

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

DOCUMENT SOCG OBJ03

**STATEMENT OF COMMON GROUND:
ACQUIRING AUTHORITY AND ALECOS, KATE,
KYRIACOS, TRYFONAS AND MARIA TRYFONOS AND
TRYFONOS BROS LIMITED (OBJECTOR NO. 3)**

THE LONDON BOROUGH OF HARINGEY (HIGH ROAD WEST PHASE A) COMPULSORY PURCHASE ORDER 2023
ACQUIRING AUTHORITY AND ALECOS, KATE, KYRIACOS, TRYFONAS AND MARIA TRYFONOS AND TRYFONOS BROS
LIMITED STATEMENT OF COMMON GROUND

Areas of agreement and disagreement

No.	Issue	Agreed?	If Issue Not Agreed / Comments	
			Acquiring Authority's Position	Objector's Position
1.	The Tryfonos family members and company submitted the objection dated 6 March 2023 to the Secretary of State, and have submitted a Statement of Case on 24 August 2023. Together these are referred to in this SoCG as "the Objection" and the objectors collectively as "the Tryfonos family".	Yes	As per Issue column	As per Issue column
2.	The Tryfonos family own properties as listed in the Objection and also a residential flat at no. 8 Kathleen Ferrier Court, within the Love Lane Estate (plot 41 within the Order, Tryfonos Tryfonos and Nilgun Tryfonos are the registered owners).	Yes	As per Issue column	As per Issue column
3.	All points set out in the Objection, other than where considered expressly below.	No	The Acquiring Authority's position in relation to the 6 March objection is set out from page 67 of its Statement of Case. The Acquiring Authority will respond to the Tryfonos family's Statement of Case in its proofs of evidence.	The Tryfonos family's objection remains.
4.	<u>Planning policy</u> – the Objection does not assert that the Scheme does not comply with the development plan or any other planning policy.	Yes	As per Issue column	The Objection does not seek to address whether the Scheme is compliant with planning policy.

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	The Tottenham Area Action Plan includes a site allocation (NT5) in which the Order Land sits, and NT5 includes the Tryfonos family's properties.			It is for the Acquiring Authority to demonstrate that the Order should be confirmed.
5.	<u>Planning policy on High Road / Moselle Square.</u>	No	<p>Site Allocation NT5 contains a number of requirements and development guidelines. A number of these relate to Moselle Square and the High Road, including but not limited to the following.</p> <p>NT5 requires:</p> <ul style="list-style-type: none"> the creation of a new public square, connecting an enhanced White Hart Lane Station and Tottenham High Road to complement the redeveloped football stadium; a new retail provision to enlarge the existing local centre, or create a new local centre, opposite to and incorporating appropriate town centre uses within the new stadium, including the new Moselle Square public square; and in the part of the site facing the new stadium, development should respond to both the existing High Road Character and the greater heights and density of the new stadium. <p>The development guidelines relevant to Site Allocation NT5 state that larger commercial and leisure buildings should be located within close proximity to the new public square linking the station to the stadium.</p>	NT5 does not require that the new public square has active frontage with the High Road.

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			The Acquiring Authority will also refer to the contents of the High Road West Masterplan within its proofs of evidence.	
6.	<p><u>Plot E and Moselle Square</u> – The Tryfonos family's properties sit within the proposed location of Plot E and the proposed east-west route across the Scheme.</p> <p>In summary, the Objection asserts that the flexibility in the Planning Permission is not appropriate within a CPO and that the public benefits arising from Plot E and Moselle Square are not set out by the Acquiring Authority.</p> <p>Despite this, it is agreed that:</p> <ul style="list-style-type: none"> Pursuant to the Planning Permission, Plot E is capable of providing up to 5,500 sqm GEA of community, leisure, retail and Sui Generis (including a cinema and public house) floorspace, with a minimum of 1,000 sqm GEA to be provided as commercial, retail, leisure and medical uses (Use Class E (a-e)); Plot E is the proposed location of the new Library and Learning Centre as per the Illustrative Masterplan submitted alongside the application for the Planning Permission; Moselle Square is the proposed new public square of a minimum of 3,500 sqm, which will provide open space and capacity for events, markets and other activities, as well as accommodating the movement of THFC Stadium visitors and for views 	Yes	<p>As per Issue column.</p> <p>Although the Tryfonos family's properties on the High Road are not within the area of Moselle Square, they are required in design and place-making terms to deliver on the requirements of the planning framework and objectives for Moselle Square.</p> <p>The Acquiring Authority's response to the relevant point in the Objection is set out at page 67 of its Statement of Case.</p> <p>The DA requires Lendlease to deliver a library and learning centre and improvements to the landscape and public realm including a major new link between an enhanced White Hart Lane Station and THFC.</p>	<p>As per Issue column.</p> <p>The Tryfonos Family's position at paragraphs 5 – 31 of their Statement of Case. There are no obligations on Lendlease to deliver Moselle Square beyond those which may be identified in the Planning Permission and contracts between the Council and Lendlease. Planning policy does not bind Lendlease.</p> <p>There is no obligation in the DA on Lendlease to deliver a library and learning centre and improvements to the landscape and public realm including a major new link between an enhanced White Hart Lane Station and THFC.</p>

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	<p>to and from THFC Stadium and the Station;</p> <ul style="list-style-type: none"> The properties owned by the Tryfonos family are not within the proposed location of Moselle Square; The Section 106 Agreement requires the delivery of Moselle Square open space prior to the Occupation of 90% of the Open Market Housing Units in Phase A, or prior to Occupation of 780 Open Market Housing Units, whichever is earlier; and Delivery of a library and learning centre and improvements to the landscape and public realm including a major new link between an enhanced White Hart Lane Station and THFC are Core Requirements as defined in the DA. The library and learning centre also forms part of the Council Facilities as defined in the DA. 			
7.	The date on which the Tryfonos family's properties are required.	No	Under the proposed phasing, plot E is required in Q2 2028.	The Tryfonos family's position is set out in paragraphs 32 – 39 of their Statement of Case. Plot E is not required until 2029 at the earliest. The Tryfonos family are not aware of any obligation on Lendlease to comply with any phasing plan which requires plot E in Q2 2028.
8.	The objection does not identify any ways in which the Acquiring Authority has not complied with its duties in section 149 of the Equality Act 2010, nor any impacts which will arise from the Scheme and disproportionately impact those with protected characteristics.	Yes	As per Issue column.	As per Issue column.

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9.	<p>There have been four pre-arranged in person meetings between CBRE and the Tryfonos family's representative regarding the acquisition and relocation of the Tryfonos family businesses within the Scheme (6 June 2018, 2 August 2018, 28 June 2022 and 23 November 2022). The primary purpose of the meeting on 23 November 2022 was to measure the floorspace of the Chick King premises within the context of the discussions regarding acquisition and relocation.</p> <p>There have been numerous other engagements between Lendlease, CBRE and the Tryfonos family between 2018 and the making of the Order in January 2023, during which matters such as the relocation of the family's Chick King and K&M businesses within the Scheme were discussed.</p>	No	<p>As per Issue column.</p> <p>The Acquiring Authority has provided adequate details of relocation premises within the Scheme.</p>	<p>The Tryfonos family's objection remains. Further detail with regards negotiation and engagement will be set out in the proof of evidence of Alecos Tryfonos to be submitted to the inquiry.</p> <p>The meeting of 23 November 2022 was to measure the floorspace of the Chick King premises only.</p> <p>There have not been numerous meaningful engagements between CBRE and the Tryfonos family prior to the making of the Order. The Acquiring Authority is unable to enter into meaningful negotiations because it is unable to provide adequate details of suitable relocation premises within the Scheme.</p>
10.	<p>Four offers have been made to the Tryfonos family to acquire their interests within the Order Land (in April 2015, August 2018, January 2023 and May 2023).</p> <p>These offers have not been accepted by the Tryfonos family.</p> <p>The January 2023 and May 2023 offers included details and proposed locations for the relocation of the Tryfonos family's Chick King and K&M Store Household Goods businesses within the Scheme.</p>	Yes	<p>As per Issue column.</p> <p>CBRE responded to the reasons for non-acceptance of the offer in its letter dated 11 August 2023.</p>	<p>As per Issue column.</p> <p>The reasons for non-acceptance of the May 2023 offer are set out in correspondence between CBRE and Town Legal which will be appended to Alecos Tryfonos's proof of evidence.</p>
11.	<p>A dedicated officer for businesses affected by the Scheme has been identified. Contact details for this officer were provided to the Tryfonos family within the Business Support leaflet provided on 9 June 2023. Previous correspondence with the Tryfonos family also provided contact details for the relevant officer to contact to discuss any issues.</p>	Yes	As per Issue column	As per Issue column

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12.	The Council's policies with respect to the relocation of affected businesses is set out in the 2014 Business Charter.	No	<p>As per Issue Column.</p> <p>The Business Charter is secured through the CPOIA. The Section 106 Agreement also secures commitments in relation to business re-location. See further the Acquiring Authority's Statement of Case, paragraphs 3.30, 12.1.32 onwards and 12.2.8 onwards, and point 18 on page 73.</p>	<p>As per Issue Column.</p> <p>The inadequacy of the 2014 Business Charter is set out at paragraphs 64 – 66 of the Objectors' Statement of Case.</p>
13.	The Council's Love Lane Leaseholder Offer was developed for leaseholders on the Council-owned Love Lane Estate. There are aspects of the policy which are available to residential owner-occupiers outside of the estate, including assistance through the moving process and practical help to find a new home. The rehousing options within the Love Lane Leaseholder Offer, including the equity loan and leasehold swap, are not available to residential owner-occupiers outside of the estate. The terms of the Love Lane Leaseholder Offer apply to the property at No. 8 Kathleen Ferrier Court owned by the Tryfonos family, which is within the Love Lane Estate.	Yes	As per Issue Column.	As per Issue Column.
14.	Lendlease Corporation Limited entered into the DA and the CPOIA to guarantee the obligations of Lendlease (High Road West) Limited.	Yes	<p>As per Issue column.</p> <p>The Lendlease Corporation Limited guarantee applies to all obligations of Lendlease (High Road West) Limited in the DA and CPOIA.</p>	<p>As per Issue column.</p> <p>However, it is noted that both agreements are redacted and so it is not possible to ascertain whether the guarantee is disapplied with respect to specific obligations.</p>

Signed: [REDACTED]

Date: 14. 09. 2023

On behalf of the Acquiring Authority

Signed: [REDACTED]

Date: 14. 09. 23

On behalf of the Tryfonos family