

Secretary of State for Housing,  
Communities and Local Government Planning  
Casework Unit 5 St Philip's Place  
Colmore Row Birmingham B3 2PW

Adrian Sherbanov

Date 07/03/2023

THE LONDON BOROUGH OF HARINGEY (HIGH ROAD WEST PHASE A) COMPULSORY  
PURCHASE ORDER 2023

## **OBJECTION**

Objector's details: Mr Adrian Sherbanov

1. Private tenant [REDACTED]
2. Since 04/2018 with AST (5 years) unfurnished
3. With no contractual landlord objections tenancy to continue
4. Been aware of CPO order in last two weeks
5. Living with family with wife and two sons [REDACTED]
6. [REDACTED]
7. [REDACTED]
8. Responsible for paying Council Tax

### **Objection Grounds:**

1. **Defect in the CPO**
2. **Article 1,6,8 HRA 1998**
3. **Breach of s12 of the Acquisition of Land Act 1981**
4. **Timing of the CPO**

# Statement of Case

In about two weeks I become aware of the proposed CPO. As a tenant in the above property in last five years I am declaring that till now I was not consulted, notified by my Landlord or Local Authority, engaged in any way with public consultations (where applicant states were extensive), for the intentions of the Local Authority, nor I was verbally or with letter notified for the CPO order, timing of proposed works, ways to object.

I. Defect Form of the CPO and lack of 'due diligence'

1. CPO order is defect in part where identify qualifying persons in the meaning of s12 Acquisition of Land Act 1981, occupiers and tenants (page 35 of the order regarding above property where I am tenant column 5 for tenant is blank and column 6 as occupiers are stated my Landlords). Where Local Authority is **readily aware**, taking into account who is responsible for Council Tax and [REDACTED] directly to my Landlord, not including us as tenants and occupiers is **gross negligence** ignoring readily available to them sources of information, depriving us of rights and right to object in breach of Article 1 HRA 1998, s 12 Acquisition of Land Act 1981. Failure to follow the correct procedure, such as the service of additional or amended personal notices.
2. As this indicates gross lack of due diligence identifying tenants and occupiers, it is highly likely private tenants are much more than stated 15%. Notwithstanding s5(1) of the Compulsory Purchase Act 1965 and caselaw (see Popplewell J. in R v Secretary of State for Transport ex parte Blackett [1992] JPL 1041.), where 'after making diligent inquiry' requires some, but not very great, inquiry, Local Authority **fails 'some diligent inquiry' test** as well, where information for private tenants is readily available to the same authority.

II. HRA 1998

3. Taking into account above, where CPO is not considering actual social, family, equality and protected characteristics, employment and educational needs of private tenants, CPO is in breach of articles 1,6 and 8 of Human Rights Act 1998. Not identified as interested party occupying qualifying property, indicates lack of complete considerations for the rights and needs of private tenants, where applicant acts as private tenants not exist. Notwithstanding applicant recognise this in s 10.19 of his Statement of Reason, they state 'The impacts are likely however to be **minor** given the limited number of private tenants', where this is unknown because of lack of some due diligence inquiring every 5<sup>th</sup> private tenant family and impact

CPO might have to their life. I am not agree that every 5<sup>th</sup> family which will be affected by CPO is 'minor' impact.

4. Not considering readily available information for private tenants with **long established local connections** is in breach of articles 1,6,8 HRA 1998.

III. S 12 of the Acquisition of Land Act 1981

5. Applicant is in breach of s 12(a) and s 12(A) of the Acquisition of Land Act 1981, where fails identifying me as qualifying person been long term private tenant in material property, and where this information is readily available to the applicant in exercise of some due diligence identifying interested parties.

IV. Timing of the CPO

6. Taking into account all above, I believe that contrary to the statements of the applicant: Part 3, s 8.8, s 8.16, s 9.4, Part 10, s 10.19 in his Statement of Reason, without having all available information for social and community impact CPO might have to local residents (secured or not), current CPO do not fulfil requirements for compelling public interest, rather protecting commercial ones.

Therefore, taking into account all above, I object current CPO.

Your Sincerely:

A Sherbanov

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]