("FM and BH") as its development partner for the redevelopment of the Order Land (Site E) (minutes and report of Cabinet Meeting of 17<sup>th</sup> July 2012 – annexed at CD5 on page 93). Contracts for the sale (by way of the grant of 250 year leases) of the Order Land (Site E) and Sites C, D and G to FM and BH were exchanged on 26th March 2014. The contract is conditional on the Council being able to provide vacant possession of Sites C,D,E and G. It allows for the sale of the sites individually or together, at the same time or in phases.
- 1.9 The redevelopment schemes prepared by FM and BH for Sites C, D, E and G provides overall for a mixed tenure scheme of 225 residential units across the four sites in place of the existing 144 residential units, an increase of 81 residential units. Planning permission for the redevelopment schemes (by way of 3 separate planning permissions) was granted by the Council on 31<sup>st</sup> March 2015.
- 1.10 The compulsory purchase of the Order Land (Site E) is critical to enable delivery of one part of the final phase of the regeneration of the Estate.
- 1.11 The Order Land (Site E) is more fully described in section 2 of this Statement of Case. The interests and rights comprising the Order Land (Site E) are identified in the Schedule to the Order. This Statement of Case sets out the background to the proposed regeneration of the four sites in section 3, the Council's statutory power to acquire the Order Land in section 4, and in section 5 explains why the Order is necessary. The Council's justification for the use of compulsory purchase powers is explained in section 6. The proposed scheme for the Order Land (Site E) is described in more detail in section 7 of this Statement and the planning position and the policy context within which the Council's decisions have been taken is set out

in section 8. The objections to the Order are summarised in section 12 together with the Council's initial response to those objections. Other matters referred to in this Statement include human rights and equalities.

- 1.12 The Council recognises that a compulsory purchase order can only be made where there is a compelling case in the public interest (paragraph 17 of the Office of the Deputy Prime Minister Circular 06/2004 (Compulsory Purchase and the Crichel Down Rules) ("the Circular") refers). It is considered that in this instance there is a compelling case in the public interest for the confirmation of the Order. The Council is aware that in March new updated policy guidance for compulsory purchase was published in draft form for public consultation. When it is published in its final form, the Council understands Circular 06/2004 will be withdrawn. Much of the new draft draws upon existing guidance but the Council recognises some parts are new<sup>1</sup> and some parts are updated to reflect changes in the planning system<sup>2</sup> since 2004. Fundamentally there is no proposed change to the policy test for there to be a compelling case for confirmation of a compulsory purchase order in the public interest.

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<sup>1</sup> For example the guidance at paragraph 6 on the Public Sector Equality Duty set out in section 149 of the Equalities Act 2010

<sup>2</sup> For example the guidance in section 1 dealing with advice on section 226 of the Town & Country Planning Act 1990

## **2. DESCRIPTION OF ORDER LAND**

- 2.1 The Order Land (Site E) is 5588.5 square metres (0.559 hectares) in size, less an area of 23.35 square metres (0.00233 hectares) occupied by an electricity sub-station which does not form part of the Order Land (Site E). The Order Land (Site E) is shown edged red and coloured pink on the Order Map which is annexed at CD3 (page 69), excluding the area coloured green which is the retained electricity sub-station.
- 2.2 There are 4 low rise blocks on the Order Land known as 1-20 Houseman Way, 21-29 Houseman Way, 30-51 Houseman Way (consecutive numbers) and 90-106 (even numbers) Benhill Road London SE5. These blocks are numbered 1, 2, 3 and 7 on the plan annexed at CD 6 (page 101) Blocks numbered 1 and 2 are connected via an aerial walkway. The blocks have a non-traditional form of construction – that is they are built with reinforced concrete frame with in-fill panels and profile metal sheet cladding beneath a flat roof. They are of a poor quality and in a dilapidated condition. Between the blocks there is amenity land for the use of the residents. The Council takes the view this land is not public open space. There is car parking available for residents at the rear of the two long Houseman Way blocks.
- 2.3 There are currently 60 residential units on the Order Land (Site E). Blocks 1 and 3 contain flats and maisonettes of varying sizes, but predominantly 3 bedroom units. Blocks 2 and 7 contain bed-sits.
- 2.4 The Council has secured vacant possession of 56 of the 60 dwellings on the Order Land (Site E). At the date of this Statement 20 of those 56 dwellings are being used for temporary accommodation purposes in accordance with the Council's duty to provide temporary accommodation contained within the Housing Act 1996 Part VII. As those temporary residents leave the relevant unit is secured and is not re-occupied.
- 2.5 There are 4 dwellings which the Council still needs to acquire if it is to achieve the regeneration of this part of the Estate. These are all held on long leases and were acquired by Council tenants under the right-to-buy legislation in the Housing Act 1985. None of those 4 long leaseholders reside in their properties. The properties are either occupied by family members or are let out.
- 2.6 None of the Order Land (Site E) is in commercial use. There is no highway land within the Order Land (Site E), only estate footpaths, and accordingly the Council is satisfied that no stopping up orders are required.
- 2.7 The Order Land (Site E) does not include the electricity sub-station which is situate near the centre of the site and shown coloured green on the Order Map annexed at CD3 (page 69). The substation aside there is some equipment of statutory undertakers which will need to be removed and relocated. The statutory undertakers have been served with the Order.

## **Wider Context**

- 2.8 To the north of the Order Land (Site E) lies the Benhill Road Nature Garden (“the Nature Garden”) and beyond that Brunswick Park Primary School which includes a Dining and Assembly Hall designed by architects James Stirling and James Gowan in 1962 on behalf of London County Council. In May 2011 it was listed as a Grade II Listed Building for its bold and imaginative design. A heritage assessment has been undertaken to consider the significance of the asset and the impact of the proposals which underlie this Order. The planning officer report considered that the proposed development will have little impact but that which it will have will be beneficial.
- 2.9 The Estate is a housing estate located in the northern part of Camberwell, lying between Southampton Way and Camberwell Road with Burgess Park to the north. The Estate currently consists of 41 blocks laid out over a number of sites. The original footprint of the Estate is shown edged in red on the plan annexed to this statement at CD7 (page 102). The site E blocks are shown on the plan numbered 28, 29, 30 and 31. The Site D blocks are shown on the plan numbered 32 and 33 and the Site G blocks are shown on the plan numbered 8, 9 and 10 and Site C is shown on the plan as the Area Housing Office. The Council believes the Estate was built in the early 1960s on land then owned by the Greater London Council. The Estate was transferred to the Council by the Local Government Reorganisation (Property etc) Order 1986 made under the provisions of the Local Government Act 1985.



### **3. BACKGROUND**

#### **Elmington Estate Regeneration Project (“the Project”)**

- 3.1 The proposed redevelopment of the Order Land (Site E) should to be seen in the context of the wider regeneration of the Elmington Estate which has been a long standing programme of the Council. By the late 1990s the Estate was found to be in need of substantial refurbishment and improvement in order to bring it up to the Government’s “Decent Homes Standard”. This states that all social housing should (i) be free of health and safety hazards (ii) be in a reasonable state of repair (iii) have reasonably modern bathrooms, kitchens and boilers and (iv) be reasonably insulated. The flats and maisonettes on the Estate did not, in the main, meet these standards. Having identified the need for improvement to the Estate and having found that certain blocks required urgent attention due to major structural defects to the timber floors, the Council’s Housing Committee approved Phase 1 of the Project in 1999. Since that date the Council has been pursuing a modernisation, improvement and redevelopment programme for the Estate in phases.

#### **Phase 1 Elmington Estate Regeneration**

- 3.2 Phase 1 of the Project saw the demolition of four 11 storey tower blocks and additional surrounding low rise blocks (shown hatched black on the plan annexed at CD7 on page 102) in 2001 and the redevelopment of part of the land to provide 136 new council homes and 6 registered social landlord homes. This part of the Project was completed in June 2005. In addition as part of Phase 1 Shirley House, Drinkwater House and Caspian House (shown numbered 13, 17 and 18 on the plan annexed at CD7 on page 102) were refurbished. The refurbishment was completed in April 2005. No compulsory purchase order was required.

#### **Phase 2 Elmington Estate Regeneration**

- 3.3 Phase 2 of the Project saw the redevelopment of two of the sites which had been demolished as part of the Phase 1 works. These sites lie on either side of Edmund Street (shown marked ‘A’ and ‘B’ on the plan annexed at CD6 on page 101 and known as Sites A and B) at the northern end of the Estate. The Council disposed of the two sites for redevelopment to Notting Hill Home Ownership Ltd by way of the grant of a 250 year lease (Executive Meeting 9<sup>th</sup> February 2010). The lease was granted in July 2012 and work commenced in June 2013. Phase 2 is due to be completed in 2015. Once completed there will be 279 residential units on Sites A and B, of which 183 will be affordable units and 96 private units. No compulsory purchase order was required.

#### **Phase 3 Elmington Estate Regeneration**

The decision to deliver a mixed scheme of refurbishment and redevelopment including the sale and redevelopment of Site C,D,E and G

3.4 The final phase of the Project affects 14 residential blocks across 7 sites on the Estate, referred to as Sites C,D,E,F,G,H and J or the Mid-Elmington Blocks. The location of these sites is shown on the plan annexed at CD6 (page 101).

3.5 The requirements and practicalities of refurbishing or redeveloping the Mid-Elmington blocks were considered by the Council's Executive on 19th May 2009 (report and minutes annexed at CD8 at page 105) and officers were asked to prepare a report on the options available to the Council for the Executive to consider at its meeting in October 2009. In preparation for that meeting, the Council carried out a consultation exercise with residents of the Mid-Elmington blocks (see further at paragraphs 3.11-3.19 below) and commissioned Pellings LLP (a firm providing building surveying services) to:

- Determine the full schedule of works and cost involved in restoring each of the blocks to the Decent Homes Standard
- Identify which blocks were most in need of repair based on an assessment of their structural condition
- Compile a list of investment needs of each of the blocks, broken down by cost of repair.

Pellings reported in September 2009 (see Report annexed at CD9 on page ....) that, broadly, the properties failed to meet the Decent Homes Standard. Their conclusion was that the Mid-Elmington blocks did not meet the Decent Homes Standard in a number of important ways and whilst none of the properties would fail under the requirements of the Housing Health and Safety Risk System, all the properties surveyed would fail to achieve a "reasonable state of repair" status as two or more of the building components were either old or required replacement or repair and none of the properties surveyed provided "a reasonable degree of thermal comfort". The report noted that main elements of the blocks, (walls, roofs, windows and chimneys), needed significant investment. In some places windows were in poor condition and required individual frame replacement. The Pellings report also included a report on mechanical and electrical systems. It noted a lack of mechanical ventilation in any bathrooms and kitchens giving rise to extensive condensation and mould problems, obsolete boiler systems, a lack of door entry systems and dysfunctional communal TV systems.

3.6 In the light of this report the Council had to consider, with the resources available to it and in the wider context of rehousing progressing at the same time at another Council estate, the Aylesbury Estate, how best to continue the regeneration of the Estate. To assist it in this task the 14 Mid-Elmington blocks were grouped into sites and an options appraisal was carried out to enable the Council to consider whether to:

- Redevelop all the sites
- Refurbish all the sites to Southwark Decent Homes Standard
- Pursue a mixed option of redevelopment and refurbishment

As part of this exercise the consultancy, KPMG, were asked to prepare a financial model to show, the relative costs involved in refurbishing or redeveloping the blocks. The model used a discount cash flow to determine the net present value for the two options available, either refurbishment and retention or redevelopment (disposal), using incoming and outgoing cash flows over a 15 year period. This enabled a calculation of the cost of refurbishment or redevelopment for each block taking into account likely time periods for rehousing and work to be undertaken as well as strategic fit and risk. Net present value (NPV) is a measure of profitability used in corporate budgeting to assess a given project's potential return on investment.

- 3.7 The Council's Executive considered the results of the residents consultation exercises, the findings of the Pellings report and the conclusions of the KPMG model at its meeting on 14<sup>th</sup> October 2009 (minutes and report annexed at CD4 on page 71). It concluded that it would be too expensive to refurbish all the blocks (estimated in the Pellings report to be in the region of £11 million) and that it would not have the resources (financial, human or housing) necessary to move all residents from all of the blocks and redevelop them. It therefore decided to pursue a mixed approach with some blocks being refurbished and retained and others redeveloped, depending on immediate needs and the extent of the repair/refurbishment required.
- 3.8 Using the KPMG model to assist in allocating blocks for refurbishment or redevelopment, it agreed, in principle, to undertake the following in respect of the Mid-Elmington blocks:

Sites F,H and J	Proctor House, Flatman House, Drayton House, Langland House  61-91 (odds) Brisbane Street	Retained and Refurbished
Sites C, D, E and G	Area Housing Office  1-59 (odds) Benhill Road  1-51 Houseman Way (consecutive numbers)  90-106 Benhill Road (evens)  1-12 (consecutive numbers) Flecker House  1-20 Broome Way	To be redeveloped and officers to prepare a detailed implementation programme and carry out detailed consultation with residents on the implications of the mixed option of refurbishment and

	(consecutive numbers)  30-72 (evens) Lomond Grove	redevelopment including likely timescales, rehousing proposals, impact of refurbishment and issues for leaseholders
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- 3.9 Following further consultation with residents (see paragraphs 3.12-3.14 below), on 22<sup>nd</sup> March 2011 the Council's Cabinet (minutes and report annexed at CD10 at page 228) approved the indicative implementation programme for the redevelopment of Sites C,D,E & G by way of a land disposal. By then the refurbishment programme was part underway. Rehousing options for the Council tenants on the Estate displaced by redevelopment were agreed as were the offers to be made to qualifying resident Estate leaseholders. Since the outstanding four interests to be acquired on the Order Land (Site E) are those of non-resident leaseholders, and the tenants who object are not Council tenants, this Statement of Case does not detail the options made available. The Council notes however that all the Council tenants on the Order Land (Site E) have moved out and the Council has been able to acquire by agreement over half of the long leasehold interests with only four outstanding interests to be acquired.
- 3.10 The refurbishment of the blocks on Sites F, H and J was completed in the summer of 2013.

**Consultation**

- 3.11 Residents of the Order Land (Site E) together with residents of all the Mid-Elmington blocks have been consulted about plans for and implementation of Phase 3 of the Project at all stages of the Project and even before its inception at the May 2009 Cabinet Meeting. This has been done by consultation events, questionnaires, letters, face-to-face individual meetings with Council officers and through the various local Tenants and Residents Associations.
- 3.12 An Elmington Residents Steering Group ("the RSG") was formed in July 2010 to represent the views of the residents of the Mid-Elmington blocks. The RSG was formed from representatives of the two main residents groups, the Elmington (previously Mid-Elmington) Tenants and Residents Association and the Poets Corner Tenants and Residents Association, and included within the group other residents, Council Members, Council officers and, later, a representative from Open Communities (see paragraph 3.13). It met regularly to discuss aspects of the regeneration proposal for the Mid-Elmington blocks between 20 July 2010 and March 2013.
- 3.13 In November 2010, following a request from the Elmington RSG, an independent residents' advisor from Open Communities (Neal Purvis) was appointed to represent the residents'

interests. His remit (paragraph 33 of the Report to Cabinet 22<sup>nd</sup> March 2011 – CD10 at page 238) was “to work with members of the Elmington RSG and residents to interrogate the regeneration proposals that the Council is proposing for the Elmington Estate prior to Cabinet approval of a regeneration programme for the estate”. Mr Purvis worked extensively with tenants and residents via resident surgeries, face to face interviews and a postal survey to gauge resident support (or otherwise) for Phase 3 of the Project as well as to establish the composition of residents and how they might be affected by the Estate regeneration. The results are set out in the Report to Cabinet dated 22 March 2011 (CD10 at pages 239 & 251) (see further at section 11 of this Statement).

3.14 Progress on Phase 3 of the Project has been communicated to residents through a newsletter and a dedicated part of the Council's web-site as well as numerous meetings and correspondence with residents and owners by Council officers on an individual basis. There have also been formal consultation events held, the main ones being as follows:

<b>DATE</b>	<b>EVENT</b>	<b>DETAILS/PURPOSE</b>
9 <sup>th</sup> September 2009	Consultation event with Elmington TRA	To gauge support (or otherwise) for redevelopment of some of the mid-Elmington blocks
24 <sup>th</sup> September 2009	Consultation event with Poets Corner TRA	To gauge support (or otherwise) for redevelopment of some of the mid-Elmington blocks
10 <sup>th</sup> - 23 <sup>rd</sup> September 2009	Exhibition at the Harris Street Area Housing Office of options for redevelopment or refurbishment for Sites D,E,F,G,H & J	
September 2009	Postal survey of residents of all blocks on Sites D,E,F,G,H & J regarding options for redevelopment or refurbishment of the blocks	See Report to Cabinet 14 <sup>th</sup> October 2009 paragraphs 36-39 (CD4 at page 83) and Appendix 2 (page 91)
23 <sup>rd</sup> January 2010	Consultation Day	To gather residents aspirations for the Estate
May 2010	Elmington Residents Steering Group established	Open Meeting held to explain purpose of group & invite participation. A leaseholder from Site E later became chair

		of the RSG
July 2010	Elmington RSG's first meeting  (Its meetings continued almost monthly until March 2013)	Draft redevelopment programme prepared by the Council considered by the RSG.
September 2010	Postal consultation with residents of Sites D,E & G (144 households) asking them to express their preference for one of 2 redevelopment programmes for the blocks on the three sites	Developed as a result of feedback from the RSG  Residents could respond by post or via visits from Southwark Young Advisors
11 September 2010	Information Day	The two redevelopment programmes were presented and residents asked to express their preference
November 2010	Independent Residents Advisor from Open Communities appointed	
November/December 2010	Open Communities surveyed residents of Sites D, E & G with regard to the redevelopment proposals	Analysis of survey is set out in paragraph 37 of Cabinet Report dated 22 <sup>nd</sup> March 2011 (CD10 at page 239)
February 2011	Members of the Elmington RSG met with Cabinet members for Housing & Regeneration to discuss the residents aspirations for the Estate	
22 <sup>nd</sup> September 2011	Camberwell Information Day	
7 <sup>th</sup> November 2011	Leaseholder Meeting with Council officers	
15 <sup>th</sup> December 2011	Training session held to train members of the Elmington RSG to enable them to assist the Council in evaluating bids from potential developers	
4 <sup>th</sup> April 2012	Drop in session for leaseholders at Area Housing Office in Harris Street	

15 <sup>th</sup> & 18 <sup>th</sup> June 2012	Meetings between Council officers and representatives of the RSG to evaluate bids from the short-listed tenders to redevelop the Sites C, D, E & G.	
On going since August 2011	Individual contact made by Council officers with Council tenants and leaseholders	To discuss re-housing options and, where appropriate, acquisition of leaseholder interest in Order Land (Site E)
18 <sup>th</sup> June 2014	Presentation by FM & BH to the Elmington Tenants & Residents Association	As part of planning process, to present the Proposed Scheme to residents, to answer any questions raised and take on board any comments
26 <sup>th</sup> June 2014 and 17 <sup>th</sup> July 2014	Exhibition of Proposed Scheme	As above

3.15 It should be noted that the November/December 2010 survey conducted by Open Communities was responded to by 37% of Council tenants and 20% of leaseholders (see Report to Cabinet 22<sup>nd</sup> March 2011 for analysis of the survey at paragraph 94 and following – CD10 at page 251). 70% of the respondents (i.e. those in the blocks identified for demolition) thought that demolition was the right option for their block. The earlier September 2009 consultations broadly gave a similar result.

3.16 Consultation was also undertaken on the specific design proposals for the Order Land. Residents, through the RSG, produced in 2011 an “Elmington Resident Expectations Document” (annexed at CD11 at page 264). In this document the residents stated that they were looking forward to positive changes to the Estate. They expressed the desire for improvement in the following aspects of the housing:

- lay-out of rooms to a more modern configuration;
- improved bathroom and shower provision;
- improved thermal efficiency;
- improved sound insulation;
- improved security;

- improved landscaping around the blocks
  - better design of the communal gardens, communal space and children's play area;
  - improvement of the Benhill Nature Garden and the restoration of the Pied Piper Mural (removed when the community centre situate at Caspian Street was demolished in 2001) to the Benhill Nature Garden.
- 3.17 Further the RSG were consulted by the Council on two occasions (15th and 18th June 2012) on the bids received by potential developers and how those bids had addressed the aspirations set out in the Elmington Resident Expectations Document. The feedback from the RSG was taken into account in the final selection of a developer for the Order Land (Site E).
- 3.18 Consultation has continued on the specific design proposals for the Order Land (Site E) and Sites C, D and G. A number of the expressed ambitions of the RSG were incorporated into FM and BH's proposals for the redevelopment of the Order Land (Site E) and the other 3 sites as expressed in the "Together in Elmington" June 2012 proposal document annexed to this Statement at CD12 (page 272).
- 3.19 In addition to the consultation events (including public exhibitions), regular updates are provided to all residents and non-resident leaseholders through newsletters and the Council's website.

#### Progressing the sale of Sites C,D,E and G

- 3.20 Between November 2011 and June 2012, the Council undertook a marketing and tender exercise for the sale of the four sites for redevelopment. Selected members of the RSG assisted the Council in evaluating the bids received and in July 2012 a report was laid before the Cabinet recommending the sale of the sites to a joint venture between FM and BH which the Cabinet resolved to approve (Cabinet minutes and report – 17<sup>th</sup> July 2012 – CD5 at page 93).
- 3.21 On 26<sup>th</sup> March 2014 contracts were exchanged with FM and BH for the sale of Sites C, D, E & G to them for redevelopment (CD13 at page 388). The contract was conditional on FM and BH obtaining planning permission for the proposed redevelopment scheme on each of the sites (which it has done). The contract is also conditional upon the Council obtaining vacant possession of each of the sites. The Council is under an obligation to use its reasonable endeavours to obtain vacant possession of each site and to diligently commence, pursue and carry out negotiations to secure vacant possession. Under the terms of the contract the four sites can be sold individually or together, at the same time or in phases. Planning permission for the redevelopment scheme of the Order Land (Site E) was granted on 31<sup>st</sup> March 2015



(Planning Permission Number 14/AP/3277). On the same date, planning permission was also granted for the redevelopment of the other three sites.

3.22 By late 2012 the Council saw that although it had made good progress in achieving vacant possession of the units on the three sites (including the Order Land (Site E)), it was unlikely to obtain vacant possession of all the units without the use of compulsory purchase powers. Accordingly the Cabinet decided at its meeting on 23<sup>rd</sup> October 2012 (minutes and report annexed at CD1 at page 3) to authorise and make the necessary compulsory purchase orders. This also enabled the Council (prior to any compulsory purchase order being made) to offer long leaseholders on Sites D, E and G not just the open market value of their properties but also the compensation payable for disturbance which they would receive on moving should their properties be acquired under compulsory purchase powers. At that stage although many of the Council tenants had moved from the sites, only one leasehold interest had been acquired across the Phase 3 redevelopment sites. The Council did not immediately make the Order after that meeting but continued to negotiate with leaseholders and Council tenants in the hope it could acquire all the interests by way of negotiation. By the summer of 2014, by which time the contract with FM and BH had been exchanged, it was clear that that was unlikely to be the case and accordingly the Cabinet again considered the need for a compulsory purchase order at its meeting on 16<sup>th</sup> September 2014 (CD2 at page 16) and resolved to make one or more orders for the Order Land and Sites D and G. The Order for the Order Land (Site E) was made on 17<sup>th</sup> February 2015; a compulsory purchase order for Site G was made on 26<sup>th</sup> March 2015 and a compulsory purchase order for Site D was made on 20<sup>th</sup> April 2015. There have been no objections made to the order for Site G. There has been only one objection to the Site D order which is from a statutory undertaker with whom the Council is in negotiation for the withdrawal of the objection.

#### **4. EXPLANATION OF USE OF TOWN AND COUNTRY PLANNING POWERS**

- 4.1 The Order has been made pursuant to the provisions of Section 226(1)(a) of the Town and Country Planning Act 1990, as amended by Section 99 of the Planning and Compulsory Purchase Act 2004, to facilitate the carrying out of the redevelopment of the Order Land (Site E).
- 4.2 Section 226(1)(a) empowers local authorities on being authorised by the Secretary of State to acquire any land in their area compulsorily if they think that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to that land. But Section 226 1A provides that a local authority must not exercise the power under section 226(1) unless they think that the development, redevelopment or improvement is likely to contribute to the promotion or improvement of the economic, social or environmental well-being of their area.
- 4.3 Section 226(4) makes it clear that who is to do the works of development, redevelopment or improvement is immaterial and the authority need not propose that they do the works.
- 4.4 The Council believes that the acquisition of the Order Land (Site E) will facilitate the redevelopment of the Order Land (Site E) as part of the final phase of redevelopment of the Estate as a whole and that the resulting redevelopment will result in an improvement to the environmental, social and economic well-being of the Estate and the London Borough of Southwark as a whole.
- 4.5 The ways in which the development, redevelopment or improvement are likely to contribute to the promotion or improvement of the economic, social or environmental well-being of the area are set out in sections 6 and 7.

## **5. PURPOSE OF ORDER**

- 5.1 The purpose of the Order is to enable the Council to secure the redevelopment of the Order Land (Site E) in accordance with the strategy agreed in 2009 as is set out in the Report to the Executive dated 14th October 2009 at paragraph 7 (CD4 at page 77):
- A commitment to provide decent homes
  - To produce mixed and balanced communities
  - To enable the development of new additional homes.
  - To ensure that new homes are high quality and provide a high proportion for families.
- 5.2 More particularly the purpose is to enable the Council to fulfil its contractual obligation to secure vacant possession for FM & BH so that they can implement the planning permission (Number 14/AP/3277) for 89 new homes which has been granted in the public interest. Thus 60 run-down properties will be replaced with 89 new homes, 33 of which will be affordable and 56 private.
- 5.3 The regeneration of the Estate is very much part of the Council's wider commitment to the regeneration of Camberwell. In the immediate locality the Council is investing in its direct delivery Council housing programme by building 15 new residential units for social rent on the site of disused garages at Masterman House which forms part of the Estate (block 2 on the plan annexed at CD7 on page 102). Further affordable provision is being built by Family Mosaic Housing Association on land previously owned by the Council in Havil Street and Southampton Way. There are currently improvement works being carried out to Camberwell Green and the environs of the Magistrates Court including the construction of a new library; the leisure centre has been refurbished and an improvement to the provision of youth facilities there undertaken. In addition, the Council has invested considerable resources in Burgess Park (which lies just to the north of the Estate) over recent years and is now undertaking work to improve the southern entrance to Burgess Park from Camberwell.

## **6. JUSTIFICATION FOR THE ORDER**

- 6.1 The Council will demonstrate at the Public Inquiry that the use of compulsory purchase powers is justified because there is a compelling case in the public interest for the Order Land (Site E) to be redeveloped. Confirmation of the Order (together with the redevelopment of Sites C, D and G) will secure delivery of the final Phase 3 of the regeneration of the Estate and thus bring the regeneration of the whole Estate, which was commenced in 1999, to a conclusion. The Council have a clear idea of what it intends to do with the Order Land (Site E). FM & BH have secured planning permission for the new scheme which will provide 89 much need market and affordable homes and they have the finance and other resources required to fund and complete the redevelopment.
- 6.2 Unless the Order is confirmed there is no certainty that it will be possible to acquire the necessary outstanding interests in time or at all. Efforts to acquire the four outstanding interests on the Order Land (Site E) by agreement have been on-going for a number of years, are continuing and will continue in parallel with this process. Unless the Council can deliver vacant possession and sell the site to FM & BH the planning permission for 89 new homes cannot be delivered. Failure to deliver will mean the comprehensive programme of refurbishment and regeneration on the Estate cannot be completed. Such a position would be fundamentally at odds with national regional and local planning policy.
- 6.3 Delivery of the redevelopment scheme will secure new high quality homes in a mixed community resulting in economic social and environmental improvements on the Order Land (Site E) to complement and stimulate other improvements in the area.
- 6.4 The Council has taken into account the guidance in the body of the Circular and in Appendix A in making the Order. It considers that the promotion of the Order under s.226(1)(a) meets the statutory requirements and is properly justifiable for the wider benefit of the community. The interests to be acquired by the Order are required for the development, redevelopment and improvement of the Order Land (Site E) and of the wider area. It will contribute to:
- the economic well-being of the area by the provision of additional employment during the construction process and by attracting investment into the Borough (see paragraph 7.16 of this Statement).
  - the social well-being of the area by provision of a greater quantum and range (in terms of tenure and bed mix) of housing than is currently provided on the Order Land (Site E) and of housing that is of superior quality.
  - the environmental well-being of the area by the provision of homes which are significantly more sustainable than those currently within the Order Land (Site E).

- 6.5 The acquisition of the four remaining leasehold interests in the Order Land and the extinguishment of any third party rights over the Order Land will enable the redevelopment to proceed. The provision of 89 homes on the Order Land (an increase of 29 on the current existing number of residential units), built to the current design and environmental standards and complying with 'Secure by Design' standards, will ensure the considerable improvement of social well being in the area. There will be private and communal outside space available to the residents as well as a toddler play space and access through the Order Land to the Benhill Road Nature Garden. All these things will improve the environment for the residents of the Estate and the wider area and will meet the expressed aspirations of the residents, as well as bringing investment and jobs into the area. This cannot be achieved without the acquisition of all property interests in the Order Land (Site E). The replacement of poor quality housing on the Estate will contribute to the improvement of the whole area.
- 6.6 The proposed scheme (see section 7) is consistent with the Core Strategy and saved policies of the Southwark Plan 2007 and the London Plan 2015 consolidated with Alterations since 2011 which recognise the importance of regeneration for securing further investment opportunities within the Borough and the social and economic benefits this offers.
- 6.7 The Council has at all stages of the Project taken into account the views of the residents and property owners of the Estate and the Order Land (Site E). The scheme proposed for the Order Land (Site E) has been consulted upon as detailed in section 3 of this Statement and also during the planning process leading up to the grant of planning permission (No. 14/AP/3277) on 31<sup>st</sup> March 2015.
- 6.8 Those remaining four long leaseholders with interests in the Order Land (Site E) have had considerable time, in some cases over three years, to consider offers made by the Council to acquire their interests without significant progress and whilst the Council would prefer to acquire all outstanding interests by agreement, the public interest demands confirmation of the Order so that FM and BH can implement the scheme underlying the Order.
- 6.9 The Council considers that without the use of compulsory purchase powers the redevelopment of the Order Land (Site E) will not take place and this will delay the completion of the last part of the long standing overall Estate regeneration which has been an ambition of the Council to achieve for some considerable time and one strongly supported by local residents.
- 6.10 Accordingly, the Council is satisfied that there is a compelling case for acquiring the interests in the Order Land (Site E) in the public interest which outweighs the effect of compulsory acquisition on individual rights. It considers that the case meets the requirements of paragraph 17 of the Circular, domestic legal requirements and the requirements of the European Convention on Human Rights.

## **7. PROPOSED USE OF THE ORDER LAND**

- 7.1 FM and BH submitted a detailed application to the Planning Department of the Council for permission to redevelop the Order Land on 1<sup>st</sup> September 2014 (application Number 14/AP/3277) (“the Proposed Scheme”) following three pre-application meetings and local consultation. Planning permission for the Proposed Scheme was granted on 31<sup>st</sup> March 2015.
- 7.2 The principal elements of the Proposed Scheme are shown on planning application drawing 484\_Pa2\_PL\_100 (which is annexed at CD14 at page 513 together with a copy of the planning permission at page 514) and are as follows:
- 7.3 There will be 89 residential units (in place of the current 60 units), comprising a range of sizes, from 1-bedroom units to 4-bedroom units. There will be 7 x 4 bed, 13 x 3 bed, 37 x 2 bed and 32 x 1 bed units. The flats will be situate within two 4 storey blocks and one 3 storey block. There will be 6 houses on the Order Land with their own rear gardens with 3 fronting Benhill Road and the other 3 fronting the internal car-parking area. A range of unit sizes and dwelling types will be provided across the tenures (social rent, intermediate and private), to ensure the potential for a fully mixed community including a provision of 37% affordable housing calculated by units and 35% affordable housing calculated by habitable rooms.
- 7.3.1 22 units will be social rent units.
- 7.3.2 11 units will be intermediate units, namely shared ownership units otherwise known as part rent/part buy units.
- 7.3.3 56 units will be for private sale or let, which will contribute to the significant undersupply of new homes in the London area.
- 7.3.4 There will be 7 units (10% of the homes by habitable room) constructed for wheelchair accessible use which will comply with the South East London Housing Partnership Wheelchair Homes Design Guidelines. This will include 4 fully accessible social rent wheelchair units and 3 private wheelchair units
- 7.4 Overall the split between affordable and private units is broadly 36% affordable and 64% private. The breakdown within the affordable element of the Proposed Scheme will be almost 67% social rent by units and just over 33% intermediate units.
- 7.5 Every dwelling type (maisonette, house, flat) will have a minimum of 5sqm of private outside space with either a balcony, roof terrace or garden. For the dwellings provided in the apartment blocks there will also be access to private communal amenity space.

- 7.6 The Proposed Scheme aims to restore street frontages for the residential units. It also aims to ensure a clearer definition of public and private space with private gardens, communal space and public space.
- 7.7 High quality and contemporary architecture will be delivered throughout, with no outward distinction between the different tenure types. A key feature of the development is to retain and where necessary reinstate effective street frontages to provide definition to the development and to improve natural surveillance and security. In addition, the height, scale and massing of the buildings are all acceptable in the local context and are in the main the same height or less than the existing buildings and the surrounding built form. The development rises on the corners of the site to a maximum of four storeys creating markers in the street scene and acting as a graduation in height providing interest to the upper building line. The Proposed Scheme incorporates comprehensive landscaping and new street trees along Benhill Road.
- 7.8 The internal dwelling layouts incorporate well sized and proportioned rooms, good circulation areas and good storage. All units and the surrounding landscaped area will be built in accordance with Lifetime Homes standards and have been designed to meet or exceed those set out in the Council's Residential Design Standard SPD (2011). All homes will be built to Lifetime Homes standards, providing flexibility to residents as their needs change over time.
- 7.9 The new development will meet current building standards in terms of sound separation and thermal performance and other sustainable design features. Large areas of glazing will ensure high levels of natural daylight within the units, thus reducing the need for artificial lighting and increasing solar gain.
- 7.10 Parking will be provided at a ratio of 0.4 spaces per dwelling, either on-site or on-street Controlled Parking Zone. Cycle storage for 110 bicycles will be provided, ensuring at least one cycle space per 1 or 2 bed dwelling and two cycle spaces per 3 or 4 bed dwelling. Each block will have an easily accessible covered, safe and secure cycle store close to the communal entrances
- 7.11 The development will build on the aspirations of the Elmington Residents' Steering Group (see paragraph 3.12 for further information about this group) to improve the local environment in quality and management of the open spaces. The new development will provide 705sqm of communal space including 172 sq metres of toddler play space. There is currently no designated play space for children on the Order Land (Site E).
- 7.12 In addition in order to enhance the green space available locally the Council has recently completed the restoration of the Benhill Road Nature Garden which is situate on Benhill Road immediately to the north of the Order Land (Site E). The garden re-opened in April 2015. The Council has also restored the Pied Piper mural to its original condition and re-located it on

Brunswick Park School's external wall that adjoins the Nature Garden. These two restorations fulfil one of the aspirations of the Estate residents groups (see paragraph 3.16 of this Statement).

- 7.13 The Proposed Scheme will utilise sustainable and energy efficient building techniques and will achieve Code for Sustainable Homes Level 4. The Proposed Scheme will also achieve carbon dioxide emission reductions of 35% above Part L 2013 Baseline. This will be achieved through the use of CHP, efficient building materials and the inclusion of PV panels at roof level.
- 7.14 The Section 106 agreement (CD15 at page 526) which was entered into by BH and FM with the Council on the grant of the planning permission for the Proposed Scheme secured the following package of financial contributions totalling £660,824:

- 1 Education - £181,558
- 2 Employment During Construction - £68,547 (payable only in certain circumstances)
- 3 Employment During Construction Management Fee - £5,187
- 4 Open Space - £29,689
- 5 Children's Play - £12,474
- 6 Sports Development - £72,450
- 7 Strategic Transport - £47,368
- 8 Site Specific Transport - £44,500
- 9 Public Realm - £66,750
- 10 Health - £103,787
- 11 Community Facilities - £15,338
- 12 S106 Administration Fee - £13,176

These will be used to both improve the amenity and boost the economic vitality of the Order Land (Site E) and its communities in accordance with Southwark's Supplementary Planning Document on Section 106 Planning Obligations.

- 7.15 The Section 106 agreement secured a Travel Plan, (including a commitment to surveying residents at 75% occupation of the development and at 3 and 5 years later) and an extensive replacement tree planting across the site, (including 4 trees on the eastern frontage of Benhill Road).
- 7.16 The Section 106 agreement also secured an obligation from FM and BH to appoint a construction workplace co-ordinator to provide training and support to unemployed local job seekers to facilitate access to construction jobs during the construction of the proposed development. FM and BH are required to use reasonable endeavours to:
- (a) place a minimum of 19 workless Borough residents into sustainable construction jobs on the Order Land (Site E);
  - (b) train a minimum of 19 workless Borough residents using short courses or the Construction Skills Certification Scheme; and



(c) provide a minimum of 4 MVQ training opportunities for workless Borough residents.

- 7.17 In the event that FM and BH fail to appoint a Construction Workplace Co-ordinator the Employment During Construction contribution of £68,547 becomes payable or if there is delivery of less than 50% of the total outputs listed in (a) –(c) of paragraph 7.16 above then the Council can request payment of a proportion of the Employment During Construction contribution as required to remedy the underperformance so as to meet the targets listed above.
- 7.18 In addition, a Mayoral Community Infrastructure Levy contribution of £142,511.22 is payable for strategic transport improvements in London, primarily Crossrail, being a local finance consideration pursuant to Section 143 of the Localism Act 2011.
- 7.19 The financial contributions to be secured under the Section 106 agreement will provide significant environmental improvements in the area and adequately mitigate against the impacts of the development in accordance with saved policy 2.5 of the Southwark Plan and Strategic Policy 14 of the Core Strategy.
- 7.20 The Council considers that the Proposed Scheme will make a positive contribution to the delivery of new homes in the Borough and the regeneration of the Estate

## 8. PLANNING POSITION OF THE ORDER LAND

### **The National Planning Policy Framework 2012 (“NPPF”)**

- 8.1 The NPPF sets out the Government’s planning policies for England and how these are expected to be applied. It states that pursuing sustainable development means seeking positive improvements to the quality of the built and natural environment and a good standard of amenity for all existing and future occupants of land and buildings. This requirement includes improving biodiversity, replacing poor design with good design and widening the choice of high quality homes. The redevelopment of the Order Land (Site E) presents an opportunity to achieve these outcomes.

### **The London Plan 2015 consolidated with Alterations since 2011 (March 2015) (“the London Plan”)**

- 8.2 The London Plan (see Appendix for the link to the London Plan; relevant parts of it are annexed to this Statement in the Core Documents) sets out the Mayor's spatial development strategy and Development Plan for London. His vision and objectives include delivering a city that delights the senses whilst addressing the challenges of economic and population growth. The London Plan stipulates that this vision will be delivered through the provision of diverse, strong, secure and accessible neighbourhoods. Chapter 3 paragraph 3.1 of the London Plan (CD16 at page 585) provides that these objectives will be realised by ensuring that London’s people and communities have the homes, opportunities, facilities and social infrastructure they need to support a good and improving quality of life in the years to 2036. Chapter 3 sets out the policies to enable the planning system to deliver, among other things, more homes for Londoners.
- 8.3 Paragraph 3.13 of the London Plan states that *“the Mayor is clear that London desperately needs more homes in order to promote opportunity and real choice for all Londoners, with a range of tenures that meets their diverse and changing needs and at prices that they can afford”* (CD16 at page 590) It continues at paragraph 3.14 to state that *“with a growing population and more households, delivering more homes for Londoners meeting a range of needs, of high design quality and supported by the social infrastructure essential to a good quality of life will be a particular priority.....”* (CD16 at page 590) The Proposed Scheme is a sustainable development that will provide 89 residential units in replacement for the 60 existing properties currently in situ on the Order Land (Site E). The Proposed Scheme comprises a varied range of unit sizes, tenures and amenity space for its future occupants thereby ensuring the creation of a mixed and balanced community.
- 8.4 The London Plan has identified a need for the provision of an annual average of 42,000 net new homes per year across London to meet the rising need. The Plan advises that Boroughs should seek to achieve, and if possible exceed, the relevant minimum borough annual average net new housing target.

- 8.5 The adopted housing target required to be provided by the London Borough of Southwark in the London Plan is an average of 2,736 net new homes annually. The Proposed Scheme would enable the Council to deliver the much needed additional units to go towards satisfying its housing targets.
- 8.6 With London's population set to rise by 1.3 million in the years to 2031 Policy 3.3 (CD17 at page 635) of the London Plan deals with increasing the housing supply. The Proposed Scheme is consistent with the objectives and will assist the Council's overall housing supply.
- 8.7 Policy 3.8 (Housing Choice) (CD18 at page 637) provides that Londoners should have a choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings. Policy 3.9 (CD19 at page 640) provides support for building mixed and balanced communities which include a range of dwelling types and tenures. Further, Policy 3.14 (CD20 at page 642) advises that loss of housing, including affordable housing, should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace. The Proposed Scheme will provide a greater density of housing on the Order Land (Site E) in compliance with this policy.
- 8.8 Southwark's Local Development Framework is consistent with these policies. The Mayor has formally confirmed that Southwark's Core Strategy, including its affordable housing policies, are in general conformity with the London Plan.

#### **Local development framework**

- 8.9 The following documents set out the Council's policies for the area in which the Estate is situated:
- The Core Strategy 2011
  - The Adopted Policies Map 2014
  - Southwark Plan 2007 Saved Policies

Links to these policy documents are listed in the Appendix.

#### **The Core Strategy 2011**

- 8.10 The Core Strategy provides the overarching planning framework for the Borough. It contains a vision and strategy for each area of the Borough.
- 8.11 Strategic Policy 5 – Providing New Homes, states that *“development [within the borough] will meet the housing needs of people who want to live in Southwark and London by providing high quality new homes in attractive environments, particularly in our growth areas”* (CD21 at page 645). This policy provides that the Council will seek to achieve this by providing 24,450

net new homes between 2011 and 2026. This target has now been superseded by the London Plan targets which are greater.

- 8.12 Further, Strategic Policy 5 - Providing New Homes, prescribes the residential density levels for new housing and states that new development should generally provide between 200 and 700 habitable rooms per hectare if located within the Urban Zone. An Urban Zone is defined in the Core Strategy as being *'areas with predominantly dense development such as for example terraced houses, a mix of different uses, medium buildings footprints and typically buildings of two to four storeys, located within 10 minutes walking distance of a district centre or, along main arterial routes'*. The Order Land (Site E) is located within the Urban Zone. The Urban Zone is shown on the Adopted Policies Map.
- 8.13 Strategic Policy 6 – Homes for People on Different Incomes states that *'development will provide homes including social rented, intermediate and private for people on a wide range of incomes. Development should provide as much affordable housing as is reasonably possible whilst also meeting the needs for other types of development and encouraging mixed communities.'* (CD22 at page 651). This is achieved by requiring 35% affordable housing units on developments of 10 or more units. The Proposed Scheme satisfies this policy requirement by providing 37% affordable housing units of which 67% of the affordable units will be provided as social housing (at social rent) and 33% as intermediate (shared ownership) housing.
- 8.14 Strategic Policy 7 – Family Homes, sets out the Council's approach towards assessing the mix of tenure and dwelling types (CD23 at page 657). This provides that *'Development will provide more family housing with 3 or more bedrooms for people of all incomes to help make Southwark a borough which is affordable for families.'* The Policy further requires that new family homes meet the need of occupants which is delivered by the Proposed Scheme as demonstrated at section 7.
- 8.15 All developments containing 10 or more residential units must provide a minimum of 60% 2 or more bedroom units. Additionally, new homes within an Urban Zone must provide at least 20% of units with 3, 4 or 5 bedrooms. This may be split between private, social and intermediate housing. Lastly, all developments will be expected to meet the Council's minimum overall floor sizes as set out in the Council's Residential Design Standards Supplementary Planning Document. New housing developments must provide a minimum of 10 sqm of private amenity space to ensure that children have somewhere safe to play. The Proposed Scheme satisfies these policy requirements.

#### **Southwark Plan Saved Policies 2007**

- 8.16 The Southwark Plan was formally adopted by the Council in July 2007. The majority of the policies were saved in 2010. Some of the policies have since been superseded by the Core

Strategy. In particular policy 4.1 (Density of residential development) and parts of policy 4.3 (Mix of dwellings) and parts of policy 4.4 (Affordable Housing) have been replaced by Core Strategy Policies.

### **Policy Conclusions**

- 8.17 Together, the London Plan, the Core Strategy 2011, relevant saved Southwark Plan 2007 policies and the Adopted Policies Map 2014 comprise Southwark's Development Plan. Consistent with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Council believes that the Proposed Scheme for the Order Land (Site E) is materially in accordance with these policies and accordingly granted planning permission for the Proposed Scheme on 31<sup>st</sup> March 2015 (No. 14/AP/3277).

## **9. IMPLEMENTATION AND FUNDING OF THE SCHEME**

- 9.1 FM and BH was chosen as the developer for the regeneration of the Order Land (Site E) and Sites C, D and G following a competitive tender exercise in 2011/12 with input from the RSG, both as to the choice of developer and the design of the Proposed Scheme.
- 9.2 FM and BH demonstrated in its tender documents that both partners to the proposed joint venture, namely Bellway Homes Ltd and Family Mosaic Home Ownership Ltd, were experienced house builders with substantial assets and a track record of delivering similar types of schemes.
- 9.3 Bellway Homes Ltd's parent company is Bellway Plc. The Bellway Group had a turnover of £1,486,394,000 for the year ending 31<sup>st</sup> July 2014 and made a profit for that year of £191,424,000. It has a solid cash position with a clear intention to continue the investment in new land to build upon the £355 million invested in 2015.
- 9.4 Bellway Plc does not use project/scheme specific finance. It has a total of £300m of revolving credit facilities, expiring in tranches up to November 2018, provided by Barclays Bank plc and Bank of Scotland plc. At 31 July 2014 Bellway Plc had net cash of £5.1m.
- 9.5 Bellway Plc finances its operations through a mixture of equity (comprising share capital, reserves and reinvested profit) which at 31<sup>st</sup> January 2015 totalled £1,444m and debt (comprising bank overdraft facilities and borrowings). Financing for the Proposed Scheme will be provided through equity or the revolving credit facilities mentioned above. The necessary board approval for Bellway Homes Ltd to have access to the funding required to deliver the Proposed Scheme has been obtained.
- 9.6 Family Mosaic Housing Association (of which Family Mosaic Home Ownership Ltd is a part) is a well known Registered Provider. At the date of the this Statement it had available funds of £354 million (£343 million in undrawn loan facilities and £11 million cash in the bank), both of which it could draw on at any time. The Council works extensively with Family Mosaic Housing Association across the Borough of Southwark.
- 9.7 The Council is satisfied that both FM and BH have access to readily available funding and are able to finance delivery of the Proposed Scheme and have the other resources available to them to deliver the Proposed Scheme within the time limits set out in the acquisition contract, namely within 3 years of the grant of the 250 year lease of the Order Land (Site E) (CD13 at page...).
- 9.8 FM and BH have already demonstrated their commitment to this part of the Project by holding consultation events with residents and obtaining planning permission for the redevelopment. The contract between the Council and FM and BH requires FM and BH to complete the

redevelopment of the Order Land within 3 years of the grant of the lease of the Order Land (Site E).

- 9.9 There is sufficient funding already budgeted and allocated within the Council (in the Council's Housing Investment Programme) to finance the acquisition of the remaining leasehold interests, associated disturbances costs and any other third party interests. The budget also includes a sum for procedural and legal matters to enable the making, confirmation and implementation of the Order.

## **10. HUMAN RIGHTS**

- 10.1 The Human Rights Act 1998 (“the 1998 Act”) incorporates into domestic law the European Convention on Human Rights.
- 10.2 A compulsory purchase order will only be made and confirmed where there is a compelling case in the public interest (paragraph 17 of the Circular). In making this Compulsory Purchase Order (and any associated decisions) the Council has duly considered the human rights of the property owners of the Order Land (Site E).
- 10.3 The purpose for which the Order is to be made must also be sufficient to justify and outweigh any interference by the Council with the human rights of those with an interest in the land affected (Section 6 of the 1998 Act). In the Council’s view the Order engages certain human rights under the 1998 Act. The term ‘engage’ simply means that human rights may be affected or relevant matters for consideration.
- 10.4 In the case of the Order a number of rights are potentially engaged and the Council has given these matters due consideration, namely:
- Article 6 : Right to a fair trial/hearing – in the determination of an individual’s civil rights Article 6 gives an entitlement to “a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law”. The process of making and confirming the Order engages these rights.
  - Article 8 : The right to respect for private and family life – the Proposed Scheme would result in demolition and redevelopment of the Order Land (Site E) leading to the re-provision of new homes and the relocation and potential loss of some others; and
  - Article 1, Protocol 1 : Protection of Property – Article 1 protects the right of individuals to the peaceful enjoyment of possessions. No individual can be deprived of his/her possessions except in the public interest and subject to the relevant national and international law. The Council recognises the potential for interference with individuals’ right to peaceful enjoyment of existing and future homes upon the confirmation and implementation of the Order.
- 10.5 Notably, not all human rights operate in the same way. Few rights are absolute and thus cannot be interfered with under any circumstances. Other ‘qualified’ rights, including the aforementioned Article 6, Article 8 and Protocol 1 rights, can lawfully be interfered with or limited in certain circumstances. The extent of legitimate interference is subject to the principle of proportionality whereby a balance must be struck between the legitimate aims to be achieved by a local planning authority in seeking to bring about regeneration in the public interest against potential interference with individual human rights. It is acceptable for the Council in making the Order and the Secretary of State in confirming it to strike a balance



between the legitimate aim of regeneration for the benefit of the community as a whole against potential interference with some individual rights.

- 10.6 The Council has carefully considered the balance to be struck between individual rights and the wider public interest. The rights of owners of interests in the Order Land (Site E) under the Human Rights Act 1998, in particular those contained within Article 8 of the Convention, which protects private and family life, home and correspondence have been taken into account by the Council in making the Order. The redevelopment and regeneration of the Estate will secure significant environmental, social and economic benefits for the public. The Council is committed to ensuring that every home in the Borough meets the Decent Homes Standard. The Council has consulted with residents on the Estate and in particular with residents and property owners on the Order Land (Site E) and Sites D and G about the options for regeneration. The Council considered in 2009 how best to secure regeneration of the Order Land (Site E) and other parts of the Estate which had not been regenerated in 2009 and concluded that it would only be able to do so by way of a mixed programme of refurbishment and redevelopment. The blocks on the Order Land (Site E) were considered to be more suitable for redevelopment than for refurbishment. The Council has balanced the rights of the owners of interests in the Order Land (Site E) with the need to upgrade the homes available for residents in the Borough together with the need for more residential units in the Borough. It has spent more than 3½ years engaging with the owners of interests in the Order Land (Site E) and has successfully re-acquired 56 of the 60 dwellings on the Order Land (Site E) with only 4 dwellings remaining which are owned by third parties.
- 10.7 The regeneration of the Estate is considered to have benefits to not only the immediate community but also to the Borough as a whole in that it will act as a catalyst to further investment and will continue the improvement of the Camberwell area which is on-going. The effect of the Order will be to dispossess persons of their rights in the Order Land (Site E). However, the Council considers that the advantages of regeneration substantially outweigh the disadvantages to those dispossessed. Moreover the leaseholders will be entitled to compensation in accordance with the statutory code. Accordingly, having taken these matters into the balance, it is considered that acquiring the Order Land (Site E) by compulsory purchase will not constitute an unlawful interference with any of these rights.
- 10.8 The Council believes that there is a compelling case in the public interest for confirmation of the Order and that the Order, if confirmed, would be necessary, proportionate and would strike an appropriate balance between public and private interests. The Council is accordingly of the view that the Order would be lawful, in the public interest, necessary and proportionate.

## 11. EQUALITIES

- 11.1 In making the Order the Council has had regard to its public sector equality duty (PSED) under s.149 of the Equality Act 2010. The Council has had due regard to that duty throughout the Project and has commissioned a number of surveys so as to be informed as to the composition of residents and owners of interests on the Order Land (Site E) and Sites D and G.
- 11.2 As the landlord for the majority of residents on the Order Land (Site E) the Council already had much of the information required but to ensure that the information was kept up-to-date and to discover if there were residents and non-resident owners with protected characteristics (as defined in the Equality Act 2010) which were unknown to the Council, the Council commissioned the following surveys:

Date	Who surveyed	Purpose
November & December 2010	Survey of residents in the Mid-Elmington blocks which included the Order Land (Site E) and Sites D and G	To establish composition of residents and how they would be affected by regeneration
September 2012	An equalities information collection form was issued to all leaseholders on the Order Land (Site E) and on Sites D and G	To establish if any leaseholders had 'protected characteristics'; to understand residents needs, identify possible discrimination & anticipate any difficulties and what required to avoid those
May-July 2014	An equalities information collection form was delivered to all residents (leaseholders, tenants, secure tenants and non-secure temporary accommodation tenants) on the Order Land (Site E) and Sites D and G.	To establish to what extent the resident composition had changed since the previous surveys and what, if any, adverse effects the proposed regeneration scheme might have on those with protected characteristics

- 11.3 The results of these surveys and the proposed mitigating actions were reported to the Council's Cabinet at their meetings on 22<sup>nd</sup> March 2011 (paras 94-107 at CD10 on page 251), 23<sup>rd</sup> October 2012 at CD1 on page 7 and 16<sup>th</sup> September 2014, (paragraphs 20-24 and Appendix 3 – annexed at CD2 on pages 34 and 47) and are summarised in the table below:

<b>Protected Characteristic of respondents</b>	<b>2010 Survey</b>	<b>2014 Survey</b> (N.B. – this survey included the temporary accommodation (non-secure) tenants who had not been resident during the 2010 survey)	<b>Headline Mitigation implemented</b>
Age	50% of residents had lived on Estate for more than 10 years; 35% for more than 20 years 13% of retirement age (from 2001 census)	Majority of working age	- Dedicated officer to assist elderly residents with finding alternative local accommodation -Extra help with moving offered to elderly residents
Disability	10% had household member with serious disability	14% had household members with some form of disability or access need	As above
Gender reassignment	None	None	-Council policies in place to guard against harassment
Marriage & civil partnership	Not surveyed	37% married 53% single	None
Pregnancy & maternity	Not surveyed	42% have been pregnant or on maternity leave in past 2 years but note that these were entirely from temporary accommodation tenants; none of the secure tenant or leaseholder respondents had this characteristic	As in first paragraph
Race	34% white British 28% black British 20% African	63% black 28% white n.b. within the	-translation services provided where necessary

	4% or less of Irish, white other, Bangladeshi & Asian	tenant/leaseholder respondents there were more than 50% white	-option to return to the Estate for residents will allow continued access to any specialist services
Religion & belief	66% Christian <10% Muslim/Hindu (taken from 2001 census)	58% Christian 28% Muslim	-choice based letting system -option for residents to return to Estate in future
Sex	Not surveyed	75% female 25% male	None
Sexual orientation	Not surveyed	100% heterosexual	None

- 11.4 As well as ensuring that the Executive/Cabinet were fully informed as to the composition of the residents and owners and of any protected characteristics to which they should have regard in taking any decisions, the surveys also enabled Council officers to establish how the adverse effects (if any) of the proposed regeneration in Phase 3 of the Project might be mitigated. The suggested mitigation has formed part of the modus operandi of the officers working on the Project since early 2011. Equalities issues have always been kept under review (see the community impact statement in each of the Reports to the Executive/Cabinet annexed to this Statement) and will continue to be kept under review throughout the life of the Project.
- 11.5 The monitoring of the composition and type of residents and owners of the Order Land (Site E) and Sites D and G has ensured that all Council tenants and long leaseholders have been (and will continue to be) treated fairly and equally throughout the regeneration process, regardless of age, disability, faith/religion, gender, race, ethnicity or sexual orientation.
- 11.6 The 2001 Census (reported to Cabinet in the 22<sup>nd</sup> March 2011 Report (paragraph 95 at CD10 at page 251)) confirmed that the dominant tenure of the area within which the Mid-Elmington blocks sat was social rented at 75% of all households. This compared to a borough wide average of 44% (using 2010 data). The Proposed Scheme for the Order Land (Site E) will provide a better balanced and more mixed community with 37% of the new units reserved for affordable housing. In the context of the wider Estate, the dominant tenure remains social rented.

- 11.7 The Council acknowledges that the effect of the proposed regeneration of the Order Land (Site E) will be to dispossess some persons of their rights in land. This is considered acceptable where the proposals are in the public interest and where, as in this case, the advantages of regeneration substantially outweigh the disadvantages to those dispossessed. Through Phase 3 of the Project the Council is intending to achieve a quantitative and qualitative housing gain on the Estate which will include new, improved socially rented housing. All leaseholders that are dispossessed, regardless of age, disability, faith/religion, gender, race and ethnicity or sexual orientation, have been treated fairly and equally throughout negotiations for the acquisition of their interest in the Order Land (Site E) and where appropriate have been offered financial and housing assistance as well as being advised of their legal rights in accordance with statutory principles and Council policy.
- 11.8 The PSED was as a relevant factor when the Council made its decision to make the Order but the PSED does not impose a duty to achieve the outcomes in s.149. The PSED is only one factor that needs to be considered when making a decision and may be balanced against other relevant factors. The Council also took into account other relevant factors (which have been referred to in this Statement) when taking the decision to make the Order, including financial resources and policy considerations, and such factors are set out in the Council's Executive and Cabinet decisions annexed to this Statement. In appropriate cases, such countervailing factors may justify decisions which have an adverse impact on protected groups.
- 11.9 The Council has given consideration to all the protected characteristics in the Equality Act 2010 to ensure that any potential impacts of the proposed Order on these groups of people have been considered and where possible mitigated.

## **12. OBJECTIONS AND THE COUNCIL'S RESPONSE**

12.1 Two objections have been received in respect of the Order, the details of which are as follows:

- An objection lodged on behalf of Caroline Akerejola, the leaseholder of 46 Houseman Way London SE5 7QU on the Order Land (Site E) dated 18<sup>th</sup> March 2015
- An objection lodged by the tenants of the long leaseholder of 35 Houseman Way, London SE5 7QU on the Order Land (Site E), undated

The objection lodged by the tenants relates to timing and asks that the Order is not implemented until after 28<sup>th</sup> November 2015 when their assured shorthold tenancy of 35 Houseman Way expires. The Council cannot however be tied to such time limits.

12.2 The objection of Caroline Asabe Akerejola is based on the following grounds, namely:

- That to be forced to sell her property is a breach of her human rights
- Her children live in the property; they grew up in the area and would like to stay in the area
- The Council has not maintained the structure of the property in line with its responsibilities as a landlord
- The demolition of the buildings on the Order Land (Site E) will mean the destruction of the community
- There are no substantial economic benefits to redevelopment over refurbishment; refurbishment would have the benefit of maintaining the existing community
- The ethnicity of the Borough has changed over the last 15 years due to the ongoing regeneration of the Borough

12.3 The Council's response to each of those objections is as follows:

### **Breach of Human Rights**

12.4 Article 8 of the European Convention on Human Rights secures the individual's right to private and family life and home and this may not be interfered with "except .... as is in accordance with the law and is necessary in a democratic society in the interests of .... the economic well-being of the country ...". Article 1 of the First Protocol establishes a right to peaceful enjoyment of possessions and goes on to confirm that "No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law ....". Whilst the Council accepts that, if confirmed, the Order will mean that the leaseholder will be deprived of property this alone is insufficient to support the claim that the public benefit test is not satisfied. The Council's interference with Mrs Akerejola's human rights is in accordance with the law and is necessary in order to improve and promote the social, economic and environmental well being of the area. The Council has shown in this Statement that the planned regeneration is both necessary and in the public interest as it will have

benefits not only to the immediate community on the Estate but also the Borough as a whole in that the wider community will benefit from the uplifting effect the new homes will have on the area and it will act as a catalyst to further investment. When considering whether the public benefit test has been satisfied the appropriate test of proportionality requires a balancing exercise: making a decision which is justified on the basis of a compelling case in the public interest as being 'reasonably necessary'. It is submitted that the Council has made such a case. The objector is entitled to compensation in accordance with the statutory code.

#### **The position of the leaseholder's children**

- 12.5 Whilst the Council is sympathetic to the leaseholder's desire to allow her children to remain in the family home, those adult children do not have an interest in the Order Land (Site E). The Council can only consider the position of the leaseholder herself. However should Mrs Akerejola's children require re-housing assistance they are free to make an application for housing through the Council's Homeseach Centre at Bournemouth Road, Peckham (open 9-5 Monday – Friday; 020 7525 5950).

#### **The Council's responsibilities as landlord**

- 12.6 The Council inherited the Estate from the GLC in 1986 together with 10 other housing estates. This Estate has been on the Council's list of estates requiring investment since the 1990s. As this Statement has made clear, the Council has been seeking to invest in and improve the Estate since 1999 but it cannot improve every block on every estate at the same time. It is now near the end of the regeneration programme for the Elmington and the Order Land (Site E) and Sites D and G are all that remain requiring improvement. The Council acknowledges that the blocks on the Order Land (Site E) are in a poor state of repair. Indeed in the introduction to the Report to Cabinet dated 17 July 2012 (CD5 at page 94) Councillor Ian Wingfield (then Deputy Leader and Cabinet Member for Housing Management) states that the blocks on the Order Land "are no longer "fit for purpose" and replacement is the only viable option". In this Statement the Council has explained the reason why the decision was taken to replace the blocks on the Order Land (Site E).

#### **Destruction of communities**

- 12.7 The Council has used every tool available to it within its policies to ensure that the community existing on the Estate could return to the Estate following regeneration or remain on the Estate during the regeneration process. It has done this by giving Estate residents entitled to housing assistance priority for suitable properties becoming available on the Estate. The Council's Cabinet at its meeting on 22nd March 2011 (report and minutes annexed at CD10 at para 41 and following on page 240) agreed that displaced council tenants and (following representations from the Elmington RSG) resident long leaseholders would have an option to the return to the Estate following regeneration if they qualified for social rented housing in order to assist in the preservation of the existing community. In Phase 1 of the Project, 124 of

the 136 new properties which the Council built were let to former tenants of the Estate who had moved out to allow the redevelopment to proceed.

All previous residents of the Order Land (Site E) have now moved from the Order Land (Site E) and it is only non-resident leaseholders who have interests remaining in the Order Land (Site E). The Council considers that the regeneration of the Estate has built a mixed community with access to better quality homes, improved range of tenure and open space.

### **No economic benefit of redevelopment over refurbishment**

- 12.8 The Council considered that there was a clear economic benefit for redevelopment of the Order Land (Site E) over refurbishment. As this Statement has made clear, the Council was unable to refurbish all the blocks and unable to redevelop all the blocks. The mixed programme which it pursued enabled it to forward fund the refurbishment of some of the blocks on the basis that it would receive a capital receipt from the sale of the blocks to be redeveloped. This receipt would firstly replenish the Housing Investment Programme (used for refurbishment) and secondly would be used to maintain and improve other Council housing stock. In the Council's view there was a clear economic case for redevelopment of the Order Land (Site E) over refurbishment.
- 12.9 Added to that the Council considers that the refurbishment of the blocks on the Order Land (Site E) is not a viable option due to the extensive nature of the works required, namely the replacement of the walls, roofs and windows of the blocks (including the need to replace all the window frames) and the internal fittings (namely the bathrooms, kitchens, wiring and plumbing). The high cost of refurbishment (including payment of VAT on the works) made that option unattractive compared to the other option of redevelopment of the blocks which would not only be more cost effective for the Council but would also meet many of the Council's wider strategic aims, (such as providing more mixed communities and improving the social cohesion and well-being of the area), as well as meeting the expressed wishes of the residents of blocks on the Estate identified for redevelopment for dwellings which meet more modern standards of layout, specification and environmental impact.
- 12.10 The Council refutes the suggestion that it is trying to gentrify the area. It wishes to ensure that the Order Land (Site E) is provided with homes which met the Government's Decent Homes Standard as well as providing better quality, more sustainable homes with mixed communities. It took note of the result of the consultation exercise undertaken in September 2009 (CD4 at page 91) showing that a majority of residents who responded favoured redevelopment over refurbishment. The dominant tenure of the Estate remains social rented. In Phase 1 of the Project, all the homes built were let on secure tenancies; the units in the refurbished Mid-Elmington blocks retained their pre-refurbishment tenure when completed and in Phase 2 of the Project, the predominant tenure will be affordable.



### **Ethnicity of the Borough**

- 12.11 The objector is correct that the ethnicity of the Borough has changed over the last 15 years. The most dramatic change is to the white British population which has fallen from 52.17% of the population in 2001 to 39.7% of the population in 2011 (2001 and 2011 census information on ethnicity in the Borough– CD24 at page 661). The size of all other ethnic groups has grown as a percentage of the population of the Borough between 2001 and 2011 save for the black Caribbean group which has seen a small drop from 7.99% of the population in 2001 to 6.2% in 2011. The Council anticipated that the regeneration of the Estate would see the diversity of the area being widened and that appears to be the case.
- 12.12 The Council considers that the furtherance of the regeneration of the Estate will not negate the Council's Diversity and Equal Opportunities Policy (paragraph 14 of Report to Cabinet of 23<sup>rd</sup> October 2012 and paragraph 19, Report to Cabinet of 16<sup>th</sup> September 2014 annexed at CD1 & 2 at pages 7 & 34 respectively).
- 12.13 The Council will amplify these responses, as appropriate, in the evidence given at the Inquiry.
- 12.14 The Council is proposing to call witnesses to provide evidence in support of the contents of this Statement and in response to the objections made to the Order and reserves the right to call rebuttal evidence.
- 12.15 The Council does not consider that the issues raised in the objections materially affect or undermine the compelling case in the public interest for confirmation of the Order.

### **13. CONCLUSION**

- 13.1 The compulsory purchase order is required for the continuing regeneration of the Elmington Estate where the Order Land (Site E) is situated. Without the use of compulsory purchase powers to secure acquisition of the Order Land (Site E) by the Council, the planned re-development for which planning permission has been granted cannot be delivered.
- 13.2 The Proposed Scheme is consistent with the objectives of the Southwark's Development Plan and the London Plan. It is an important regeneration initiative for the Borough and very much part of the wider regeneration of the Camberwell area. It is also in keeping with national planning policy. The regeneration of the Order Land (Site E) will deliver 89 new homes, comprise a mix of tenure and unit types, which are of benefit to the local community, meet the objective of providing sustainable development and create a mixed and balanced community. The principle of regeneration on the Order Land (Site E) is supported politically and by the local community. The principle of the regeneration of inner London housing estates is supported by the new Government which recently stated the need to regenerate inner city estates in order to not only tackle deprivation but also "to build more homes of good quality design for the whole community" and provide "more homes and commercial space using the same amount of land" (Housing Minister Brandon Lewis Statement dated 10<sup>th</sup> June 2015 – CD25 at page 663)
- 13.3 Extensive support has been provided to the tenants and resident leaseholders on the Order Land (Site E) to help them to find new homes. This has been successful as is evidenced by the fact that all the Council tenants and resident long leaseholders have moved and where appropriate have sold their interest in the Order Land (Site E) to the Council. None of the remaining long leaseholders with interests in the Order Land (Site E) live on the Order Land (Site E).
- 13.4 The redevelopment of the Order Land (Site E) and sites C, D and G will complete the regeneration of the Elmington Estate and provide 225 new homes (an increase of 81 homes on the current provision) across the four sites.
- 13.5 Having considered the relevant policy guidance the Council is satisfied that there is a compelling need in the public interest for the compulsory purchase powers sought in order to secure the re-development of the Order Land (Site E) in a manner consistent with good principles of urban design in order to deliver the social economic and environmental improvements to the Estate and the Borough as a whole. The Council has therefore made the Order and requests that the Secretary of State confirms the Order.

#### **14. ADDITIONAL INFORMATION**

14.1 A copy of the Order, the Order Map and this Statement of Case and supporting documents can be inspected at the Council's offices at 160 Tooley Street, London SE1 2QH between 9 a.m. and 5 p.m. Mondays to Fridays (excluding bank holidays).

14.2 The owners of the properties affected by the Order who wish to discuss the sale of their interest by agreement and any other persons who require information about the CPO process can contact:

Paul Murphy, Surveyor

Southwark Council

160 Tooley Street

London SE1 2QH

020 7525 5373

paul.murphy@southwark.gov.uk

14.3 The Department for Communities and Local Government provide information about Compulsory Purchase Orders. To access the booklets go to [www.communities.gov.uk/publications/planningandbuilding/compulsorypurchase](http://www.communities.gov.uk/publications/planningandbuilding/compulsorypurchase) or write to DCLG at 2 Marsham Street London SW1P 4DF or telephone on 030 3444 0000

14.4 The Royal Institution of Chartered Surveyors operates a compulsory purchase helpline which can be contacted on 024 7686 8555. This helpline puts you in touch with experienced chartered surveyors in the local area who will provide up to 30 minutes of free advice.

## **15. LIST OF DOCUMENTS FOR THE INQUIRY**

<b>CD1</b>	Cabinet Report & Minutes – 23 <sup>rd</sup> October 2012
<b>CD2</b>	Cabinet Report & Minutes – 16 <sup>th</sup> September 2014
<b>CD3</b>	Order Map – plan of the Order Land
<b>CD4</b>	Executive Report & Minutes – 14 <sup>th</sup> October 2009
<b>CD5</b>	Cabinet Report & Minutes – 17 <sup>th</sup> July 2012
<b>CD6</b>	Plan of the Mid-Elmington blocks
<b>CD7</b>	Plan of the Elmington Estate
<b>CD8</b>	Executive Report & Minutes – 19 <sup>th</sup> May 2009
<b>CD9</b>	Pellings Report dated September 2009
<b>CD10</b>	Cabinet Report & Minutes – 22 <sup>nd</sup> March 2011
<b>CD11</b>	Elmington Residents Expectations Document
<b>CD12</b>	Together in Elmington – June 2012
<b>CD13</b>	Agreement dated 26 <sup>th</sup> March 2014 made between the Council and FMBH (extracts)
<b>CD14</b>	Planning permission No. 14/AP/3277 & plan of the Proposed Scheme
<b>CD15</b>	S.106 Agreement made between the Council and FMBH
<b>CD16</b>	London Plan Chapter 3
<b>CD17</b>	London Plan Policy 3.3
<b>CD18</b>	London Plan Policy 3.8
<b>CD19</b>	London Plan Policy 3.9
<b>CD20</b>	London Plan Policy 3.14
<b>CD21</b>	Southwark Core Strategy Policy 5
<b>CD22</b>	Southwark Core Strategy Policy 6
<b>CD23</b>	Southwark Core Strategy Policy 7
<b>CD24</b>	Census 2001 and 2011 comparison of Southwark Ethnic Splits
<b>CD25</b>	Brandon Lewis, Housing Minister, statement to the London Real Estate Forum on 10 <sup>th</sup> June 2015

## **LINKS**

Link for the NPPF 2012 - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Link for the London Plan – <http://www.london.gov.uk/priorities/planning/london-plan>

Link for the Southwark Core Strategy - [http://www.southwark.gov.uk/downloads/download/2648/documents\\_for\\_core\\_strategy\\_adoption](http://www.southwark.gov.uk/downloads/download/2648/documents_for_core_strategy_adoption)

Link for the Southwark Adopted Policies Map 2014 – [http://lbs-mapweb-01:9080/connect/southwark.jsp?mapcfg=ProposalsMap2012&info=Core\\_Strategy12](http://lbs-mapweb-01:9080/connect/southwark.jsp?mapcfg=ProposalsMap2012&info=Core_Strategy12)

Southwark Plan 2007 (July) - saved policies - [http://www.southwark.gov.uk/downloads/download/1364/saved\\_unitary\\_development\\_plan\\_policies](http://www.southwark.gov.uk/downloads/download/1364/saved_unitary_development_plan_policies)