



The Planning Inspectorate

THE LONDON BOROUGH OF HARINGEY (HIGH ROAD WEST PHASE A)
COMPULSORY PURCHASE ORDER 2023
(REF APP/PCU/CPOP/Y5420/3316757)

Note of Pre-inquiry meeting held at 13.30 on Tuesday 11 July 2023

**Venue – Meeting Room 3, The Selby Centre, Selby Road,
Tottenham, London, N17 8JL**

Text in *italics* records post-meeting updates

Introductions

1. The meeting was led by myself, Richard Clegg, as the appointed inspector. Brenda Taplin was introduced as the Programme Officer present: she and the other Programme Officer, Joanna Vincent, are dealing with the administrative arrangements for the inquiry, and are the first point of contact for all the parties involved with the compulsory purchase order (CPO).
2. Participants on behalf of the parties were as follows:

The AA

Heather Sargent of Counsel
Scott Mundy, London Borough of Haringey

Alecos Tryfonos & Others (Objection 3)

Matt Speed, Associate, Town Legal LLP (MS)

Canvax Ltd & Others (Objection 8)

David Warman, Solicitor, Richard Max & Co (DW)

Mary Powell (Objection 11)

Mary Powell (MP)

Other individuals associated with the parties were in attendance.

3. The purpose of the pre-inquiry meeting was to discuss the arrangements for the inquiry in order to ensure it proceeds efficiently.

Objections to the Order

4. Six combinations of objector are referred to in Objection 3. MS had confirmed in an email of 6 July 2023 that they relate to a single objection.
5. Table 1 in the schedule to the Order refers to Network Rail having an interest in plots 57 & 58. It is not clear from Network Rail's

objection (Objection 5) whether this is the case. Clarification will be sought via the Programme Officers.

6. Two combinations of objector (Dr & Mrs Jeyarajah and Kingwell Investments Ltd) are referred to in Objection 4. In an email of 6 July 2023, Keith Murray Consultants had suggested that they relate to a single objection, but had not received any recent instructions. As Dr & Mrs Jeyarajah are the sole shareholders and directors of Kingwell Investments Ltd, it is my intention to consider their representations as a single objection.
7. Seven objectors are referred to in Objection 8. DW had confirmed in an email of 10 July 2023 that they relate to a single objection. Although Objector 7 is also associated with Tottenham Hotspur Football Club, that objection is being pursued separately.
8. Objection 10 has been submitted by Susan Nguyen, but the qualifying person for plot 83 is identified as The Nail Group. Clarification will be sought via the Programme Officers.

Main issues and other matters

9. In my advance note, I had suggested the following main issues from the information that I had reviewed to date:
 - The planning framework for the area.
 - The extent to which the scheme would contribute to the economic, social or environmental wellbeing of the area.
 - Whether the purpose for which the land would be acquired could be achieved by any other means.
 - Whether the scheme is financially viable
 - Whether there are any impediments to the implementation of the scheme.
10. Other possible issues were suggested as follows:
 - Whether the implementation of the CPO scheme with regard to crowd safety is such that there is not a compelling case in the public interest to confirm the Order. (DW)
 - *Whether there is a compelling case in the public interest that the CPO be confirmed, such that the public benefits of the scheme, if deliverable, outweigh the owners' right to hold and enjoy their property free of state interference.* (MS)
 - Whether, in the light of the information in the (Acquiring Authority's) statement of case, it is premature to seek a CPO in respect of the properties on the Love Lane Estate. (MP)
11. I undertook to respond to those suggestions in this note of the meeting. *I consider that these potential additional issues are covered by those originally identified and a balancing exercise.*

Participation in the inquiry

12. The AA will be represented by:
 - Tim Mould KC
 - Heather Sargent of Counsel

- Peter O'Brien, LB of Haringey – Council corporate overview
 - Bek Seeley, Lendlease – Lendlease corporate overview
 - Tom Horne, DP9 – Planning
 - Lucas Lawrence, Studio Egret West - Design
 - James Franklin, CBRE – Negotiations
 - Pascal Levine, DS2 – Viability
 - Witness to be confirmed, *Buro Happold* - Crowd flow
 - Witness to be confirmed – Heritage
13. Canvax Ltd & Others (objection 8) will be represented by:
- Christopher Katkowski KC
 - Freddie Humphreys of Counsel
 - Sean Bashforth, Quod – Planning
 - Sophie Camburn, Arup – Master-planning
 - Mr Colin Cottage, Ardent – Viability
 - Mr Simon Ancliffe, Movement Strategies - Crowd safety
 - Mr Richard Serra, Tottenham Hotspur FC - Football club matters
14. Mary Powell (Objection 11) will be represented by herself.
15. Alecos Tryfonos & Others (Objection 3) will be represented by:
- Isabella Buono of Counsel
 - Alecos Tryfonos, objector – *Personal circumstances, human rights, negotiations & engagement, the role of the Chick King business in the community*
16. The parties were asked to provide details of their representatives at the inquiry by 14 July 2023. None of the parties present was aware of anyone else who may wish to appear at the inquiry.

The form of the inquiry

17. The proposal to hold the inquiry as a face-to-face event with a virtual element was agreed by the parties present. The AA will make arrangements for streaming, and for virtual participation should the need arise.
18. It is intended that the AA will provide an overview of the case for the CPO as a whole, followed by sessions dealing with particular topics and matters relating to individual objections. The parties were asked to provide suggestions for topic sessions by 14 July 2023 (*subsequently extended to 19 July*). It was suggested that heritage matters be dealt with at a round-table session. The AA will be given the opportunity to respond to written objections.

Timetable

19. The inquiry is scheduled for 10 days, 7-10, 14-17 and 21 & 22 November 2023. It was agreed that the full ten days should be retained. DW referred to a potential availability problem for Canvax's lead advocate on 22 November, but, if necessary, this day may be able to be covered by junior counsel. Sessions at an early

stage in the programme were sought in respect of objections 3 and 11.

20. *In the light of comments from the parties, I have prepared a suggested indicative programme for the inquiry, which is attached to this note.* Following the receipt of time estimates (by 17 October 2023), I will prepare a timetable in conjunction with the Programme Officers.

Inquiry Venue

21. The venue for the inquiry will be the Bernie Grant Arts Centre, Town Hall Approach Road, London, N15 4RX. Arrangements can be made for the receipt of a box of documents from myself.

Alternative master-plan

22. Canvax Ltd and other objectors have submitted a document entitled *High Road West South Alternative Masterplan*. DW explained that this was not intended to have been marked as confidential, and the document has been resubmitted without this endorsement. Consultation had begun with certain stakeholders. A meeting with community groups was due to take place on 11 July, and (allowing for school holidays) there would be an exhibition in September, with responses due by mid-September. A supplementary statement of case covering the Alternative Master-Plan and the consultation exercise was due to be submitted by 14 July 2023. No other material should be covered in this document. Consultation responses would be covered in evidence.
23. Canvax has submitted a freedom of information request relating to the development agreement. Following a refusal, an appeal on this matter has been submitted, and an update would be provided when the outcome was known. HS advised that the full development agreement had not been disclosed for reasons of commercial sensitivity, and that disclosure was not necessary.

Documentation

24. The Programme Officers have set up an inquiry website which will host all the core documents <https://gateleyhamer-pi.com/en-gb/high-road-west/inquiry-documents/statements-of-case-core-documents/> . Suggestions for core documents should be discussed between the AA and other parties. There should be no duplication of core documents in appendices.
25. Statements of case have been submitted by the AA and Objector 8. The other objectors intending to appear at the inquiry were asked to submit statements by 25 August 2023.
26. The parties were asked to consider the preparation of statements of common ground. Any such statements were requested by 31 August 2023 (*extended to 15 September in the light of a request from the AA*).

27. Statements of evidence should be submitted by 10 October and any rebuttals by 31 October 2023. Summaries of evidence can be provided as a concluding section of statements: there is no need to provide summaries as separate documents.
28. DW referred to an ongoing judicial review of the planning permission for development on the Order Lands: a decision may be handed down after the deadline for evidence. I advised that if that is the case, the outcome of the judicial review should nevertheless be made available to the inquiry.
29. All documentation should be submitted electronically, but I will also require hard copies of statements of evidence and full-size copies of relevant plans. All documentation should be submitted to the Programme Officers.

Site visits

30. I explained that I had visited the Order Lands ahead of the meeting to familiarise myself with them. However, a full programme of visits would be undertaken towards the end of the inquiry. Suggestions for site visits are requested by 31 October 2023.

Costs

31. Successful objectors to CPOs are normally awarded their costs, and there is no need to make an application at the inquiry. Any applications for an award of costs on the ground of unreasonable behaviour should, however, be submitted at the inquiry.

Summary of key dates

32. The key dates for submission of documents are set out below:
 - By 14 July 2023 – details of representatives at the inquiry, suggestions for topic sessions, supplementary statement of case from Objector 8.
 - By 21 July 2023 - hard copy of the Order Map.
 - By 25 August 2023 – statements of case from Objectors 3 and 11.
 - By 31 August 2023 – core documents.
 - *By 15 September 2023 - statements of common ground.*
 - By 10 October 2023 – statements of evidence.
 - By 17 October 2023 – time estimates for presenting evidence and questioning the AA/ Objectors.
 - By 31 October 2023 – rebuttals, site visit suggestions.

Richard Clegg

INSPECTOR
21 July 2023

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

Suggested indicative inquiry programme

Week commencing 6 November 2023

(sitting 7-10 November)

Preliminary matters

Opening statements from the Acquiring Authority and Objectors

Overview of CPO

The planning framework

Objection 11

Viability

Week commencing 13 November 2023

(sitting 14-17 November)

Objection 3

Objection 8

Heritage round-table

Acquiring Authority's response to written representations

Week commencing 20 November 2023

(sitting 21 & 22 November)

Site visits

Closing submissions