

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

DOCUMENT CD 9.1

**WITNESS 1: PETER O'BRIEN, LONDON
BOROUGH OF HARINGEY**

OVERVIEW PROOF OF EVIDENCE

CONTENTS

1. INTRODUCTION
2. BACKGROUND
3. NEED FOR THE SCHEME
4. EVOLUTION OF THE SCHEME AND COUNCIL DECISIONS
5. THE SCHEME
6. RESIDENT OFFER
7. ASSISTANCE TO BUSINESSES
8. EFFORTS TO ACQUIRE LAND BY AGREEMENT
9. ECONOMIC, SOCIAL AND ENVIRONMENTAL WELL-BEING BENEFITS
10. SCHEME DELIVERY AND FUNDING
11. CPO GUIDANCE PARAGRAPH 106
12. NO IMPEDIMENTS TO THE SCHEME
13. HUMAN RIGHTS
14. EQUALITIES
15. OBJECTIONS
16. CONCLUSION

1. INTRODUCTION

Qualification and experience

- 1.1 I am Peter O'Brien. I am the Assistant Director for Regeneration & Economic Development, employed by the London Borough of Haringey ("**the Council**"). I have worked for the Council since February 2014, and have been in post in my current role since August 2017. I have responsibility for developing and leading on the Council's placemaking and inclusive economy priorities, including the delivery of a broad portfolio of programmes such as growth areas, town centre and estate regeneration, workspace, community wealth building projects, inward investment, and inclusive economy.
- 1.2 In this role, I have developed multiple strategies across the portfolio including the Tottenham Hale District Framework, the Tottenham High Road Strategy, Shaping Wood Green and the Haringey Good Economy Recovery Plan, all of which are in delivery. I have established London's first Creative Enterprise Zone, including the Made by Tottenham programme. I have grown the Opportunity Investment Fund, an innovative loan funding programme for businesses, and started a second fund, the Productive Valley Fund. I led the Council's economy response to the Covid-19 pandemic, establishing a new economic development service and chairing the Council's Gold Economy Sub-Group. I chair several boards at the Council, including the Regeneration and Economic Development Board, the Good Economy Delivery Board, and the Northumberland Park Steering Group.
- 1.3 As lead for regeneration in Tottenham Hale, I was responsible for securing designation of the first Housing Zone in London, bringing in an initial £44m of public funding, followed by a further £100m of public funding, and circa. £1bn in private investment. I negotiated the Council's Development Agreement for a strategic development partnership with Argent Related and sit on the board of that partnership. Together the partnership has secured over 1,000 new homes for Tottenham Hale – almost a third of the overall quantum of housing secured for the neighbourhood, in excess of 3,200 homes. Of these, over 40% are affordable including nearly 700 new Council homes, and alongside those there is delivery of 35,000 sqm new commercial space, c.£15m investment in green spaces, £10m in public realm, a new community hub and a District Health Centre capable of serving 20,000 patients due to open in late 2023.
- 1.4 As Assistant Director at the Council I have been responsible for the High Road West Scheme since August 2017. I am one of three Council representatives on the High Road West Steering Group and chair the High Road West Internal Board. I have steered a series of decisions which have led to approval by the Council's Cabinet, including entering into a £90m+ funding package from the GLA for the Scheme, the confirmation of resident offers and proceeding to a resident ballot on the Love Lane Estate, and the use of Compulsory Purchase Order ("CPO") powers to enable delivery of Phase A of the scheme. I have worked closely with Lendlease as development partner to drive forward High Road West in the context of evolving policies

and political priorities, a global pandemic and a changing economic environment. I also approved the planning application by Lendlease for the High Road West Scheme representing the Council as landowner prior to its submission to the local planning authority.

- 1.5 Prior to my time at the Council, in my role at Place Futures between 2010-2014 I led on the Southall Regeneration Programme and was responsible for the Southall Big Conversation and the development of the Southall Big Plan, which secured £50m+ of public funding into a series of regeneration and infrastructure projects. I also provided strategic advice to Manchester Salford Pathfinder on quality of place and neighbourhoods. I am leaving the Council in late November 2023 in order to take a new position as Director for Regeneration and Growth at the London Borough of Hounslow.
- 1.6 I have worked in Regeneration and Economic Development for 20 years and have a strong understanding of the built environment and housing sector. I have a Masters degree in Development & Planning (Urban Regeneration) from University College London.

Scope of evidence

- 1.7 In this proof of evidence, I cover the matters listed below regarding the Council's case for the Scheme and identify why I consider that the Order (**CD 1.1**) should be confirmed.
- (a) Description of the area in which the Scheme is sited including the challenges that are faced by residents and businesses in the area (Sections 2 and 3).
 - (b) Evolution of the Scheme including consultation and engagement with businesses and residents and Council decision-making (Section 4).
 - (c) Summary of the Scheme and the phasing approach (Section 5).
 - (d) Commitments made to land and property owners and efforts made to acquire by agreement (Sections 6, 7 and 8).
 - (e) Description of the economic, social and environmental wellbeing benefits that will arise as a result of the Scheme (Section 9).
 - (f) Description of the delivery and financial arrangements for the Scheme, including the contractual arrangements with Lendlease (Section 10).
 - (g) Consideration of the four factors within Paragraph 106 of the CPO Guidance and confirmation that no impediments exist to the implementation of the Scheme, subject to the confirmation of the Order (Sections 10 and 11).

- (h) Consideration of human rights and equalities issues (Sections 13 and 14).
- (i) Summary of the current position in respect of each of the remaining objections to the Order (Section 15).

1.8 The facts I have provided in my proof of evidence are from my own knowledge or derived from the Council's records and information unless otherwise indicated.

2. **BACKGROUND**

2.1 I have prepared this proof of evidence in support of the London Borough of Haringey (High Road West Phase A) Compulsory Purchase Order 2023 ("**the Order**") (**CD 1.1**). The Order was made by the Council on 26 January 2023 to facilitate the initial phase of the comprehensive residential-led mixed use regeneration of the High Road West area, which is located in Tottenham in the north-eastern part of the London Borough of Haringey ("**Haringey**").

2.2 The High Road West area is principally bounded by Tottenham High Road to the east and the railway line and White Hart Lane station ("**the Station**") to the west. Tottenham Hotspur Football Club ("**THFC**") Stadium is located opposite this area on the eastern side of the High Road. The entire High Road West area comprises some 8.57 hectares. I refer to the proposals for the regeneration of the entire High Road West area as the "**Regeneration Scheme**".

2.3 The Council and Lendlease are progressing the Regeneration Scheme in two broad phases, referred to as Phase A and Phase B. These respectively encompass the parts of the Regeneration Scheme to the south and north of White Hart Lane. The development to be carried out on the Order Land will deliver Phase A of the Regeneration Scheme. I refer to the proposals for regeneration of the Order Land as "**the Scheme**".

2.4 The Order Land comprises an area of approximately 4.2 hectares. More than 80% of the land interests in this area are already in Council ownership. The Order Land is predominantly occupied by the residential Love Lane Estate, the freehold of which is owned by the Council, and a row of mixed use commercial and residential properties on the High Road mainly in third party ownership.

3. **NEED FOR THE SCHEME**

3.1 Tottenham is an area rich in culture and potential. It has significant geographical, historical and cultural strength. It is well-connected, has attractive housing, outstanding schools and thriving local businesses. It has an extraordinarily diverse population with over 200 languages spoken in local schools combined with a strong shared sense of pride and belonging. The desire to build upon its strengths, and the need to address the underlying causes of deprivation, have led Tottenham to be identified as a priority area for regeneration.

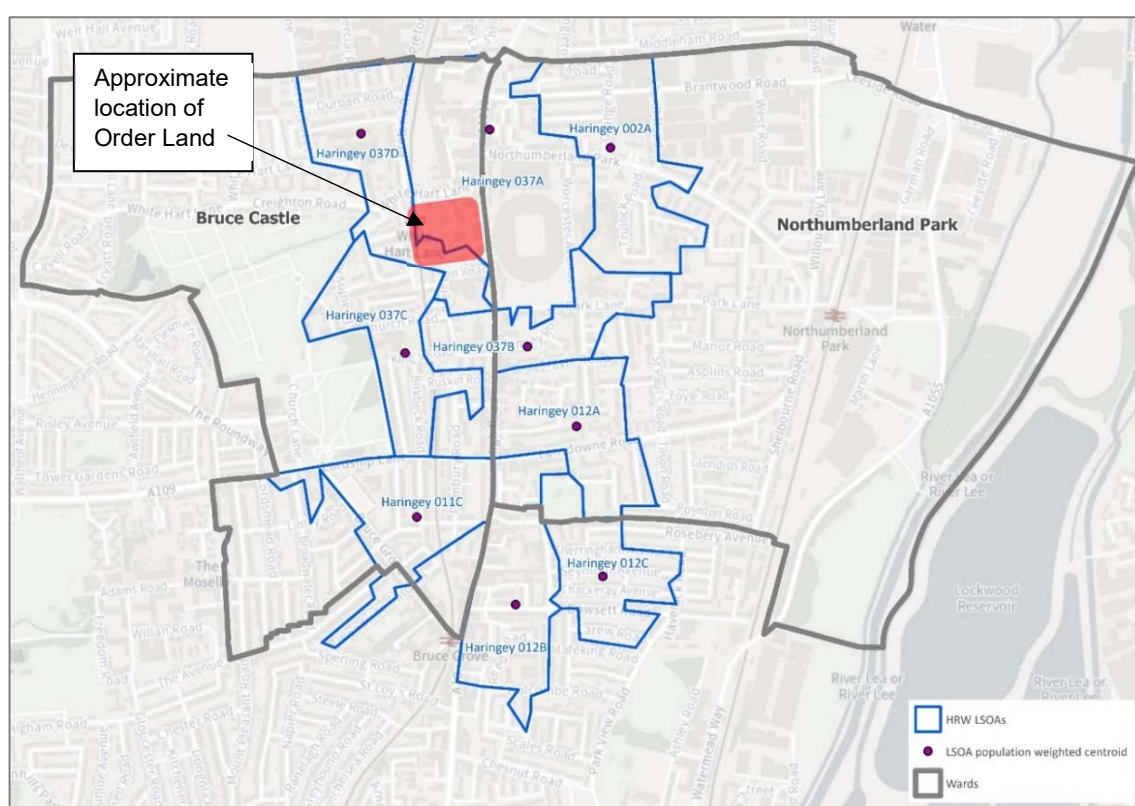
- 3.2 Tottenham has a long and proud history. The residential community of Tottenham was already flourishing by the 16th century with a growth in homes for merchants along the High Road and progressed rapidly with the introduction of the Northern and Eastern Railway in 1840. As well as Tottenham having a long history of strong community cohesion and activity, the area has a proud history of production and industry dating back to at least the 15th century which included flourishing mills, potteries and production and testing of engines and aeroplanes by JA Prestwick and AVRO respectively. THFC located to their current site in 1913, providing a strong new focus for the area. Substantial redevelopment of parts of Tottenham took place from the 1960s including the delivery of a substantial number of new Council homes. Since the 1970s a shift in the local economy has started to see large retail offers moving towards the centre of London and the reduction of industrial employment in the local area, changing the trend in where people spent their time. With the transition of employment centre changing, the quality of the built environment in terms of streets, spaces, places, civic amenities, and entertainment venues declined, with some facilities disappearing completely.¹
- 3.3 In recent decades, Tottenham has been an area where many local residents have faced significant barriers including high levels of deprivation, an under provision of good quality and affordable housing, a lack of access to training and employment opportunities, perpetually high levels of both serious and low-level crime and a poor quality of health.
- 3.4 These challenges are particularly pronounced in North Tottenham which has consistently ranked as one of the most deprived areas of the country. The Index of Multiple Deprivation (IMD) measures deprivation based on seven different domains, namely income, employment, education, health, crime, barriers to housing and services, and living environment. As set out in the 2019 IMD, the North Tottenham areas of Haringey 037A and 037D Lower Super Output Area (LSOA)², covering the area on which the Scheme will be delivered (see below), are respectively within the top 10% and top 20% most deprived neighbourhoods in England.
- 3.5 It was the barriers and challenges in North Tottenham that prompted the inception of the Regeneration Scheme as far back as 2012, as a means to deliver meaningful and long-lasting change for residents and businesses in North Tottenham. I explain how the Regeneration Scheme has evolved in section 4 of my evidence. The Council's commitment to delivering regeneration and investment to North Tottenham, and transforming outcomes for local residents, is demonstrable. However, sadly these challenges remain today, and in many cases have become more entrenched over the past decade. Despite the Council's best efforts to address the issues present in North Tottenham, our economy has been significantly impacted by the economic shocks arising from national or international matters such as Brexit, the COVID-19 pandemic, war in the Ukraine and cost of living crisis.

¹ Source: "It Took Another Riot" – Sir Stuart Lipton Report (2012) (CD 5.13)

² Geographical areas for census data, LSOA areas are the smallest size of census area and comprise around 400-1,200 households or 1,000 – 3,000 population [Census 2021 geographies - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/census/2021-geographies)

3.6 For the purpose of setting out the socio-economic context to the Regeneration Scheme, when I refer to 'North Tottenham' I refer to an area encompassing nine Lower Super Out Areas (LSOAs), including the two within which the Scheme is directly situated (037A and 037D) and seven surrounding this area (002A, 011C, 012A, 012B, 012C, 037B and 037C). See Figure 1 below for a map showing these LSOAs and the Order Land. In relevance to certain datasets, I refer to Bruce Castle ward, within which the High Road West area is situated and which extends to the west, and Northumberland Park ward, which is located to the east on the opposite side of the High Road. I also refer to equivalent statistics for Haringey and London to provide context.

Figure 1. Map of Lower Super Output Areas (LSOAs) in context of Order Land



3.7 In the paragraphs below, I outline the socio-economic context in North Tottenham in three key areas, which highlight the need for the Scheme. These are i) housing need, ii) relative poverty and economic activity, and iii) health, wellbeing, and safety.

i) Housing need

3.8 As with London more broadly, there is a chronic shortage of housing in Haringey, particularly affordable housing, which has worsened over the past decade. In April 2013, Haringey had 9,800 households waiting for social housing on the housing register. As of September 2023, this figure had increased to over 13,000. Of these, just over 2,800 households are homeless and 2,586 living in temporary accommodation. The lack of suitable affordable housing has a

disproportionate impact on those people from minority ethnic backgrounds; 61 per cent of temporary residents are people from minority ethnic backgrounds and 43 per cent of residents accepted as statutory homeless are black.³ The shortage of affordable housing has been exacerbated by the loss of the existing Council stock. The number of Council homes in Haringey has decreased by over 1,000 as a result of the Right to Buy scheme since 2013.⁴

- 3.9 As well as a shortage of homes, there is a need for the right mix of homes for our communities, including in terms of tenure and size. Overcrowding is a significant issue. Between 2013 and 2022, the number of households waiting for social housing in Haringey who were living in overcrowded or insanitary accommodation increased from 5,893 to 7,592.⁵ The Tottenham constituency has the 3rd highest levels of overcrowding in the UK, with over 20.5% of households overcrowded, higher than the Haringey and London averages of 13.5% and 11.1% respectively.⁶ North Tottenham is home to a large proportion of families with children: 51% of households in the area contain children, compared to 35% borough wide.⁷ However, fewer than 14% of properties in North Tottenham provide 3 or more bedrooms.
- 3.10 A lack of secure and good quality housing directly impacts on residents' health, wellbeing, safety, and financial stability. As such, good housing provides the foundation for improving prospects and accessing more opportunities across a range of areas.
- 3.11 In addition, in North Tottenham currently 40.4% of homes are social rented, a significantly higher proportion than the Haringey and London averages of 25.5% and 23.1% respectively.⁸ While the need for more affordable housing is clear, there is also a local need to provide different tenure types including private market homes alongside new social rented housing to promote mixed and balanced communities.
- 3.12 The Council has taken a proactive approach to provide affordable long-term accommodation for its residents through an ambitious home building programme, that is delivering the first new Council-owned social rented homes in Haringey in a generation. The Council's aim is to build 3,000 new Council homes between 2021 and 2031, and work has already started on over 2,000 homes. The programme is taking a needs-led approach, which includes co-designing individual new homes to meet the needs of residents with specific disabilities or other health related challenges. The delivery of the Scheme will make the largest contribution of any project to the programme's delivery of new Council homes (see section 9 of my evidence). The Scheme will also meet its principle of both a needs-led and placemaking approach, that creates broader economic, social and environmental benefits for residents in the area in addition to the delivery of new homes.

³ Source: Haringey housing register data

⁴ Source: DLUHC, Right to Buy Sales of Local Authority Stock (2022-23)

⁵ Source: Haringey housing register data

⁶ Source: House of Commons, Overcrowded housing England, 2021.

⁷ Source: Ministry of Housing, Communities & Local Government, 2019

⁸ Source: TS054, Census 2021

ii) *Relative poverty and economic activity*

- 3.13 As I have explained in paragraphs 3.3-3.6 above, North Tottenham experiences high levels of deprivation. There is a clear divide in Haringey in respect of levels of deprivation, with Tottenham (in the east of Haringey), experiencing some of the highest deprivation levels in the UK, in contrast to substantially lower levels of deprivation in areas in the west of Haringey.
- 3.14 As I note above, North Tottenham has a large child population, and a child in North Tottenham is approximately 60% more likely to be living in poverty than the borough average.⁹ Northumberland Park is ranked the highest (27.1%) and Bruce Castle the 8th highest ward (19.3%) for the proportion of children living in relative poverty. In addition, Bruce Castle ward has the second highest proportion of pupils receiving free school meals (FSM) in Haringey.¹⁰
- 3.15 Residents in North Tottenham face significant barriers to long-term and sustainable employment and have reduced access to training and skills opportunities. The area has a lower proportion of economically active residents (61.9%) in comparison to the Haringey (67.2%) and London (66.2%) averages.¹¹ The proportion of residents who have never worked or are long-term unemployed (16.5%) is also approximately 5% higher than the Haringey average. More than a quarter of residents (28.3%) in North Tottenham have no academic or professional qualifications, significantly higher than the average in Haringey (18.5%) and London (16.2%). Apprenticeship and Level 3 qualifications are generally in line with Haringey and London levels however only a third (31.9%) of residents in North Tottenham reached Level 4 qualifications or above, considerably less than the Haringey (48.3%) and London (46.7%) average.¹²
- 3.16 These local economic issues are in the context of broader national challenges for town centres and high streets, which is relevant given the location of the Order Land on Tottenham High Road. While town centres and high streets connect communities and provide significant socio-economic value, for residents, businesses and visitors, since 2008, economic challenges, changing consumer expectations, technological innovation and demographic change have threatened the health of high streets across the country. Haringey's business base is characterised by SMEs, with the number of VAT/PAYE enterprises employing less than 250 employees accounting for over 99% of businesses in the borough, who can be more susceptible to changing trends and economic shocks. Businesses are crucial to economic prosperity in Haringey and are an important provider of local employment.
- 3.17 The Council has renewed focus on addressing the economic challenges facing Haringey's residents and businesses, including those in North Tottenham, through its 'Opportunity Haringey' programme. This emerging inclusive economy plan will ensure that residents,

⁹ Source: Ministry of Housing, Communities & Local Government, 2019

¹⁰ Source: School Census January 2022

¹¹ Source: TS066, Census 2021

¹² Source: TS067, Census 2021

businesses and the community can benefit from and contribute to local economic success and prosperity. Opportunity Haringey promotes a range of ambitions including, improving town centres and high streets, creating employment spaces for businesses to start and grow, providing dedicated business support, securing investment into local infrastructure, and up-skilling residents in Haringey and providing good work opportunities. As I explain in section 9 of my evidence, the Scheme will make a significant contribution to the economic wellbeing of the area, delivering on the ambitions above. The Council has made commitments to existing businesses within the Order Land to ensure that they are supported through and benefit from the regeneration process, see section 7 of my evidence.

- 3.18 The Council has specifically identified the High Road as a key opportunity to provide economic growth through the development of the Tottenham High Road Strategy 2019-2029. This focuses on how quality jobs for local people and a sustainable mix of employment is created on one of the borough's main arterial routes. In particular, it states:

"The new Tottenham Hotspur FC Stadium development will provide the catalyst for comprehensive regeneration of the Regeneration Scheme and the North Tottenham Local Centre. The priority is to ensure that, even on non-match days, the area is lively and attracts people to make the most of the Stadium development, the High Road, and wider urban realm improvements that will take place as part of this development. Provision is therefore proposed for new community facilities and leisure orientated retail development to further cement the area's reputation as a premier leisure destination within North London."

- 3.19 This is reflected in the Council's and Lendlease's objectives for the Scheme that include promoting amenities for the community and visitors to the area, ensuring continued safe and efficient movement of visitors to the THFC Stadium on match days and promoting a mix of uses and flexible commercial spaces to support a safe, sustainable and changing high street environment, including support for existing businesses to grow. The Scheme will create a substantial number of jobs and employment opportunities, supported by the delivery of a new Library and Learning Centre. I discuss this further in section 9 of my evidence.

iii) *Health, wellbeing and safety*

- 3.20 Haringey has some substantial health challenges. It is the fourth most deprived borough in London, and the gap in healthy life expectancy between the richest and poorest areas within Haringey is 15 years for men and 17 years for women. Over a third of Year 6 school children are overweight and this disproportionately affects those in the most deprived areas. There are higher rates of serious mental illness than other boroughs, exacerbated by a challenging

employment base and access to stable housing.¹³ These challenges have serious impacts on the quality and longevity of residents' lives.

- 3.21 North Tottenham has a high rate of people in 'poor health' (11% compared to 7% borough average), which results in a shorter life expectancy.¹⁴ North Tottenham also has a marked level of inactivity, between 27.8% and 35.7%, and an average obesity figure of 9.69% which is greater than in both Haringey and across London at 6.9% and 5.3% respectively. North Tottenham also has higher scores than Haringey for mental health related ESA claimants and mental health attendances to hospital.¹⁵ These factors have direct impacts on health and incur resultant human, social and economic costs, including instilling barriers to employment.
- 3.22 The housing, retail and open space environment in North Tottenham is not supporting residents to overcome these barriers. The Access to Health Assets and Hazards (AHAH) index developed by the Consumer Data Research Centre to measure how 'healthy' neighbourhoods are, identifies that North Tottenham is in the worst performing decile in relation to AHAH, including poor access to blue or green spaces, air quality and retail environment (e.g. access to fast food outlets, pubs, tobacconists, gambling outlets)¹⁶.
- 3.23 In respect of crime and the perception of safety, Haringey is one of the top ten boroughs for serious youth violence in England. The rates of crime in North Tottenham are also particularly high.. Between March 2022 and February 2023, the average number of anti-social behaviour (ASB) incidents in the local area per month (133) was more than double the borough average (65). Similarly, the average number of crimes per month (311) over the same period is significantly higher than the borough average (190). Residents in North Tottenham are more likely to feel unsafe both during the day and after dark in comparison to residents elsewhere in Haringey and 62% of residents in North Tottenham referenced crime and anti-social behaviour as the aspect they disliked most about their local area, based on a 2021 survey.¹⁷
- 3.24 As I explain in section 9, the Scheme will deliver an improved environment, with a focus on improving health and wellbeing through new landscaping and public realm and promoting community safety, through the use of Secured by Design principles. The Scheme also provides for a new modern GP surgery if required (see paragraph 9.25 of my evidence). These measures, alongside the delivery of new housing and investment in the local economy, will support the creation of a more stable foundation for residents' lives and help lead to better health and wellbeing outcomes.

Conclusions on North Tottenham's socio-economic position

¹³ Source: Haringey's Health and Wellbeing Strategy 2020-24 – Discussion Slides. Available at: [Haringey's Health and Wellbeing Strategy | Haringey Council](#)

¹⁴ Source: OHID, based on ONS data, 2016-2020

¹⁵ Source: Place-based Logitudinal Data Resource, Small Area Mental Health Index (SAMHI) (2021)

¹⁶ Source: Consumer Data Research Centre, Access to Health Assets and Hazards (AHAH) (2022)

¹⁷ Source: Haringey Resident Survey, 2021

- 3.25 My evidence above highlights the substantial issues of deprivation which residents in North Tottenham experience, and which has a significant impact on their day-to-day lives. These issues were evident and highlighted by the community when proposals for the Regeneration Scheme were first developed over a decade ago, as I explain in the following section, and have become even more prevalent in the period since. The need for the Regeneration Scheme was substantial then; it is even more so today.
- 3.26 I have outlined above how the Scheme will help address these challenges, and I elaborate further on the economic, social and environmental benefits of the Scheme in section 9 of my evidence. It is clear that a comprehensive and coordinated approach is required to manage and deliver regeneration and change in North Tottenham, to bring about this scale of benefits. It is for this reason that regeneration in North Tottenham, including the delivery of the Regeneration Scheme, continues to be a major priority for the Council and the Regeneration Scheme is listed as a specific outcome within the Council's Corporate Delivery Plan 2023/2024 ("**CDP**").

4. **EVOLUTION OF THE SCHEME AND COUNCIL DECISIONS**

The context to the High Road West Scheme

- 4.1 For many years, the Council has been seeking to work alongside local residents, businesses, and partners to take all possible actions to alleviate this high level of deprivation and social disadvantage and make a tangible difference to the lives of local people across Tottenham. The Council started engaging with the Greater London Authority ("**GLA**") in the 2000s to consider ways to provide more opportunities for people in Tottenham.
- 4.2 The desire of local people to see meaningful change was brought even more sharply into focus from August 2011 when a major outbreak of riots started in Tottenham and then spread to other parts of London and other cities nationally. The riots in Tottenham resulted in almost 50 families having their homes or possessions destroyed or made homeless. Almost half of businesses on Tottenham High Road suffered damage to their premises and over 95% of businesses reported some loss of trade.
- 4.3 The North London Citizens' Inquiry into the Riots, led by a grassroots group of local representatives, found that the riots were partly caused by high youth unemployment, a breakdown of community-police relationships, the reputation and condition of Tottenham, and the powerlessness of local people. The report recognised a range of social, economic and environmental factors that were combining to have serious consequences on the lives of many in the community. The recommendations included that the Council and partners, working with the community, should bring forward a "*collaborative regeneration and planning strategy that*

unlocks the energy of the community and attracts investment to Tottenham”, which would improve the offer that Tottenham makes for people to live, visit and work.¹⁸

- 4.4 An independent panel of experts was also set up by the Mayor of London in the same period, and chaired by Sir Stuart Lipton, which published the report ‘It Took Another Riot’ in December 2012 (**CD 5.13**). The panel was assembled to review the challenges in Tottenham and put forward a set of recommendations to guide future regeneration. The panel's recommendations included:
- Re-imagine the built environment
 - New housing featuring a mixture of public and private tenures
 - Measures to tackle population churn and overcrowding
 - Focus on reducing unemployment with youth training, enterprise support and the construction of uplifting new workspaces available at subsidised rents
 - Tottenham needs more fun.
- 4.5 In the months following the riots, the Council, working closely with the GLA, started the process of developing a long-term regeneration strategy in consultation with residents, businesses and stakeholders to seek their views on how Tottenham’s future should be shaped and delivered. The draft vision, which was informed by feedback from local people received in the immediate aftermath of the riots, was that *“Tottenham will be a thriving place where people choose to live, work and stay throughout their lifetimes”*. A public engagement exercise (“Have your say on Tottenham's Future”), took place between November 2011 and January 2012. This exercise highlighted the community’s desire to see the creation of socio-economic opportunities such as jobs and training provision, the provision of high-quality homes, safe and healthy public spaces and new business opportunities for people living and working in the area.
- 4.6 In August 2012, the Council launched a “Plan for Tottenham”, endorsed by the Mayor of London (**CD 5.14**). The document was produced in partnership with the Tottenham Task Force, also chaired by Sir Stuart Lipton, to inform the development and delivery of the regeneration strategy for Tottenham. It reflected the public consultation that had taken place over the previous 12 months. The document identified four priority areas for regeneration in Tottenham, including ‘Northumberland Park’ (encompassing what I have referred to in my evidence as the North Tottenham area and which includes the High Road West area, Northumberland Park Estate and the THFC Stadium), Tottenham Hale, Tottenham Green and Seven Sisters. For Northumberland Park, in relevance to the proposals for the Regeneration

¹⁸ Source: Citizens’ Enquiry Into the London Riots, North London Citizens (February 2013)

Scheme and the neighbouring THFC Stadium, the document included the following aspirations:

“We will transform Northumberland Park into a premier location for leisure activities, high quality housing, increased employment opportunities for local residents, improved public space and better transport options.

Northumberland Park’s regeneration will be spearheaded by Tottenham Hotspur’s stadium led development scheme which will create a leisure destination for north London. This £430m investment will create over 800 jobs, 285 new homes, major modern retail facilities, high quality office space and community facilities. It will attract over a million visitors to the area each year and create an international standard sports and events venue. The new stadium development will also be the catalyst for wider change in the area.

Complementing the stadium development, the area west of the High Road will see comprehensive change. This will begin with new housing, a school and other community uses at the Brook House site, new public space linking White Hart Lane station with the stadium and new routes through to Bruce Castle Park.”

- 4.7 As the above excerpt states, the Plan for Tottenham envisaged that the creation of a leisure destination in North Tottenham would be achieved by the development of the THFC Stadium. This development would act as a catalyst for complementary change in the area west of the High Road (the location of the Regeneration Scheme), including the creation of new housing and public space.

Developing the High Road West Masterplan

- 4.8 On 7th February 2012, in line with the principles of the emerging ‘Plan for Tottenham’ document, the Council’s Cabinet agreed an investment programme for North Tottenham/Northumberland Park, supported by GLA funding. The Council also agreed to develop a masterplan to guide future change in the High Road West area. The regeneration of North Tottenham was a strategic priority for the borough and for the Mayor of London, and both parties recognised that there was an opportunity to capitalise on the investment in the new THFC Stadium and use this as a catalyst to deliver wider social, economic and environmental benefits for local residents and businesses. A master-planned approach was proposed as this would allow change and investment to be planned in a co-ordinated manner.
- 4.9 The High Road West area offered some key locational advantages that provided an opportunity for the delivery of regeneration. This included the area’s strong rail connections via White Hart Lane Station with access to Liverpool Street and the Victoria Line. Its location including the High Road and the adjacent Station offered opportunities for the creation of new public spaces and a revitalised and more diverse high street with new shops and facilities.

- 4.10 The Council also owned the freehold of approximately 35% of the land within the Regeneration Scheme (and over 80% within the Scheme) at that time, which meant that it could exercise a significant amount of control over the future direction of change in the area, to ensure that development would benefit existing communities and lead to more opportunities for local residents and businesses. The Love Lane Estate had design flaws including poor permeability throughout the estate and poorly utilised open space. As such, the regeneration also presented a unique opportunity to create a new and improved housing environment for existing residents on the estate. A number of key principles for change in the High Road West area were agreed by Cabinet for further consultation with residents, businesses and the wider community, and were informed by earlier consultation and analysis of the area. It was also agreed that the consultation would explore with residents the potential for estate renewal of the Love Lane Estate to unlock these benefits. The key principles for change included:
- 4.10.1 phased redevelopment and improvement, focused on enabling existing residents to stay in the area in better quality homes;
 - 4.10.2 expanding housing choice and supply;
 - 4.10.3 fostering the growth of new and existing businesses in appropriate locations and, where moves are necessary, supporting firms to remain in the borough;
 - 4.10.4 increasing jobs; and
 - 4.10.5 sustainable development with access to new public spaces for community and cultural events.
- 4.11 The Plan for Tottenham led to the Strategic Regeneration Framework and the Tottenham Physical Development Framework (see below for more detail) and also, in parallel to this, in April 2012, design consultants Arup were appointed to develop the High Road West Masterplan Framework (“**HRWMF**”) (**CD 3.6**). A two-step process was taken to developing the HRWMF, starting with the development of three masterplan options which would be subject to public consultation. A preferred masterplan would then be developed based on this feedback and subject to a further round of consultation.
- 4.12 Consultation on three masterplan options took place between April and June 2013 with residents, businesses and the wider community. All three options showed partial or complete demolition of the Love Lane Estate and varying levels of intervention to provide different levels of new housing, facilities, businesses and jobs, responding to the community’s priorities.
- i. Option 1 proposed the redevelopment of two of the existing residential blocks within the Love Lane Estate;
 - ii. Option 2 proposed the redevelopment of six of the existing residential blocks within the Love Lane Estate; and
 - iii. Option 3 proposed the redevelopment of the entirety of the Love Lane Estate.

- 4.13 The redevelopment of Nos 731-759 High Road was included in all three options in order to facilitate the delivery of a new public space linking the improved Station to the new THFC Stadium. The delivery of this public space was considered integral to realise the objectives of the Plan for Tottenham I have outlined above in paragraph 4.6. The new public space would become the new link between the Station and THFC Stadium and the new community facilities to be delivered by the Regeneration Scheme. The public space would create better accessibility and a safer environment for residents, businesses, and visitors to the THFC Stadium. The public space would also bring opportunities for local people through the creation of these community facilities and new shops and businesses around the new public space, which would provide new jobs and learning opportunities and enhance the vitality of the local centre.
- 4.14 A further option which considered only refurbishment of the Love Lane Estate had been discounted at an early stage, as it was clear that this would not meet the local community's or Council's aspirations for change in the area. Simply refurbishing the existing residential buildings would not deliver the level of jobs and training opportunities, the community and leisure facilities, the increased housing choice and supply that the community and planning policy required, nor the new link and the creation of a new public open space between the Station and the THFC Stadium as part of an improved environment.
- 4.15 The responses to the 2013 public consultation clearly demonstrated that the community were supportive of significant change in the High Road West area, albeit noting concerns raised at that time by businesses directly affected by the Scheme. The Council engaged with residents and businesses and sought to establish a 'High Road West Steering Group', with local business representatives being elected as Chair and Vice Chair, in order to discuss proposals with businesses. The Council also held dedicated consultation events that attracted around 30 local businesses as well as numerous events for the community in the Love Lane estate and wider community.
- 4.16 Option 3, which provided for the most comprehensive redevelopment of the Love Lane Estate, was favoured both by Love Lane residents and residents in the wider community. The responses to the 2013 consultation clearly demonstrated that the community were supportive of significant change in the High Road West area, albeit noting concerns raised at that time by businesses directly affected by the Scheme. The Council engaged with residents and businesses and sought to establish a 'High Road West Steering Group', with local business representatives being elected as Chair and Vice Chair, in order to discuss proposals with businesses. The Council also held dedicated consultation events that attracted around 30 local businesses as well as numerous events for the community. On 28th November 2013, Cabinet approved plans to develop a comprehensive preferred masterplan to deliver the key benefits outlined in Option 3 and based on the consultation feedback.

4.17 The HRWMF (**CD 3.6**) which was subsequently developed sets out the vision for the Regeneration Scheme which is to create a vibrant, attractive and sustainable neighbourhood. The HRWMF establishes the parameters and key principles for change in High Road West based on existing policy and best practice that would guide future development proposals. As above, the HRWMF reflects residents' desire (both within the Love Lane Estate and in the wider community) for comprehensive redevelopment, and sought to respond to the priorities that had been highlighted by the community over several years:

- i. Better quality housing and more housing choice
- ii. A safer and more attractive place to live and work
- iii. More leisure facilities and activities for young people
- iv. New community facilities and places for the community to socialise
- v. An improved High Road with a wider retail offer
- vi. More jobs and training opportunities for local people
- vii. Better quality and more open space
- viii. Retain existing character and maximise benefits for local people and businesses.

4.18 A six-week public consultation on the HRWMF with residents, businesses and the wider community took place in September and October 2014. As part of that consultation the Council sought opinions on the key themes within the masterplan, including overall design, housing, business, open spaces, community benefits, and transport and movement. For secure tenants on the Love Lane Estate, this consultation was statutory pursuant to Section 105 of the Housing Act 1985 ("**S105 consultation**") and sought views on whether the Love Lane Estate should be demolished to be replaced by new homes and other amenities. The response to the 2014 HRWMF consultation is summarised below:

- i. 70% of respondents from the Love Lane Estate agreed that the Love Lane Estate should be demolished and homes replaced;
- ii. 81% of respondents agreed with the principle – 'All new homes should have access to private open space such as balconies, gardens and shared courtyards';
- iii. 79% of respondents agreed with the principle – 'There should be a community hub (with library, learning, community and business space) and this should be built on the High Road and in the new public square, Moselle Square, so it is accessible for all';
- iv. 91% of respondents agreed with the principle – 'The High Road should remain the main shopping area and should have improved shop frontages and public spaces'; and

- v. 76% of respondents agree with the principle - 'There should be a new health facility and this should be built on the High Road'.
- 4.19 On 16th December 2014, the Council's Cabinet considered the feedback from this extensive and wide-ranging consultation and agreed the HRWMF. The significant level of support for the HRWMF I have summarised above reflects the fact that the HRWMF had emerged and developed through over two years of consultation and engagement with the community.
- 4.20 Also in December 2014, Cabinet approved a set of supporting documents to the HRWMF, which set out the Council's assurances to existing residents and businesses within the High Road West area. This included draft Love Lane Secure Council Tenant, Leaseholder and Private Tenant Guides, a Love Lane Resident Charter, and a draft Business Charter. The Resident Guides set out the rehousing choices, support and compensation packages for residents, including the option for existing secure Council tenants to move to new homes in the development and for existing resident leaseholders to purchase a new affordable home in the development. I discuss the resident offer further in section 6 of my evidence.
- 4.21 The feedback from the businesses and their concerns were factored into the creation of the Business Charter (**CD 5.7**). The Business Charter sets out the Council's commitments to affected businesses within the High Road West area. This includes commitments to provide support and advice throughout the regeneration process and to endeavour to relocate businesses within the area or borough. Principles within the Business Charter have gone on to be adopted through the agreements between Lendlease and the Council through the CPO Indemnity Agreement (**CD 5.4**) as well as the Section 106 Agreement (**CD 4.29**) relating to the Planning Permission (**CD 4.28**). I discuss the assistance to existing businesses further in section 7 of my evidence.

Development of a strategic and planning policy framework

- 4.22 Alongside the development of the HRWMF (**CD 3.6**), in March 2014 the Council adopted the Tottenham Strategic Regeneration Framework ("SRF"). The SRF sets out a landmark 20-year vision for the future of Tottenham and how local people's priorities could be achieved through long-term regeneration. The SRF had been developed through an extensive community engagement programme ("Tottenham's Future") which ran from October 2013 to February 2014, with over 3,700 people consulted including residents, businesses and the wider community. The SRF sets out seven strategies for successful regeneration:
- i. World-class education and training
 - ii. Improved access to jobs and business opportunities
 - iii. A different kind of housing market
 - iv. A fully connected community with even better transport links

- v. A strong and healthy community
 - vi. Great places
 - vii. The right investment and high quality development.
- 4.23 The SRF identifies a need to deliver 10,000 new homes and 5,000 new jobs in Tottenham within 20 years. North Tottenham and the High Road West area are identified as providing the opportunity to contribute significantly to these growth targets.
- 4.24 The High Road West and Tottenham Hotspur area is identified as a key character area within the SRF. The SRF notes that the High Road West regeneration area is *"in an area that is undergoing exciting change. The ambitions are to create a new residential neighbourhood alongside a strong focus on place making, leisure opportunities and commercial developments."*
- 4.25 In July 2017, the Council adopted the Tottenham Area Action Plan 2017 ("**TAAP**") (**CD 3.5**). This followed four rounds of public consultation between 2014 and 2016. The TAAP is part of the adopted development plan and sets out the planning framework for the Tottenham area, including the Regeneration Scheme. The TAAP incorporates the key principles of the HRWMF. The TAAP sets out the Council's vision to regenerate Tottenham (and deliver 10,000 new homes together with 5,000 new jobs). The development of the TAAP was well informed by consultation on a range of strategies emerging for regeneration in Tottenham in the several years prior to its adoption, including the HRWMF (**CD 3.6**) and the SRF.
- 4.26 The Regeneration Scheme is identified as a Site Allocation in the TAAP (**CD 3.5**) (Ref: NT5). The TAAP sets out the requirements of the Site Allocation. Development is required to create a new residential-led mixed use development with increased housing choice and supply, with a minimum 1,400 new homes of a mix of tenure, type and unit size (including the re-provision of existing social rented Council homes, the offer of alternative accommodation for secure tenants, and assistance in remaining within the area for resident leaseholders from the Love Lane Estate). Further information and analysis of the TAAP and the NT5 allocation is provided in the evidence of Tom Horne (**CD 9.5**).

Procurement of a development partner

- 4.27 Following approval of the HRWMF (**CD 3.6**), the Council undertook work to develop a preferred delivery structure for the Regeneration Scheme and determine the most appropriate process for securing a development partner. From early on in the evolution of the Regeneration Scheme, it had been clear that to deliver the scale of change set out within the HRWMF, the Council would need to seek a development partner to work in partnership with to deliver the Regeneration Scheme. The starting point for this options appraisal process for a delivery structure was to consolidate the Council's objectives for the Regeneration Scheme,

based on previous decision-making by Cabinet and public consultation. This process led to the development of the following objectives (which were later agreed with Lendlease and included in the Development Agreement (**CD 5.5**) between the Council and Lendlease):

- i. To deliver comprehensive regeneration of the High Road West area that creates a vibrant, attractive and sustainable neighbourhood and a new sports and leisure destination for London;
- ii. To regenerate the Love Lane Estate, ensuring that all current secure tenants are rehoused in high quality homes within the area;
- iii. To deliver a broad mix of tenures including innovative new affordable housing products and Private Rented Sector (PRS) in a tenure blind development;
- iv. To provide new employment opportunities and deliver an increase in the number of jobs in the High Road West area;
- v. To deliver new community infrastructure that meets the needs of an increased population, including a new library and learning centre and social and if necessary health and educational facilities etc;
- vi. To deliver uplift in the amount and quality of public space in the area, including a new public square, which is activated with community and other uses, to link White Hart Lane station to the High Road;
- vii. To ensure the Council maintains influence and control, above and beyond planning powers, to deliver the maximum possible public value; and
- viii. To ensure that any future development partner is committed to facilitating the delivery of the objectives set out in the Tottenham People Programme.

4.28 The Council undertook an options appraisal to consider three potential delivery structure options for the Regeneration Scheme, which considered the Council's financial and investment capability, the type of partner the Council wished to engage with and the need to meet the objectives I set out above. This appraisal found that a development agreement was the preferred option for the Council. This option was preferred on the basis that it allowed the Council to retain an appropriate level of control and responsibility including control of key aspects of the development, undertake land assembly and maintain the ability to meet the assurances it had given to residents and businesses, whilst reducing the Council's exposure to development and financial risk and ongoing revenue costs. On 15th December 2015, Cabinet noted this preferred delivery approach and agreed to the commencement of a procurement process using the Competitive Dialogue Procedure under the Public Contract Regulations 2015 to procure a commercial partner to deliver the Regeneration Scheme.

4.29 The Competitive Dialogue Procedure to procure a development partner for the Regeneration Scheme commenced in May 2016. Residents from the Love Lane Estate played a key role in

the procurement including through the development of a Resident Charter and Resident Design Guide, as well as meeting bidders and commenting on their schemes through a Resident Procurement Panel, which helped shape bidders' proposals. This process sought to ensure that resident aspirations for the Regeneration Scheme were met and maximise the economic, social and environmental benefits for local people.

- 4.30 In September 2016, Cabinet agreed a funding package from the GLA to facilitate the delivery of the regeneration in North Tottenham ("Tottenham Housing Zone Phase 2"), which followed a first phase of investment in Tottenham Hale. The funding package included an affordable housing grant to support the delivery of affordable housing in the Regeneration Scheme and funding to cover infrastructure and land assembly costs associated with the Regeneration Scheme. As I explain in paragraph 4.38 below, the Housing Zone funding was replaced by a new funding package between the Council and GLA in 2021.
- 4.31 Between 27th March and 5th May 2017, while the procurement process was underway, a S105 consultation with secure Council tenants on the Love Lane Estate took place to seek their views on the ownership of the replacement homes in the Regeneration Scheme. Almost all respondents stated a preference that the Council should be the owner of the replacement homes in the Regeneration Scheme. On this basis, on 12th September 2017, Cabinet agreed to acquire the 145 social rented replacement homes and 46 shared equity homes which were being delivered through the Regeneration Scheme. The requirement to deliver these replacement social rented units was also made a Core Requirement of the DA with Lendlease, which I elaborate on later in my evidence.
- 4.32 The Competitive Dialogue Procedure concluded in September 2017 with the selection by Cabinet of Lendlease Europe Holdings Limited ("**Lendlease Europe**") as the Council's preferred development partner to deliver the Regeneration Scheme. The bid by Lendlease received the highest overall score across the criteria and provided a comprehensive response to addressing the Council's brief and requirements.
- 4.33 On 20 December 2017, the Council entered into a Development Agreement ("**the DA**") (**CD 5.5**) with Lendlease (High Road West) Limited ("**Lendlease**") and Lendlease Corporation Limited ("**Lendlease Corp**"), together with a Compulsory Purchase Order Indemnity Agreement ("**CPOIA**") (**CD 5.4**) to facilitate the delivery of the Regeneration Scheme. I describe the key terms of the DA and CPOIA in more detail later in my evidence at section 10.

Review of the Scheme and new funding agreement

- 4.34 From February to December 2018, a round of public consultation and engagement on the Regeneration Scheme was undertaken with residents, businesses and the wider community. The aim of this round of consultation was to test the principles and early concepts within the Lendlease proposals, and to have dialogue focused predominantly on understanding how

local people would like to use and experience the future neighbourhood. The exercise also acted as an introduction to Lendlease for the community, building on the existing relationships between the Council and residents, businesses and other stakeholders.

- 4.35 In 2018, the Council initiated a review of the Regeneration Scheme, in order to increase the number of Council owned social rented homes being delivered. These steps were taken to further enhance the social benefits delivered as part of the Regeneration Scheme and better support the new political and strategic Council priorities, of which a key aspiration was to deliver a new generation of Council homes for residents in the borough. This increase in social rented homes required additional external funding, and as such the Council and Lendlease entered into discussions with the GLA regarding a new funding package.
- 4.36 During the same period, the GLA introduced the Mayor's Ballot Funding condition. This condition required that any landlord seeking GLA funding for a strategic estate regeneration project which involves the demolition of social homes must demonstrate that they have secured resident support for their proposals through a ballot. As such, it would be necessary for the Council to undertake a ballot of residents on the Love Lane Estate to secure/draw down GLA funding for the Regeneration Scheme.
- 4.37 Between late 2018 and 2021, the Council and Lendlease worked within the framework provided by the DA (**CD 5.5**) to increase the amount of social rented homes within the Regeneration Scheme including to explore a new funding package. While this work was taking place, the Council continued to engage residents and businesses, both to keep them updated on the progress of the Regeneration Scheme and to run events and activities which supported broader socio-economic outcomes, such as health & wellbeing and business training initiatives. These efforts included supporting residents and businesses in the wake of the Covid-19 pandemic.
- 4.38 In 2021, following extensive discussions with the GLA and a rigorous process of due diligence undertaken by the GLA to justify their support for the Scheme, a new funding package was agreed with the GLA. The funding package was approved by Cabinet on 16th March 2021, and totalled £91,512,000 (ninety-one million, five hundred and twelve thousand pounds) consisting of £70,312,000 (seventy million, three hundred and twelve thousand pounds) of Affordable Housing Grant and £21,200,000 (twenty-one million two hundred thousand pounds) of Mayor's Land Fund.
- 4.39 The funding was secured to kickstart the initial phase of the Regeneration Scheme, being the Scheme. The funding allowed for an increase in the number of social rented homes being delivered (all within the Scheme) from 145 to 500 (an additional 355) and increasing the overall percentage of affordable housing within the Scheme. The funding enabled the Council to do this without sacrificing the other key benefits that the Scheme will deliver, which I set out later in my evidence, and which include the new Library and Learning Centre and public

square. As a result, the funding enabled the Council to deliver the benefits that the community had asked for through consultation and engagement over many years.

- 4.40 At the same meeting, Cabinet agreed to the acquisition of the additional 355 social rented homes in the Scheme, in addition to the 145 replacement homes which Cabinet had agreed to acquire on 12th September 2017. This supported the Council's strategic priority to deliver a step change in the number of new Council-owned housing built in the borough, and a long-term ambition expressed by residents that the social rented homes would be owned and managed by the Council. The decision enabled there to be a sufficient number of social rented homes delivered within the Scheme to not only accommodate existing secure tenants on the Love Lane Estate, but also non-secure tenants in temporary accommodation on the estate, thereby keeping the existing community together.

Further consultation and resident ballot

- 4.41 The agreement of a revised funding package between the Council and the GLA provided the Council and Lendlease with the confidence that the Scheme was deliverable as part of the wider Regeneration Scheme, meaning that consultation with the community on the Regeneration Scheme could continue. From February to September 2021 three rounds of public consultation on the Regeneration Scheme were undertaken by the Council and Lendlease:
- i. Stage 1, from February to April 2021, involved the distribution of masterplan packs to over 13,000 local residents and businesses. The purpose was to re-present the Regeneration Scheme proposals, explaining the increase in additional Council homes and confirming that the community benefits are still in place. Feedback on the proposals was overwhelmingly positive, and feedback on how certain features could be refined was used to inform the development of design codes for the Regeneration Scheme. Separate engagement also took place with Love Lane Estate residents regarding their new homes, which identified questions which could be responded to in the Love Lane Landlord Offer (**“the Landlord Offer”**) (CD 5.6).
 - ii. Stage 2, from May to July 2021, included consultation workshops which provided further opportunity for the local community to inform specific design proposals within the Regeneration Scheme on the basis of three key themes, namely ‘getting around and open spaces’, ‘neighbourhood look and feel’ and ‘community workspaces and leisure’. These discussions allowed local community aspirations to be understood to a greater level of detail, so the Council and Lendlease could better address them through the master-planning process.
 - iii. Stage 3, from August to September 2021, provided an update on refinements made to the Regeneration Scheme in response to feedback. It also included consultation

on the detailed element of the hybrid planning application, Plot A, which would deliver the first 61 replacement homes for existing residents. The consultation showed that the proposals for Plot A were well-received by residents on the Love Lane Estate. Discussions also took place with residents on the neighbouring Headcorn & Tenterden Estate to respond to their concerns in relation to this phase, such as how any impacts on neighbouring properties would be mitigated and the benefits of the Regeneration Scheme for residents in the wider area.

- 4.42 In February and March 2021, the Council also undertook consultation on two housing policies. The first was the Love Lane Leaseholder Offer (“**the Leaseholder Offer**”), which built on the previous Leaseholder Guide, and to which the Council sought the views of leaseholders on the Love Lane Estate. The second was the High Road West Local Lettings Policy (“**HRW LLP**”). Following the increase in the number of Council homes within the Scheme as I described above, the HRWLLP prioritised eligible non-secure tenants on the Love Lane Estate, in addition to secure tenants, for the new Council homes within the Regeneration Scheme (including the Scheme) on a secure tenancy. The Council undertook a borough-wide consultation on the HRWLLP, where the proposals were supported both by secure and non-secure tenants on the Love Lane Estate and by households on the wider register.
- 4.43 In July 2021, Cabinet agreed to proceed to a resident ballot on the Love Lane Estate, to be undertaken in line with the requirements within the GLA’s Affordable Housing Capital Funding Guide (“the Capital Funding Guide”). At the same meeting, Cabinet agreed the HRW LLP and Leaseholder Offer, in addition to a set of commitments to residents to be included within the Landlord Offer (**CD 5.6**). The Landlord Offer published in July 2021 captured the key commitments within the HRW LLP and Leaseholder Offer into one document, as well as information on the broad vision and design principles of the Regeneration Scheme, as required under the Capital Funding Guide.
- 4.44 Following the publication of the Landlord Offer (**CD 5.6**), the resident ballot on the Love Lane Estate took place between 13 August and 6 September 2021. The ballot was administered by an independent body, Civica Election Services (CES). Residents eligible to vote (as determined by the Capital Funding Guide and which included secure tenants, resident leaseholders, and the majority of non-secure tenants on the estate) were asked ‘*Are you in favour of the proposal for the regeneration of the Love Lane estate as part of the High Road West scheme?*’ The outcome of the ballot was positive. The majority of participating residents (55.7%) backed the proposals, with a turnout of 69.4% of eligible voters.

Planning Permission

- 4.45 Following the positive ballot result and consultation on the Regeneration Scheme that I have summarised above, on 2 November 2021 Lendlease submitted a hybrid planning application

for the Regeneration Scheme (reference HGY/2021/3175) (**CD 4.1**). Further context to the planning history and engagement can be found in the evidence of Tom Horne (**CD 9.5**).

- 4.46 The planning application (**CD 4.1**) sought consent for the entire Regeneration Scheme, including the Scheme. It consisted of a detailed component comprising Plot A (the first plot within Phase A) including demolition of the existing buildings and creation of the first of the new homes, together with landscaping, parking and associated works. The outline component related to the remainder of Phase A (that is to say, the balance of the development to which the Scheme relates) and the entirety of Phase B. It provides for the demolition of existing buildings and the creation of new mixed use residential, commercial, business, leisure and community uses, including the provision of new public realm and park, parking, landscaping and associated access.
- 4.47 The planning application was due to be determined at a Planning Sub Committee meeting on 17th March 2022, but was deferred to allow the Planning Committee to give proper consideration to information contained within late objections to the Regeneration Scheme. A further meeting was held on 21 July 2022, where Planning Sub Committee resolved to grant planning permission for the Regeneration Scheme.
- 4.48 A Section 106 Agreement (“**the S106**”) (**CD 4.29**) containing planning obligations was entered into on 31 August 2022 and Planning Permission for the Regeneration Scheme (HGY/2021/3175) (**CD 4.28**) was granted on 31 August 2022 (“**the Planning Permission**”) following Stage 2 approval by the Mayor of London.
- 4.49 Further details of the Planning Permission (**CD 4.28**) are set out in the evidence of Tom Horne (**CD 9.5**) and in relation to design, the evidence of Lucas Lawrence (**CD 9.7**).
- 4.50 The Planning Permission (**CD 4.28**) is currently the subject of a judicial review application by Tottenham Hotspur Limited which is due to be heard on 10 October 2023 on two grounds. I refer to the implications of the application for judicial review of the Council's decision to grant the Planning Permission which has been made by Tottenham Hotspur Limited in section 12 below. For the reasons I explain there, I do not consider that the judicial review, even if successful, would represent an impediment to the Scheme proceeding.

Appropriation

- 4.51 On 19th July 2022, Cabinet agreed to appropriate for planning purposes the land belonging to the Council in Plot A of the Scheme, pursuant to section 122 of the Local Government Act 1972. In connection with its decision on 8th November 2022 (**CD 2.1**) to make the CPO which I describe below, Cabinet also resolved to appropriate for planning purposes the land belonging to the Council in Plot D, which was the next development plot proposed to come forward at the time of that Cabinet decision (see paragraph 5.5 below in relation to the

subsequent changes to the phasing plan (**CD 4.37**)), and existing open space within the Order Land (required for Plot F and infrastructure works related to Plot D), in order to facilitate the Scheme. This will enable the Council and the developer (i.e. Lendlease) to rely on section 203 of the Housing and Planning Act 2016 to override any third-party easements or rights infringed by the development of the Scheme on land that has been appropriated, subject to payment of statutory compensation to those entitled under section 204 of the 2016 Act. This will ensure that any such interests or rights do not pose an impediment to the Scheme proceeding.

Decision to make a CPO

- 4.52 On 8th November 2022 (**CD 2.1**), Cabinet resolved that the Council should make a compulsory purchase order to enable the acquisition of the land, interests and new rights over the Order Land that are needed to facilitate the Scheme and to promote or improve the economic, social and environmental well-being of the area. The statutory powers relied on were those in section 226(1)(a) and 226(3)(a) of the Town and Country Planning Act 1990 ("1990 Act"), section 13(1) of the Local Government (Miscellaneous Provisions) Act 1976 and other relevant powers.
- 4.53 The factors addressed in the report and its appendices (**CD 2.1**) and considered by members of Cabinet included:
- 4.53.1 the need for and justification for compulsory acquisition and whether the objectives of the Scheme could be achieved by other means;
 - 4.53.2 Government guidance on the use of compulsory purchase powers, including the matters set out in paragraph 106 of the CPO Guidance (**CD 5.1**) which the Secretary of State can be expected to consider when making a decision to confirm an order made under planning powers;
 - 4.53.3 the economic, social and environmental well-being benefits of the Scheme;
 - 4.53.4 the impact of the Scheme on landowners, residents and businesses and the need to protect the existing local community;
 - 4.53.5 the deliverability of the Scheme and funding sources;
 - 4.53.6 whether there are any impediments to the Scheme proceeding;
 - 4.53.7 the human rights of landowners and residents and whether the interference with those rights would be justified and proportionate;
 - 4.53.8 the public sector equality duty (which has been addressed at all stages of the proposals); and

4.53.9 the efforts made to acquire property by agreement (see section 8 below and the evidence of James Franklin (**CD 9.9**))

4.53.10 the overarching requirement for there to be a compelling case in the public interest for compulsory purchase.

4.54 I return to these matters later in my evidence.

5. **THE SCHEME**

5.1 The contents of the Scheme, as authorised by the Planning Permission (**CD 4.28**), are set out in the evidence of Tom Horne (**CD 9.5**).

5.2 The Council and Lendlease have agreed to deliver the Scheme (Phase A) first, with the remainder of the Regeneration Scheme (Phase B) to follow.

5.3 The primary reason for this strategy is that the Council owns the freehold interest in over 80% of the Order Land, minimising the extent of the land and property interests and rights that need to be acquired to facilitate the Scheme and thus enabling timely delivery of the benefits of the Scheme.

5.4 The approach also reflects the Council and Lendlease's desire to deliver high-quality new homes for existing Love Lane Estate residents, including social rented homes for tenants and affordable homes for resident leaseholders, as quickly as possible. Many of these existing residents on the Love Lane Estate have waited over a decade for the Council's commitments to deliver new housing to be realised, as highlighted by the evolution of the Scheme I summarise in section 4 of my evidence.

5.5 The sub-phasing within the Scheme has recently been updated to achieve early delivery of affordable housing (including replacement affordable housing for existing Love Lane residents), commercial units to facilitate the relocation of existing businesses, and social infrastructure including the Library and Learning Centre and Moselle Square. Further information is provided in the evidence of Selina Mason (**CD 9.3**).

5.6 The Scheme is capable of being delivered and funded independently of Phase B and this is the intention of the Council and Lendlease.

5.7 In section 9 below, I explain how the delivery of the Scheme will contribute to the achievement of the promotion or improvement of the economic, social and environmental well-being of the local area.

5.8 As future reserved matters applications come forward, there will be further consultation with local residents, businesses and the wider community with the aim to maximise the economic, social and environmental benefits of the Scheme.

6. RESIDENT OFFER

6.1 From the outset of the Regeneration Scheme, the objective of the Council has been to ensure that existing residents and businesses within the High Road West area benefit from any changes to their neighbourhood. In section 4 of my evidence, I have set out how the development of the Regeneration Scheme and the Scheme has evolved in response to several rounds of consultation with residents, businesses and the wider community. As I explain, the support of local residents (including those on the Love Lane Estate) for the comprehensive redevelopment of the estate as part of the Regeneration Scheme has been demonstrated on multiple occasions, including the resident ballot.

6.2 The manner in which the Council has brought forward the Regeneration Scheme is aligned to the principles of the Mayor's Good Practice Guide to Estate Regeneration (**CD 5.3**), which includes full and transparent consultation from an early stage. Consultation approaches have been tailored to residents' needs and in line with the Council's own commitments and policies relating to consultation. The Council has also utilised best practice such as Resident Guides and Offer documents to set out in clear and simple terms what residents are entitled to and can expect as the regeneration progresses, including the opportunity for the existing Council secure and non-secure tenants in temporary accommodation and resident leaseholders within the High Road West area to move to new homes within the Regeneration Scheme.

Love Lane Estate Residents

6.3 The Council freehold ownership of Love Lane Estate, consisting of 297 properties, makes up the majority of residential properties within the Order Land. As of September 2023, the tenure composition of the properties on the Love Lane Estate is as follows:

- i) 34 secure Council tenancies;
- ii) 150 non-secure Council tenancies in temporary accommodation;
- iii) 72 empty properties in Council ownership; and
- iv) 41 privately-owned leasehold interests, of which 21 are resident (owner-occupied) and 20 are non-resident (some with private tenants in-situ).

6.4 Below, I summarise the comprehensive rehousing, compensation and support offer for tenants and leaseholders within the Council freehold Love Lane Estate which has been developed and evolved in response to resident feedback as the Regeneration Scheme has progressed.

Council secure tenants on the Love Lane Estate

6.5 The Council's commitments to secure tenants within the High Road West area, as initially set out in the Love Lane Estate Secure Tenant Guide (approved by Cabinet in 2014) and thereafter in the Landlord Offer (**CD 5.6**) (as well as being referred to in the HRW LLP, both approved by Cabinet in 2021), can be summarised as follows. Secure tenants will:

- (i) be offered a new, high quality, modern Council-owned home in the redevelopment area that meets their needs;
- (ii) continue to pay Council rent at a similar level to what they pay now;
- (iii) continue to have a long-term tenancy;
- (iv) have a dedicated re-housing officer to support them through the whole moving process;
- (v) receive 'Home Loss' compensation, with all reasonable moving costs paid;
- (vi) have adaptations made within the new property where required; and
- (vii) have a voluntary early move if they choose.

Non-secure Council tenants in temporary accommodation on the Love Lane Estate

6.6 The Council's commitments to eligible non-secure Council tenants, as set out in the Landlord Offer' (**CD 5.6**) (as well as being referred to in HRW LLP), can be summarised as follows. Eligible non-secure tenants will:

- (i) be offered a new, high quality, modern Council-owned home in the redevelopment area that meets their needs;
- (ii) be offered a secure tenancy at Council rent in this new Council-owned home in the redevelopment area;
- (iii) have a dedicated re-housing officer to support them through the whole moving process;
- (iv) have all reasonable moving costs paid; and
- (v) have adaptations made within the new property where required.

6.7 For non-secure tenants to be eligible, they are required to have lived within the High Road West area and have been accepted as homeless by the Council since January 2021 (six months prior to the publication of the Landlord Offer (**CD 5.6**)).

Private tenants on the Love Lane Estate

- 6.8 The Council has committed to support private tenants through the regeneration process and ensure they are kept up to date, so they are fully prepared for the move when required. These commitments are captured within the Council's Private Tenant Guide, which was approved by Cabinet in 2014.
- 6.9 The Council has adopted a proactive approach to engaging with private tenants on the Love Lane Estate, including through newsletters, flyers and events. Tenants are able to access support from the Council's Housing Services who will provide support in finding suitable accommodation based on their specific needs. Tenants will also have access to independent advice from the Independent Tenant and Leaseholder Advisor ("**ITLA**").

Leaseholders on the Love Lane Estate

- 6.10 The Council has undertaken multiple rounds of consultation with leaseholders on the Love Lane Estate since the inception of the Regeneration Scheme. This includes consultation in respect of the Leaseholder Guide in 2014, alongside consultation on the HRWMF (**CD 3.6**), which was approved by Cabinet in December 2014. This was followed by consultation on a Leaseholder Offer in 2018 and 2021, which built on the previous Leaseholder Guide, to provide options for leaseholders to the Council on the Love Lane Estate and was adopted by Cabinet in July 2021. The key commitments within the Leaseholder Offer were captured within the Landlord Offer (**CD 5.6**) upon its publication in July 2021, in advance of the resident ballot. As such, the Leaseholder Offer provides additional detail to the Landlord Offer.
- 6.11 Through this consultation process, the Council has sought to address the concerns and requirements of leaseholders. This includes ensuring that resident leaseholders have access to rehousing options which ensure that they can remain within the area.
- 6.12 For the purpose of these rehousing options, a resident leaseholder is defined as "*a leaseholder who lives in their property continuously from 16 December 2014, when the High Road West masterplan was agreed, up until the date they need to move out for their property to be demolished*". I summarise the rehousing options and key terms for each below:

6.12.1 Buying a home in the Scheme with an enhanced rent and interest-free equity loan offer from the Council. The key terms are:

- (i) The Council will contribute up to 75% of the value of the new home.
- (ii) The leaseholder must make a minimum contribution towards the new home, which should be the same amount the leaseholder received for the market value of their home on the Love Lane Estate plus their Home Loss Payment.
- (iii) If the leaseholder is unable to invest the whole of their current home (e.g. because of difficulties re-mortgaging), the maximum amount the leaseholder

can reasonably contribute towards the new home will be determined through an independent financial assessment.

- (iv) If a leaseholder cannot contribute 25% of the value of the new property, then their individual circumstances will be considered in light of the independent financial assessment, to find the most appropriate way of enabling the leaseholder to stay in the area without adversely affecting their financial situation.
- (v) The equity loan only needs to be repaid when the home is sold or transferred to another owner.

6.12.2 Buying a home elsewhere in the borough with a rent and interest-free equity loan offer from the Council. The key terms are:

- (i) The Council will contribute up to 40% of the value of the new home. The property must be no more than 1.83 times the value of the leaseholder's current property.
- (ii) The leaseholder must make a minimum contribution towards the new home, which should be the same amount the leaseholder received for the market value of their home on the Love Lane Estate plus their 10% Home Loss Payment, and not be less than 60% of the value of the new home.
- (iii) The property must be on the open market in Haringey. The offer may be extended to properties outside of Haringey following an application to the Council's Estate Renewal Rehousing and Payments Discretion Panel.
- (iv) The equity loan only needs to be repaid when the home is sold or transferred to another owner.

6.12.3 A leasehold swap option, where a leaseholder can buy and own the leasehold of a Council-owned property of equivalent value, subject to limited availability within the Council's housing stock. The leaseholder is not required to contribute their Home Loss payment to facilitate the transaction.

6.12.4 Option to buy a property on the open market without financial support from the Council. The Council can provide practical help in finding a new home, which could include information on how to purchase a property on the open market such as finding solicitors, information on any other leasehold properties the Council knows are for sale, and advice on intermediate housing options in Haringey.

- 6.13 Offers to acquire by the Council are based on the compensation that a leaseholder would be entitled to if their property was compulsorily acquired. This comprises the market value of the property, Home Loss / Basic Loss payment and a disturbance payment / reinvestment costs as appropriate (both determined by whether they are a resident or non-resident leaseholder) plus reasonable professional fees. In response to feedback gathered in consultation, leaseholders on the Love Lane Estate are also able to claim for compensation for Decent Homes works carried out prior to 2014, where the leaseholder has not had the full enjoyment of the lifespan of these works.
- 6.14 As with tenants on the Love Lane Estate, the Council has sought to keep leaseholders up to date on the regeneration process, including updating them on when their property is likely to be required, and to meet with leaseholders to discuss rehousing options where applicable. Leaseholders are also able to access independent advice from the ITLA.
- 6.15 I summarise the Council's efforts to acquire leasehold interests on the estate by mutual agreement in section 8 below.

Residents outside of the Council-owned Love Lane Estate

- 6.16 There are also 15 residential properties located on the upper floors of Nos 731 to 759 High Road (odd numbers only), with ground floor commercial units below. The composition of the High Road residential properties is as follows:
- i) 3 empty properties in Council ownership;
 - ii) 2 properties which are owned and occupied by members of the Tryfonos objectors (**CD 6.Obj-3**) (see 'resident owner-occupiers outside of the estate' below); and
 - iii) 10 properties which are privately owned, with ownership split between the Tryfonos objectors, THFC (**CD 6.Obj-8**) and Mr. Ahmet Dellal (**CD 6.Obj-2**), some with private tenants in-situ with the remainder empty.

Resident owner-occupiers outside of the estate

- 6.17 The Leaseholder Offer I have set out from paragraph 6.10 above was developed to provide an offer for those resident leaseholders who live on the Council-owned Love Lane Estate, reflecting the Council's direct responsibility for leaseholders within its freehold on its estate.
- 6.18 As set out in paragraph 6.16 above, the members of the Tryfonos objectors (**CD 6.Obj-3**) are the only residential owner-occupiers within the Order Land who are outside of the Love Lane Estate. In recent discussions with the Tryfonos objectors and as part of their objection, the objectors have raised a concern that residential owner-occupiers outside of the Love Lane

Estate are not able to access the rehousing options available to resident leaseholders as provided for within the Leaseholder Offer.

- 6.19 In recognition of the concerns raised, the Council has agreed to make the two equity loan options (see paragraphs 6.12.1 and 6.12.2) available to the residential owner-occupier members of Tryfonos objectors (**CD 6.Obj-3**) on the same terms as provided for within the Leaseholder Offer. This was confirmed to the Tryfonos objectors in correspondence from CBRE on 6th October 2023. The option to buy a property on the open market without financial support by the Council, but with practical help where required (see paragraph 6.12.4) is also available to the Tryfonos objectors.
- 6.20 The leasehold swap option (see paragraph 6.12.3) is not available to the Tryfonos objectors (**CD 6.Obj-3**), as the Tryfonos objectors do not occupy a property which is leased by the Council.
- 6.21 In line with best practice within the CPO Guidance (**CD 5.1**), the Council and Lendlease have made offers to all affected parties including resident owner occupiers on the High Road. These offers are consistent with the statutory compensation provisions, comprising market value of the property, home loss payments and compensation for disturbance from the property.

b) Private tenants outside of the estate

- 6.22 The Council is committed to support private tenants residing in residential property on the High Road. The assistance available to private tenants within the Love Lane Estate, as summarised in paragraph 6.8 and 6.9 above, is also available to private tenants outside the estate. The Council has taken a similar proactive approach to engaging these private tenants including through newsletters, flyers and events.

7. **ASSISTANCE TO BUSINESSES**

- 7.1 The Council is committed to supporting businesses within Haringey and ensuring that they can benefit from, and contribute to, local economic success and prosperity. This is line with its Opportunity Haringey programme, which promotes business growth, support, and engagement (see also paragraph 3.17). The Council's approach throughout the delivery of the Regeneration Scheme has been to ensure that existing businesses within the area are kept up to date on the progress of the Regeneration Scheme, are able to participate and benefit from the regeneration process as far as possible. The Council wants to maintain the heart of the community and see as many existing businesses as possible continue to grow and thrive in the new spaces created by the development.
- 7.2 As I explain in section 9 of my evidence, the delivery of the Scheme will lead to an extensive range of benefits that will make a significant contribution towards the improvement and

promotion of the economic well-being of the area. This includes through the creation of an increased customer base for existing and new businesses in the area, and the generation of significant 'first occupation' expenditure, of which a high proportion will be captured locally, which would provide an economic stimulus for local businesses.

- 7.3 There are 15 businesses operating within the Order Land, all located between Nos 731 to 759 High Road, which include restaurants and takeaways, retail, convenience stores, services and a GP surgery. These businesses are required to relocate from their existing premises to enable delivery of the Scheme and the extensive economic, social and environmental benefits it will create. Further information on the ownership and nature of these existing businesses within the Order Land is provided in Mr. James Franklin of CBRE's evidence (**CD 9.9**).
- 7.4 The Council recognises that the delivery of the Scheme will be disruptive to these businesses. While consultation has shown some support from the wider business community for building new homes and bringing more opportunities to the area, there have consistently been concerns raised by those located within the Scheme as to the impact on the future of their business if they were required to relocate. Feedback from businesses in the consultation I summarise in section 4 of my evidence has reflected those concerns.
- 7.5 In response to this feedback, in 2014 the Council agreed a High Road West Business Charter (the "**Business Charter**") (**CD 5.7**). This sets out four key policy commitments:
- 7.5.1 ensure businesses are able to participate in the regeneration proposals and fully support businesses throughout the process;
 - 7.5.2 enable businesses to remain as viable as possible during the planning period and the subsequent regeneration, to enable individual traders to exercise real choice regarding their current and future options;
 - 7.5.3 a fair and equitable valuation and compensation process; and
 - 7.5.4 endeavouring to keep the businesses and jobs within the area or within the borough.
- 7.6 The Council is committed to delivering on the Business Charter (**CD 5.7**) and has secured contractual obligations through the CPOIA (clause 4.4.2) (**CD 5.4**) and the S106 (**CD 4.29**) to ensure that Lendlease are required to comply with its terms. Lendlease's obligations within the Section 106 Agreement in respect of business relocation are set out in more detail in the evidence of Selina Mason (**CD 9.3**). The Council has considered whether a further policy was needed to develop the Business Charter (which was approved in 'draft' form), however it was deemed unnecessary given that these commitments are required to be delivered on by Lendlease as a result of the S106 and CPOIA obligations.
- 7.7 To meet its commitments to ensure that businesses are able to participate fully in the regeneration proposals, the Council have provided a range of dedicated business letters, newsletters and flyers since 2014. This correspondence has reflected the progress of the

Regeneration Scheme at that time, including providing updates on the latest delivery and phasing programme, and communicating milestones such as the development and submission of the planning application (CD 4.1) and the Council's decisions in relation to making the Order (CD 1.1). The correspondence has also signposted to wider Council business support initiatives and included contact details for a dedicated business officer at the Council to respond to any queries and help develop options on a one-to-one basis.

- 7.8 The Council, together with Lendlease, have held a series of dedicated business workshops and meetings, including on 31 January 2019, 17 March 2021, 26 August 2021, 11 November 2021, 9 February 2023 and 21 February 2023. These sessions have provided an opportunity to seek the input of businesses on the Regeneration Scheme, and to better understand their priorities and requirements on an individual basis, both in the context of the regeneration process and in relation to broader business support. Representatives of Lendlease and CBRE have attended these meetings to discuss the acquisition and compensation process where appropriate. One-to-one in person meetings continue to take place with many of the business owners alongside these dedicated sessions, often as part of outreach engagement to visit businesses owners at their premises on the High Road.
- 7.9 The support in place in respect of business relocation, including maximising opportunities for existing businesses to relocate into premises within the Regeneration Scheme, is set out in the evidence of Selina Mason (CD 9.3) and James Franklin (CD 9.9).

8. EFFORTS TO ACQUIRE LAND BY AGREEMENT

- 8.1 The Council owns the freehold of over 80% of the Order Land. The Council and Lendlease have contacted all of those with relevant interests within the Order Land inviting them to enter into negotiations with a view to securing acquisition of their interests by agreement. These negotiations have intensified over the last year and will continue in parallel with the compulsory purchase process. However, due to the number of third-party interests within the Order Land, it is unlikely the Council will be able to acquire all the necessary interests by private agreement within a reasonable timescale.
- 8.2 In this section, I summarise the progress that has been made by the Council and Lendlease to acquire third-party interests within the Order Land.

Efforts to acquire resident and non-resident leasehold interests on the Love Lane Estate

- 8.3 Properties on the Love Lane Estate where a long leasehold interest has been acquired by a third party are included within the Order.
- 8.4 Following the Cabinet decision on 16th December 2014 to approve the HRWMF (CD 3.6), the Council commenced a leasehold acquisition programme from December 2014 to buy back all of the leasehold interests on the Love Lane Estate, which is continuing. The Council has been

in contact with all leaseholders on the Love Lane Estate on multiple occasions, both to commence negotiations regarding the acquisition of their interests, and to seek to meet with resident leaseholders to discuss potential rehousing options, in line with the Leaseholder Guide and later the Leaseholder Offer.

- 8.5 As of December 2014, there were 85 long leasehold interests on the estate. The Council's efforts to acquire these long leasehold interests is demonstrated by the fact that the Council has acquired 44 of these interests since that date. A breakdown is provided in the below table:

Table 1. Number of long leasehold acquisitions on the Love Lane Estate by the Council per year since 2014

| <i>Year</i> | <i>2015</i> | <i>2016</i> | <i>2017</i> | <i>2018</i> | <i>2019</i> | <i>2020</i> | <i>2021</i> | <i>2022</i> | <i>2023</i> | <i>Total</i> |
|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------|
| <i>No. of leasehold interests acquired</i> | 3 | 1 | 9 | 5 | 12 | 6 | 4 | 3 | 1 | 44 |

- 8.6 The Council is continuing to progress those negotiations with the remaining parties. Recently, letters have been sent by the Council to leaseholders in March 2022, November 2022 and January 2023. The intention of the letters has been to make it clear that if a leaseholder wished to sell their property, the Council were willing to acquire, but if a leaseholder did not want to commence negotiations, then they could remain in their property until it is required. This reflects feedback from some leaseholders who have advised they do not want to enter into negotiations until closer to the date that their property is required for demolition. The Council will enter into negotiations with these leaseholders when they are ready to sell and in advance of the date on which vacant possession of their block is required. Contact details have also been provided in the letters for any queries.

- 8.7 For those leaseholders who have entered into negotiations, the Council is progressing dialogue with these parties with the aim to reach mutual agreement on the sale. The Council continues to meet leaseholders on a one-to-one basis and runs weekly surgeries for residents where leaseholders can speak to the Council's High Road West team as well as access independent advice. The Council are currently in active negotiations with 21 leaseholders to acquire their properties by agreement, see the table below. These efforts to acquire will continue in tandem with the CPO process.

Table 2. Status of negotiations with remaining leaseholders on the Love Lane Estate

| <i>Status</i> | <i>Terms agreed</i> | <i>Offer made in last 12 months / negotiations underway</i> | <i>No response in past 12 months</i> | <i>Total</i> |
|-----------------------------------|---------------------|---|--------------------------------------|--------------|
| <i>No. of leasehold interests</i> | 6 | 21 | 14 | 41 |

Rehousing of secure and non-secure tenants on the Love Lane Estate

- 8.8 As I have explained in section 6 above, the Council has provided guarantees to existing secure and non-secure tenants on the Love Lane Estate that they will be prioritised for the new Council homes delivered within the Scheme. Secure tenants also have an offer to make an early permanent move off the estate to another Council or Housing Association property in the borough if they wish to do so.
- 8.9 The Council will continue to work with these residents to support their rehousing into a suitable alternative property, in line with the phasing plan (**CD 4.37**) for the Scheme. Further information is provided in paragraphs 12.1.20-12.1.27 of the Council's Statement of Case (**CD 7.1**).

Efforts to acquire commercial/retail owners and occupiers and associated residential property along the High Road

- 8.10 On 21 June 2013, the Council acquired the freehold to 731 High Road, N17 8AG, comprising a ground floor commercial unit with a residential unit above. This was the first property acquisition by the Council on the High Road.
- 8.11 Between Cabinet's approval of the HRWMF (**CD 3.6**) in December 2014 and Lendlease's appointment as development partner in December 2017, the Council engaged with owners and occupiers of the High Road properties, to keep them informed as to the progress of the Regeneration Scheme and support them to develop their options. As part of this, the Council monitored any acquisition opportunities and sought to enter into negotiations to acquire properties where a landowner was willing to do so.
- 8.12 Since December 2017 and in line with terms of the DA (**CD 5.5**) and CPOIA (**CD 5.4**), Lendlease and their property advisors CBRE have actively progressed negotiations with property owners and occupiers on the High Road. This has resulted in the Council's acquisition of 743 High Road on 26 November 2019 and 753 High Road on 31 March 2023. The evidence of Mr. James Franklin of CBRE (**CD 9.9**) sets out the efforts that have been

made to acquire all other the land and rights included in the Order (**CD 1.1**) by agreement since December 2017.

Utilities and statutory undertakers

- 8.13 The Order Land provides for the acquisition of new rights over operational land of Network Rail Infrastructure Limited (**CD 6.Obj-5**) to the east of the railway line. Rail for London Limited (**CD 6.Obj-6**) also have an interest in several of these land parcels. The objections to the Order (**CD 1.1**) by Network Rail Infrastructure Limited and Rail for London Limited, and the progress in discussions with these parties to acquire the rights by agreement, is discussed in the evidence of Selina Mason (**CD 9.3**)
- 8.14 There are a number of utility networks and substations in and around the Order Land, as would be expected for an urban development site with a large number of buildings on site. These will be dealt with by Lendlease as the Scheme is delivered in the usual way.

Other interests

- 8.15 There are no areas of special category land (such as open space, commons or allotments) included within the Order Land.
- 8.16 There are two plots within the Order Land (124 and 125) over which new rights are sought, which are owned by, or have interests owned by, a company which has been dissolved. The Council considers that it is possible that the relevant plots may be considered Crown Land, which cannot be compulsorily acquired.
- 8.17 The Council have been in correspondence with the Crown Estate who have stated that a sale of such interest to an appropriate person or body is not out of the question. In line with the Crown Estate's policy, the Council undertook a consultation with adjacent landowners in June and July 2023 to identify if any of these parties may wish to participate in the purchase. No responses were received. The next step is to value the land. The Crown Estate has agreed to do so and has appointed surveyors for this purpose. The Council is satisfied that meaningful attempts at negotiation have been pursued, or at least genuinely attempted with all identified third party interests within the Order Land, and that the Crown Estate is likely to be willing to sell the property to the Council, if required.
- 8.18 The Council is satisfied that meaningful attempts at negotiation have been pursued, or at least genuinely attempted with all identified third party interests within the Order Land.

9. ECONOMIC SOCIAL AND ENVIRONMENTAL WELL-BEING BENEFITS

- 9.1 Section 226(1A) of the 1990 Act provides that a local authority must not exercise the power to make a CPO to acquire land under s226(1)(a) unless it thinks that the development,

redevelopment or improvement of the land is likely to contribute to the achievement of the promotion or improvement of the economic, social and/or environmental well-being of the authority's area.

- 9.2 This restriction is referred to in CPO Guidance (**CD 5.1**) at paragraph 103, which highlights that the benefit to be derived from exercising the power is not limited to the area subject to the CPO, but relates to the whole or any part of the authority's area.

a) Economic well-being

- 9.3 As I have explained in section 3 of my evidence, North Tottenham has consistently been ranked as one of the most deprived areas in the country.

- 9.4 The continuous high levels of deprivation are one of the main reasons the Council has identified the regeneration of the area as one of its key priorities as outlined in section 4. The lack of inclusive growth (defined by the Local Government Association (LGA) as enabling as many people as possible to contribute and benefit from economic growth) affects children, families and entire communities, and contributes to a sense of injustice or unfairness. The perpetual cycle of disadvantage is not only damaging to individuals but also undermines efforts to create sustainable, vibrant communities, longer-term growth and positive social outcomes. Economic prosperity must reach the most deprived residents and communities in a way that directly contributes not only to reducing poverty and inequalities but also to increasing cohesion.¹⁹

- 9.5 On the basis of the illustrative masterplan submitted in support of the planning application (**CD 4.1**) for the Planning Permission (**CD 4.28**), the Council's case is that the Scheme will directly and indirectly benefit the economic wellbeing of the residents of Tottenham and the borough through the creation of substantial number of jobs and employment opportunities during both the construction and operational phases of the Scheme.²⁰ This includes:

- i. Creating an average of 422 direct FTE jobs in construction during each year of the demolition and construction phase of the Scheme, providing new job opportunities for unemployed residents.
- ii. Supporting a further 418 FTE jobs across a range of sectors and services (through indirect / supply change and wider induced effects) during each year of the demolition and construction phase of the Scheme.

¹⁹ Source: Building Cohesive Communities, LGA (March 2019). Available at: https://local.gov.uk/sites/default/files/documents/10.31%20Community%20cohesion%20guidance_04.2.pdf

²⁰ Based on the information contained within the "High Road West Hybrid Planning Application – Socio Economic Benefits Statement" prepared by Lichfields dated May 2022 (**CD 4.42**)

- iii. Generating £43,300,000 (forty-three million, three hundred thousand pounds) direct Gross Value Added ("GVA") and £49,800,000 (forty-nine million, eight hundred thousand pounds) indirect and induced GVA per annum from the construction phase of the Scheme.
 - iv. Supporting the ongoing vitality and viability of the local economy by generating a net additional annual expenditure of £12,600,000 (twelve million, six hundred thousand pounds) and, in the process, supporting 89 FTE net additional jobs in retail, leisure, hospitality, catering and other services once the non-residential space within the Scheme is fully open and trading.
 - v. The addition of new homes will provide increased customer base for existing and new businesses in the area, as well as widening the customer pool and supporting business retention and growth. Helping to deliver a significant boost to the vitality and viability of the local economy by generating 'first occupation' expenditure of £8,100,000 (eight million, one hundred thousand pounds) over a ten-year period following occupation of the first homes within the Scheme. A high proportion of this spend would be captured locally and would provide an economic stimulus for existing and new businesses in the local area, including those who have been supported to relocate to new premises within the Scheme.
 - vi. Delivering £2,500,000 (two million, five hundred thousand pounds) in (gross) Council Tax receipts and around £413,200 (four hundred and thirteen thousand, two hundred pounds) of (gross) Business Rates revenue each year for the Council in perpetuity.
- 9.6 The delivery of the new jobs and learning opportunities as a result of the Scheme is underpinned by obligations contained within the S106 (**CD 4.29**) to secure local training and employment benefits. In particular, the S106 requires Lendlease to:
- i. provide work experience placements (such number to be agreed with the Council prior to each plot of the Scheme coming forward); and
 - ii. during the construction phase of the Scheme
 - a) procure that not less than 20% of the construction workforce are residents of the borough;
 - b) provide skills based training to all such residents;
 - c) offer placements for apprenticeships (1 per £3,000,000 (three million pounds) construction cost which is likely to result in circa 85 apprenticeships being offered in connection with the delivery of the Scheme); and

d) work placements for unemployed residents of the borough, which will provide opportunities for routes into training and employment for unemployed residents within North Tottenham and the wider borough.

- 9.7 The Scheme will support the future of North Tottenham Local Centre as an attractive, vibrant and economically successful Local Centre through the expansion of town centre uses and support for businesses within the existing Local Centre. A range of new uses, which complement the premier leisure destination centred around the THFC Stadium, will drive economic growth and help existing and new businesses to thrive.
- 9.8 As explain in section 7 of my evidence, the Council and Lendlease are seeking to maximise relocation options for existing businesses within the site or locally, maintaining as far as is possible business continuity for the SMEs that occupy the commercial properties within the Order Land. The assistance and options available to these existing businesses provides the opportunity for them to potentially expand and grow their business in the same location which may not have been possible without the delivery of the Scheme.
- 9.9 These economic benefits will be further enhanced through the delivery of the new Library and Learning Centre, which will provide a facility to promote training and education opportunities for residents, supporting them into new jobs and further education, which will particularly benefit residents who are not in education, employment and training (NEETs) and jobseekers. The Library and Learning Centre is a Core Requirement within the DA (**CD 5.5**) (see section 10 of my evidence) and therefore Lendlease are required to deliver it as part of the Scheme. The offer provided by the new Library and Learning Centre, alongside the delivery the broader economic benefits of the Scheme I have set out above, is intended to provide more opportunities for residents in North Tottenham to access jobs locally, while also having the right skills to access jobs across a range of levels. I explain the benefits of the Library and Learning Centre further below in the context of social well-being below.
- 9.10 Above and beyond the obligations within the S106 (**CD 4.29**), Lendlease have committed £10,000,000 of social and economic investment into North Tottenham over the lifespan of the Regeneration Scheme. The funding will provide opportunities for residents and the local area to benefit from education, employment and training within the local area. To date, social and economic investment has supported the local community to improve digital literacy, health and wellbeing, community safety and business support. This requirement for wider social and economic contributions by Lendlease is set out within the DA (**CD 5.5**).
- 9.11 For all of these reasons, I am therefore confident that the Order Scheme will make a significant contribution towards the improvement and promotion of the economic well-being of the area.

b) Social well-being

- 9.12 The economic benefits I have outlined, and the environmental benefits I will go on to describe, will improve the social well-being of the area by creating jobs and creating a new attractive environment to live, work and play. In addition to those benefits, the Scheme will create an extensive range of important social benefits for residents and businesses in North Tottenham.
- 9.13 As I have explained in section 3 of my evidence, the borough has an extensive housing waiting list of over 13,000 households. Many households, particularly in North Tottenham are in properties which are overcrowded and do not meet their needs. The delivery of approximately 1,350 to 1,665 new homes, of which 40% will be affordable (by habitable room) including 500 social rented Council homes, will provide a huge boost to the Council's ambitious objectives to deliver a new era of Council homes for local people. Through the provision of replacement homes the standard of living conditions will be enhanced considerably as these homes will be built to standards better suited to modern life. The provision of other tenure types, including market housing, alongside the social rented homes will also support the creation of mixed and balanced communities in North Tottenham.
- 9.14 The size of units to be delivered across the Scheme varies from studio flats to four-bed houses. As part of the needs-led approach for the delivery of the new Council homes and in line with the commitments within the Landlord Offer (**CD 5.6**), the Council's Rehousing Team are working with existing residents on the Love Lane Estate to complete a housing needs assessment on an annual basis. This information will be used to inform the design of future plots and the allocation of the new Council homes (pursuant to the terms of the HRW LLP), ensuring that the new homes within the Scheme meet the needs of existing residents. This approach will tackle issues such as overcrowding and ensure that any special adaptations required by individual households are completed prior to moving into their new property.
- 9.15 As I described in section 6 of my evidence, the Council has made guarantees through the Landlord Offer (**CD 5.6**) and supporting policies to ensure that the new Council homes delivered as part of the Scheme are prioritised for existing secure and non-secure tenants on the Love Lane Estate. When these households have been rehoused, many of whom are currently living in overcrowded accommodation, there will still be over 300 more new Council homes available in the Scheme which will be allocated to the most in-need households on the housing register. The delivery of the Scheme will therefore have a substantial positive impact on the lives and living conditions of hundreds of families in Haringey.
- 9.16 The Council is also providing financial support through a rent and interest-free equity loan to existing resident leaseholders to support their purchase of alternative property within the Scheme. These measures will ensure that in the context of the delivery of the wider well-being benefits, the existing family, community and social ties built up are retained, which will make an important contribution to the success of the new neighbourhood. That approach also extends to the retention of existing businesses and the efforts underway to facilitate their relocation into new premises into the Scheme or elsewhere in the local area.

- 9.17 Alongside the delivery of the new homes, the Scheme will create new private amenity space for residents which will encourage social interaction, play for children, and provide the benefits of green space to residents.
- 9.18 The Scheme will also provide important community infrastructure. This will not only positively impact those existing and new residents moving to homes within the Scheme but will also benefit residents living in the wider North Tottenham area, by improving access to local services and public spaces.
- 9.19 The new Library and Learning Centre will provide a range of benefits for the community. Through engagement with consultants, stakeholders and the community as part of the process of agreeing a brief for the Library and Learning Centre, the facility will meet a number of objectives that support social well-being, including:
- Supporting enjoyment, learning and wellbeing for all.
 - Enabling digital inclusion for everyone.
 - Providing a welcoming and inclusive place for all the community to come together.
 - Opening pathways to employment and qualifications.
- 9.20 The Library and Learning Centre reflects the aspirations of the Council to meet the needs of the local community in providing more space for services such as study space, activities and general library space. It also recognises the advantages, both functionally and from a financial sustainability perspective in delivering a co-ordinated range of complementary services, including workspaces. Combining this with projections indicating a rise in population in the area, and the Library and Learning Centre can be seen to provide an important enhancement on the existing library within the Order Land (Coombes Croft Library) in service delivery, capacity and flexibility. This comprises an approximate doubling of the size of the library component and an approximately equal size of the complementary spaces and facilities.
- 9.21 The provision of a new Library and Learning Centre will give the community a modern, accessible building. This community hub will enable stronger links to be made between residents and the Council enabling a variety of community and social benefits. These include a short and long term aims to address low social mobility and low educational standards, including literacy and numeracy, in a context where the economy will be demanding increasingly high educational qualifications. Services that could be accommodated by the Library and Learning Centre include:
- Creative Enterprise and Business Hub support spaces and a Job Club

- Adult Learning; Ranging from ESOL to creative skills and wellbeing, and significant quiet study space
- Flexible spaces for community meetings and the arts; opening onto the square
- Space for a café and a showcase gallery animating the public realm
- An expanded children's library, with the ability to host a programme of events
- Support services including support for young people and delivery and signposting of services critical to the local community.

9.22 Community infrastructure within the Scheme includes the provision of a new public square (Moselle Square) which will be designed to provide a mix of year-round activities that reflect community aspirations. As I explain section 10 of my evidence, it is a Core Requirement within the DA (**CD 5.5**) for Lendlease to deliver improvements to the landscape and public realm including a major new link between an enhanced White Hart Lane Station and THFC. The S106 (**CD 4.29**) contains obligations requiring the delivery of Moselle Square, as set out in the evidence of Tom Horne (**CD 9.5**).

9.23 Moselle Square will complement the Library and Learning Centre and provide the capacity and infrastructure for events such as concerts, plays, open air cinema, ice skating and other displays; play space, water features, markets; growing spaces; and outdoor seating and socialising space both separate and linked to the food and beverage offer. This will achieve a range of benefits for the community at different times of day across the year. The space will bring together all parts of the community in a safe and welcoming environment. As well as benefiting residents, it will also provide a more spacious and appropriate access to and from the Station and the THFC Stadium. The square is provided as part of a wider public realm strategy for the Scheme that optimises the range of activities that can be provided and ensures a co-ordinated design that complements and supports the activities of the surrounding buildings.

9.24 The S106 (**CD 4.29**) requires that Lendlease provides a new modern GP surgery within the Scheme, if the floorspace of the existing GP surgery is not re-provided within an alternative neighbouring location prior to it being required for redevelopment. Notwithstanding the terms of the obligation, Lendlease intends to relocate the existing health centre on the High Road within the Scheme, see the evidence of Selina Mason (**CD 9.3**). This will ensure high quality medical services will continue to be located within walking distance for the community.

9.25 The new homes and public spaces will be designed with Secured by Design principles in mind and in consultation with the community and local stakeholders, to promote a safer neighbourhood. This will include safe and pedestrian first-public realm, together with perimeter buildings that offer clearly defined public and private spaces, natural surveillance

and activation of the streetscape. The approach to promoting a safer environment through the delivery of the Scheme is discussed further in the evidence of Lucas Lawrence (**CD 9.7**).

- 9.26 The new homes and public spaces will be designed in line with Secured by Design principles and in consultation with the community and local stakeholders, to promote a safer neighbourhood. This will include delivery of open, overlooked and well-lit spaces and public realm, together with a well-defined plot layout that ensures buildings provide clearly delineated public and private spaces, natural surveillance and activation of the streetscape. The approach to promoting a safer environment through the delivery of the Scheme is discussed further in the evidence of Lucas Lawrence (**CD 9.7**).
- 9.27 For all of these reasons, I am therefore confident that the Order Scheme will make a significant contribution towards the improvement and promotion of the social well-being of the area.

c) Environmental well-being

- 9.28 The Scheme has been designed to enhance the environmental well-being of the residents and other occupiers and visitors to the area and the borough as a whole. The Scheme also seeks to deliver on the Council's wider objective of responding to the challenges presented by a changing climate. Delivering on this objective will require interventions that facilitate a transition in behaviours and that support the promotion of more sustainable modes of transport and the creation of greener neighbourhoods.
- 9.29 New homes, commercial and other non-residential spaces to be delivered as part of the Scheme will be built to modern standards, providing well insulated, warm and energy efficient spaces which thereby reduce the energy used by residents. The new homes delivered in the Scheme will be built to connect to the Council's District Energy Network (DEN). Once operational, the connection to the DEN will ensure that homes are provided with low carbon, sustainable energy, aligning with the Council's sustainability objectives.
- 9.30 The Order Land is in a prominent location, linking the High Road with the White Hart Lane Station, in the context of a residential-led mixed-used neighbourhood. The Scheme will improve connectivity in this area through the provision of safe and accessible walking and cycling routes. This will promote active travel, reduce vehicle use and help improve residents' health and wellbeing. The Scheme will result in a net reduction of car parking spaces, while providing electric vehicle charging points to facilitate the move from petrol and diesel-based vehicles to active travel and electric car options.
- 9.31 The Scheme also contributes to sustainability of the community including through a strong approach to the landscaping and streetscape strategy. The landscape and public realm to be provided as part of the Scheme is designed as green and healthy streets, with planting designed to reflect the nature and mitigate the impact of the local water network on the Lea

Valley. Alongside this, the Scheme will deliver significant biodiversity enhancements through the delivery of new public realm, together with extensive tree planting and greening throughout. Sustainable Urban Drainage systems will be delivered throughout the public realm to mitigate any flood risks in the area given the close proximity to the Moselle River. Further details on this and the above are provided in the evidence of Lucas Lawrence (**CD 9.7**).

- 9.32 More broadly, the public realm within the Scheme will provide new and enhanced amenity space for both residents and the wider community. The Scheme could also support the creation of up to 504 net additional direct FTE jobs and 395 net additional indirect FTE jobs, which would provide opportunities for employment close to home for residents, reducing transport use and encouraging active travel.
- 9.33 For all of these reasons, I am therefore confident that the Order Scheme will make a significant contribution towards the improvement and promotion of the environmental well-being of the area.

d) Conclusion on economic, social and environmental well-being

- 9.34 Overall, the Council is satisfied that the Scheme would deliver significant and compelling public benefits, which would significantly enhance this part of the borough, in line with the Council's regeneration objectives and planning policies. The economic, social and environmental benefits of the Scheme, as enabled by the Order, are accordingly substantial.

10. SCHEME DELIVERY AND FUNDING

- 10.1 Delivery of the Scheme is by Lendlease (High Road West) Limited, part of Lendlease Corporation Limited, who are a globally integrated real estate and investment group with expertise and proven track record in delivering similar large scale urban regeneration projects. Lendlease has been fully committed to delivering the High Road West Scheme since entering into the DA (**CD 5.5**) and the Council is confident that Lendlease an experienced partner and has the capacity, know-how and commitment to enable the Scheme to be delivered.
- 10.2 The DA (**CD 5.5**) obliges Lendlease to carry out the Regeneration Scheme, subject to the fulfilment of specified conditions. These conditions are set out in the evidence of Selina Mason (**CD 9.3**).

DA structure

- 10.3 The DA (**CD 5.5**) and CPOIA (**CD 5.4**) set out the obligations of both parties in delivering the Regeneration Scheme and associated timescales.

- 10.4 To oversee the operation of the DA (**CD 5.5**) and CPOIA (**CD 5.4**) and the successful delivery of the Scheme, a Steering Group consisting of representatives of both the Council and Lendlease has been established under clause 31 of the DA.
- 10.5 The role of the Steering Group is to make key decisions, review the progress and agree strategies pertaining to the DA (**CD 5.5**) and CPOIA (**CD 5.4**). These strategies include the Business Plan, the Stakeholder and Resident Engagement Strategy, the Socio Economic and Skills Strategy, Marketing and Letting Strategy, the Vacant Possession Strategy and the Design Code for the Scheme. The Steering Group also receives information and monitors the progress and financial performance of the development. This information is provided by Lendlease on an open book basis to the Steering Group to ensure cost transparency and value for money.
- 10.6 The DA (**CD 5.5**) is the overarching legal document which sets out how the Regeneration Scheme will be delivered and the obligations on the parties. The objectives of the Regeneration Scheme are enshrined in the DA. I set out the DA objectives in paragraph 4.27 of my evidence.
- 10.7 In addition to the objectives, the DA (**CD 5.5**) sets out the Council's minimum 'Core Requirements' to be delivered in the Regeneration Scheme.
- (i) 1,400 new high quality homes;
 - (ii) 30% (by unit number) affordable housing including a total of 500 new high quality social rent homes;
 - (iii) A minimum of:
 - o 4,800 sq. m GIA of A1, A3 and A4 retail space;
 - o 3,000 sq. m GIA of D2 leisure space;
 - o 1,000 sq. m GIA of B1 business space;
 - (iv) a new 1,400 sq. m GIA library and learning centre (including fit out);
 - (v) improvements to the landscape and public realm including a major new link between an enhanced White Hart Lane Station and THFC;
 - (vi) shell and core for a new energy centre sized to accommodate all necessary combined heat and power and energy plant and equipment to supply heat to the Regeneration Scheme and the wider North Tottenham area in accordance with the DEN Specification;
 - (vii) suitable infrastructure to be installed within all units within the Site to ensure compatibility with the DEN Specification in accordance with the Secondary Network Specification.

- 10.8 Alongside this, the DA (**CD 5.5**) sets out the requirement for Lendlease to deliver the Council Facilities in the Regeneration Scheme, which are:
- (i) the Replacement Homes;
 - (ii) the Library and Learning Centre;
 - (iii) the Energy Centre Shell;
 - (iv) the Primary Heat Network;
 - (v) the Secondary Heat Network.
- 10.9 The DA (**CD 5.5**) places obligations on Lendlease in relation to the implementation and delivery of the Scheme. Its obligations include three Site Wide Conditions. These are:
- (i) The Steering Group agreeing and adopting all of the required strategies to guide the Scheme;
 - (ii) The Council obtaining the necessary statutory consents to dispose of the land; and
 - (iii) Lendlease securing an outline planning permission for the Regeneration Scheme.
- 10.10 The Council has confirmed that Lendlease has met the Site Wide Conditions regarding the strategies and statutory consents and is confident that the planning consent condition will be met, notwithstanding the current judicial review challenge.
- 10.11 As well as this, Lendlease obligations include constructing the development, marketing, disposing and letting the new residential and commercial properties, putting in place an estate management regime for the Regeneration Scheme, and delivering the Core Requirements and Council Facilities I have set out above. All of Lendlease's obligations under the DA (**CD 5.5**) are guaranteed by Lendlease Corporation Limited, who is also a party to the DA.
- 10.12 The DA (**CD 5.5**) also contains a number of phase specific conditions which must be met before the land in a phase can be drawn down by Lendlease and developed. The phase specific conditions include:
- (i) The Pre and Post Planning Viability Conditions (for phases after phase 1 and only if the phase contains Private Sale Homes) - These conditions are satisfied when the Steering Group approves a viability assessment for the phase either pre or post planning;
 - (ii) The Planning Condition - This condition will be satisfied when Lendlease has secured planning permission for the phase free of defined unacceptable planning conditions;

- (iii) The Vacant Possession Condition - This condition will be satisfied when the Council has secured vacant possession of the land within the phase, for which the Order (**CD 1.1**) is essential in relation to phases within Phase A;
- (iv) The Socio Economic Output Condition - This condition will be satisfied when the Council agree that certain social and economic benefits have been delivered or are in delivery; and
- (v) The Delivery Methodology Condition - This condition will be satisfied when the Council is satisfied that the phase can be delivered in a way which minimises disruption to the local community.

- 10.13 If the Pre or Post Planning Viability Conditions cannot be met for any phase, the parties are able to refer to the Mitigation Matters procedure at clause 34 of the DA (**CD 5.5**). This enables the parties to consider and agree proposals for mitigating non-satisfaction of the Pre or Post Planning Viability Condition for any phase. Such mitigations can include Lendlease reducing the level of return. Any proposed mitigation must ensure that the Council Facilities and Core Requirements within the DA are delivered.
- 10.14 Once the conditions have been met for a specific phase, the Council will finalise with Lendlease the terms of the lease of the land within the relevant phase. The lease will be for a term of 250 years and will relate to the land within the phase that is to be developed.
- 10.15 The Council is satisfied that there is no impediment to the phase conditions within the DA (**CD 5.5**) being met in accordance with their terms. Further information in relation to the status of the DA conditions is provided in the Council's Statement of Case (**CD 7.1**) and the evidence of Selina Mason (**CD 9.3**).
- 10.16 In respect of the Core Requirements I have set out in paragraph 10.7 above, these are included within the Planning Permission (**CD 4.28**). The Council is satisfied that, in delivering the development in line with the terms set out in the DA (**CD 5.5**) and requirements of the Planning Permission, the Core Requirements will be achieved.

CPOIA structure

- 10.17 The CPOIA (**CD 5.4**) sets out the roles and responsibilities of both parties in securing all of the land required for the Regeneration Scheme. The Order Land is within the regeneration area. The CPOIA also sets out who will cover land assembly costs, and how and when the Council will be repaid these costs. In addition, the document ensures that the assurances given to Love Lane residents regarding re-housing, and assurances given to businesses within the Business Charter (**CD 5.7**), are adhered to. Specifically, it provides at clause 4.4.2 that all negotiations with and acquisitions from third party owners must be in accordance with the Council's most recent 'Offers to Acquire' (i.e. the Landlord Offer (**CD 5.6**) and the Business Charter).

- 10.18 Under the CPOIA (**CD 5.4**) the Council acquire all the land interests required to deliver the Regeneration Scheme that is not within Council ownership. However, in terms of negotiation, the Council is responsible for negotiating to acquire the third-party land interests within the Love Lane Estate. Lendlease are responsible for negotiating to acquire all interests outside of the Love Lane Estate. Lendlease have engaged CBRE to carry out these negotiations, alongside Lendlease. The Council and Lendlease are required to utilise the Property Cost Estimate ("**PCE**") as a basis for making offers on property/land interests. The PCE sets out the market value and compensation in line with the Compensation Code and is agreed between Lendlease and the Council with supporting advice from their respective consultants.
- 10.19 The Council initially pays for all of the land interests acquired and the costs of the land assembly process and is reimbursed by Lendlease for all of these costs, on a phased basis.
- 10.20 All of Lendlease's obligations in the CPOIA (**CD 5.4**) are guaranteed by Lendlease Corporation Limited.

GLA Funding

- 10.21 As well as the very substantial investment already made by Lendlease and the Council, the Scheme is supported by a £91,512,000 grant funding contribution secured from the GLA, which was subject to a robust financial due diligence process as part of the bid process.
- 10.22 In March 2021, the Council's Cabinet approved recommendations to accept a sum of £70,312,000 in Affordable Housing Grant and £21,200,000 from the Mayor's Land Fund and enter into agreements with the GLA in respect of sums committed through the Affordable Housing Grant and Mayor's Land Fund respectively. At the same time, the Council's Cabinet approved recommendations for the Council to finalise terms and thereafter to enter into contractual arrangements with Lendlease in order to pass through the funding to them.
- 10.23 The two funding agreements were entered into with the GLA on 21st December 2021. On the same date the Council entered into a funding agreement with Lendlease in respect of both the Affordable Housing Grant and the Mayor's Land Fund. Pursuant to the terms of the respective agreements, funds are released to the Council in tranches.
- 10.24 In respect of the Affordable Housing Grant, on 9th March 2023 the Council drew down a sum of £51,936,000, being the first tranche of the funding.
- 10.25 The Council is confident of meeting the conditions to draw down the second tranche of the Affordable Housing Grant, which comprises the remainder of the funding, and is due on completion of the Scheme.
- 10.26 In respect of the Mayor's Land Fund, on 31st March 2023 the Council drew down a sum of £10,000,000, being the first tranche of the funding.

- 10.27 The second tranche of the Mayor's Land Fund is due to be drawn down once the Planning Permission (**CD 4.28**) is free of judicial review challenge. The third and final tranche is due to be drawn down in line with an agreed milestone event and is also subject to the Planning Permission being free of judicial review challenge. The Council is confident of meeting the conditions to draw down the remaining tranches of the Mayor's Land Fund, and that the pending judicial review application of the Planning Permission does not represent an impediment to the Scheme, see section 12 of my evidence below.

Funding for Acquisition of Homes

- 10.28 As I set out in paragraph 4.31, on 12th September 2017, Cabinet agreed to acquire the 145 social rented replacement homes and 46 shared equity homes which will be delivered through the Scheme.
- 10.29 As I set out in paragraph 4.40, on 16th March 2021, Cabinet agreed to acquire an additional 355 social rented homes which will be delivered in the Scheme, taking the total to 500 social rented homes as referred to elsewhere in my statement.

11. **CPO GUIDANCE PARAGRAPH 106**

- 11.1 Paragraph 106 of the CPO Guidance (**CD 5.1**) makes clear that any decision about whether to confirm an order made under section 226(1)(a) will be made on its own merits. However that guidance also refers to four particular factors which the Secretary of State can be expected to include when considering whether to confirm an order. I consider each of these four factors below and explain where else they are addressed within my evidence or the evidence of other witnesses.

a) whether the purpose for which the land is being acquired fits in with the adopted Local Plan (CD 3.4) for the area or, where no such up to date Local Plan exists, with the draft Local Plan and the National Planning Policy Framework (CD 3.1)

- 11.2 The Scheme fits in with the adopted planning framework. Planning Permission (**CD 4.28**) for the Regeneration Scheme, including the Scheme has been granted. This is explained further in the evidence of Tom Horne (**CD 9.5**).

b) the extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area

- 11.3 As I have explained in section 9 above, the Scheme will make a significant contribution to the achievement of the promotion or improvement of the economic, social and environmental wellbeing of the local area, and has been developed to address the long-standing issues of deprivation which residents have faced in North Tottenham.

c) whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means. This may include considering the appropriateness of any alternative proposals put forward by the owners of the land, or any other persons, for its reuse. It may also involve examining the suitability of any alternative locations for the purpose for which the land is being acquired

- 11.4 The purpose for which the Council is proposing to acquire the land, that is the delivery of the Scheme, cannot be achieved through any other means.
- 11.5 The purposes for which the Order Land is required are in accordance with the adopted development plan and the well-established strategic objectives of the Council.
- 11.6 Although the Council is the freehold owner of the majority of the Order Land, the number and diversity of other interests in that land and the need for the new rights indicate that the prospects of acquisition of all the required interests and new rights by agreement to enable comprehensive redevelopment within a reasonable timescale are very unlikely. As such, the Order is required to enable delivery of the Scheme.
- 11.7 Given that the Council is the majority owner of the Order Land and given the fragmented ownership / interests otherwise in the Order Land, there is no other party in a position to bring forward its comprehensive development. Piecemeal or partial development of the land is unlikely to occur and could not achieve the objectives of the Scheme or adopted planning policy. I have explained in section 4 that the community have supported comprehensive redevelopment of the Order Land in consultation.
- 11.8 As regards the prospect of the purposes of the Order (**CD 1.1**) being achieved at a different location, in the present case any scope for this is at best very limited. By definition, an alternative site could not fulfil the purposes of the Order which are to regenerate the Order Land, contribute to the achievement of the planning policies within the adopted development plan for the area and, where possible, to re-accommodate residential occupiers as close as possible to their present homes.
- 11.9 There have been alternative proposals for the delivery of the Scheme put forward as part of objections to the Order. This includes the Alternative Masterplan within THFC's objection (**CD 7.5, CD 6.Obj-7**) which I discuss from paragraphs 16.17 below. As I set out there, the Alternative Masterplan does not represent a deliverable alternative to the Scheme, and there is no advantage to the public interest in substituting the Scheme for the Alternative Masterplan in respect of the planning framework and delivering benefits to the wellbeing of the area. As with the Scheme, it is also founded on the need to acquire, almost certainly compulsorily, the properties within the Order Land (including the High Road frontage properties).

- 11.10 The objections by the Mr. Ahmet Dellal (**CD 6.Obj-2**) and the Tryfonos objectors (**CD 6.Obj-3**) propose the removal of the High Road properties from the Order Land. The objection by Ms. Mary Powell (**CD 6.Obj-11**) proposals the removal of the properties to the south of Whitehall Street from the Order Land. These alternative proposals do not represent a realistic alternative to the Scheme, have not been demonstrated to meet planning requirements, have not been demonstrated to be viable, and would not deliver the substantial environmental, social and environmental benefits that the Scheme will bring forward. I discuss this further in section 15 of my evidence and it is addressed further in the evidence of Tom Horne (**CD 9.5**) and Lucas Lawrence (**CD 9.7**)

d) the potential financial viability of the scheme for which the land is being acquired. A general indication of funding intentions, and of any commitment from third parties, will usually suffice to reassure the Secretary of State that there is a reasonable prospect that the scheme will proceed. The greater the uncertainty about the financial viability of the scheme, however, the more compelling the other grounds for undertaking the compulsory purchase will need to be. The timing of any available funding may also be important. For example, a strict time limit on the availability of the necessary funding may be an argument put forward by the acquiring authority to justify proceeding with the order before finalising the details of the replacement scheme and/or the statutory planning position

- 11.11 The Council is satisfied that Scheme is deliverable and financially viable. In section 10 of my evidence, I summarise the contractual arrangements in place that oblige Lendlease to carry out the Regeneration Scheme. As I state there, the Council is confident that Lendlease is an experienced partner who is well placed to deliver the Scheme.
- 11.12 Also in section 10 of my evidence, I summarise the funding package which has been secured from the GLA to support the provision of affordable housing within the Scheme. The majority of the GLA funding has been drawn down and is available now. The Council is confident of meeting the conditions to draw down the remainder of the funding. There are contractual arrangements in place to pass through the funding to Lendlease to enable delivery of the Scheme.
- 11.13 Section 6 of the evidence of Selina Mason (**CD 9.3**) discusses funding and delivery options to bring forward the Scheme, including the GLA funding I discuss in section 10 of my evidence. It also includes external funding options, which is allowed for under the provisions of the DA (**CD 5.5**). I am satisfied with the approach to funding and delivery as set out by Lendlease.
- 11.14 The evidence of Pascal Levine of DS2 (**CD 9.11**) provides an assessment of the financial viability of the Scheme and the Regeneration Scheme (in the context of the DA obligations (**CD 5.5**)). This demonstrates a positive Internal Rate of Return (IRR) of 11.59% and 14.23% for the Scheme and Regeneration Scheme respectively. The assumptions used by DS2 and

the overall appraisal have been reviewed by BNP Paribas (“BNPP”) on behalf of the Council (**Appendix 1, CD 9.2**). In that report, BNPP have confirmed that they agree with the assumptions and the overall appraisal. On this basis, I am confident that both the Scheme and the Regeneration Scheme is financially viable.

- 11.15 In section 10 of my evidence, I set out that there are phase-specific Pre or Post Planning Viability Conditions within the DA (**CD 5.5**). If these conditions were not to be met at any relevant stage in the delivery of the Scheme, then the parties are able to refer to the Mitigation Matters procedure within the DA. This enables the parties to consider and agree proposals for mitigating non-satisfaction of the Pre or Post Planning Viability Condition for any phase. Such mitigations can include Lendlease reducing the level of return. Any proposed mitigation must ensure that the Council Facilities and Core Requirements within the DA are delivered. For this reason, and combined with the positive financial appraisals summarised above, I am confident that the conditions in relation to viability within the DA will be met.
- 11.16 The CPOIA (**CD 5.4**) between the Council and Lendlease also provides for the Council to pay the costs for the acquisition of land and property interests up front, with these costs reimbursed to the Council by Lendlease on a phased basis. I am satisfied that the Council has sufficient funds within its capital programme to acquire all of the land and property interests within the Order Land in line with this arrangement.
- 11.17 For the reasons set out above, the Council is committed to proceed with the Scheme in line of the current assessment of likely financial performance in combination with the arrangements with the DA (**CD 5.5**). Lendlease have also confirmed their commitment to proceed with the Scheme on the same basis in the evidence of Selina Mason (**CD 9.3**).

12. **NO IMPEDIMENTS TO THE SCHEME**

- 12.1 For the reasons I have given in this evidence, the Council is content that there are no financial, physical, planning or legal impediments to the Scheme progressing subject to confirmation of the Order.

Application for Judicial Review of the Planning Permission

- 12.2 As referred to in Tom Horne’s evidence (**CD 9.5**) on 6th June 2023 Tottenham Hotspur Limited, a company linked to objector number 8 was granted permission by the Court of Appeal to apply for judicial review of the decision to grant the Planning Permission on two grounds:
- i) An alleged failure by the Council to lawfully assess the totality of the heritage impacts of the Regeneration Scheme.
 - ii) An alleged unlawful reliance on the S106 (**CD 4.29**) and planning conditions to determine that crowd flow control matters for the THFC Stadium were able to be

appropriately addressed; and an alleged unlawful consideration of the agent of change principle in the context of crowd flow.

- 12.3 The application for judicial review is due to be heard by the High Court on 10 October 2023.
- 12.4 Planning permission for the redevelopment which includes the Scheme has, of course, been granted and remains in effect unless and until it is quashed by the Court. The local planning authority and Lendlease are strongly defending the judicial review application.
- 12.5 The grounds for which permission to apply for the judicial review have been granted, even if successful, relate to two narrow matters, neither of which affects the merits of the Order. Nor do they go to the principle of granting planning permission as explained in Tom Horne's evidence (**CD 9.5**).
- 12.6 The Order is not tied to a specific planning permission (and nor is the DA (**CD 5.5**) so limited). There is no requirement in law or policy that planning permission should have been granted before a compulsory purchase order is made or confirmed. What is important is whether the scheme for which the CPO is being made fits with the adopted planning framework (as is confirmed by Tom Horne (**CD 9.5**)) and that there is no obvious impediment to planning permission being granted to authorise the purposes of the CPO, namely to enable a comprehensive residential-led mixed use redevelopment scheme to be carried out on the Order Land.
- 12.7 Even if the judicial review were to result in the need for reconsideration of a planning application by the local planning authority, although any such application would need to be determined on its merits, there is no reason in principle to consider that further planning permission would not be granted for the same or similar development of the Order Land, given the clear support for the Scheme in the adopted planning policy framework .
- 12.8 The application for judicial review does not therefore represent an impediment to the Scheme proceeding.

13. **HUMAN RIGHTS**

- 13.1 Section 6 of the Human Rights Act 1998 provides that it is unlawful for a public authority to act in a way which is incompatible with a Convention right protected by that Act.
- 13.2 The overarching consideration for the Council in deciding whether to make a CPO and for the Secretary of State in deciding whether to confirm an order is set out in paragraph 13 of the CPO Circular, which states:

A compulsory purchase order should only be made where there is a compelling case in the public interest.

An acquiring authority should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention.

13.3 This not only summarises the national policy and the need for there to be a "compelling case in the public interest" for compulsory acquisition, but also summarises the requirements of the Convention. In relation to Article 1 of the First Protocol of the European Convention, a fair balance is required to be struck between the public interest and private rights and in relation to Article 8, any interference with the right to respect for a person's private and family life and home must be proportionate.

13.4 Human rights protected by the 1998 Act of particular importance to the decision on compulsory purchase (and to appropriate land for planning purposes) are those under Articles 6 and 8 and Article 1 of the First Protocol of the Convention.

13.5 Article 6 provides:

" In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law."

13.6 The statutory procedures require that all those likely to be affected by the Order (**CD 1.1**) are notified and given an opportunity to object. The Secretary of State has arranged a public local inquiry so that those with objections to the Order can be heard. The legislation provides for statutory review in the event of challenge to the decision of the Secretary of State on confirmation of the Order. Disputes over compensation can be referred for hearing by the Lands Chamber of the Upper Tribunal. Taken together, the availability of these procedures is considered to satisfy the requirements of Article 6.

13.7 Article 8 provides:

" Everyone has the right to respect for his private and family life, his home and his correspondence.

"There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others."

13.8 Article 8 acknowledges that interference with the right to respect for private and family life and a person's home may be justified if it is in accordance with law and necessary in a democratic society. Any such interference must be proportionate in the public interest. As described in my evidence the Council has taken steps to ensure that the adverse effects of the proposed Scheme on residential owners and occupiers are minimised and mitigated where possible, including through the offer of new homes to those with secure tenancies, those with another tenancy from the Council, and those who are resident leaseholders / owner-occupiers (subject to the conditions set out in section 6 above). In the Council's view, the public benefits to be derived from the Scheme taken together with rights to compensation and measures which will be undertaken to minimise the adverse effects on residents are sufficient to secure compliance with Article 8.

13.9 Article 1 of the First Protocol provides:

" Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law."

13.10 Article 1 of the First Protocol again indicates that compulsory purchase must strike a fair balance between the public interest and the private rights protected by Article 1, equivalent to proportionality under Article 8. For the reasons set out in the Council's evidence, it is considered that there is a compelling case in the public interest for the Order to be made and this satisfies the requirements of proportionality and fair balance.

13.11 It is the Council's view there are strong grounds on which to conclude that the Scheme is in the public interest sufficient to justify interfering with the human rights of those with an interest in the Order Land, including those whose homes are within the Order Land, as well as those businesses which will be affected.

13.12 Article 14 provides:

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

13.13 A difference of treatment between persons in their enjoyment of a Convention right in contravention of Article 14 would occur only if it has no objective or reasonable justification. The Council has not, in promoting the Order and the Regeneration Scheme more generally, discriminated against people with the characteristics set out in Article 14.

14. **EQUALITIES**

- 14.1 Section 149 of the Equality Act 2010 places all public authorities, including the Council and the Secretary of State, under a legal duty ("the public sector equality duty") to have due regard to the following matters in the exercise of all of their functions, namely the need to:
- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
 - b. advance equality of opportunity between persons who share a "relevant protected characteristic" and persons who do not share it; and
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 14.2 The "relevant protected characteristics" are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 14.3 The Council has taken and will continue to take appropriate action to discharge the Public Sector Equality Duty. This has been and will continue to be addressed at each stage of the key decision-making for the Regeneration Scheme. The Council has developed and updated the Regeneration Scheme's Equalities Impact Assessment (EqIA) when making recommendations to Cabinet as it has progressed and has also produced specific EqIAs for accompanying housing policies including for the High Road West Local Lettings Policy and Love Lane Leaseholder Offer. The findings of the assessments have been monitored and informed subsequent decisions on the Regeneration Scheme.
- 14.4 The Council commissioned an updated EqIA (**CD 2.3**) for the Scheme to accompany the report that Cabinet considered at its meeting on 8 November 2022 recommending the use of compulsory purchase powers to deliver the Scheme. The EqIA was produced by Mott MacDonald and builds upon previous EqIA work carried out in relation to the project. The EqIA was updated in September 2023 (**Appendix 2, CD 9.2**).
- 14.5 The EqIA (**Appendix 2, CD 9.2**) has found that the delivery of the Scheme is likely to bring a range of benefits which would particularly benefit those sharing protected characteristics in the local community, through improved housing provision, the changes in employment and training opportunities, provision of community resources and improved social cohesion, measures to improve public safety, and measures to improve connectivity and accessibility after the development.
- 14.6 For residents within the Scheme, the EqIA (**Appendix 2, CD 9.2**) assesses that there are likely to be no adverse impacts for those with protected characteristics for the qualifying tenants and resident leaseholders who are eligible to move to a new home in the Scheme pursuant to the Landlord Offer (**CD 5.6**), if the existing mitigation measures agreed by the Council are implemented.

- 14.7 There may be some residual adverse impacts for groups with protected characteristics who rent privately and may not be able to remain in the local area, which is likely to particularly affect ethnic minority groups, children and women, who are overrepresented in the demographic makeup of this group. The Council has developed a set of mitigation measures to reduce these impacts as far as possible. The Rehousing and Engagement team will liaise with individual households to ensure they are aware of the phasing timelines and of the options available to them. Tenants will have access to Haringey's Housing Services to provide support and assistance, and to independent advice from the ITLA which as above will recognise their specific needs. The Council will ensure that the process for private tenants to access housing support is clear and communicated to these residents, including by providing information in other languages and interpreter support as required.
- 14.8 The EqlA (**Appendix 2, CD 9.2**) assesses that there are likely to be limited adverse effects on business owners or employees sharing protected characteristics, as a number of businesses within the Order Land are minority ethnic-owned. As explained in section 7 of my evidence, the Council has set out mitigation measures to reduce these impacts on business owners and employees as far as possible. The Council and Lendlease will continue to communicate and offer support to these businesses as per the commitments made as part of the DA (**CD 5.5**) and S106 (**CD 4.29**):
- i. provision of relocation support and aim to relocate businesses within the Scheme if possible, or elsewhere within the borough if not;
 - ii. phasing of redevelopment to provide opportunities for businesses to make a single move to new accommodation in the Scheme, or provide temporary space where this is not possible (where the business can be accommodated within the Scheme);
 - iii. commitment to regular communication and engagement with businesses, including to discuss relocation options and to develop the designs for the new commercial spaces in the Scheme and business support initiatives;
 - iv. Businesses will be offered a compensation package for the loss of and any damage to the business, including removal expenses, adaptation of replacement premises, temporary loss of profit during the move, diminution of goodwill following move and depreciation in value of stock. Reasonably incurred professional fees will also be reimbursed by the Council;
 - v. Businesses will be independently valued by a surveyor who can be appointed by the business owner, with reasonable costs reimbursed by the Council; and
 - vi. Commitment to work with businesses to help them develop individual business plans.

- 14.9 The EqlA (**Appendix 2, CD 9.2**) has identified that the delivery of the Scheme has the potential to provide improved living conditions for local residents, as well as enhancements to housing quality, accessibility, the public realm, and other community facilities. Furthermore, the Council have embedded a series of mitigations within the design and delivery of the Scheme in order to mitigate and manage risks associated with potential changes in social conditions which can arise from scheme programmes of this kind.
- 14.10 The EqlA (**Appendix 2, CD 9.2**) and equalities impacts will be monitored and reviewed throughout the progression of the Scheme in order to ensure that the mitigation measures are being delivered, and that any future impacts can be measured and mitigated as necessary.

15. **OBJECTIONS**

- 15.1 The Secretary of State received 11 objections to the Order. Representations to the Secretary of State for Transport under s16 of the Acquisition of Land Act 1981 have been made in two cases.
- 15.2 The Council and/or Lendlease have been in contact with each of the objectors with a view to resolving their objections or representations. To date, one objection has been withdrawn.
- 15.3 In this section I summarise the current position in respect of each of the remaining objections and representations where the objections relate to the subject of my evidence and explain the Council's position. Where relevant I refer to the proof of evidence of Mr James Franklin of CBRE (**CD 9.9**) where further information on the progress of negotiations with some of the objectors can be found, to the evidence of Mr Lucas Lawrence of Studio Egret West (**CD 9.7**) on the need for the inclusion of land within the Scheme, and to the evidence of Mr. Tom Horne of DP9 (**CD 9.5**) for how the Scheme fits within the adopted planning framework. For ease of reference, I have included an indication of the nature of the objection. This information should be read alongside the summary of the objections set out in columns 3 and 4 of in Appendix 1 to the Council's Statement of Case (**CD 7.1**) where further detail is provided.

Objection No. 1 - Done Brothers (Cash Betting) Limited trading as Betfred Limited

- 15.4 Done Brothers (Cash Betting) Limited ("Betfred") (**CD 6.Obj-1**), trading as Betfred Limited, have a leasehold interest in the ground floor of 777-779 High Road, pursuant to a lease between Dewco Services Limited and Betfred. Betfred are included in Table 2 of the Order Schedule (**CD 1.1**) against Plots 112, 121, 122 and 123 and in respect of a potential right of light.
- 15.5 This objection by Betfred (**CD 6.Obj-1**) was withdrawn on 21 August 2023.

Objection No. 2 - Mr Ahmet Huseyin Dellal

- 15.6 Mr. Ahmet Huseyin Dellal (**CD 6.Obj-2**) is an investor owner who holds the freehold interest in the property at 739 High Road. The property comprises a ground floor shop with a residential flat above. The ground floor shop is let and occupied by Murugan Cash & Carry Limited and Notemachine UK Limited. It is understood that the first floor residential flat at 739a High Road is let to a private tenant.
- 15.7 In section 7 of my evidence, I summarise the assistance in place for businesses within the Order Land, including the business tenant at 739 High Road. The Council and Lendlease have met with the business tenant at 739 High Road to provide an update on the timings of the Regeneration Scheme and the assistance available including in respect of relocation, as summarised in section 7 of my evidence. In section 6 of my evidence I discuss the support and assistance that is available for private residential tenants.
- 15.8 The land has been included in the Order as Plots 49, 49a and 50 for acquisition (Pink Land) (**CD 1.1**). The land is required to deliver Phase 4 of the Scheme.
- 15.9 The grounds of objection by Mr. Dellal (**CD 6.Obj-2**) include:
- 15.9.1 Impact on social well-being
 - 15.9.2 Insufficient public and stakeholder consultation
 - 15.9.3 Equalities impact
 - 15.9.4 Lack of need for inclusion of High Road properties within the Order Land
 - 15.9.5 Limited efforts to acquire the 739 High Road property by mutual agreement
- 15.10 *Impact on social well-being* – I am satisfied that there will be substantial social well-being benefits delivered as a result of the Scheme, as I explain in section 9 of my evidence. Mr. Dellal (**CD 6.Obj-2**) has raised a concern regarding the impact on local traders as a result of the Scheme and the potential break-up of the existing community. While I note that Mr. Dellal is an investment owner and does not operate a business from the property at 739 High Road, as I have explained in section 7 of my evidence, the Council and Lendlease have put assistance in place to maximise the opportunities for existing businesses to relocate into new spaces within the Scheme, alongside the commitments to rehousing existing residents (see section 6). I note that Mr. Dellal agrees that the Scheme will contribute to the economic and environmental wellbeing of the area, see the Statement of Common Ground agreed between the Council and Mr. Dellal (**CD 8.1**).
- 15.11 *Insufficient public and stakeholder consultation* – I am satisfied that there has been adequate consultation on the Regeneration Scheme, including with local business owners and

investment owners. I summarise this consultation and engagement in section 4 of my evidence. Further information on direct correspondence with Mr. Dellal (**CD 6.Obj-2**) is provided in the evidence of James Franklin (**CD 9.9**). In respect of the specific concerns Mr. Dellal has raised in relation to the consultation process, these are responded to in the Council's Statement of Case (Appendix 1) (**CD 7.1**).

- 15.12 *Equalities impact* – The Council has taken and will continue to take approach action to discharge the Public Sector Equality Duty, which has been and will continue to be addressed at each stage of the key decision-making for the Regeneration Scheme. As part of the EqIA for the Scheme (**Appendix 2, CD 9.2**) the Council has set out mitigation measures to reduce the impacts on business owners and their employees as far as possible. I discuss this further in section 14 of my evidence.
- 15.13 *Lack of need for inclusion of High Road properties within the Order Land* – The High Road properties, including 739 High Road, are required for the Scheme to deliver on the adopted planning framework and bring the full extent of economic, social and environmental benefits. The requirement for the High Road properties within the Scheme is discussed in detail in the evidence of Lucas Lawrence (**CD 9.7**) and Tom Horne (**CD 9.5**).
- 15.14 *Limited efforts to acquire the 739 High Road property by mutual agreement* – There have been extensive efforts by the Council and Lendlease to reach an agreement with Mr. Dellal (**CD 6.Obj-2**) to acquire his interests by private treaty. Those efforts are continuing but have not yet reached a conclusion. Mr. Dellal, as an investment owner will receive land compensation for the acquisition of his interest in accordance with the Compensation Code. Further information on the efforts to acquire to date and the compensation that will be payable is provided in the evidence of James Franklin (**CD 9.9**).

Objection No. 3 - Alecos, Kate, Kyriacos, Tryfonas and Maria Tryfonos and Tryfonos Bros. Limited

- 15.15 Alecos, Kate, Kyriacos, Tryfonas and Maria Tryfonos and Tryfonos Bros. Ltd (referred to as “the Tryfonos objectors”) (**CD 6.Obj-3**) own the freehold interest to 745, 747, 749, 755, and 757 High Road. The Tryfonos objectors also own the leasehold title of Flat 8 Kathleen Ferrier Court. Members of the Tryfonos objectors live in two of the residential premises located above the shops (755a and 757a High Road), and family members own and operate the Chick King fast food restaurant (755 High Road) and K&M Stores shop (745 High Road). The remainder of the commercial and residential premises are leased or tenanted.
- 15.16 The land has been included in the Order as Plots 41, 72 -76 and 81-83 for acquisition (Pink Land). There is also interference with the Tryfonos objectors’ rights (**CD 6.Obj-3**) over plots 40-42, 65a, 65b, 68, 72, 75, 77, 79, 81, and 82. The various land interests are required to deliver Phase 3 and 4 of the Scheme.

- 15.17 The grounds of objection by the Tryfonos objectors (**CD 6.Obj-3**) include:
- 15.17.1 Lack of need for inclusion of properties within the Order Land [and not required to deliver Moselle Square]
 - 15.17.2 Too much flexibility in the Planning Permission (**CD 4.28**) to be certain that the wellbeing benefits will be delivered
 - 15.17.3 Lack of evidence as to whether Lendlease is obliged to deliver Moselle Square and/or the Library and Learning Centre
 - 15.17.4 Early acquisition of the property is not justified
 - 15.17.5 Impediments to the Scheme
 - 15.17.6 Viability of the Scheme is not demonstrated
 - 15.17.7 Compulsory acquisition is not a last resort
 - 15.17.8 Lack of a suitable relocation offer for Chick King and K&M Household Stores
 - 15.17.9 Lack of a rehousing offer for private owner-occupiers outside of the Council freehold Love Lane Estate
 - 15.17.10 Compelling case in the public interest is not demonstrated
- 15.18 *Lack of need for inclusion of properties within the Order Land [and not required to deliver Moselle Square]* – The High Road properties, including the properties owned by the Tryfonos objectors (**CD 6.Obj-3**), are required for the Scheme to deliver on the adopted planning framework and bring the full extent of economic, social and environmental benefits. The principal specific benefits that arise from the inclusion of the High Road properties include the activation of the High Road to enhance and expand the North Tottenham Local Centre, improved east-west connectivity between the Station and the THFC Stadium, and a safer public realm. The requirement for the High Road properties within the Scheme is explained in detail in the evidence of Lucas Lawrence (**CD 9.7**) and Tom Horne (**CD 9.5**). The Alternative Masterplan proposed by THFC (**CD 6.Obj-7**, **CD 7.5**), which I discuss from paragraph 16.17 below, also requires the demolition of the properties owned by the Tryfonos objectors, and as such both the Scheme and this Alternative Masterplan (which the Council does not see as a viable option for the reasons set out below) found upon the requirement for compulsory purchase of these properties.
- 15.19 *Too much flexibility in the Planning Permission to be certain that the wellbeing benefits will be delivered* – The position in relation to the flexibility of the Planning Permission (**CD 4.28**) is explained in the evidence of Tom Horne (**CD 9.5**). I am satisfied that, even in the unlikely

scenario that only the minimum parameters of the Planning Permission were delivered, the Scheme would deliver substantial benefits to improve the economic, social and environmental wellbeing of the area, particularly in light of the Lendlease's obligations under the DA (**CD 5.5**) including the Core Requirements. I discuss the wellbeing benefits further in section 9 of my evidence and the DA requirements in section 10. There were no challenges to the Planning Permission on the basis of lack of clarity with regard to the public benefits.

- 15.20 *Lack of evidence as to whether Lendlease is obliged to deliver Moselle Square and/or the Library and Learning Centre* – As I explain in section 10 of my evidence, the 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 the THFC Stadium are Core Requirements within the DA (**CD 5.5**) and as such Lendlease are required to deliver these as part of the Scheme. The position in relation to the delivery of the Library and Learning Centre and Moselle Square is further discussed in sections 7, 8 and 10 of the evidence of Selina Mason (**CD 9.3**).
- 15.21 *Early acquisition of the property is not justified* – The High Road properties are required at this stage to provide certainty to the Council and Lendlease that the Scheme can proceed with all of the land available when required in line with the phasing programme. The justification for the timings of the acquisition of the properties owned by the Tryfonos objectors (**CD 6.Obj-3**) is further discussed in sections 5 and 10 of the evidence of Selina Mason (**CD 9.3**).
- 15.22 *Impediments to the Scheme* – The Council is satisfied that there are no impediments to the Scheme progressing subject to the confirmation of the Order, as I explain in section 12 of my evidence.
- 15.23 *Viability of the Scheme is not demonstrated* – The Council is satisfied that the Scheme is viable, as demonstrated by the evidence of Pascal Levine (**CD 9.11**) and reviewed by BNPP on behalf of the Council (**Appendix 1, CD 9.2**), as I explain in section 11 of my evidence.
- 15.24 *Compulsory acquisition is not a last resort* – The Council and Lendlease have taken reasonable steps to acquire outstanding land interests within the Order Land by private treaty, as explained in section 8 of my evidence and discussed further in the evidence of James Franklin (**CD 9.9**). These steps have resulted in a large number of acquisitions by agreement, both within the Love Lane Estate and along the High Road. These efforts include seeking to reach an agreement with the Tryfonos objectors (**CD 6.Obj-3**) for the acquisition of their interests.
- 15.25 Between the approval of the HRWMF (**CD 3.6**) in December 2014 and the appointment of Lendlease as development partner in December 2017, the Council sought to open negotiations with landowners within the Regeneration Scheme regarding the acquisition of their interests where landowners were willing to discuss this, alongside general engagement

regarding the Regeneration Scheme. As part of this, on 29 April 2015 the Council made a purchase offer by letter to the Tryfonos objectors (**CD 6.Obj-3**), which was rejected. From 2018 onwards, CBRE and Lendlease have progressed negotiations with the Tryfonos objectors. These efforts are continuing but have not yet reached a conclusion. I am satisfied that on the basis of these negotiations that the use of CPO powers represents a last resort to acquire these interests.

- 15.26 *Lack of a suitable relocation offer for Chick King and K&M Household Stores* – The Council and Lendlease have discussed a suitable relocation offer for Chick King and K&M Household Stores in the Scheme with the Tryfonos objectors (**CD 6.Obj-3**), in line with the assistance to businesses summarised in section 7 of my evidence. These discussions regarding a suitable relocation option are continuing. Further information is provided in the evidence of James Franklin (**CD 9.9**).
- 15.27 *Lack of a rehousing offer for private owner-occupiers outside of the Council freehold Love Lane Estate* – As I explain in paragraphs 6.16-6.21 of my evidence, the Council has confirmed to the Tryfonos objectors (**CD 6.Obj-3**) (via correspondence from CBRE on 6th October 2023) that the equity loan options within the Leaseholder Offer are available to the Tryfonos objectors. I am satisfied therefore that a suitable rehousing offer has been provided for private owner-occupiers outside of the Council freehold Love Lane Estate.
- 15.28 *Compelling case in the public interest is not demonstrated* – The Council strongly asserts that a compelling case in the public interest has been made out, and specifically that it is established in relation to the High Road properties. It is necessary and justified for the Order to be confirmed, which aligns with the adopted planning framework, in order to ensure delivery of the Scheme and the associated substantial public benefits.

Objection No. 4 - Kingwell Investments Limited Dr and Mrs R Jeyarajah – sole directors of the company

- 15.29 Kingwell Investments Limited (**CD 6.Obj-4**) own the freehold interest to 759 High Road, the Tottenham Health Centre (GP surgery). The tenants of the property, Dr and Mrs R Jeyarajah, are the sole directors of Kingwell Investments Limited.
- 15.30 The land has been included in the Order as Plots 41, 72 -76 and 81-83 for acquisition (Pink Land). The land is required to deliver Phase 5 of the Scheme.
- 15.31 The S106 (**CD 4.29**) requires that Lendlease deliver a new health centre within the Scheme, if prior to the demolition of the existing health centre on the High Road, a health centre has not been provided within the vicinity of the Scheme pursuant to one of two extant planning permissions submitted by THFC. This requirement ensures that the provision of GP services currently available in the area will be maintained notwithstanding the compulsory purchase of the property at 759 High Road from which the Tottenham Health Centre operates from. The

evidence of James Franklin (**CD 9.9**) summarises the efforts to seek to acquire this property by private treaty and notes that relocation options have been put forward to Kingwell Investments Limited (**CD 6.Obj-4**) to relocate their business into the Scheme.

15.32 The grounds of objection by Kingwell Investments Limited (**CD 6.Obj-4**) include:

15.32.1 Early acquisition of the property is not justified

15.32.2 Lack of clarity as to how the land will be used

15.32.3 Lack of certainty as to whether the Scheme will proceed as funding and developer commitment are not evidenced

15.32.4 Compelling case in the public interest is not demonstrated

15.33 *Early acquisition of the property is not justified* – See paragraph 15.21 above.

15.34 *Lack of clarity as to how the land will be used* – The High Road properties, including 759 High Road, are required for the Scheme to deliver on the adopted planning framework and bring the full extent of economic, social and environmental benefits. The Planning Permission (**CD 4.28**) grants consent for the construction of Plot E on the objector's property, which is the proposed location of the new Library and Centre as indicated within the Illustrative Masterplan. Further information is provided on what the Scheme will provide in the location of 759 High Road in the context of the planning framework, and the benefits this will create, is explained further in the evidence of Tom Horne (**CD 9.5**) and Lucas Lawrence (**CD 9.7**) respectively.

15.35 *Lack of certainty as to whether the Scheme will proceed as funding and developer commitment are not evidenced* – The Council is confident that the Scheme will be delivered subject to vacant possession of the Order Land being secured. The contractual obligations in place with Lendlease to deliver the Scheme and the funding sources is discussed in section 10 of my evidence and in sections 5 and 6 of the evidence of Selina Mason (**CD 9.3**). The Council is satisfied that the Scheme is financially viable, as demonstrated by the evidence of Pascal Levine (**CD 9.11**) and in the report by BNPP on behalf of the Council (**Appendix 1, CD 9.2**).

15.36 *Compelling case in the public interest is not demonstrated* – See paragraph 15.28 above.

Objection No. 5 - Network Rail Infrastructure Limited (“Network Rail”)

15.37 The Order (**CD 1.1**) seeks to compulsorily acquire new rights over Plots 28, 29, 55, 56, 57, 58, 59, 62 and 101, all of which comprise Network Rail's interests (**CD 6.Obj-5**) .

15.38 As well as objecting to the Order, Network Rail have made a representation to the Secretary of State for Transport under Section 16 of the Acquisition of Land Act 1981.

- 15.39 An update in relation to discussions with Network Rail (**CD 6.Obj-5**) regarding the use of Network Rail's land is provided in section 10 of the evidence of Selina Mason (**CD 9.3**).

Objection No. 6 – Rail for London Limited (“RfL”)

- 15.40 The Order (**CD 1.1**) seeks to compulsorily acquire new rights over Plots 55, 59 and 62, all of which comprise RfL's (**CD 6.Obj-6**) leasehold interests in their capacity as rail network operator.
- 15.41 As well as objecting to the Order, RfL have made a representation to the Secretary of State for Transport under Section 16 of the Acquisition of Land Act 1981.
- 15.42 An update in relation to discussions with RfL regarding the use of RfL's land is provided in section 10 of the evidence of Selina Mason (**CD 9.3**).

Objection No. 7- Tottenham Hotspur Foundation

- 15.43 Tottenham Hotspur Foundation (“THF”) (**CD 6.Obj-7**) own the leasehold interest to Percy House, 796 High Road, N17 0DH. THF's interest was included in the Rights of Light Schedule attached to the Order Schedule (**CD 1.1**). The property is not included within the Order Land.
- 15.44 The grounds of objection by THF (**CD 6.Obj-7**) include:
- 15.44.1 Objection to the rights of THF being reduced or compromised in any manner
 - 15.44.2 The Scheme fails to generate employment in the area
 - 15.44.3 Better alternatives for the redevelopment and regeneration of the area exist
 - 15.44.4 Compelling case in the public interest is not demonstrated
- 15.45 *Objection to the rights of THF (**CD 6.Obj-7**) being reduced or compromised in any manner –* In correspondence following the receipt of the objection, THF have confirmed that its interest in the property does benefit from a right of light, such that THF should not have been included within the Rights of Light Schedule attached to the Order Schedule (**CD 1.1**). On this basis, THF is not a “qualifying person” for the purpose of the Acquisition of Land Act 1981. For clarity, THF's rights will not be interfered with as a result of the Scheme.
- 15.46 *The Scheme fails to generate employment in the area –* The Scheme will directly and indirectly create a significant number of jobs and employment opportunities both during the construction and operational phases of the Scheme. These will be underpinned by obligations contained within the S106 (**CD 4.29**) to secure training and employment benefits for local people. I discuss these benefits of the Scheme for the economic well-being of the area further in section 9 of my evidence.

15.47 *Better alternatives for the redevelopment and regeneration of the area exist* – THF (**CD 6.Obj-7**) has not provided alternative proposals for the regeneration of the area. For the reasons stated elsewhere in my evidence, the Scheme delivers on the Council's objectives and the adopted planning framework.

15.48 *Compelling case in the public interest is not demonstrated* – The Council strongly asserts that a compelling case in the public interest has been made out. It is necessary and justified for the Order to be confirmed, which aligns with the adopted planning framework, in order to ensure delivery of the Scheme and the associated substantial public benefits.

Objection No. 8 - Canvax Limited and others (Tottenham Hotspur Football Club group companies or associated companies)

15.49 The properties known as 733, 735, 737, 741 and 751 High Road, and the leasehold title of flat 3 Ermine House, Moselle Street (Plots 45, 46, 47, 48, 48a, 51, 67, 77, 78) are registered in the name of Canvax Limited which is a THFC entity (**CD 6.Obj-8**).

15.50 The grounds of objection by THFC (**CD 6.Obj-8**) include:

15.50.1 The purpose for which the land is proposed to be acquired is inconsistent with the Local Plan for the area

15.50.2 The purported economic, social and environmental benefits are overstated and there is a real prospect that many will not actually be delivered

15.50.3 Lack of evidence that the Scheme is viable

15.50.4 The Planning Permission (**CD 4.28**) underlying the Scheme is currently subject to a challenge pursuant to a claim for judicial review, and if successful, the absence of planning permission represents an impediment to delivery

15.50.5 The Scheme will give rise to unacceptable safety impacts to visitors attending the THFC Stadium

15.50.6 The Scheme could be developed in an alternative way, that would be fully consistent with the Local Plan and deliver far greater economic, social and environmental benefits

15.50.7 Compelling case in the public interest is not demonstrated

15.50.8 There was no meaningful consultation or engagement with THFC (from either the Council or Lendlease) regarding either the design or composition of Scheme or in respect of the impacts of the Scheme on the operation of the THFC Stadium prior to the making of the planning application (**CD 4.1**) (on which the CPO is now based) and only limited consultation since

- 15.51 *The purpose for which the land is proposed to be acquired is inconsistent with the Local Plan for the area* – I am satisfied that both the principle of the Scheme and the Scheme as permitted by the Planning Permission (**CD 4.28**) are consistent with the adopted planning framework, specifically the TAAP (**CD 3.5**). In respect of the specific point in relation to the stated under-provision of leisure uses, the Scheme provides for an acceptable quantum of leisure floorspace as confirmed by the local planning authority through the grant of the Planning Permission. This is explained in more detail in the evidence of Tom Horne (**CD 9.5**).
- 15.52 *The purported economic, social and environmental benefits are overstated and there is a real prospect that many will not actually be delivered* – I have set out the substantial economic, social and environmental benefits of the Scheme in section 9 of my evidence, and the position in relation to the contractual arrangements for the delivery of the Scheme in section 10. Further information is provided in section of the evidence of Selina Mason (**CD 9.3**).
- 15.53 *Lack of evidence that the Scheme is viable* – For the reasons set out in section 11 of my evidence, the Council is confident that the Scheme is financially viable and deliverable. The financial viability of the Scheme is discussed in detail in the evidence of Pascal Levine (**CD 9.11**).
- 15.54 *The Planning Permission underlying the Scheme is currently subject to a challenge pursuant to a claim for judicial review, and if successful, the absence of planning permission represents an impediment to delivery* – For the reasons I explain in section 12 of my evidence, the judicial review of the Planning Permission (**CD 4.28**) does not represent an impediment to the Scheme proceeding. Further information on this point is provided in the evidence of Tom Horne (**CD 9.5**).
- 15.55 *The Scheme will give rise to unacceptable safety impacts to visitors attending the THFC Stadium* – The Council does not agree with this assertion. For the reasons set out in the evidence of Becky Hayward (**CD 9.13**) and Tom Horne (**CD 9.5**), by reason of the controls within the S106 (**CD 4.29**) and Planning Permission (**CD 4.28**), the Council is confident that arrangements for safe and effective crowd flow will be maintained during the construction and operational phases of the Scheme.
- 15.56 *The Scheme could be developed in an alternative way, that would be fully consistent with the Local Plan (**CD 3.4**) and deliver far greater economic, social and environmental benefits* – Within their objection THFC (**CD 6.Obj-8**) has proposed an Alternative Masterplan for the Scheme (**CD 7.5**), which has been developed by Arup on behalf of THFC. I refer to this as the “Alternative Masterplan”. The evidence of Tom Horne (**CD 9.5**) considers the Alternative Masterplan concept, in comparison to the Planning Permission (**CD 4.28**).
- 15.57 As I have explained in my evidence, the Council owns over 80% of the Order Land, including the freehold interest to the Love Lane Estate. The land interests of THFC (**CD 6.Obj-8**) equate

to less than 2% of the Order Land. Similarly, no other third party owns a significant percentage of the Order Land. The Council has the necessary delivery and funding arrangements in place to deliver the Scheme, as I summarise in section 10 of my evidence. As such, the Council is the only landowner in a position to bring forward the comprehensive regeneration of the Order Land. The delivery of the Alternative Masterplan (**CD 7.5**) would only be possible if an agreement between the Council and THFC was in place, which does not exist. As such, the Alternative Masterplan is not a deliverable alternative to the Scheme.

- 15.58 The principal reason for considering an alternative scheme in the context of confirmation of the Order is that such an alternative scheme may offer the opportunity to achieve the benefits I have described in section 9 of my evidence without the need for all or at least some of proposed compulsory acquisition. The Alternative Masterplan (**CD 7.5**) does not achieve this. The delivery of the Alternative Masterplan would also require the demolition of all of the existing properties within the Order Land, including those situated on the High Road. As such, the Alternative Masterplan does not offer the opportunity to realise those benefits while avoiding compulsory purchase of the outstanding land interests within the Order Land, including those owned by THFC (**CD 6.Obj-8**), the Tryfonos objectors (**CD 6.Obj-3**), and several other objectors to the Order referenced in this section of my evidence. It is therefore not an alternative which should carry any significant weight in the confirmation of the Order since it is also founded upon the need for compulsory purchase of those properties.
- 15.59 In respect of the delivery of greater economic, social and environmental benefits stated by THFC (**CD 6.Obj-8**) to be provided within the Alternative Masterplan (**CD 7.5**), the relevant question is whether the Alternative Masterplan offers the opportunity to remedy a deficiency in the Scheme, which prevents it from achieving the objectives of the adopted planning framework. I do not consider that the Scheme suffers from such a deficiency. On the contrary, I am satisfied that the Scheme is aligned with the planning framework, as was the judgement of the Local Planning Authority when granting the Planning Permission (**CD 4.28**) (further information on this is provided in the evidence of Tom Horne (**CD 9.5**)). I am also satisfied that the Scheme will deliver substantial economic, social and environmental benefits (as explained in section 9 of my evidence), and these factors underpin the Council's case for the confirmation of the Order.
- 15.60 The evidence of Tom Horne (**CD 9.5**) and Lucas Lawrence (**CD 9.7**) also respectively set out how the Scheme is better aligned with the planning framework and will deliver greater benefits for the wellbeing of the local area than the Alternative Masterplan (**CD 7.5**).
- 15.61 The above being the case, there is no advantage to the public interest in substituting the Scheme with the Alternative Masterplan (**CD 7.5**). At best, this would result in further uncertainty, delay and cost in achieving the strategic objectives of the Scheme.

- 15.62 *Compelling case in the public interest is not demonstrated* – The Council strongly asserts that a compelling case in the public interest has been made out. It is necessary and justified for the Order to be confirmed, which aligns with the adopted planning framework, in order to ensure delivery of the Scheme and the associated substantial public benefits.
- 15.63 *There was no meaningful consultation or engagement with THFC (from either the Council or Lendlease) regarding either the design or composition of Scheme or in respect of the impacts of the Scheme on the operation of the THFC Stadium prior to the making of the planning application (CD 4.1) (on which the CPO is now based) and only limited consultation since* – There has been sustained engagement with THFC since 2013 on a broad range of topics:
- 15.63.1 The Council led on engagement with THFC on proposals for the Regeneration Scheme including acquisition of their land parcels, up to the date that Lendlease was appointed as development partner in 2017.
- 15.63.2 During 2017-2021 Lendlease, supported by Studio Egret West since 2018 and DP9 since 2019, have been engaging with multiple stakeholders, including THFC, in relation to the preparation, submission, approval of the Planning Permission as set out in sections 3, 4 and 8 of Tom Horne's evidence (CD 9.5) and section 6 of Lucas Lawrence's evidence (CD 9.7).
- 15.63.3 CBRE, led by Lendlease, has been engaging with THFC since 2018 for the acquisition of their land parcels within the Regeneration Scheme and since 2022 for the acquisition of their land parcels specifically within the Scheme as set out in section 5 of James Franklin's evidence (CD 9.9).
- 15.63.4 Lendlease has been engaging with THFC on several strategic topics including the acquisition of their land parcels within the Regeneration Scheme since 2017.
- 15.64 In respect of the consultation and engagement on the Regeneration Scheme by the Council between 2013 and 2017, THFC (CD 6.Obj-8), as a significant landowner and occupier within North Tottenham has been consulted on the proposals for the Regeneration Scheme at each stage as it has progressed, with particular emphasis on the THFC Stadium's operational requirements in respect of the new route between the Station and the THFC Stadium.
- 15.65 In respect of discussions regarding the acquisition of THFC's (CD 6.Obj-8) land parcels required to deliver the Regeneration Scheme, the Council sought undertake negotiations in this period, however these ultimately did not progress. As noted above, the discussions regarding acquisitions were progressed by Lendlease and CBRE from 2017 onwards which are discussed in their respective proofs of evidence (CD 9.3, CD 9.9).
- 15.66 As THFC (CD 6.Obj-8) are investment owners of their properties on the High Road, they will receive land compensation for the acquisition of their interests in accordance with the

Compensation Code. Further information on the compensation payable is provided in the evidence of James Franklin (**CD 9.9**).

Objection No. 9 – Adrian Sherbanov

- 15.67 Mr. Adrian Sherbanov (**CD 6.Obj-9**) occupies a residential property at 85 Whitehall Street, N17 8BP, within the Love Lane Estate. The property is privately rented and let on an assured shorthold tenancy to Mr Sherbanov by Mr. Erdal and Mrs. Gulseren Pinar, who hold the leasehold interest in the property. The freehold interest to the land is held by the Council.
- 15.68 The property is included in the Order at Plot 35 of the Schedule for acquisition (Pink Land) (**CD 1.1**). There is also an interference with rights in respect of Plot 32. The land is required to deliver Phase 3 of the Scheme. Under the current phasing plan (**CD 4.37**), the construction of this sub-phase is due to start in Q3 2025.
- 15.69 The grounds of objection include:
- 15.69.1 Defective form of Order and lack of due diligence
 - 15.69.2 Failure to identify the objector as a “qualifying person”
 - 15.69.3 Infringement of Human Rights
 - 15.69.4 Lack of consideration of equalities impacts on private tenants
- 15.70 *Defective form of Order and lack of due diligence and failure to identify the objector as a “qualifying person”* - Mr. Sherbanov’s (**CD 6.Obj-9**) occupation of the property was not identified through the land referencing process prior to the making of the CPO and as such this detail was not included in the Order Schedule (**CD 1.1**). Two land interest questionnaires (LIQs) and reminder notices were served on the property, addressed to Mr Erdal Pinar and Mrs. Gulseren Pinar in their capacity as the registered leasehold owners of the property. The LIQs included a request for information on any occupiers residing at the property and no responses were received to these documents. The Council considers it made diligent enquiries to establish occupation and all reasonable efforts to identify those to be included within the CPO schedule. Despite Mr Sherbanov not receiving an individually addressed notice, he has obtained sufficient information about the Order to submit an objection and has not suffered any adverse impact.
- 15.71 *Infringement of Human Rights* – As I have explained in section 13 of my evidence, it is the Council’s view there are strong grounds on which to conclude that the Scheme is in the public interest sufficient to justify interfering with the human rights of those with an interest in the Order Land, including those whose homes are within the Order Land.

- 15.72 *Lack of consideration of equalities impacts on private tenants* – The Council has produced and updated an EqlA (**Appendix 2, CD 9.2**) for the Regeneration Scheme at each stage of the key decision-making process. These EqlAs have assessed that there may be some residual adverse impacts for groups with protected characteristics who rent privately and may not be able to remain in the local area. In section 14 of my evidence, I have set out the mitigation measures put in place by the Council to minimise these impacts as far as possible, including liaising with private tenant households to keep them updated on the Scheme, to understand their needs and requirements, and to help them to develop a rehousing plan.
- 15.73 The Council has held a large number of consultations and drop-in meetings over a number of years, and to which all those within the Love Lane Estate were invited to take part. Specifically in relation to Mr Sherbanov (**CD 6.Obj-9**), an initial meeting was held on 11 July 2023 at the property between Mr. Sherbanov, Scott Mundy (Regeneration Manager) and David Clark (Estate Regeneration Manager). At the meeting the timings of the Scheme and housing assistance were discussed. It was agreed that a further meeting would take place to clarify his household's circumstances in order to start the housing assessment and advice process. The Council also confirmed that it was in discussions with Mr. Sherbanov's landlord regarding the acquisition of their leasehold interest in the property. The Council also confirmed that it was willing to make an offer to the landlord which included an option whereby the Council cannot acquire their leasehold interest before Q1 2025, providing assurance to Mr. Sherbanov's landlord that vacant possession will not be required until that time, and providing them with the option to continue Mr. Sherbanov's tenancy in the property up until that time. However, it was noted that the Council ultimately cannot control what action his landlord may take in relation to the property.
- 15.74 On 31 August 2023, the Council wrote to Mr. Sherbanov (provided by post and email) to confirm that a purchase offer had been made to his landlord, including an option whereby the leasehold interest would not be acquired before Q1 2025. The letter also summarised the previous discussions and confirmed the named housing officer who would take forward the housing assistance. The Council is committed to continuing discussions with Mr. Sherbanov, as well as other private tenants within the Order Land, to provide support and assistance.

Objection No. 10 – The Nail Group

- 15.75 The Nail Group (**CD 6.Obj-10**) occupies 757 High Road on a 10-year lease, operating a nail bar from this property. Their landlord is members of the Tryfonos objectors (**CD 6.Obj-3**). The Nail Group previously occupied 743 High Road, which is owned by the Council and the lease has expired.
- 15.76 The land has been included in the Order as Plots 71 and 81 for acquisition (Pink Land) (**CD 1.1**). The land is required to deliver Phase 5 of the Scheme.

- 15.77 The grounds of the objection by the Nail Group (**CD 6.Obj-10**) are:
- 15.77.1 Wants to understand clear dates for construction period and downtime
- 15.77.2 Concerns around location and affordability of new commercial spaces within the Scheme
- 15.77.3 Concerns around renovation costs for new spaces and compensation
- 15.78 *Wants to understand clear dates for construction period and downtime* – The Council and Lendlease have provided The Nail Group with the phasing programme for the Scheme and provided a not before date of Q1 2026 for when vacant possession will be required of their property at 757 High Road. The Council and Lendlease have also provided information on how construction works will be managed to ensure that any impacts to the local area are kept to a minimum. Further information is provided in the evidence of James Franklin (**CD 9.9**).
- 15.79 *Concerns around location and affordability of new commercial spaces within the Scheme* – The Council and Lendlease have discussed a suitable relocation offer for The Nail Group within the Scheme, in line with the assistance to businesses summarised in section 7 of my evidence and confirmed the obligations within the S106 in respect of the affordability of the new commercial spaces (see the evidence of Selina Mason (**CD 9.3**)). These discussions regarding a suitable relocation option are continuing. Further information is provided in the evidence of James Franklin (**CD 9.9**).
- 15.80 *Concerns around renovation costs for new spaces and compensation* – The Council and Lendlease have provided information to The Nail Group regarding the Compensation Code and have also confirmed that they will cover The Nail Group's reasonable costs of appointing a compulsory purchase surveyor to provide professional advice. Further information is provided in the evidence of James Franklin (**CD 9.9**).

Objection No. 11 – Mary Powell

- 15.81 Ms. Mary Powell (**CD 6.Obj-11**) occupies and owns the leasehold interest to a residential property (a resident leaseholder) at 63 Whitehall Street, N17 8BP, within the Love Lane Estate. The freehold interest to the land is held by the Council.
- 15.82 The property is included in the Order at Plot 35 of the Schedule for acquisition (Pink Land) (**CD 1.1**). There is also an interference with rights in respect of Plot 32. The land is required to deliver to deliver Phase 3 of the Scheme. Under the current phasing plan (**CD 4.37**), the construction of this sub-phase is due to start in Q3 2025.
- 15.83 The grounds of objection include:

- 15.83.1 Need for the inclusion of the land to the south of Whitehall Street within the Order Land (including Ms. Powell's property) has not been justified
- 15.83.2 The existing estate has been deliberately run down
- 15.83.3 Consultation has been insufficient
- 15.83.4 The Scheme amounts to social cleansing of the neighbourhood
- 15.83.5 Defects in the ballot process
- 15.83.6 Lack of individual contact with the objector and failure to provide information on the value of the objector's property
- 15.83.7 Lack of affordability of the shared equity offer and reduction in objector's equity in new home
- 15.83.8 Concern regarding service charge levels for new homes in the Scheme
- 15.83.9 Insufficient consultation regarding the update to the Scheme's phasing plan (**CD 4.37**)
- 15.83.10 Issue with timing of relocation options for resident leaseholders
- 15.84 *Need for the inclusion of the land to the south of Whitehall Street within the Order Land has not been justified* – Ms. Powell (**CD 6.Obj-11**) has put forward an alternative proposal for the Scheme which excludes the redevelopment of the land to the south of Whitehall Street, including Ms. Powell's property. This land comprises the blocks 3-29 Whitehall Street (odds), 31-61 Whitehall Street (odds), 63-89 Whitehall Street (odds), 2-28 Orchard Place and 4-18 Brereton Road.
- 15.85 This proposal is not a viable alternative to the Scheme. Firstly, the exclusion of that part of the Order Land would result in the Scheme failing to achieve the requirements of the adopted planning framework. Further information is provided in the evidence of Tom Horne (**CD 9.5**).
- 15.86 Moreover, the exclusion of this land would mean that the full extent of economic, social and environmental benefits of the Scheme that I set out in section 9 of my evidence could not be delivered. Further information is provided in the evidence of Lucas Lawrence (**CD 9.7**).
- 15.87 As I have explained in section 4 of my evidence, since 2012, the Council has undertaken various and extensive consultations on the nature and form of the Regeneration Scheme.

That indicated support, including by residents on the Love Lane Estate, for a comprehensive redevelopment of the estate in order to optimise the level of benefits delivered by the Scheme.

- 15.88 *The Estate has been deliberately run down* - The Council refutes this assertion. The Council has continued to maintain the homes and communal spaces on the Love Lane Estate in accordance with its housing obligations and in response to the needs of residents in relation to their homes and the neighbourhood, since the formation of the Regeneration Scheme. Residents have been supported in raising any issues through their ITLA, and through the dedicated project team in liaison with Housing and other services in the Council.
- 15.89 *Consultation has been insufficient* – As I have explained in section 4 of my evidence, the Regeneration Scheme and Scheme have been subject to multiple rounds of consultation with residents, businesses and the wider community since its inception. This included consultation with leaseholders on the Love Lane Estate in respect of a Leaseholder Guide in 2014, which was approved by Cabinet in December 2014. This was followed by consultation on a Love Lane Leaseholder Offer (which built on the previous Leaseholder Guide) in 2018 and 2021, and which was adopted by Cabinet in July 2021. In each these consultations, a draft version of the policy and feedback form was sent to all leaseholders on the estate. The consultations have been supported by workshops, drop-in sessions and one-to-one appointments which leaseholders have been alerted to by letter. Following its approval, a hard copy of the Leaseholder Offer was provided to all leaseholders in hard copy in November 2021 alongside a letter seeking to open negotiations regarding the purchase of their leasehold interest and to discuss rehousing options with resident leaseholders.
- 15.90 *The Scheme amounts to social cleansing of the estate* – The Council does not agree with this claim. As I set out in section 6 of my evidence, the Council has developed a robust housing offer to ensure that resident leaseholders and secure and non-secure Council tenants on the Love Lane Estate have the option to move to a newly built home within the Scheme.
- 15.91 *Defects in the ballot process* – The Council refutes this assertion. The resident ballot on the Love Lane Estate in August and September 2021 was undertaken in line with the GLA's Capital Funding Guide, and administered by an independent body, Civica Election Services (CES), who confirmed that they were satisfied that the ballot process was conducted in accordance with GLA regulations. The purpose of engagement by Council officers during the ballot was to ensure that voters had received their Landlord Offer (**CD 5.6**) and ballot papers, had the opportunity to ask an officer any questions around the offer, and were aware of where to access support.
- 15.92 *Lack of individual contact with the objector and failure to provide information on the value of the objector's property* – As I have explained in section 8 of my evidence, the Council has made extensive efforts to seek to acquire leasehold interests on the Love Lane Estate and invite leaseholders to enter into negotiations where they have been willing to do so. Where

leaseholders have indicated a willingness to do so, these have been followed up by one-to-one meetings. These efforts are demonstrated by the 44 leasehold interests that the Council has acquired on the estate since the acquisition programme commenced in 2014. The Council has also respected feedback from leaseholders where they have preferred not to discuss the sale of their property at a certain time, while maintaining ongoing dialogue to confirm that the Council is willing to discuss this as and when is appropriate.

15.93 I am satisfied that the Council has made sufficient to efforts to seek to open negotiations with Ms. Powell (**CD 6.Obj-11**) regarding the acquisition of her leasehold interests. Ms. Powell has on multiple occasions confirmed that she is not willing to discuss the potential sale of her interest nor to speak with a Council officer or has otherwise not responded to the letters sent. A summary of correspondence between the Council and Ms. Powell is provided below:

15.93.1 On 6 October 2016, the Council sent a letter to Ms. Powell to seek to arrange a meeting to discuss housing options and to confirm that the Council had started to acquire properties on the estate. On 10 October 2016, Ms. Powell responded by email to state that she was not willing to discuss this nor speak to a Council officer.

15.93.2 On 3 April 2018, following a letter by the Council and Lendlease providing an update on the Regeneration Scheme, Ms. Powell sent an email to the Council stating that she does not wish for Council officers to visit or interact with her.

15.93.3 In November 2021, the Council sent a letter to Ms. Powell stating that it would like to enter into negotiations with leaseholders and discuss housing options. Drop-in sessions to meet Council officers were also advertised and a copy of the Love Lane Leaseholder Offer provided. No response was received.

15.93.4 In March 2022, the Council sent a letter to Ms. Powell reiterating the above alongside advertising further drop-in sessions. No response was received.

15.93.5 In November 2022, the Council sent a letter to Ms. Powell reiterating the above and seeking to arrange a meeting. No response was received.

15.93.6 In January 2023, the Council sent a letter to Ms. Powell prior to the making of the Order (**CD 1.1**), notifying her that she would soon be receiving notice of such. The letter also sought to arrange a meeting and advertised drop-in sessions. No response was received.

15.93.7 On 28 April 2023, following an email by the Council to Ms. Powell seeking to arrange a meeting, Ms. Powell informed the Council that she was not in a position to meet for the time being as she was in the process of obtaining legal advice. Notwithstanding this, Ms. Powell invited the Council to put forward any proposals it may have in writing in the meantime. Ms. Powell also stated that this was the first

attempt by the Council to contact her individually to discuss terms. The Council does not agree with this assertion in light of the multiple letters that had been sent previously, as summarised above.

- 15.93.8 On 16 May 2023, in light of the above, the Council sent an email to Ms. Powell which included an offer to purchase Ms. Powell's leasehold interest in the property, subject to contract and without prejudice. Further without prejudice correspondence has been held between the two parties since that time.
- 15.94 A log of correspondence between the Council and Ms. Powell in relation to the acquisition of her leasehold interest and the Regeneration Scheme more broadly is also appended to my evidence (**Appendix 3, CD 9.2**).
- 15.95 *Lack of affordability of the shared equity offer and reduction in objector's equity in new home* – In section 6 of evidence, I explain the rent and interest-free equity loan offer which the Council has offered to resident leaseholders on the Love Lane Estate to support the purchase of a property within the Scheme or elsewhere in the borough. As Ms. Powell (**CD 6.Obj-11**) notes, this equity loan option has been offered to Ms. Powell by the Council and remains available pursuant to the Love Lane Leaseholder Offer. Ms Powell has confirmed that she is not interested in the equity loan option.
- 15.96 Ms. Powell (**CD 6.Obj-11**) has raised a concern regarding the succession rights for the equity loan, in that while the equity loan can be passed on to a spouse, civil partner or a person living in the property as a partner, it is not able to be passed onto anyone other than a partner and therefore must be repaid in full when transferred to another owner. While the Council recognises this concern, the Council has to strike a balance with its financial contributions, and allowing the equity loan to be passed on to other persons would tie up a substantial amount of public funds for many years, which otherwise could be used for other Council housing. In response to feedback, the Council has agreed that in the event of a leaseholder's death, an adult child or another family member living an equity loan property would have a 12-month grace period to decide whether to sell the property and use the proceeds to find alternative accommodation, or pay off the equity loan (e.g. by obtaining a mortgage for that amount) and remain living in the property as a leaseholder).
- 15.97 I am satisfied that the equity loan option, which has been developed through multiple rounds of consultation with leaseholders, represents a strong offer that ensures that there is an affordable option for resident leaseholders to remain in the Scheme or elsewhere in the local area if they prefer.
- 15.98 *Concern regarding service charge levels for new homes in the Scheme* – As set out in the Council's Landlord Offer (**CD 5.6**), service charges will be calculated based on the services that are provided with the aim to ensure that costs are minimised, while still ensuring that the

buildings are managed and maintained to a high quality. As the Scheme progresses, the Council and Lendlease will be working closely with residents to understand the type and level of services that tenants and leaseholders want and need in the new residential buildings, to ensure that these are affordable to residents.

- 15.99 *Insufficient consultation regarding the update to the Scheme's phasing plan (CD 4.37)* – Engagement has taken place with residents and businesses on the phasing plan. This has included drop-in sessions and one-to-one appointments with Love Lane residents in May/June 2023, which were promoted by a flyer sent to all addresses on the estate, including Ms. Powell's (CD 6.Obj-11) property, and a stall at the community fun day in July 2023. One-to-one engagement has also taken place with local businesses, supported with a business support leaflet provided to all businesses that sets out the changes. As part of correspondence with Ms. Powell where this matter was raised, the Council provided details by email on 6th August 2023 for the consultation by the Local Planning Authority on details pursuant to a condition associated with the Planning Permission (CD 4.28) regarding the phasing plan. I note that Ms. Powell provided comment to the Local Planning Authority in response to this consultation.
- 15.100 *Issue with timing of relocation options for resident leaseholders* – Ms. Powell (CD 6.Obj-11) has raised a concern that, at the time that her property at 63 Whitehall Street is required for demolition under the Scheme's phasing plan (CD 4.37), there will be no new properties within the Scheme for her to relocate into, hence meaning that she cannot remain within the Scheme.
- 15.101 It is the Council and Lendlease's intention, through the phasing plan (CD 4.37), to maximise the number of residents on the estate who can make a direct move to their new property. The Council has confirmed to Ms. Powell that the intention is that many residents living within Phases 2-4 (which includes 63 Whitehall Street) will be able to make a single move from their current properties to the newly completed properties at Plot A. That includes resident leaseholders in line with the provisions in the Leaseholder Offer, should they wish to do so. The Council has written to Ms. Powell to state that if she is interested in moving to one of the new homes in Plot A, then the Council is willing to discuss this further and can take the necessary steps towards offering Ms. Powell with a replacement leasehold home within Plot A.

Conclusion on objections

- 15.102 The Council has reviewed all of the objections received and has considered all of the issues raised. Having carefully considered all of the objections, it has set out responses in the Statement of Case (CD 7.1), and the evidence of myself, Selina Mason (CD 9.3), James Franklin (CD 9.9), Lucas Lawrence (CD 9.7), and Tom Horne (CD 9.5). The Council does not consider that any of the objections submitted amount to a good reason not to confirm the Order (CD 1.1) as submitted.

- 15.103 The Council is satisfied that there is a compelling case for confirmation notwithstanding the objections.

16. CONCLUSIONS

- 16.1 I consider that the Council has demonstrated that the Order (**CD 1.1**) satisfies the requirements of section 226(1)(a) of the 1990 Act and there are compelling reasons in the public interest for the Order to be confirmed.

The Scheme

- 16.2 The Scheme has been developed in response to, and will help address, the significant barriers that residents in North Tottenham have experienced over many years. These include high levels of deprivation, an under provision of good quality and affordable housing, a lack of access to training and employment opportunities, perpetually high levels of both serious and low-level crime and a poor quality of health.
- 16.3 The Scheme will deliver substantial economic, social and environmental well-being benefits to the North Tottenham area and the wider borough. Those benefits include the creation of a substantial number of jobs and employment opportunities during both the construction and operational phases of the Scheme, approximately 1,350 to 1,665 new homes of which 40% will be affordable (by habitable room) including 500 social rented Council homes, a new Library and Learning Centre and public square, new commercial uses, a District Energy Network and improved landscaping and connections through the Scheme.
- 16.4 The Scheme accords with local and national planning policies (**CD 3.1, CD 3.4**). Planning Permission (**CD 4.28**) has been granted for the Regeneration Scheme, including the Scheme.

Evolution of the Scheme

- 16.5 The Regeneration Scheme and Scheme has been supported through a number of key decisions by the Council's Cabinet since 2012, including the decision in November 2022 to make a CPO to enable the acquisition of the land, interests and new rights over the Order Land that are needed to facilitate the delivery of the Scheme.
- 16.6 The Council has undertaken extensive consultation on the Regeneration Scheme, including the Scheme, with local residents, businesses and the wider community since 2012. The comprehensive redevelopment of the Order Land to deliver the benefits I set out in my evidence has been supported through consultation, including through a resident ballot on the Love Lane Estate.

17. Resident Offer and Assistance to Businesses

- 17.1 The Council has a resident offer in place which ensures that those with secure and non-secure tenancies from the Council, and those who are resident owner-occupiers within the Order Land (including those on the Love Lane Estate and the High Road) are able to relocate to a new home within the Scheme.
- 17.2 The Council has a Business Charter (**CD 5.7**) in place, secured via obligations in the S106 (**CD 4.29**) and the CPOIA (**CD 5.4**), which commits to prioritising the relocation of existing businesses within the Order Land into new spaces within the Scheme, and ensuring that they are supported through the regeneration process.

Efforts to Acquire Land by Agreement

- 17.3 All the land and rights comprised in the Order are required to deliver the Scheme.
- 17.4 While the Council and Lendlease have made significant efforts to acquire all of the outstanding land interests by agreement since 2014, due to the number of outstanding third-party interests within the Order Land, it is unlikely the Council will be able to acquire all the necessary interests by private agreement within a reasonable timescale.

Delivery and Funding Arrangements

- 17.5 The purpose of which the Council is proposing to acquire the land, that is the delivery of the Scheme, cannot be achieved through any other means.
- 17.6 The Council is satisfied that the Scheme is deliverable and financially viable. The Council has contractual arrangements in place with Lendlease to deliver the Scheme via a DA (**CD 5.5**) and CPOIA (**CD 5.4**). The Council has secured a funding package from the GLA to support delivery of the Scheme, the majority of which has been drawn down and is available, and the Council is confident of meeting the conditions to draw down the remainder of the funding in line with those agreements.
- 17.7 The Council and Lendlease have the necessary financial and other resources available to meet land acquisition and compensation costs and to carry out the Scheme.
- 17.8 Subject to confirmation of the Order to enable site assembly, there are no impediments to implementation of the Scheme. The application for judicial review of the Planning Permission (**CD 4.28**) does not represent an impediment to the Scheme proceeding.

Equalities and Human Rights Considerations

- 17.9 It is the Council's view there are strong grounds on which to conclude that the Scheme is in the public interest sufficient to justify interfering with the human rights of those with an interest in the Order Land, including those whose homes are within the Order Land, as well as those businesses which will be affected.

- 17.10 The Council has taken and will continue to take appropriate action to discharge the Public Sector Equality Duty. This has been and will continue to be addressed at each stage of the key decision-making for the Regeneration Scheme.

Objections

- 17.11 The Council has reviewed all of the objections received and has considered all of the issues raised. Having carefully considered all of the objections, the Council does not consider that any of the objections submitted amount to a good reason not to confirm the Order as submitted.

Summary

- 17.12 For all the reasons set out in my proof of evidence, I believe that there are compelling reasons in the public interest for the Order to be confirmed.