

By Courier

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02 February 2021

Our Ref: HARCPO.7/RB

Your Ref:

Dear Sirs

Re: The London Borough of Tower Hamlets (Chrisp Street) Compulsory Purchase Order 2021

1. BACKGROUND

1.1 We, the London Borough of Tower Hamlets ("LBTH"), have made the London Borough of Tower Hamlets (Chrisp Street) Compulsory Purchase Order 2021 (the "CPO") for the purpose of facilitating the redevelopment and improvement of the Chrisp Street District Centre and its immediate environs (the "Scheme"). A copy of the order, its accompanying schedule and the order map are included at Annexures 1 and 2.

1.2 This letter is an application to the Secretary of State for Housing, Communities and Local Government made pursuant to section 19(1)(b) of the Acquisition of Land Act 1981 (the "Act") in relation to open space located within the land authorised to be purchased compulsorily pursuant to the CPO (the "Order Land").

1.3 This application is made in accordance with the guidance issued by Ministry of Housing, Communities & Local Government "Guidance on Compulsory Purchase Process and The



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Crichel Down Rules" issued in July 2019.

2. STATUTORY FRAMEWORK

2.1 Land which is used as "open space" and which is included in a compulsory purchase order will be subject to the provisions of the Statutory Order (Special Procedure Act) 1945 and laid before Parliament unless the Secretary of State provides a certificate under section 19 of the Act.

2.2 The relevant provision of the Act for the purposes of this application is section 19(1)(b), which provides as follows:

19 Commons, open spaces etc.

(1) In so far as a compulsory purchase order authorises the purchase of any land forming part of a common, open space or fuel or field garden allotment, the order shall be subject to special parliamentary procedure unless the Secretary of State is satisfied—

...

(b) that the land does not exceed 250 square yards in extent or is required for the widening or drainage of an existing highway or partly for the widening and partly for the drainage of such a highway and that the giving in exchange of other land is unnecessary, whether in the interests of the persons, if any, entitled to rights of common or other rights or in the interests of the public,

and certifies accordingly.

3. OPEN SPACE WITHIN THE ORDER LAND

3.1 The Order Land includes land which is used for the purpose of public recreation and is therefore considered to be "open space" within the meaning of section 336(1) of the Town and Country Planning Act 1990.

3.2 The relevant land is the circular children's play area adjacent to the Chrisp Street Market Square comprising play equipment for toddlers. The play area is shown as the numbered plot 35 edged red and shaded pink on the order map at Annexure 2. It is also labelled on the order map as "Play Area".

3.3 The Play Area is 115 square metres. This is below the 250 square yard (209 square metre) threshold in section 19(1)(b) of the Act.

3.4 The Play Area is not registered as common land, and there are no public rights of way or other rights over it. Following the confirmation of the CPO, the Play Area will be vested in LBTH.



4. CERTIFICATION

4.1 The Play Area does not exceed 250 square yards in extent and so meets the requirements of section 19(1)(b) of the Act. Accordingly, the Secretary of State is requested to issue a certificate confirming that it is satisfied that the requirements of clause 19(1)(b) of the Act have been met, and that no order is required to be made under the Statutory Orders (Special Procedure) Act 1945 prior to the confirmation of the CPO.

Yours faithfully,



Rita Bange

Principal Property & Regeneration Lawyer

On behalf of the Corporate Director Governance & Monitoring Officer



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