

Compulsory Purchase Order – Frequently Asked Questions

Q: What is a Compulsory Purchase Order (CPO)?

A: A Compulsory Purchase Order (CPO) is an Order made by an authorised body (such as the council), requesting powers to acquire land compulsorily where the landowners or occupiers are not willing to sell by agreement or agreement on terms cannot be reached. A CPO is made following an application by the council to the Secretary of State, who decides whether to grant permission for the CPO to be confirmed or amend or reject it, the latter sometimes following a Public Inquiry.

Q. What are the main stages in the CPO Process?

A: There are various stages in the CPO process. The first of these is the council resolution to seek a CPO. This was considered by the council's Cabinet on 26 September 2018 and approved. Following this, a process called referencing takes place which is the collection of detailed information on all land ownership affected by the CPO. At the conclusion of this process, the CPO Order will be made.

Following a minimum of a 4 week period to object to the CPO, the process for which is explained in the Order Notice, the council will either then be able to confirm the CPO or, if there are objections then the Secretary of State will usually require that a Public Inquiry is held to consider the merits of the proposed CPO.

Once the Order has been confirmed the council has up to 3 years to make a General Vesting Declaration which will transfer ownership of the property to the Council.

The council will continue to liaise with all affected parties in relation to the purchase of your property and compensation as appropriate.

Q: What is an Order Schedule?

A: Attached to the Order document is a schedule showing the ownership of the land/interests within the CPO. The schedule contains the extent, description and situation of the land and sets out the names and addresses of reputed owners, leaseholders, tenants, occupiers and anyone who enjoys rights over the land.

Q: Why have I received a copy of the full Compulsory Purchase Order?

A: Section 15 of the Acquisition of Land Act 1981 states that after the Order has been confirmed, the acquiring authority (in this case the London Borough of Tower Hamlets) must serve a confirmation notice and a copy of the confirmed Order on each person who was notified of the making of the Order (this means that the Council is required to serve notice on persons who may no longer have an interest in the land).

Q: Why did the Order have to be sent to me by “Signed for Delivery”?

A: Signed for Delivery is the recommended method of serving statutory notices. We appreciate that it can be inconvenient to go to the Post Office to collect Signed for Delivery items if you were unable to answer when the postman called at your property, but it is in your interest that the Council does all it can to ensure that the notice reaches you, and service by Signed for Delivery is the best way of making sure that notice has been served.

Q: Who are the other people in the Order schedule?

A: The schedule shows everyone who held a property interest or legal interest on the land affected by the Order, at the time that it was made.

Q: How has the Council obtained the information included within the Order?

A: Through a process called “land referencing”. You may remember receiving letters and questionnaires from a company called Land Referencing Services. Land Referencing Services was appointed jointly by Poplar HARCA and the council to carry out a land referencing process which involved calling at each property, sending letters, and searching Land Registry documents.

All of the people named in the Order schedule were identified during the land referencing process.

Q: What does it mean that the Order has been confirmed?

A: Confirmation of the Order is essentially the process of the Secretary of State approving the council’s application to obtain compulsory purchase powers. It means that the council is now able to acquire property interests within the Order lands compulsorily.

Q: How long is the CPO process?

A: It is expected that the CPO process could take approximately 9 – 12 months from the point at which the order is made, or longer if a public inquiry is required; however due to the covid pandemic it is very difficult to say accurately how long it will take. You will be kept updated on the progress of the CPO and advise you when key stages are due to be implemented.

Q: I am a residential leaseholder, when will I have to move out of my property?

A: It is expected that Chrisp Street Development Ltd will want to commence work on phase 2 in 2023. The project team will be able to explain the project timetable and how this affects when you will need to move.

Q: I am a commercial / retail leaseholder, when will I have to move out of or vacate my premises?

A: The vast majority of commercial/retail leaseholders have already agreed terms to either remain in their current location or to be relocated to an agreed location.

It is expected that Chrisp Street Development Ltd will want to commence work on phase 2 in 2023. The project team will be able to explain the project timetable and how this affects when you will need to move.

CSDL/ the Council will continue to engage with you in relation to compensation and relocation/implementation of agreed terms if you have not yet reached agreement.

Q: Can I appeal against the Confirmation Notice?

A: The opportunity to object to the CPO was when the CPO Order was made. However, if you believe that the council has failed to comply with the relevant statutory requirements relating to the Order you may appeal to the High Court, as explained within the Confirmation Notice.

Q: I have a mortgage on the property, how is this affected?

A: Your mortgagee will also have received the notice too and therefore will be aware of the Order. No further action on your part should be necessary in this respect at this stage, but if you are uncertain then you should seek professional advice or speak to your mortgagee (e.g. your bank or building society).

Q: Will I be compensated for my loss?

A: If you are an owner of a property which is to be acquired, CSDL/the council will continue to endeavour to reach an agreement with you to acquire your interest on a voluntary basis. This agreement will include all appropriate (including statutory) compensation. If you are unable to reach an agreement and the council acquires your property compulsorily then compensation will be assessed in accordance with the Compensation Code. The Compensation Code is made up of statutory legislation and case law. You should seek professional advice as to your entitlement.

If you are a tenant that is required to relocate, you will be entitled to a Home Loss Payment and disturbance payments. You should discuss what you will be paid with David Rayner, Poplar HARCA's decant officer.

David.rayner@poplarharca.co.uk

Q: I have been temporarily accommodated in a property at Chrisp Street. When will I need to move out?

A: You will have been provided housing in phase 2 of the scheme. It is expected that Chrisp Street Development Ltd will want to commence work on phase 2 in 2023. The project team will be able to explain the project timetable and how this affects when you will need to move.

Q: Where can I find out more about the proposed scheme?

A: Information is available at the Management office located at 19 Market Square. Simon Carroll, who is the Chrisp Street Engagement Coordinator is located there and can provide you with more information. He can be contacted via simon.carroll@telfordhomes.london

Alternatively, you can view the website and newsletters at <http://www.chrispstreet.org.uk/>

Q: Who should I contact for further information?

If you have questions about the scheme, its phasing timetable or rehousing issues, in the first instance contact:

Simon Carroll - simon.carroll@telfordhomes.london

If you have questions about the Council's CPO, confirmation and vesting process, contact:

Monju Ali or Rita Bange - ChrispStreet.CPO@towerhamlets.gov.uk