

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

Our ref: GHS.RN  
101620.0005.127308470.2

Your ref:

Dear Sirs

1 May 2019

**Objection to the South Tees Development Corporation (Land at the Former Redcar Steel Works, Redcar) Compulsory Purchase Order 2019 (CPO)**

We act on behalf of Highfield Environmental Limited and have been instructed in relation to this matter. All future correspondence should be directed to both our client and this firm. A copy of this letter has also been sent to the South Tees Development Corporation (**STDC**) and STDC's legal representatives, Gowling WLG.

We write to you in response to the letter and section 207 notice addressed to our client from STDC dated 10 April 2019 received on 12 April 2019 relating to the CPO. Our client is the proprietor of leasehold title CE222458 (**Property**) (official copies enclosed) and objects to the CPO until sufficient clarification is provided by STDC to our client in relation to the following concerns:

1. Whilst the majority of the Property appears to be shaded yellow on the plans available from STDC's website (enclosed) (indicating such land is not within the CPO), we have identified areas of the Property which are shaded pink which would indicate part of the Property will be within the CPO. We appreciate the plans allow for inaccuracies but our client requires clarification from STDC whether any part of Property will be within the CPO including the Property's physical boundaries (see point 2). We wish to bring to your attention that STDC's legal representative's Gowling WLG made representations in letters dated 7 August 2018 and 16 August 2018 (both enclosed) that STDC did not intend to purchase the Property. If STDC's position has since changed without notifying our client then our client reserves the right to object on the basis that STDC has made procedural errors (see point 5).
2. The boundary lines of the Property are currently under investigation by our client as the south-western boundary indicated by Land Registry title plans is believed to be significantly narrower than the physical boundary. As you may appreciate, Land Registry title plans which have been formed using plan(s) from a conveyance (as indicated by the dotted line boundaries) allow for a sufficient margin of error. Our client therefore requires clarification that STDC have conducted a physical inspection of the Property and that their CPO plans are not solely based on Land Registry title plans because, as explained above in point 1, our client requires clarification as to whether any part of the Property is within the CPO.
3. The current proprietor (Sahaviriya Steel Industries UK Limited) of freehold title CE210446 (located to the west of the Property), during their use of the land, is believed to have disposed of environmental waste beyond their land's boundaries and within the boundaries of the Property. As the proposed successive proprietor of this area of land, our client requests clarification as to how STDC propose to deal with the environmental waste interfering with the Property. Our client reserves the right to bring legal action in relation to the interference of this waste with the Property.

4. The Property enjoys private access rights and other benefits over areas of land within the CPO (as noted on the official copy of the register of title enclosed). Our client and its tenant regularly exercise these access rights therefore our client requires clarification that these private access rights will not be extinguished or interfered with by the CPO. Further, our client would like to enquire whether the intention of the STDC is to create an alternative access route for occupiers of land in the area and whether they will be granted the benefit of using such access routes. If the CPO has the effect of extinguishing or interfering with these rights, our client reserves the right to claim for compensation for the detriment in value to the Property.
5. We also wish to highlight that the requisition notice dated 10 May 2018 that STDC served on our client under Section 5A of the Acquisition of Land Act 1981 (**Act**) was not valid. Firstly, the notice did not sufficiently describe the CPO as required under Section 5A(6)(b) of the Act and further, whilst the notice provided the statutory source of STDC's power to request information, it did not state the statutory source of the CPO, a requirement under Section 5A(6)(c) of the Act. We wrote to STDC on our client's behalf explaining this procedural error in a letter dated 17 May 2018 (enclosed). Gowling WLG, on behalf of STDC, responded to our letter close to 3 months after the date of our letter confirming a revised notice would be sent to our client, conceding that the notice was not validly served. Neither our client or ourselves as our client's legal representatives received such a revised notice. Our client was therefore not provided with an opportunity to provide information to STDC such as the full extent of the access rights they and the Property enjoy which could very well have avoided the areas of concern which we are seeking clarity for in this letter. In addition to the potential procedural error explained at point 1, our client reserves the right to object on the basis that STDC has made procedural errors.

For the purposes of satisfying the requirements of the section 207 notice served on our client, we confirm the following:

**Title of the order:** The South Tees Development Corporation (Land at the Former Redcar Steel Works, Redcar) Compulsory Purchase Order 2019

**Grounds of objection:** Detailed in points 1 to 5 above

**Objector:** Highfield Environmental Limited (CRN: 10438194)

**Objector's address:** Wynyard Park House, Wynyard Avenue, Billingham, Stockton On Tees, TS22 5TB

**Objector's interests in the land:** Detailed in points 1 to 5 above

We would be grateful if you could confirm receipt of this letter.

We look forward to receiving clarification from STDC.

Yours faithfully

**Muckle LLP**